



# THE NEWFOUNDLAND AND LABRADOR GAZETTE

## PART I PUBLISHED BY AUTHORITY

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Vol. 93

ST. JOHN'S, FRIDAY, MARCH 9, 2018

No. 10

### SUPREME COURT OF NEWFOUNDLAND AND LABRADOR Rules of the Supreme Court, 1986

#### PRACTICE NOTE P.N. No. 2018-01

**DATE ISSUED:** March 8, 2018

**RULES AFFECTED:** Rule F34.03(1)(i)

**EFFECTIVE DATE:** March 9, 2018

**PREVIOUS PRACTICE  
NOTES REVISED:** N/A

The following Practice Note is published pursuant to Rule 4.04 of the Rules of the Supreme Court, 1986.

#### ADMINISTRATIVE RECALCULATION OF CHILD SUPPORT REGULATIONS UNDER THE FAMILY LAW ACT

##### Background and Purpose

1. New regulations were recently approved entitled the *Administrative Recalculation of Child Support Regulations* under the *Family Law Act*. The new regulations will come into force on March 1, 2018 and will repeal the current *Child Support Service Regulations*. The new regulations will be published in the *The Newfoundland and Labrador Gazette* on or before March 1, 2018.

2. As a result of the regulations, the recalculation of child support orders will now be an administrative process instead of a judicial one. Child support amounts that are registered with the recalculation office will be recalculated annually by recalculation officers.
3. A summary of the key provisions of the Administrative Recalculation of Child Support Regulations is provided below:
  - (a) Section 2(o) states that a “review date” means “the date in each year which is the anniversary of the commencement of the most recent child support obligation under a child support order, an agreement, or a recalculation notice”. The “review date” is fundamental to the determination of the due date for payors’ income information to be provided to the recalculation office.
  - (b) Section 4 provides for the appointment of recalculation officers to administratively recalculate child support amounts.
  - (c) Section 5(1) specifies that payors must provide income information at least 45 days before the review date of their order, agreement, or most recent recalculation notice. “Income information” is defined in s. 2(i) as both personal income tax returns and notices of assessment (and any reassessments) or where such information is not available, such other documentation that is acceptable to the recalculation office.
  - (d) Section 5(4) states that where a payor does not provide income information to the recalculation office or where the information is not available, the income of the payor will be considered the payor’s most recent income amount plus 20% of the payor’s most recent income. Under the previous regulations, this additional amount was 10%.
  - (e) Section 5(7) provides that after the payors’ financial information has been assessed, the recalculation office shall issue a recalculation notice to the parties stating that the recalculated amount of child support shall come into effect on a certain date unless either party objects by filing a Notice of Objection. Section 6 provides for the procedure for the court hearing of the objection.
  - (f) Section 7(1) allows recalculation officers to recalculate child support if a child has reached the age of majority, but remains under the charge of his or her parent and/or continues to be a dependent child. The support recipient must provide written confirmation, in the form required by the recalculation office, that the child meets the requirements in s. 37(7)(a) of the *Family Law Act* or the definition of “child of the marriage” under the *Divorce Act*.
  - (g) Section 7(2) allows recalculation officers to recalculate child support for families with multiple children, where one or more of the children have either reached the age of majority (and is no longer entitled to support) or died, but support of the other children continues. In this situation, the recalculation office may recalculate child support for the remaining dependent children provided that the order/agreement was made according to the child support table, and states the number of children, and the corresponding table amount of support.
  - (h) Section 10 sets out how notice to parties must be given by the recalculation office. Under the previous regulations, notices were to be sent by registered mail only. The new regulations allow notice to be served by personal service, ordinary mail (at the last known address of the party shown in the recalculation office’s records), fax, or electronic means (eg. email, cellphone, etc.).
  - (i) Sections 10(2) and (3) specify that a notice served by ordinary mail, fax, or electronically transmitted, is deemed to be received 7 days from the date it was sent (whether the document was actually received or returned as undeliverable). Under the previous regulations, the period of deemed service was 30 days from the date it was sent.
  - (j) Section 14 specifies that the recalculation office will not recalculate amounts for special or extraordinary expenses.
  - (k) Section 15 contains a number of grounds upon which the recalculation office will not recalculate the child support amount. Such circumstances are set out in section 15(1), and include:
    - (a)(i): where the parties have a shared custody arrangement;
    - (a)(ii): where the payor’s income was determined in a manner other than by the payor’s CRA T1 General form;
    - (a)(iii): where neither party resides in the province;
    - (a)(iv): where the recalculation office is aware that a court date has been set to hear an application respecting the child support order or agreement;

- (a)(v): where recalculation would be impracticable or too complex;
- (a)(vi): where the recalculation office receives the support order or agreement less than 4 months before the review date;
- (a)(vii): where the support order or agreement does not comply with the applicable Court Rules;
- (a)(viii): where the child support order or agreement does not comply with the applicable *Child Support Guidelines*;
- (a)(ix): where the child support amount has not been determined in accordance with the child support tables for the following reasons: (A) the child is over the age of majority, (B) a payor stands in the place of a parent, (C) there has been a determination of undue hardship, or (D) the payor's income is more than \$150,000;
- (b)(i): where an interim child support order does not provide for recalculation by the recalculation office; or
- (b)(ii): where the amount of the child support in the order is \$0.

(l) Sections 22(1), 22(2), 5(2), and 5(5) are the transitional provisions:

- Child support orders, agreements, and recalculated notices issued *after* March 1, 2018 will be subject to the new regulations.
- Child support orders or agreements issued *before* March 1, 2018 or recalculation orders that are "in progress" (ie. Notices of Recalculation issued *before* March 1, 2018, but have not yet been issued as orders), will be subject to the new regulations, with two exceptions:
  - o The date on which a payor must provide income information will remain the date in a year provided by the order or agreement (or the date specified by the Recalculation Officer where there is no date provided). [For new support orders, agreements, and recalculated notices issued *after* March 1, 2018, the date will be 45 days before the review date.]
  - o Where income information is not provided by the deadline (and the order or agreement provides for recalculation), child support will continue to be calculated based on the income from the most recent order, agreement, or recalculation notice, plus 10% of that income amount. [For new support orders, agreements, and recalculated notices issued after March 1, 2018, 20% of the payor's most recent income will be added].

**Practice Note:**

4. Where parties are required to include a recalculation clause in a draft order submitted to the Court pursuant to r. 34.03(1)(i) of the *Supreme Court Family Rules*, the following wording must be included:

**Support Recalculation**

The amount of child support shall be reviewed each year and, where necessary, will be recalculated by the Recalculation Office in accordance with the Administrative *Recalculation of Child Support Regulations*.

**COMMENCEMENT DATE OF CHILD SUPPORT:**

(a) The commencement date of child support pursuant to this order is the \_\_\_\_\_ day of (month) \_\_\_\_\_ of (year) \_\_\_\_\_.

**REVIEW DATE:**

(b) The child support amount will be reviewed one year after the date set out in clause (a) above. The next review date for the child support obligation is the \_\_\_\_\_ day of (month) \_\_\_\_\_ of (year) \_\_\_\_\_.

**INCOME INFORMATION REQUIREMENTS AND DUE DATE:**

(c) The person required to pay child support must provide the following income information to the Recalculation Office:

- i. Personal income tax return for the most recent taxation year; and
- ii. Notice of assessment and any reassessments for the most recent taxation year; or
- iii. other document(s) acceptable to the Recalculation Office.

(d) The income information must be provided to the Recalculation Office **not later than 45 days before the review date** at:

Recalculation Office  
9th floor, Sir Richard Squires Building  
P.O. Box 2006  
Corner Brook, NL A2H 6J8  
Tel: (709) 634-4172  
Fax: (709) 634-4155  
E-mail: [recalculation@gov.nl.ca](mailto:recalculation@gov.nl.ca)

**RECALCULATION – WHERE INCOME INFORMATION IS PROVIDED**

(e) If satisfactory income information is received by the Recalculation Office at least 45 days before the review date, the Recalculation Office will issue a Recalculation Notice setting out the proposed recalculated child support amount.

(f) If, as a result of the recalculation, the amount of child support would increase or decrease less than \$5.00 per month, the Recalculation Office will not recalculate the amount of child support. The Recalculation Office will notify the parties that there will be no change for that year.

**RECALCULATION – WHERE INCOME INFORMATION IS NOT PROVIDED**

(g) If satisfactory income information is not received by the Recalculation Office at least 45 days before the review date, the Recalculation Office will issue a Recalculation Notice setting out the proposed recalculated child support amount. This amount will be:

- i. the income amount on which the most recent child support order, agreement, or Recalculation Notice was based; plus
- ii. 20% of the payor's income as determined under (g)(i) above.

**EFFECTIVE DATE OF RECALCULATED AMOUNT**

(h) Unless a Notice of Objection is filed, the recalculated amount of child support stated in the Recalculation Notice will come into effect on the date set out in the Recalculation Notice. The Recalculation Office will file a copy of the Recalculation Notice with the court that made the child support order (or where the agreement is filed) and the Support Enforcement Agency.

(i) The recalculated amount of child support is payable to the Support Enforcement Agency:

Support Enforcement Division  
2nd floor, Sir Richard Squires Building  
P.O. Box 2006  
Corner Brook, NL A2H 6J8  
Tel: (709) 637-2608

**OBJECTION TO RECALCULATION**

(j) If a party objects to the change in child support amount in the Recalculation Notice, the party must file a Notice of Objection with the court that made the child support order, or where the agreement was filed. The party must also provide a copy of the Notice of Objection to the Recalculation Office.

(k) The Notice of Objection must be filed within 30 days after the Notice of Recalculation is deemed to be received.

(l) If a Notice of Objection is filed, no change shall be made to the amount of child support payable unless:

- i. a court order is made at the conclusion of the objection hearing; or
- ii. the Notice of Objection is withdrawn before the objection hearing, in which case the recalculated amount of child support is considered to have come into effect on the date set out in the Recalculation Notice.

**CHANGE OF CONTACT INFORMATION**

Parties must notify the Recalculation Office of any change to their mailing address, email address, telephone number, or fax number within 10 days of the change.

5. The required wording is included in the Form F34.02A – *Consent Order* (Support) template and the Order (Support) template, which are available on the court's website.

**Authorized by:**

Raymond P. Whalen  
CHIEF JUSTICE OF THE SUPREME COURT  
OF NEWFOUNDLAND AND LABRADOR

Ethel Chaulk  
REGISTRAR

Mar 9

**FORESTERS ACT**

The following is a certified list of professional foresters registered under Section 40 of the *Foresters Act*, SNL2011, cF-22.1 as of December 31, 2016.

**2016 ALPHABETIC MEMBER REGISTER**

RPF #	Last Name	First Name	Admission Date				
				29	Fleming	Gerald	5/31/2012
				8	Frampton	Bert	5/31/2012
				114	Frampton	David A.N.	10/21/2015
				62	Gibbons	George	5/31/2012
				99	Glode	Jason	5/31/2012
				94	Greene	Sean	5/31/2012
				79	Greening	Kirk P.	5/31/2012
				96	Griffin	Chris	5/31/2012
				78	Harty	Thomas	5/31/2012
				84	Hearn	Debbie	5/31/2012
				93	Higgins	Tamara M.	5/31/2012
88	Anderson	Adam	5/31/2012	67	Hillyard	Rod L.	5/31/2012
105	Andrews	Tim P.	4/16/2014	89	Holloway	Laurie	5/31/2012
45	Armstrong	Bruce J.	5/31/2012	116	Isaacs	Tawny	8/15/2016
70	Balsom	Stephen	5/31/2012	51	Kelly	Wayne T.	5/31/2012
14	Benoit	Perry	5/31/2012	82	Kennedy	Jamie	5/31/2012
13	Blackmore	Edward	5/31/2012	3	Knee	C Glen	5/31/2012
16	Brain	Donald	5/31/2012	77	Knott	Faron T.	5/31/2012
17	Brown	Wayne A.	5/31/2012	106	Lavigne	Dan R.	4/16/2014
40	Butt	Frazer	5/31/2012	22	Masters	Allan	5/31/2012
60	Callahan	Christopher T.	5/31/2012	53	McLaren	Brian	5/31/2012
115	Carr	Alexander	8/15/2016	49	Mercer	David W.	5/31/2012
76	Carroll	Colin	5/31/2012	24	Moores	Len	5/31/2012
111	Chamberlain	David	10/21/2015	104	Morgan	Wesley G.	4/16/2014
1	Cheeks	David R.	5/31/2012	68	Motty	Jeff	5/31/2012
2	Churchill	Matt	5/31/2012	31	Moulton	Timothy A.	5/31/2012
25	Clarke	Wm. M.	5/31/2012	83	Myles	Daniel	5/31/2012
110	Clarke	Andrew	10/21/2015	37	Nazir	Muhammad	5/31/2012
107	Coady	Craig G.	4/16/2014	86	Oke	Bryan R.	5/31/2012
9	Cohlmeyer	Chris	5/31/2012	81	Parsons	Rebecca	5/31/2012
11	Coombs	Bruce L.	5/31/2012	109	Penney	Andrew	10/21/2015
20	Deering	Keith W.	5/31/2012	52	Pond	Jason T.	5/31/2012
97	Duffett	Paul	5/31/2012	72	Poole	David	5/31/2012
55	Earle	Eric H.	5/31/2012	95	Richards	Sara	5/31/2012
50	English	Basil	5/31/2012	35	Roberts	Bruce A.	5/31/2012
12	Evans	James W.	5/31/2012	113	Roche	Michelle	10/21/2015

59	Schlossek	Tanya E.	5/31/2012
108	Short	Jeremy D.	4/16/2014
36	Skeard	Francis	5/31/2012
112	Smith-Bailey	Inga	10/21/2015
90	Sparkes	Kenneth	5/31/2012
38	Stewart	Edward C.	5/31/2012
47	Sutton	Kevin	5/31/2012
42	Tompkins	Patrick T.	5/31/2012
102	Tremblay	Martin	5/31/2012
91	Tulk	Kirby A.	5/31/2012
100	Whalen	Paul R.	5/31/2012
103	White	Bradley A.	4/16/2014
101	Wight	Corey	5/31/2012
85	Yates	Peter	5/31/2012
80	Young	Eric M.	5/31/2012

ASSOCIATION OF  
PROFESSIONAL FORESTERS OF NL  
Jason T. Pond, RPF, Executive Director and Registrar

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Mar 9

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#### CITY OF ST. JOHN'S ACT



#### ST. JOHN'S MUNICIPAL COUNCIL NOTICE

#### ST. JOHN'S HERITAGE DESIGNATION BY-LAW

TAKE NOTICE that the St. John's Municipal Council has enacted the following By-Law: St. John's Heritage Designation (23 King's Bridge Road, Parcel ID #37933) By-Law.

The said By-Law was passed by Council on the 5th day of March, A.D., 2018, so as to designate this property as a Heritage Building.

Any person who wishes to view such Regulations may view same at the Office of the City Solicitor of the St. John's Municipal Council at City Hall, and any person who wishes to obtain a copy thereof may obtain it at the said office upon the payment of a reasonable charge as established by the St. John's Municipal Council for such copy.

Dated this 5<sup>th</sup> day of March, 2018.

CITY OF ST. JOHN'S  
Elaine Henley, City Clerk

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Mar 9

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#### URBAN AND RURAL PLANNING ACT, 2000

#### NOTICE OF REGISTRATION BURIN PENINSULA HIGHWAY ZONING PLAN AMENDMENT NO. 1, 2017

TAKE NOTICE that the Department of Municipal Affairs and Environment registered the BURIN PENINSULA HIGHWAY Zoning Plan Amendment No. 1, 2017 on February 14, 2018. Amendment No. 1, 2017 rezoned property off of Old Baie de L'Eau Road, adjacent to the BURIN PENINSULA HIGHWAY, from "Rural Conservation" to "Cottage" in order to accommodate a cottage lot.

The BURIN PENINSULA HIGHWAY Zoning Plan Amendment No. 1, 2017 comes into effect on the day that this notice is published in *The Newfoundland and Labrador Gazette*. Anyone who wishes to inspect a copy of the BURIN PENINSULA HIGHWAY Zoning Plan Amendment No. 1, 2017 may do so at the Department of Municipal Affairs and Environment, Government of Newfoundland and Labrador, during normal working hours.

LOCAL GOVERNANCE AND PLANNING  
MUNICIPAL AFFAIRS AND ENVIRONMENT  
Lindsay Church, MCIP, Planner III

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Mar 9

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#### NOTICE OF REGISTRATION BONAVISTA PENINSULA HIGHWAY HIGHWAY ZONING PLAN AMENDMENT NO. 1, 2017

TAKE NOTICE that the Department of Municipal Affairs and Environment registered the Highway Zoning Plan – BONAVISTA PENINSULA HIGHWAY Amendment No. 1, 2017 on February 14, 2018. Amendment No. 1, 2017 rezoned property from "Rural Conservation" to "Residential" adjacent to the BONAVISTA PENINSULA HIGHWAY in the Local Service District of George's Brook-Milton, in order to accommodate a residential lot.

The Highway Zoning Plan – BONAVISTA PENINSULA HIGHWAY Amendment No. 1, 2017, comes into effect on the day that this notice is published in *The Newfoundland and Labrador Gazette*. Anyone who wishes to inspect a copy of the Highway Zoning Plan – BONAVISTA PENINSULA HIGHWAY Amendment No. 1, 2017 may do so at the Department of Municipal Affairs and Environment, Government of Newfoundland and Labrador, during normal working hours.

LOCAL GOVERNANCE AND PLANNING  
MUNICIPAL AFFAIRS AND ENVIRONMENT  
Lindsay Church, MCIP, Planner III

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Mar 9

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**NOTICE OF REGISTRATION  
TOWN OF FERMEUSE  
MUNICIPAL PLAN AND  
DEVELOPMENT REGULATIONS 2016**

TAKE NOTICE that the TOWN OF FERMEUSE Municipal Plan and Development Regulations, 2016, adopted on the 6<sup>th</sup> day of March, 2016, and approved on the 21<sup>st</sup> day of February, 2018, has been registered by the Minister of Municipal Affairs and Environment.

The Fermeuse Municipal Plan and Development Regulations, 2016, comes into effect on the day that this notice is published in *The Newfoundland and Labrador Gazette*. Anyone who wishes to inspect a copy of these documents may do so at the Town Office, during normal working hours.

TOWN OF FERMEUSE  
Marsha Kenny, Town Clerk

Mar 9

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**NOTICE OF REGISTRATION  
NAIN INUIT COMMUNITY GOVERNMENT  
MUNICIPAL PLAN 2016 to 2026 and  
DEVELOPMENT REGULATIONS 2016 to 2026**

TAKE NOTICE that the NAIN INUIT COMMUNITY GOVERNMENT Municipal Plan 2016 to 2026 and Development Regulations 2016 to 2026, adopted on the 26th day of July, 2016 and approved on the 23<sup>rd</sup> day of August, 2016, have been registered by the Minister of Municipal Affairs and Environment.

The NAIN INUIT COMMUNITY GOVERNMENT Municipal Plan 2016 to 2026 and Development Regulations 2016 to 2026, come into effect on the day that this notice is published in *The Newfoundland and Labrador Gazette*. Anyone who wishes to inspect a copy of the said documents may do so at the Nain Inuit Community Government Office, during normal working hours.

NAIN INUIT COMMUNITY GOVERNMENT  
Benigna Ittulak, Town Manager

Mar 9, Mar 16

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**LANDS ACT**

**NOTICE OF INTENT, SECTION 7  
LANDS ACT, SNL1991 c36 AS AMENDED**

NOTICE IS HEREBY given that an application has been made to the Department of Fisheries and Land Resources, Agriculture and Lands Branch, to acquire title, pursuant to section 7(2) (d) of the said Act, to that piece of Crown lands situated within 15 metres of the waters of Brent's Cove for the purpose of a boathouse and wharf.

The application may intrude on the 15 metre shoreline of the above mentioned water body(s) in various locations. For a

detailed map, please see website: <http://www.ma.gov.nl.ca/lands/sec7notifications.html>.

Please note: It may take up to five (5) days from the date of application for details to appear on the website.

Any person wishing to object to the application must file the objection in writing with reasons, within 30 days from the publication of notice on the Department of Fisheries and Land Resources website, Crown Lands, <http://www.ma.gov.nl.ca/lands/index.html>, to the Minister of Fisheries and Land Resources by mail or email to the nearest Regional Lands Office:

- Eastern Regional Lands Office, P.O. Box 8700, Howley Building, Higgins Line, St. John's, NL, A1B 4J6 Email: [easternlandsoffice@gov.nl.ca](mailto:easternlandsoffice@gov.nl.ca)
- Central Regional Lands Office, P.O. Box 2222, Gander, NL, A1V 2N9 Email: [centrallandsoffice@gov.nl.ca](mailto:centrallandsoffice@gov.nl.ca)
- Western Regional Lands Office, P.O. Box 2006, Sir Richard Squires Building, Corner Brook, NL, A2H 6J8 Email: [westernregionlands@gov.nl.ca](mailto:westernregionlands@gov.nl.ca)
- Labrador Regional Lands Office, P.O. Box 3014, Station "B", Happy Valley-Goose Bay, NL, A0P 1E0 Email: [labradorlandsoffice@gov.nl.ca](mailto:labradorlandsoffice@gov.nl.ca)

(DISCLAIMER: *The Newfoundland and Labrador Gazette* publishes a NOTICE OF INTENT as received from the Applicant and takes no responsibility for errors or omissions in the property being more particularly described.)

Mar 9

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**NOTICE OF INTENT, SECTION 7  
LANDS ACT, SNL1991 c36 AS AMENDED**

NOTICE IS HEREBY given that an application has been made to the Department of Fisheries and Land Resources, Agriculture and Lands Branch, to acquire title, pursuant to section 7(2) (d) of the said Act, to that piece of Crown lands situated within 15 metres of the waters of Butlers Pond, Portugal Cove-St. Phillips for the purpose of wharves, a boathouse and slipways.

The application may intrude on the 15 metre shoreline of the above mentioned water body(s) in various locations. For a detailed map, please see website: <http://www.ma.gov.nl.ca/lands/sec7notifications.html>.

Please note: It may take up to five (5) days from the date of application for details to appear on the website.

Any person wishing to object to the application must file the objection in writing with reasons, within 30 days from the publication of notice on the Department of Fisheries and Land Resources website, Crown Lands, <http://www.ma.gov.nl.ca/lands/index.html>, to the Minister of Fisheries and Land Resources by mail or email to the nearest Regional Lands Office:

- Eastern Regional Lands Office, P.O. Box 8700, Howley Building, Higgins Line, St. John's, NL, A1B 4J6 Email: [easternlandsoffice@gov.nl.ca](mailto:easternlandsoffice@gov.nl.ca)
- Central Regional Lands Office, P.O. Box 2222, Gander, NL, A1V 2N9 Email: [centrallandsoffice@gov.nl.ca](mailto:centrallandsoffice@gov.nl.ca)
- Western Regional Lands Office, P.O. Box 2006, Sir Richard Squires Building, Corner Brook, NL, A2H 6J8 Email: [westernregionlands@gov.nl.ca](mailto:westernregionlands@gov.nl.ca)
- Labrador Regional Lands Office, P.O. Box 3014, Station "B", Happy Valley-Goose Bay, NL, A0P 1E0 Email: [labradorlandsoffice@gov.nl.ca](mailto:labradorlandsoffice@gov.nl.ca)

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Mar 9

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**NOTICE OF INTENT, SECTION 7  
LANDS ACT, SNL1991 c36 AS AMENDED**

NOTICE IS HEREBY given that an application has been made to the Department of Fisheries and Land Resources, Agriculture and Lands Branch, to acquire title, pursuant to section 7(2) (d) of the said Act, to that piece of Crown lands situated within 15 metres of the waters of Tilting Harbour for the purpose of a structures for tourism recreational purposes.

The application may intrude on the 15 metre shoreline of the above mentioned water body(s) in various locations. For a detailed map, please see website: <http://www.ma.gov.nl.ca/lands/sec7notifications.html>.

Please note: It may take up to five (5) days from the date of application for details to appear on the website.

Any person wishing to object to the application must file the objection in writing with reasons, within 30 days from the publication of notice on the Department of Fisheries and Land Resources website, Crown Lands, <http://www.ma.gov.nl.ca/lands/index.html>, to the Minister of Fisheries and Land Resources by mail or email to the nearest Regional Lands Office:

- Eastern Regional Lands Office, P.O. Box 8700, Howley Building, Higgins Line, St. John's, NL, A1B 4J6 Email: [easternlandsoffice@gov.nl.ca](mailto:easternlandsoffice@gov.nl.ca)
- Central Regional Lands Office, P.O. Box 2222, Gander, NL, A1V 2N9 Email: [centrallandsoffice@gov.nl.ca](mailto:centrallandsoffice@gov.nl.ca)
- Western Regional Lands Office, P.O. Box 2006, Sir Richard Squires Building, Corner Brook, NL, A2H 6J8 Email: [westernregionlands@gov.nl.ca](mailto:westernregionlands@gov.nl.ca)
- Labrador Regional Lands Office, P.O. Box 3014, Station "B", Happy Valley-Goose Bay, NL, A0P 1E0 Email: [labradorlandsoffice@gov.nl.ca](mailto:labradorlandsoffice@gov.nl.ca)

(DISCLAIMER: *The Newfoundland and Labrador Gazette* publishes a NOTICE OF INTENT as received from the Applicant and takes no responsibility for errors or omissions in the property being more particularly described.)

Mar 9

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**TRUSTEE ACT**

**ESTATE NOTICE**

IN THE MATTER OF the Estate of GERALD J. WHELAN, Late of the City of St. John's, in the Province of Newfoundland and Labrador, Retired Steward, Deceased, who died on the 3<sup>rd</sup> day of February 2018 at St. John's.

TAKE NOTICE under the Trustee Act, s. 24, that all persons claiming to be creditors of, or otherwise (as beneficiaries or next of kin by blood, legal adoption or marriage) alleging to have claims or demands on or affecting, the estate and effects under the Last Will And Testament of GERALD J. WHELAN, Retired Steward, Deceased, are hereby requested to deliver particulars of such claims or demands in writing, duly attested, to the undersigned Solicitors for Thomas Making as Executor of the Last Will And Testament of the said Deceased, before or on the 9<sup>th</sup> day of April 2018, after which date the said Executor will proceed to distribute the said estate and effects having regard only to the claims or demands of which he shall then have had duly-attested written notice.

DATED at St. John's, Newfoundland and Labrador, this 5<sup>th</sup> day of March 2018.

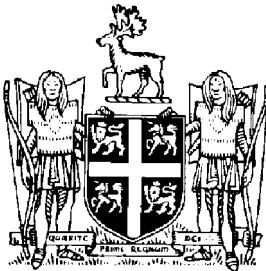
LEWIS, DAY  
Solicitors for the Executor of  
the Last Will And Testament of  
GERALD J. WHELAN  
PER: David C. Day, Q.C.

**ADDRESS FOR SERVICE:**

Suite A, 84 Airport Road  
St. John's, NL A1A 4Y3  
Tel.: (709) 753.3545  
Fax: (709) 753.2266  
Email: [admin@lewisday.ca](mailto:admin@lewisday.ca)

Mar 9

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# THE NEWFOUNDLAND AND LABRADOR GAZETTE

**PART II  
SUBORDINATE LEGISLATION  
FILED UNDER THE STATUTES AND SUBORDINATE LEGISLATION ACT**

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Vol. 93

ST. JOHN'S, FRIDAY, MARCH 9, 2018

No. 10

## NEWFOUNDLAND AND LABRADOR REGULATIONS

**NLR 17/18  
NLR 18/18**





## NEWFOUNDLAND AND LABRADOR REGULATION 17/18

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

*(Filed March 8, 2018)*

Under the authority of section 55 of the *Judicature Act*, the Rules Committee of the Supreme Court make the following rules.

Dated at St. John's, March 6, 2018.

Raymond P. Whalen  
Chairperson, Rules Committee

### REGULATIONS

#### *Analysis*

##### 1. Forms Amdt.

**1. (1) The *Rules of the Supreme Court, 1986* are amended by adding Form F8.03A below.**

**(2) The rules are amended by repealing Form F8.11A.**

**(3) The rules are amended by repealing Form F34.02A and substituting the Form F34.02A below.**

## How to Serve the Other Party

## Instructions

An **Affidavit of Service (Form F8.03A)** is a form that you can use to prove to the Court that the other person received your document. This is called *proof of service*.

### When to use an Affidavit of Service

You must complete an Affidavit of Service if:

- 1) You are serving one of the following documents:
  - **Originating Application (Form F4.03A)** involving divorce or parenting (custody/access)
  - **Originating Application for Variation (Form F5.05A)** involving parenting (custody/access)
  - **Response (Form F6.02A)** making a claim for divorce or parenting (custody/access)
  - Notice of Contempt Application
  - A pleading, order, or other document served on a person who is not a party (eg. subpoena)
  - Notice of Application or Notice of Default Hearing in which the person to be served faces a possibility of imprisonment
  - The hearing date on an **Emergency Interim Application (Form F17.03A)**
  - Where personal service is otherwise required by law
- 2) You are serving one of the following documents by leaving a copy at the other persons address (and mailing another copy to that address on the same day or the following day):
  - **Originating Application (Form F4.03A)** NOT involving divorce or parenting (custody/access)
  - **Originating Application for Variation (Form F5.05A)** NOT involving parenting (custody/access)
  - **Response (Form F6.02A)** NOT making a claim for divorce or parenting (custody/access)
- 3) A judge asks or orders you to prove service with an Affidavit of Service.

If none of the above applies to you, you can prove service with a delivery confirmation, a reply e-mail, a copy of the document with the recipient's lawyer's endorsement on it, or an **Acknowledgement of Service (Form F8.04A)**, signed by the person who received the document.

### Personal Service (Hand Delivery)

“Personal Service” or “hand delivery” means that the documents must be handed to the other party *in person* by **an adult other than yourself**. If the other person has received your document by personal service, you must file an Affidavit of Service.

Personal Service can be done in 2 ways:

- 1) By any other person (other than yourself) who is 19 years of age or older. That other person must hand the documents to the recipient. If he/she will not accept the documents, the other person can put the documents down in front of him/her.
- 2) By a process server. Process servers are independent, professional servers who charge a fee for service.

If you cannot personally serve the other party for any reason, you can apply for permission to serve the documents another way. You may make an **Interim Application for a Procedural Order (Form F16.03A)** to apply for substituted service.

### **Completing an Affidavit of Service**

The person who served the document must be the one to fill out the **Affidavit of Service**. He/she can do this by hand or electronically: [www.court.nl.ca/supreme/family/forms.html](http://www.court.nl.ca/supreme/family/forms.html)

That person must sign the Affidavit in front of a commissioner of oaths, notary public, justice of the peace, or a lawyer. Court Registry staff are commissioners of oaths and the person who served the document may sign this application at the Court.

### **Filing an Affidavit of Service with the Court**

It is your responsibility to make sure that the Affidavit of Service is filed with the Court. To file the Affidavit of Service, you (or the person who served the document) must bring the Affidavit to the Supreme Court location where your file is or you can mail the Affidavit to that location.

### **More Information**

Questions? Go to [www.court.nl.ca/supreme/family](http://www.court.nl.ca/supreme/family) or contact a Court near you:

Corner Brook: (709) 637-2227

Grand Falls-Windsor: (709) 292-4260

Gander: (709) 256-1115

Happy Valley-Goose Bay: (709) 896-7892

Grand Bank: (709) 832-1720

St. John's: (709) 729-2258

**--- It is highly recommended that you get advice from a lawyer ---**

If you need help finding a lawyer, you can contact:

Public Legal Information Association of NL (PLIAN): [www.publiclegalinfo.com](http://www.publiclegalinfo.com) or 1 (888) 660-7788

Legal Aid: [www.legalaid.nl.ca](http://www.legalaid.nl.ca) or 1(800) 563-9911

## Form F8.03A: Affidavit of Service (Family Law)



In the Supreme Court of  
Newfoundland and Labrador  
(General/Family)

### FOR COURT USE ONLY

COURT FILE NO: \_\_\_\_\_

CENTRAL DIVORCE REGISTRY NO: \_\_\_\_\_

Filed at \_\_\_\_\_, Newfoundland and  
Labrador, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Registry Clerk of the Supreme Court of Newfoundland and Labrador

BETWEEN: \_\_\_\_\_  
(Print full name)

APPLICANT

AND: \_\_\_\_\_  
(Print full name)

RESPONDENT

AND: \_\_\_\_\_  
(Print full name)

NOT APPLICABLE  
 SECOND APPLICANT  
 SECOND RESPONDENT

I declare that I, \_\_\_\_\_, of \_\_\_\_\_, \_\_\_\_\_  
(Print your name) (City and Province)

served \_\_\_\_\_ on \_\_\_\_\_  
(Name of person served) (Date: month/day/year)

at \_\_\_\_\_ with a copy of the following documents:  
(Address of service)

<input type="checkbox"/> Originating Application	<input type="checkbox"/> Originating Application for Variation	<input type="checkbox"/> Response
<input type="checkbox"/> Reply	<input type="checkbox"/> Financial Statement	<input type="checkbox"/> Property Statement
<input type="checkbox"/> Other (Specify): _____		

I served this person in this manner:

- Personal Service (hand delivery)
- Left a copy of the documents with the person's lawyer
- Registered mail, certified mail, or courier
- Left a copy of the documents at the person's address
- Other (Specify): \_\_\_\_\_

*For personal service:*

I was able to identify the person in this manner:

I know the person       He/She admitted to being this person       Other: \_\_\_\_\_

SWORN TO or AFFIRMED at \_\_\_\_\_, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

---

*Signature*

---

*Signature of Person Authorized to Administer Oaths*

## How to do a Consent Order

## Instructions

If you and the other person have come to an agreement on all of your family law issues, you can do a Consent Order. You can use this **Consent Order (Form F34.02A)** template to draft the agreement between you and the other person. By signing a Consent Order, you acknowledge that the terms of the Order will be enforced. Before you sign a Consent Order, both you and the other person should get advice from separate lawyers.

You can only file a Consent Order if you already have an **Originating Application (Form F4.03A)**, **Originating Application for Variation (Form F5.05A)**, **Joint Originating Application (Form F4.04A)**, or **Joint Originating Application (Form F5.06A)** filed with the Court. If you do not one of those documents filed with the Court, you must complete one and file it at the same time as your Consent Order.

If there are any issues that you and the other person do not agree on, you must set out these issues in an **Originating Application (Form F4.03A)** or **Originating Application for Variation (Form F5.05A)**. You can still do a Consent Order on the issues you agree on.

### Completing Your Consent Order

You can fill out this form by hand or you can download and fill out this form electronically at [www.court.nl.ca/supreme/family/forms.html](http://www.court.nl.ca/supreme/family/forms.html) (If you fill out the form electronically, you must still print the form and file it with the Court).

Check off "Final Order on Consent" (on the first page) if you are consenting to a final order. Check off "Interim Order on Consent" (on the first page) if you are consenting to an interim order.

Consent Orders dealing with child, spousal, partner, parental, or dependant support, must be separated from other types of orders. If you are consenting to support, fill out this **Consent Order – Support**. For all other Consent Orders (eg. parenting or property), fill out a **Consent Order – Other than Support (Form F34.02B)**.

If you need more space to fill out any section of this form, attach an extra page and indicate which section is continued on the extra page.

### Filing Your Consent Order

You must make **2 extra copies** of your completed and signed consent Order. To file it, you must bring the original Consent Order to the same Court location where the Originating Application, Originating Application for Variation, Joint Originating Application, or Joint Originating Application for Variation was filed. You can also mail the Consent Order to that Supreme Court location.

**More Information**

Questions? Go to [www.court.nl.ca/supreme/family](http://www.court.nl.ca/supreme/family) or contact a Court near you:

Corner Brook: (709) 637-2227

Grand Falls-Windsor: (709) 292-4260

Gander: (709) 256-1115

Happy Valley-Goose Bay: (709) 896-7892

Grand Bank: (709) 832-1720

St. John's: (709) 729-2258

**--- It is highly recommended that you get advice from a lawyer ---**

If you need help finding or getting a lawyer, you can contact:

Public Legal Information Association of NL (PLIAN): [www.publiclegalinfo.com](http://www.publiclegalinfo.com) or 1 (888) 660-7788

Legal Aid: [www.legalaid.nl.ca](http://www.legalaid.nl.ca) or 1(800) 563-9911

**--- REMOVE THIS PAGE BEFORE FILING THE ORDER ---**

## F34.02A: Consent Order – Support (Family Law)



In the Supreme Court of  
Newfoundland and Labrador  
(General/Family)

**FOR COURT USE ONLY**

COURT FILE NO: \_\_\_\_\_

CENTRAL DIVORCE REGISTRY NO: \_\_\_\_\_

Filed at \_\_\_\_\_, Newfoundland and  
Labrador, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Registry Clerk of the Supreme Court of Newfoundland and Labrador

BETWEEN: \_\_\_\_\_  
(Print full name)

APPLICANT  
 CO-APPLICANT

AND: \_\_\_\_\_  
(Print full name)

RESPONDENT  
 CO-APPLICANT

AND: \_\_\_\_\_  
(Print full name)

NOT APPLICABLE  
 SECOND APPLICANT  
 SECOND RESPONDENT  
 CO-APPLICANT

BEFORE the Honourable Justice \_\_\_\_\_, on \_\_\_\_\_.  
(Print Name) (Date: month/day/year)

Final Order on Consent

Interim Order on Consent

IT IS ORDERED THAT under the:

Family Law Act (Newfoundland and Labrador):  
 Divorce Act (Canada):  
 \_\_\_\_\_

## Child Support

**Basic Table Amount**

The parties agree to an amount of child support according to the basic table amount as per the *Child Support Guidelines of (province)* \_\_\_\_\_ as follows:

Payment amount: \$ \_\_\_\_\_ Payor's annual income: \$ \_\_\_\_\_

To be paid: (eg. 1<sup>st</sup> day of every month, weekly, etc.) \_\_\_\_\_

Paid by: (name) \_\_\_\_\_ to: (name) \_\_\_\_\_

For the following child(ren): (names and dates of birth) \_\_\_\_\_

Commencement date: (month/day/year) \_\_\_\_\_

**OR**

**Amount Different from the Basic Table Amount** ( **Shared Parenting** or  **Split Parenting**)

The parties agree to an amount of child support that is different from the *Child Support Guidelines of (province)* \_\_\_\_\_ as follows:

Applicant or Co-Applicant 1's annual income: \$ \_\_\_\_\_

Payment amount: \$ \_\_\_\_\_

Paid by: (name) \_\_\_\_\_ to: (name) \_\_\_\_\_

For the following child(ren): (names and dates of birth) \_\_\_\_\_

Commencement date: (month/day/year) \_\_\_\_\_

**--- AND ---**

Respondent or Co-Applicant 2's annual income: \$ \_\_\_\_\_

Payment amount: \$ \_\_\_\_\_

Paid by: (name) \_\_\_\_\_ to: (name) \_\_\_\_\_

To be paid: (eg. 1<sup>st</sup> day of every month, weekly, etc.) \_\_\_\_\_

For the following child(ren): *(names and dates of birth)* \_\_\_\_\_

Commencement date: *(month/day/year)* \_\_\_\_\_

**--- SET OFF (if split parenting) or AMOUNT (if shared parenting) ---**

Payment amount: \$ \_\_\_\_\_

Paid by: *(name)* \_\_\_\_\_ to: *(name)* \_\_\_\_\_

To be paid: *(eg. 1<sup>st</sup> day of every month, weekly, etc.)* \_\_\_\_\_

Commencement date: *(month/day/year)* \_\_\_\_\_

**OR**

**Amount Different from the Basic Table Amount**

The parties agree to an amount of child support that is different from the *Child Support Guidelines* of *(province)* \_\_\_\_\_ as follows:

Payment amount: \$ \_\_\_\_\_

To be paid: *(eg. 1<sup>st</sup> day of every month, weekly, etc.)* \_\_\_\_\_

Paid by: *(name)* \_\_\_\_\_ to: *(name)* \_\_\_\_\_

For the following child(ren): *(names and dates of birth)* \_\_\_\_\_

Commencement date: *(month/day/year)* \_\_\_\_\_

Payor's annual income: \$ \_\_\_\_\_ Recipient's annual income: \$ \_\_\_\_\_

Reason or further details:

**Special and/or Extraordinary Expenses**

The parties agree to an amount of special and/or extraordinary expenses as follows:

Child's Name and date of birth	Description of Expense	Total Amount of Expense (per month)	Payor's Share or Contribution (\$ or %) (per month)	Frequency of Payment	Commencement Date (month/day/year)
		\$			
		\$			
		\$			
		\$			
		\$			

*Other special expenses and/or details:*

Paid by: (name) \_\_\_\_\_ to: (name) \_\_\_\_\_

Payor's annual income: \$ \_\_\_\_\_ Recipient's annual income: \$ \_\_\_\_\_

Parties will send receipts to Support Enforcement.

**Retroactive Child Support**

The parties agree to an amount of retroactive child support as follows:

Payment amount: \$ \_\_\_\_\_ per month OR \$ \_\_\_\_\_ lump sum

Paid by: (name) \_\_\_\_\_ to: (name) \_\_\_\_\_ ,  
representing the payor's child support obligations from (date: month/day/year) \_\_\_\_\_  
to (date: month/day/year) \_\_\_\_\_

For the following child(ren): (names and dates of birth) \_\_\_\_\_

Commencement/Payment date: (month/day/year) \_\_\_\_\_

**Arrears**

The parties agree that the outstanding child support amount owed, fixed at (arrears) \$ \_\_\_\_\_  
as of (date) (month/day/year) \_\_\_\_\_ , shall be paid as follows:

Payment amount: \$ \_\_\_\_\_ per month OR \$ \_\_\_\_\_ lump sum

Paid by: (name) \_\_\_\_\_  
to: (name or agency, if assigned) \_\_\_\_\_

For the following child(ren): (names and dates of birth) \_\_\_\_\_

Commencement/Payment date: (month/day/year) \_\_\_\_\_

**Disclosure (Payor)**

Pursuant to section 25 of the *Federal Child Support Guidelines* (Canada) (or section 23 of the provincial *Child Support Guidelines Regulations*), (name) \_\_\_\_\_ shall provide a copy  
of the his/her income tax return and notice of assessment to (name) \_\_\_\_\_  
on or before (date: month/day/year) \_\_\_\_\_ each year, commencing in the year \_\_\_\_\_.

**Disclosure (Recipient) (if applicable)**

Pursuant to section 25 of the *Federal Child Support Guidelines* (Canada) (or section 23 of the provincial *Child Support Guidelines Regulations*), (name) \_\_\_\_\_ shall provide a copy of the his/her income tax return and notice of assessment to (name) \_\_\_\_\_ on or before (date: month/day/year) \_\_\_\_\_ each year, commencing in the year \_\_\_\_\_.

**Support Enforcement**

All amounts owing under this Order shall be paid directly to the Director of Support Enforcement at:

Support Enforcement Division  
P.O. Box 2006  
Corner Brook, Newfoundland and Labrador A2H 6J8

This order shall be enforced by the Director of Support Enforcement pursuant to the *Support Orders Enforcement Act*, 2006, SNL 2006, Chapter S-31.1, unless the Order is withdrawn from the Director, pursuant to s.7 of the Act.

**Support Recalculation**

(You can only check this box if all parties have agreed to basic table amount of child support and either primary residence parenting or split parenting.)

The amount of child support shall be reviewed each year and, where necessary, will be recalculated by the Recalculation Office in accordance with the Administrative Recalculation of Child Support Regulations.

**COMMENCEMENT DATE OF CHILD SUPPORT:**

(a) The commencement date of child support pursuant to this order is the \_\_\_\_\_ day of (month) \_\_\_\_\_ of (year) \_\_\_\_\_.

**REVIEW DATE:**

(b) The child support amount will be reviewed one year after the date set out in clause (a) above. The next review date for the child support obligation is the \_\_\_\_\_ day of (month) \_\_\_\_\_ of (year) \_\_\_\_\_.

**INCOME INFORMATION REQUIREMENTS AND DUE DATE:**

(c) The person required to pay child support must provide the following income information to the Recalculation Office:

- (i) Personal income tax return for the most recent taxation year; and
- (ii) Notice of assessment and any reassessments for the most recent taxation year; or
- (iii) other document(s) acceptable to the Recalculation Office.

(d) The income information must be provided to the Recalculation Office **not later than 45 days before the review date** at:

Recalculation Office  
9th floor, Sir Richard Squires Building  
P.O. Box 2006, Corner Brook, NL A2H 6J8  
Tel: (709) 634-4172 | Fax: (709) 634-4155  
E-mail: [recalculation@gov.nl.ca](mailto:recalculation@gov.nl.ca)

**RECALCULATION – WHERE INCOME INFORMATION IS PROVIDED**

(e) If satisfactory income information is received by the Recalculation Office at least 45 days before the review date, the Recalculation Office will issue a Recalculation Notice setting out the proposed recalculated child support amount.

(f) If, as a result of the recalculation, the amount of child support would increase or decrease less than \$5.00 per month, the Recalculation Office will not recalculate the amount of child support. The Recalculation Office will notify the parties that there will be no change for that year.

**RECALCULATION – WHERE INCOME INFORMATION IS NOT PROVIDED**

(g) If satisfactory income information is not received by the Recalculation Office at least 45 days before the review date, the Recalculation Office will issue a Recalculation Notice setting out the proposed recalculated child support amount. This amount will be:

- (i) the income amount on which the most recent child support order, agreement, or Recalculation Notice was based; plus
- (ii) 20% of the payor's income as determined under (g)(i) above.

**EFFECTIVE DATE OF RECALCULATED AMOUNT**

(h) Unless a Notice of Objection is filed, the recalculated amount of child support stated in the Recalculation Notice will come into effect on the date set out in the Recalculation Notice. The Recalculation Office will file a copy of the Recalculation Notice with the court that made the child support order (or where the agreement is filed) and the Support Enforcement Agency.

(i) The recalculated amount of child support is payable to the Support Enforcement Agency:

Support Enforcement Division  
2nd floor, Sir Richard Squires Building  
P.O. Box 2006, Corner Brook, NL A2H 6J8  
Tel: (709) 637-2608

**OBJECTION TO RECALCULATION**

- (j) If a party objects to the change in child support amount in the Recalculation Notice, the party must file a Notice of Objection with the court that made the child support order, or where the agreement was filed. The party must also provide a copy of the Notice of Objection to the Recalculation Office.
- (k) The Notice of Objection must be filed within 30 days after the Notice of Recalculation is deemed to be received

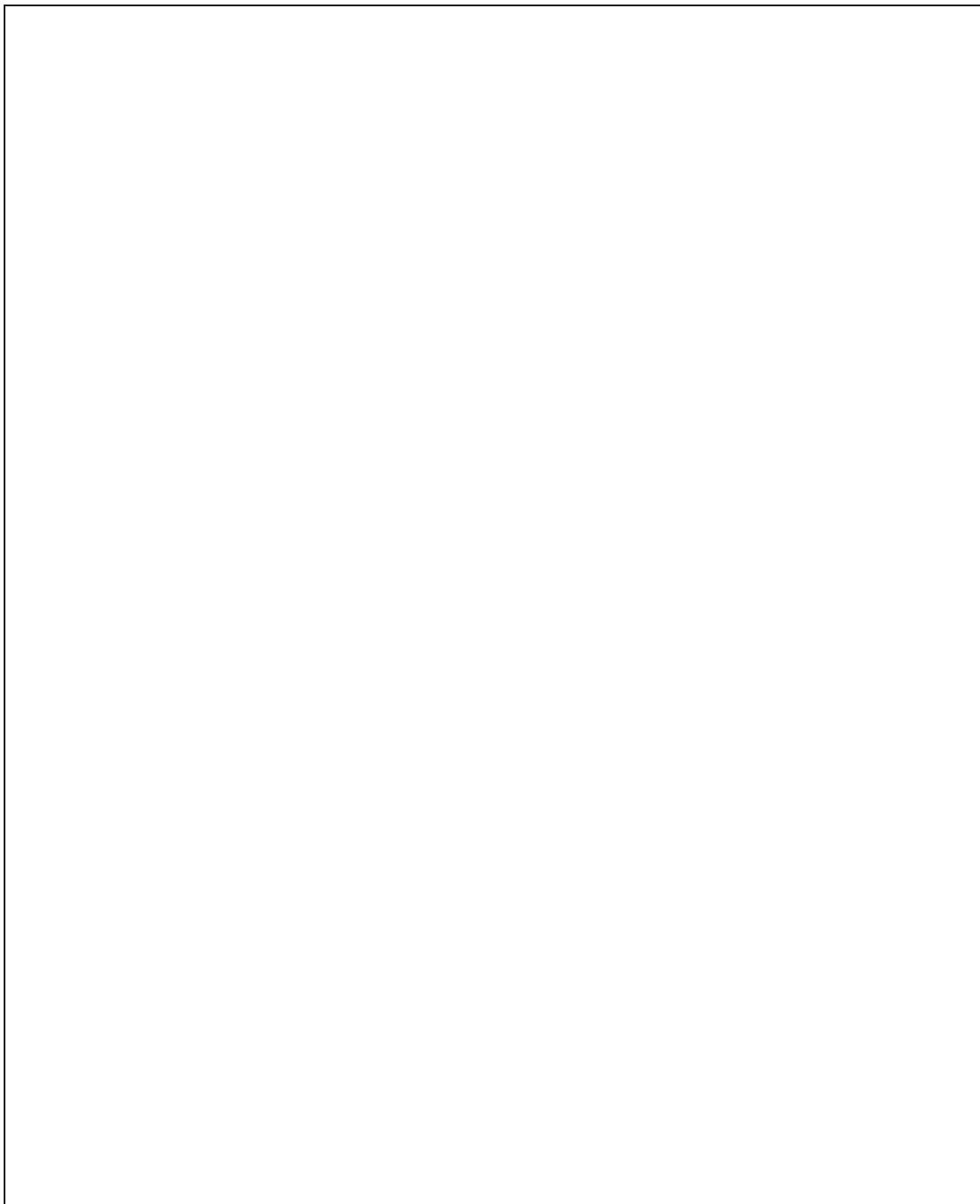
(l) If a Notice of Objection is filed, no change shall be made to the amount of child support payable unless:

- (i) a court order is made at the conclusion of the objection hearing; or
- (ii) the Notice of Objection is withdrawn before the objection hearing, in which case the recalculated amount of child support is considered to have come into effect on the date set out in the Recalculation Notice..

**CHANGE OF CONTACT INFORMATION**

Parties must notify the Recalculation Office of any change to their mailing address, email address, telephone number, or fax number within 10 days of the change.

**Other:**



## Spousal, Partner, Parental, or Dependant Support

### No Spousal, Partner, Parental, and/or Dependant Support

The parties agree that there will be no spousal, partner, parental, and/or dependant support to either party.

### Ongoing Support

The parties agree to an amount of:

Spousal support     Parental support     Partner support     Dependant support

as follows:

Payment amount: \$ \_\_\_\_\_ per month

Paid by: (name) \_\_\_\_\_ to: (name) \_\_\_\_\_

For the following person(s): (names) \_\_\_\_\_

Commencement date: (month/day/year) \_\_\_\_\_

Duration (if applicable): \_\_\_\_\_

Review date (if applicable): (month/day/year) \_\_\_\_\_

Nature of Review (if applicable): \_\_\_\_\_

### Retroactive Support

The parties agree to an amount of retroactive:

Spousal support     Parental support     Partner support     Dependant support

as follows:

Payment amount: \$ \_\_\_\_\_ per month

Paid by: (name) \_\_\_\_\_ to: (name) \_\_\_\_\_, representing  
the payor's support obligations from (date: month/day/year) \_\_\_\_\_ to (date: month/day/year) \_\_\_\_\_

For the following person(s): (names) \_\_\_\_\_

Commencement date: (month/day/year) \_\_\_\_\_

**Arrears**

The parties agree that the outstanding support amount owed, fixed at (arrears) \$ \_\_\_\_\_

as of (date: month/day/year) \_\_\_\_\_, shall be paid off as follows:

Payment amount: \$ \_\_\_\_\_ per month OR \$ \_\_\_\_\_ lump sum

Paid by: (name) \_\_\_\_\_

to: (name or agency, if assigned) \_\_\_\_\_

Commencement/Payment date: (month/day/year) \_\_\_\_\_

The parties agree to the financial arrangement for support as follows:


## Consent Signatures (if applicable)

If applicable, both parties must sign the Consent Order in front of a commissioner of oaths, notary public, justice of the peace, or lawyer. Court Registry staff are commissioners of oaths and you may sign this Consent Order at the Court when you file it.

### Applicant (or Co-Applicant)

DATE (month/day/year): _____
<i>Signature of Applicant (or Co-Applicant)</i>
<i>Address of Applicant (or Co-Applicant)</i>
<i>Signature of Person Authorized to Administer Oaths</i>

### Respondent (or Co-Applicant)

DATE (month/day/year): _____
<i>Signature of Respondent (or Co-Applicant)</i>
<i>Address of Respondent (or Co-Applicant)</i>
<i>Signature of Person Authorized to Administer Oaths</i>

### Applicant's (or Co-Applicant's) Lawyer (if any)

DATE (month/day/year): _____
<i>Signature of Lawyer</i>
<i>Print name of Lawyer</i>

### Respondent's (or Co-Applicant's) Lawyer (if any)

DATE (month/day/year): _____
<i>Signature of Lawyer</i>
<i>Print name of Lawyer</i>

### Order Issued at:

### FOR COURT USE ONLY

**Location:** Supreme Court in \_\_\_\_\_, Newfoundland and Labrador

**Date:** \_\_\_\_\_

**Justice or Registry Clerk of the Supreme Court of Newfoundland and Labrador**

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## NEWFOUNDLAND AND LABRADOR REGULATION 18/18

*Livestock Owners Compensation Order, 2018  
under the  
Livestock Insurance Act*

*(Filed March 8, 2018)*

Under the authority of section 20 of the *Livestock Insurance Act*, I make the following Order.

Dated at St. John's, March 7, 2018.

Gerry Byrne  
Minister of Fisheries and Land Resources

### ORDER

#### *Analysis*

1. Short title	4. Repeal
2. Definitions	3. Commencement
3. Compensation	

Short title

**1.** This Order may be cited as the *Livestock Owners Compensation Order, 2018*.

Definitions

**2.** In this Order

(a) "calves" means dairy cattle and beef cattle, male or female, under one year old; and

(b) "heifers" includes female dairy cattle and female beef cattle and means an animal which is more than one year old and has not given birth to a calf.

## Compensation

3. The amount of compensation to be paid to owners insured under the Livestock Insurance Plan for losses caused to livestock by dogs or predators during the period from April 1, 2018 to March 31, 2019 is as follows:

- (a) dairy cattle - per head
  - (i) for registered bulls, \$750
  - (ii) for unregistered bulls, 500
  - (iii) for registered cows, 750
  - (iv) for unregistered cows, 500
  - (v) for registered heifers, 500
  - (vi) for unregistered heifers, 300
  - (vii) for registered calves, 150
  - (viii) for unregistered calves, 70
- (b) beef cattle - per head
  - (i) for registered bulls, \$650
  - (ii) for unregistered bulls, 400
  - (iii) for registered cows, 650
  - (iv) for unregistered cows, 400
  - (v) for registered heifers, 400
  - (vi) for unregistered heifers, 200
  - (vii) for registered calves, 100

(viii) for unregistered calves, 70

(c) sheep - per head

(i) for registered rams over one year, \$450

(ii) for unregistered rams over one year, 210

(iii) for registered ewes over one year, 400

(iv) for unregistered ewes over one year, 210

(v) for registered ram lambs under one year, 600

(vi) for unregistered ram lambs under one year, 125

(vii) for registered ewe lambs under one year, 530

(viii) for unregistered ewe lambs under one year, 125

(d) goats - per head

(i) for registered bucks over one year, \$250

(ii) for unregistered bucks over one year, 200

(iii) for registered does over one year, 250

(iv) for unregistered does over one year, 200

(v) for registered bucks under one year, 200

(vi) for unregistered bucks under one year, 100

(vii) for registered does under one year, 200

(viii) for unregistered does under one year, 100

Repeal

**4. The *Livestock Owners Compensation Order, 2017, Newfoundland and Labrador Regulation 18/17*, is repealed.**

Commencement

**3. This Order comes into force on April 1, 2018.**

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### PART II

#### CONTINUING INDEX OF SUBORDINATE LEGISLATION

<b>Title of Act and Subordinate Legislation made thereunder</b>	<b>CNLR or NL Reg.</b>	<b>Amendment</b>	<b>NL Gazette Date &amp; Page No.</b>
-------------------------------------------------------------------------	----------------------------	------------------	-------------------------------------------

##### **Judicature Act**

Rules of the Supreme Court, 1986 (Amendment)	NLR 17/18	Forms Amdt.	Mar 9/18 p. 509
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##### **Livestock Insurance Act**

Livestock Owners Compensation Order, 2018 [In Force April 1, 2018]	NLR 18/18	R&S NLR 18/17	Mar 9/18 p. 529
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THE NEWFOUNDLAND AND LABRADOR GAZETTE  
March 9, 2018

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Trustee Act - Estate Notice - 2 weeks	\$62.37	\$9.36	\$71.73	
Trustee Act - Estate Notice - 3 weeks	\$91.25	\$13.69	\$104.94	
Trustee Act - Estate Notice - 4 weeks	\$118.97	\$17.85	\$136.82	

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