



THE NEWFOUNDLAND AND LABRADOR GAZETTE

PART I

PUBLISHED BY AUTHORITY

Vol. 86	ST. JOHN'S, FRIDAY, JANUARY 14, 2011	No. 2
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MINERAL ACT

NOTICE

Published in accordance with section 62 of CNLR 1143/96 under the *Mineral Act*, cM-12, RSNL 1990 as amended.

Mineral rights to the following mineral lands have reverted to the Crown:

Mineral License 011430M
Held by Mega Uranium Ltd.
Situates near Lake Michael
On map sheet 13J/09

Mineral License 011453M
Held by Budden, Andy
Situates near Dildo Run, Central NL
On map sheet 02E/10

Mineral License 012600M
Held by Spruce Ridge Resources Ltd
Situates near Cormack, Western NL
On map sheet 12H/03 12H/06

Mineral License 012625M
Held by White Bear Resources Incorporated
Situates near Lake Melville
On map sheet 13G/15 13G/14

Mineral License 012626M
Held by White Bear Resources Incorporated
Situates near Lake Melville
On map sheet 13G/15 13J/02

Mineral License 012629M
Held by White Bear Resources Incorporated
Situates near Mistinippi Lake
On map sheet 13K/11 13K/14

Mineral License 015708M
Held by Capella Resources Ltd.
Situates near Jeffries Pond
On map sheet 13A/15

Mineral License 013891M
Held by Noel, E. Michele
Situates near Thomas Pond, Avalon Peninsula
On map sheet 01N/07

Mineral License 013892M
Held by Noel, E. Michele
Situates near Thomas Pond, Avalon Peninsula
On map sheet 01N/07

Mineral License 013907M
Held by Noel, E. Michele
Situates near Northwest Gander River, Central NL
On map sheet 02D/11

Mineral License 013909M
Held by 61716 Newfoundland and Labrador Limited
Situates near Mizzen Topsail, Central NL
On map sheet 12H/02

staking after the hour of 9:00 a.m. on the 32nd clear day after the date of this publication.

DEPARTMENT OF NATURAL RESOURCES
JIM HINCHEY, P. Geo
Manager - Mineral Rights

Mineral License 013912M
Held by 61716 Newfoundland and Labrador Limited
Situates near Gaff Topsail, Central NL
On map sheet 12H/02

File #: 774:6493, 6511, 7494, 7505, 7506, 7509, 7755, 8708, 8709, 8722, 8724, 8727, 8728, 8730, 8734, 9115, 9926, 9931, 9937, 775:0411, 0417, 0418

Mineral License 013913M
Held by 61716 Newfoundland and Labrador Limited
Situates near Gaff Topsail, Central NL
On map sheet 12H/02

Jan 14

Mineral License 013915M
Held by Labrador Inuit Development Corporation
Situates near Metchin River
On map sheet 13E/06 13E/07

TRUSTEE ACT

ESTATE NOTICE

Mineral License 013919M
Held by Benoit, Joan Marie
Situates near Flat Bay Brook, Western NL
On map sheet 12B/08

IN THE MATTER of the Estate of MARY FLORENCE DAHLBERG, late of Main Brook, in the Province of Newfoundland and Labrador, Deceased

A portion of license 016992M
Held by Buchans River Ltd
Situates near Lloyds River, Central NL
On map sheet 12A/05
more particularly described in an application on file at Department of Natural Resources

All persons claiming to be creditors of or who have any claims or demands either as beneficiaries or next of kin (by blood, legal adoption or marriage) upon or affecting the Estate of MARY FLORENCE DAHLBERG, Gentlewoman, who died at Main Brook, NL on or about November 7th 2009, are hereby requested to send particulars thereof in writing, duly attested, to the Registrar of the Supreme Court, 136 Crosbie Road, Suite 401, St. John's, NL, A1B 3K3, Administrator of the Estate of MARY FLORENCE DAHLBERG, on or before February 28th 2011, after which date the said Administrator will proceed to distribute the Estate having regard only to the claims of which he then shall have had notice.

Mineral License 015471M
Held by Hicks, Darrin
Situates near Terra Nova North River, Eastern NL
On map sheet 02D/07

DATED at the City of St. John's, in the Province of Newfoundland and Labrador, this 7th day of January, 2011

Mineral License 015476M
Held by North Range Resources Ltd.
Situates near Terra Nova North River, Eastern NL
On map sheet 02D/07

REGISTRAR OF THE SUPREME COURT
Administrator of the Estate of
MARY FLORENCE DAHLBERG

Mineral License 015482M
Held by Rice, Garland
Situates near Saltwater Pond, White Bay Area
On map sheet 12H/10

ADDRESS FOR SERVICE
Suite 401, 136 Crosbie Road
St. John's, NL, A1B 3K3
Tel: (709) 729-4505/729-0850
Fax: (709) 729-3063

Mineral License 016505M
Held by Hicks, Darrin
Situates near Michikamau Lake
On map sheet 13L/04

Mineral License 016513M
Held by Stone, Albert
Situates near Marystown, Burin Peninsula
On map sheet 01M/03

Jan 14

Mineral License 016514M
Held by Dawson, Michael E.
Situates near Mint Brook, Eastern NL
On map sheet 02D/10

ESTATE NOTICE

The lands covered by this notice except for the lands within Exempt Mineral Lands, the Exempt Mineral Lands being described in CNLR 1143/96 and NLR 71/98, 104/98, 97/2000, 36/2001, 31/2004, 78/2006, 8/2008 and 28/2009 and outlined on 1:50 000 scale digital maps maintained by the Department of Natural Resources, will be open for

IN THE MATTER of the Estate of ARNOLD HAMLYN, late of St. John's, in the Province of Newfoundland and Labrador, Deceased

All persons claiming to be creditors of or who have any claims or demands either as beneficiaries or next of kin (by blood, legal adoption or marriage) upon or affecting the Estate of ARNOLD HAMLYN, Gentleman, Businessman,

who died at St. John's, NL on or about August 21st 2010, are hereby requested to send particulars thereof in writing, duly attested, to the Registrar of the Supreme Court, Estates Office, 136 Crosbie Road, Suite 401, St. John's, NL, A1B 3K3, Administrator of the Estate of ARNOLD HAMLYN, on or before Monday, February 28th 2011, after which date the said Administrator will proceed to distribute the Estate having regard only to the claims of which he then shall have had notice.

DATED at the City of St. John's, in the Province of Newfoundland and Labrador, this 4th day of January, 2011

REGISTRAR OF THE SUPREME COURT
Administrator of the
Estate of ARNOLD HAMLYN

ADDRESS FOR SERVICE
Suite 401, 136 Crosbie Road
St. John's, NL, A1B 3K3
Tel: (709) 729-4505/729-0850
Fax: (709) 729-3063

Jan 14

ESTATE NOTICE

IN THE MATTER OF the estate of JOHN RETTIE EUGENE PARKER, Chartered Accountant and University Professor, retired, deceased, late of the City of St. John's, in the Province of Newfoundland and Labrador.

Notice is hereby given pursuant to section 24 of the *Trustee Act*, RSNL 1990 cT-10 as amended at the date hereof to all persons claiming to be creditors or who have any claims or demands upon or affecting the estate of JOHN RETTIE EUGENE PARKER, late of the City of St. John's, aforesaid, deceased, are hereby requested to send particulars therein in writing, duly attested to Douglas Wright of Cox & Palmer, Suite 1000, Scotia Centre, 235 Water Street, St. John's, Newfoundland and Labrador, A1C 1B6, Solicitors for the estate of the Deceased, on or before (30 days after date of last publication) after which date the Solicitors will proceed to distribute the said estate, having regard only to the claims which they shall then have had notice.

DATED at St. John's, Newfoundland and Labrador, this 6th day of January, 2011.

COX & PALMER
Solicitors for the Estate of
JOHN RETTIE EUGENE PARKER
PER: Douglas Wright

ADDRESS FOR SERVICE
Suite 1000, Scotia Centre,
235 Water Street,
St. John's, NL A1C 1B6
Tel: (709) 570-5347
Fax: (709) 738-7999

Jan 14

ESTATE NOTICE

IN THE MATTER OF the Estate of BARTON HENRY PENNEY, of the Town of Port Hope Simpson, in the Province of Newfoundland and Labrador, Widower, Deceased.

All persons claiming to be creditors or heirs at law of or who have any claims or demands upon or affecting the Estate of BARTON HENRY PENNEY, late of the Town of Port Hope Simpson, in the Province of Newfoundland and Labrador, Widower, Deceased, are hereby requested to send particulars of the same in writing, duly attested, to Bernice Penney, Administratrix of the said Estate, c/o Stewart McKelvey, Cabot Place, 100 New Gower Street, P.O. Box 5038, St. John's, Newfoundland and Labrador, A1C 5V3, Attention: Meredith D. Baker on or before the 22nd day of January, 2011 after which date the Administratrix will proceed to distribute the said Estate having regard only to the claims of which they then shall have had notice.

DATED at St. John's, in the Province of Newfoundland and Labrador, this 4th day of January, 2011.

STEWART MCKELVEY
Administratrix of the Estate of
BARTON HENRY PENNEY
PER: Meredith D. Baker

ADDRESS FOR SERVICE
P.O. Box 5038
Suite 1100, Cabot Place
100 New Gower Street
St. John's, NL A1C 5V3
Tel: (709) 722-4270 Ext. 255
Fax: (709) 722-4565

Jan 14



THE NEWFOUNDLAND AND LABRADOR GAZETTE

PART II

SUBORDINATE LEGISLATION FILED UNDER THE STATUTES AND SUBORDINATE LEGISLATION ACT

Vol. 86

ST. JOHN'S, FRIDAY, JANUARY 14, 2011

No. 2

NEWFOUNDLAND AND LABRADOR REGULATIONS

NLR 1/11
NLR 2/11
NLR 3/11
NLR 4/11
NLR 5/11



NEWFOUNDLAND AND LABRADOR REGULATION 1/11

Rules of the Supreme Court, 1986 (Amendment)
under the
Judicature Act

(Filed January 12, 2011)

Under the authority of section 55 of the *Judicature Act*, the Rules Committee of the Court of Appeal makes the following Rules.

Dated at St. John's, January 5, 2011.

Christopher P. Curran Q.C.
Registrar of the Supreme Court
Secretary, Rules Committee

REGULATIONS

Analysis

1. Rule 57.15 Amdt.
Factums

1. Rule 57.15 of the *Rules of the Supreme Court, 1986* is amended by adding immediately after rule (5) the following:

(6) Except where rule 57.09 or rule 57.14(4) applies, no reply factum to a respondent's factum shall be filed without the prior approval of the Chief Justice.

(7) Where approval is sought under rule (6), the applicant shall set out the reasons why it is appropriate to be allowed to file a reply

including the reasons why it was not appropriate or convenient to have dealt with those matters in the applicant's original factum.

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NEWFOUNDLAND AND LABRADOR REGULATION 2/11

Licensed Practical Nurses Regulations, 2011
under the
Licensed Practical Nurses Act, 2005

(Filed January 12, 2011)

Under the authority of section 30 of the *Licensed Practical Nurses Act, 2005*, the College of Licensed Practical Nurses of Newfoundland and Labrador, with the approval of the Minister of Health and Community Services, makes the following regulations.

Dated at St. John's, January 7, 2011.

Elizabeth Crawford
Chairperson
College of Licensed Practical Nurses
of Newfoundland and Labrador

Jerome P. Kennedy, Q.C.
Minister of Health and Community Services

REGULATIONS

Analysis

1. Short title
2. Interpretation

- | | |
|--|---|
| 3. Requirements and qualifications for licensure | 12. Parent/satellite institutions |
| 4. Licensure | 13. Type of approval |
| 5. Licence renewal | 14. Program evaluation |
| 6. Programs of education for practical nurses | 15. Withdrawal of approval by board |
| 7. Examinations | 16. Filing of an allegation |
| 8. Application for examination | 17. Appointment of an adjudication tribunal |
| 9. Persons to be examined | 18. Decision of the adjudication tribunal |
| 10. Multiple examination failure and appeal | 19. Repeal |
| 11. Approval of programs | |

Short title **1.** These regulations may be cited as the *Licensed Practical Nurses Regulations, 2011*.

Interpretation **2.** (1) In these regulations "satellite institution" means a person or institution other than a parent institution designated by the board under section 12.

(2) For the purpose of these regulations, a reference to the Standards and Criteria for Approval and Evaluation of Practical Nursing Programs includes any amendments made to that document, since its adoption by the board.

Requirements and qualifications for licensure **3.** The requirements and qualifications for a licence to practice as a practical nurse, in addition to those set out in section 12 of the Act, are

- (a) completion of an application form that may be obtained from the college;
- (b) proficiency in the English language that the board considers sufficient to enable the applicant to practise as a licensed practical nurse in the province;
- (c) proof of
 - (i) within 5 years before the date of the application, successful completion of a program of education for practical nurses or its equivalent or a refresher program for practical nurses, as approved by the board, or
 - (ii) work as a licensed or registered practical nurse for

- (A) at least 450 hours in the 2 years immediately preceding the licensing year for which the application is submitted, or
- (B) at least 1125 hours in the 5 years immediately preceding the licensing year for which the application is submitted;
- (d) for applicants who have successfully completed a basic program of education for practical nurses or its equivalent as approved by the board
 - (i) within the province after May 15, 1984, or
 - (ii) outside the province,proof of successful completion of a licensing or registering examination for practical nurses as approved by the board; and
- (e) provision of evidence of good character satisfactory to the board.

Licensure

4. (1) A person who meets the requirements of section 3, in addition to those set out in section 12 of the Act, may be granted a licence to practise as a practical nurse and that licence shall be effective from the date of issue until March 31 in a year.

(2) Notwithstanding subsection (1), the registrar may issue a non-renewable temporary licence to an applicant who meets the requirements of section 12 of the Act, for a period of time determined by the board,

- (a) where the applicant has successfully completed a basic program of education for practical nurses or its equivalent as approved by the board and has met the requirements respecting initial licensure in section 3, excluding paragraph 3(1)(d); or
- (b) in other circumstances considered appropriate by the board.

Licence renewal **5.** (1) The registrar may renew the licence of a practical nurse who applies for renewal where the practical nurse has provided, in addition to the requirements set out in section 12 of the Act,

(a) proof of

(i) within the previous 5 years, successful completion of program of education for practical nurses or its equivalent or a refresher program for practical nurses, as approved by the board;

(ii) work as a licensed practical nurse for

(A) at least 450 hours in the 2 years immediately preceding the licensing year for which renewal is sought, or

(B) at least 1125 hours in the 5 years immediately preceding the licensing year for which renewal is sought, or

(iii) work as registrar of the college within the previous 5 years and successful completion of a program of education for practical nurses or its equivalent as approved by the board;

(b) proof that is satisfactory to the board of successful completion of a program of education or course for practical nurses that the board has stipulated under section 6 to be mandatory;

(c) proof that is satisfactory to the board of successful completion of a program of continuing competence as may be required by the board; and

(d) provision of evidence of good character satisfactory to the board.

(2) A licence shall expire on March 31 in a year, and where a person satisfies the requirements of subsection (1), in addition to those set out in section 12 of the Act, the registrar may renew the licence and that licence shall

(a) if renewed on April 1 in a year, be valid for a year and shall expire on March 31 in a year; or

(b) if renewed after April 1 in a year, be valid from the date of renewal and shall expire on March 31 in a year.

(3) The registrar may remove from the register the name of a licensed practical nurse who has not paid in full the required fee including arrears before the beginning of the next licensure year.

Programs of education for practical nurses

6. The board may stipulate that the successful completion of program of education or course for practical nurses is a mandatory prerequisite for continued licensure or renewal of licensure, including the completion of

(a) a basic program of education or course for practical nurses;

(b) a post-basic program of education or course for practical nurses;

(c) a refresher or re-entry program or course for practical nurses;

(d) a continuing education program or course for practical nurses;

(e) a professional development program or course for practical nurses; or

(f) another program of education or course for practical nurses.

Examinations

7. The board shall conduct, or cause to be conducted, examinations for the licensing of practical nurses at least once a year, at those times and places as determined by the board.

Application for examination

8. An applicant who wishes to write the licensing examination shall submit an application for examination, along with the applicable fees, to the registrar.

Persons to be examined

9. A person may be permitted to write the licensing examination where he or she has

- (a) successfully completed a program of education for practical nurses or an equivalent course of study in the province as approved by the board; or
- (b) completed a program of education in another jurisdiction equivalent to an approved program of education for practical nurses in this province.

Multiple examination failure and appeal

10. (1) Candidates for licensure as a practical nurse may write the licensing examination up to 3 times within a 2 year period without being required to complete additional education, as required by the board.

(2) Candidates who fail the examination may, upon the payment of a fee, request that the registrar arrange for a rescoring of their examinations.

Approval of programs

11. (1) The board may approve a program of education or course for practical nurses where

- (a) the board has identified a need for the program or course;
- (b) the philosophy and objectives of the program or course are acceptable to the board;
- (c) the program or course meets the Standards and Criteria for Approval and Evaluation of Practical Nursing Programs adopted by the board;
- (d) the board has approved
 - (i) a person or institution proposing to offer or cause to be offered the program or course, and
 - (ii) the curriculum and faculty qualifications for the program or course and the facility in which the program or course is offered; and
- (e) the program or course complies with these regulations.

(2) Notwithstanding subsection (1), the board may grant provisional approval for an established program or course which does not meet the requirements of that subsection.

Parent/satellite institutions	12. The board may designate a person or institution approved under paragraph 11(1)(d) as a parent institution and that parent institution may implement the offering of a program of education or course for practical nurses by or through a satellite institution provided that all the requirements of section 11 are met.
Type of approval	13. (1) An approval granted by the board for a program of education or course for practical nurses may be (a) preliminary approval granted before (i) the beginning of a new program or course, or (ii) an initial offering of an established program or course; (b) full approval or renewal granted for an established program or course; or (c) provisional approval granted for an established program or course. (2) An approval or renewal of a program of education or course for practical nurses shall be for a period of time as determined by the board.
Program evaluation	14. Every approved program of education or course for practical nurses shall be evaluated by the board in accordance with the Standards and Criteria for Approval and Evaluation of Practical Nursing Programs adopted by the board (a) in the case of a program or course which has been granted a preliminary approval, during the first offering; (b) in the case of a program or course which has been granted full approval, within the time period as determined by the board; and (c) in the case of a program or course which has been granted provisional approval, during the period of time stipulated by the board for the program or course to meet the requirements of the Standards and Criteria for Approval and Evaluation of Practical Nursing Programs adopted by the board.

Withdrawal of approval by board	15. With respect to a program of education or course for practical nurses, an institution or person or a parent institution, the board may withdraw, cancel, refuse to renew or change the status of an approval where the board is satisfied that (a) there is no longer a need for a program or course; (b) an institution or person offering a program or course is failing to meet the requirements of the Standards and Criteria for Approval and Evaluation of Practical Nursing Programs adopted by the board; or (c) an institution or person offering a program or course has failed to meet the requirements of the Standards and Criteria for Approval and Evaluation of Practical Nursing Programs adopted by the board, within the time stipulated by the board.
Filing of an allegation	16. (1) Within 30 days of receipt of an allegation the respondent shall be notified in writing that an allegation has been received. (2) A respondent shall have 30 days from the notification of the allegation to respond to the complainant's allegation. (3) The chairperson of the complaints authorization committee shall inform the respondent and the complainant within 120 days of receipt of the allegation whether the committee intends to conduct an investigation of the allegation under section 17 of the Act.
Appointment of an adjudication tribunal	17. An adjudication tribunal shall be appointed within 30 days of referral of the complaint to the disciplinary panel.
Decision of the adjudication tribunal	18. The written decision and orders of an adjudication tribunal shall be provided to the registrar and the respondent within 90 days of the completion of the hearing of the complaint by the adjudication tribunal.
Repeal	19. The <i>Licensed Practical Nurses Regulations, Newfoundland and Labrador Regulation 59/99</i>, are repealed.

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NEWFOUNDLAND AND LABRADOR REGULATION 3/11

Town of Fogo Island Order
under the
Municipalities Act, 1999
(O.C. 2011-002)

(Filed January 12, 2011)

Under the authority of sections 3, 6 and 12 of the *Municipalities Act, 1999* the Lieutenant-Governor in Council makes the following regulations.

Dated at St. John's, January 6, 2011.

Robert Thompson
Clerk of the Executive Council

ORDER

Analysis

- | | |
|---------------------------|-----------------|
| 1. Short title | 5. Boundaries |
| 2. Amalgamation | 6. Repeal |
| 3. Assets and liabilities | 7. Commencement |
| 4. Town council | |

Short title

1. This order may be cited as the *Town of Fogo Island Order*.

Amalgamation

2. The Towns of Fogo, Seldom-Little Seldom, Tilting and Joe Batt's Arm-Barr'd Islands-Shoal Bay and the Fogo Island Region are amalgamated as the Town of Fogo Island.

Assets and liabilities	3. All assets and liabilities of the Fogo Island Region, the Towns of Fogo, Seldom-Little Seldom, Tilting and Joe Batt's Arm-Barr'd Islands-Shoal Bay are to be assumed by the Town of Fogo Island.
Town council	4. The town council of the Town of Fogo Island is established to control and manage the town in accordance with the Act.
Boundaries	5. The boundaries of the Town of Fogo Island are inclusive of the island of Fogo.
Repeal	6. The following are repealed: (a) the <i>Fogo Island Region Order</i>, Newfoundland and Labrador Regulation 9/96; (b) the <i>Town of Fogo Order</i>, Consolidated Newfoundland and Labrador Regulation 173/96; (c) the <i>Town of Joe Batt's Arm-Barr'd Islands-Shoal Bay Order</i>, Consolidated Newfoundland and Labrador Regulation 242/96; (d) the <i>Town of Seldom-Little Seldom Order</i>, Consolidated Newfoundland and Labrador Regulation 449/96; and (e) the <i>Town of Tilting Order</i>, Consolidated Newfoundland and Labrador Regulation 463/96.
Commencement	7. (1) For the purpose of the first election this regulation comes into force on the date it is published. (2) For all other purposes, this regulation comes into force on March 1, 2011.

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NEWFOUNDLAND AND LABRADOR REGULATION 4/11

Town of Fogo Island Order
under the
Municipal Elections Act
and the
Municipalities Act, 1999

(Filed January 12, 2011)

Under the authority of sections 7 and 12 of the *Municipal Elections Act* and sections 14 and 16 of the *Municipalities Act, 1999*, I make the following Order.

Dated at St. John's, January 10, 2011.

Kevin O'Brien
Minister of Municipal Affairs

ORDER

Analysis

- | | |
|----------------|-----------------------|
| 1. Short title | 3. Wards |
| 2. Election | 4. Election officials |

Short title

1. This Order may be cited as the *Town of Fogo Island Election Order*.

Election

2. The first election for the 9 person council of the Town of Fogo Island shall be held of February 22, 2011.

Wards

3. For the purpose of the election referred to in section 2, the Town of Fogo Island is divided into the following wards and each ward shall elect the number of councillors as follows:

- (a) Joe Batt's Arm- Barr'd Islands-Shoal Bay Ward, 2 councillors;
- (b) Fogo Ward, 2 councillors;
- (c) Tilting Ward, one councillor;
- (d) Seldom-Little Seldom Ward, one councillor;
- (e) Stag Harbour Ward, one councillor;
- (f) Island Harbour Ward, one councillor; and
- (g) Deep Bay, Centre of the Island Ward, one councillor.

Election officials

4. For the purpose of the election referred to in section 2, the following persons are appointed as election officials to the office indicated:

- (a) Blanche Bennett, returning officer;
- (b) Daphne Cole, deputy returning officer, Joe Batt's Arm, Barr'd Islands-Shoal Bay Ward;
- (c) Tracy Torrville, deputy returning officer, Fogo Ward;
- (d) Amanda McGrath, deputy returning officer, Tilting Ward;
- (e) Elizabeth Torrville, deputy returning officer, Seldom-Little Seldom Ward;
- (f) Pauline Hynes, deputy returning officer, Stag Harbour Ward;
- (g) Marion Heath, deputy returning officer, Island Harbour Ward;
- (h) Karen Barfoot, deputy returning officer, Deep Bay-Centre of Island Ward; and

- (i) Keith Warren, alternate returning officer.

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NEWFOUNDLAND AND LABRADOR REGULATION 5/11

Fishing Industry Collective Bargaining Regulations, 2011
under the
Fishing Industry Collective Bargaining Act

(Filed January 13, 2011)

Under the authority of subsections 19.11(3) and 19.14(4) of the
Fishing Industry Collective Bargaining Act, I make the following regu-
lations.

Dated at St. John's, January 13, 2011.

Joan Burke
Minister of Human Resources,
Labour and Employment (A)

REGULATIONS

Analysis

- | | |
|----------------------|--------------------|
| 1. Short title | 3. Reconsideration |
| 2. Decision of panel | 4. Repeal |

Short title

1. These regulations may be cited as the *Fishing Industry Collec-
tive Bargaining Regulations, 2011*.

Decision of panel

2. (1) For the purpose of subsection 19.11(1) of the Act, the deci-
sion of the panel shall be in accordance with one of the positions on

price and conditions of sale submitted to the panel by the parties at the hearing.

(2) Final offer selection, the process referred to in subsection (1), shall be the form of arbitration used by the parties referred to in subsection (1) unless those parties agree that another form of arbitration is acceptable to them.

Reconsideration

3. (1) In determining whether the conduct of the fishery to which its decision applies is in jeopardy under subsection 19.14(3) of the Act, the panel shall consider whether market or currency factors have changed significantly from the time the panel made its initial decision.

(2) In making a decision under subsection 19.14(2) of the Act, final offer selection shall be the only form of arbitration used whether one or more of the parties appears before the panel respecting the reconsideration application.

(3) A decision respecting reconsideration shall be made by the panel within 48 hours from the time the panel has acknowledged receipt of an application for reconsideration.

(4) Each party may make only one reconsideration application respecting the panel's decision on a species in a year.

Repeal

4. The *Fishing Industry Collective Bargaining Regulations*, Newfoundland and Labrador Regulation 24/07, are repealed.

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PART II

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The Newfoundland and Labrador Gazette is published from the office of Earl G. Tucker, Queen's Printer.

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Advertisements should be typewritten or printed legibly, separate from covering letter. Number of insertions required must be stated and the names of all signing officers typewritten or printed.

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