



THE NEWFOUNDLAND AND LABRADOR GAZETTE

PART I

PUBLISHED BY AUTHORITY

Vol. 80

ST. JOHN'S, FRIDAY, APRIL 1, 2005

No. 13

CRIMINAL CODE OF CANADA

ATTORNEY GENERAL
OF NEWFOUNDLAND AND LABRADOR
ANNUAL REPORT

RCMP/RNC

SECTION 195 - CRIMINAL CODE OF CANADA

This report covers the period January 1, 2004 to December 31, 2004.

No applications were made or authorizations obtained in 2004.

JOHN R. CUMMINGS, Q.C.
Deputy Minister of Justice and
Deputy Attorney General

April 1

URBAN AND RURAL PLANNING ACT NOTICE OF REGISTRATION TOWN OF PORT REXTON MUNICIPAL PLAN AND DEVELOPMENT REGULATIONS 2004 2014

Take notice that the Town of Port Rexton Municipal Plan and Development Regulations 2004-2014, as adopted by Council on the 17th day of November, 2004 and approved the 27th day of February, 2005 have been registered by the Minister of Municipal and Provincial Affairs.

The Port Rexton Municipal Plan and Development Regulations 2004-2014 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 Port Rexton Municipal Plan and Development Regulations 2004-2014 may do so at the Town Office, Port Rexton during normal working hours.

TOWN OF PORT REXTON
Town Clerk

April 1

TRUSTEE ACT ESTATE NOTICE

IN THE MATTER OF the Estate of Philip Edison, late of the Community of Summerville, in the Province of Newfoundland and Labrador, pensioner, bachelor, deceased;

All persons claiming to be creditors of or who have any claims or demands upon or affecting the Estate of Philip Edison, late of the Community of Summerville, in the Province of Newfoundland and Labrador, deceased, are hereby requested to send the particulars of the same in writing, duly attested, to the undersigned Solicitor for the Administrator of the Estate on or before the 25th day of April, 2005 after which date the said will proceed to distribute the said Estate having regard only to the claims of which notice shall have been received.

DATED at Stephenville, Newfoundland and Labrador, Canada, this 22nd day of March, 2005.

MARCHE-WHITE LAW OFFICE
Solicitor for the Administrator
PER: Marie Marche-White

ADDRESS FOR SERVICE
P. O. Box 272
43 Main Street
Stephenville, NL A2N 2Z4

April 1

ESTATE NOTICE

IN THE MATTER OF the Estate of Annie Mary Marche late, of the Town of Lourdes presently residing at Stephenville Crossing, in the Province of Newfoundland and Labrador, pensioner, deceased;

All persons claiming to be creditors of or who have any claims or demands upon or affecting the Estate of Annie Mary Marche, late of the Town of Stephenville Crossing, in the Province of Newfoundland and Labrador, deceased, are hereby requested to send the particulars of the same in writing, duly attested, to the undersigned Solicitor for the Administrator of the Estate on or before the 30th day of April, 2005 after which date the said Administrator will proceed to distribute the said Estate having regard only to the claims of which notice shall have been received.

DATED at Stephenville, Newfoundland and Labrador, Canada, this 26th day of March, 2005.

MARCHE-WHITE LAW OFFICE
Solicitor for the Administrator
PER: Marie Marche-White

ADDRESS FOR SERVICE
P. O. Box 272
43 Main Street
Stephenville, NL A2N 2Z4

April 1

LANDS ACT

NOTICE OF INTENT

LANDS ACT, Chapter 36, S.N. 1991

Notice is hereby given that Wayne Tucker of Milford, Nova Scotia intends to apply to the Department of Environment and Conservation, two months from the publication of this Notice, to acquire title, pursuant to Section 7(2) of the said Act, to that piece of Crown Land situated within fifteen (15) metres of the waters of Southwest Arm, King's Point, in the Electoral District of Baie Verte for the purpose of cottages and being more particularly described as follows:

*Bounded on the North by Bayside Drive
for a distance of 29 m;
Bounded on the East by W. Gillingham
for a distance of 4 m;
Bounded on the South by waters of Harbour
for a distance of 29 m;
Bounded on the West by L. Budgell
for a distance of 4 m;*

*and containing an area of
approximately 116 square metres.*

Any person wishing to object to the application must file the objection, in writing, within one month from the publication of this notice, with reasons for it, to the Minister of Government Services and Lands, c/o Central Regional Lands Office, P. O. Box 2222, Gander, NL, A1V 2N9.

For further information regarding the proposed application, please contact Wayne Tucker, Telephone (902) 758-1965.

April 1

NOTICE OF INTENT

LANDS ACT, Chapter 36, S.N. 1991

Notice is hereby given that The Town of Pasadena intends to apply to the Department of Environment and Conservation, two months from the publication of this Notice, to acquire title, pursuant to Section 7(2)(c) of the said Act, two parcels of Crown Land situated within fifteen (15) metres of the waters of South Brook and Reverse Curve Brook, in the Electoral District of Humber East for the purpose of constructing a storm sewer and road construction and being more particularly described as follows:

Parcel 1

*Bounded on the North by Crown Land
for a distance of 15 m;
Bounded on the East by Crown Land
for a distance of 10 m;
Bounded on the South by Crown Land
for a distance of 10 m;
Bounded on the West by South Brook
for a distance of 10 m;
and containing an area of
approximately 150 square metres.*

Parcel 2

*Bounded on the North by Reverse Curve Brook
for a distance of 35 m;
Bounded on the East by Crown Land
for a distance of 18 m;
Bounded on the South by Crown Land
for a distance of 35 m;
Bounded on the West by South Brook
for a distance of 18 m;
and containing an area of
approximately 630 square metres.*

Any person wishing to object to the application must file the objection, in writing, within one month from the publication of this notice, with reasons for it, to the Minister of Environment and Conservation, c/o Western Regional Lands Office, P. O. Box 2006, Noton Building, Corner Brook, NL, A2H 6J8.

For further information regarding the proposed application, please contact, Jim Merrigan, Town

Clerk/Manager, Town of Pasadena, 18 Then Avenue,
Pasadena, A0L 1K0, Telephone (709) 686-2075.

April 1

QUIETING OF TITLES ACT

**200404T0
IN THE SUPREME COURT OF
NEWFOUNDLAND AND LABRADOR
TRIAL DIVISION**

NOTICE OF APPLICATION under the *Quieting of
Titles Act*, RSNL 1990, c. Q-3.

NOTICE

NOTICE is hereby given to all parties that Lloyd T. Burton
and Marion Burton, of the Town of Irishtown, in the
Province of Newfoundland and Labrador

NOTICE is hereby given to all parties that Lloyd T. Burton
and Marion Burton, of the Town of Irishtown, in the
Province of Newfoundland and Labrador, have applied to
the Supreme Court of Newfoundland and Labrador, Trial
Division, at Corner Brook, to have the title to ALL THAT
piece or parcel of land situate and being at Twillingate, in
the Electoral District of Twillingate and Fogo,
Newfoundland and Labrador, Canada, more particularly
described in Schedule A and shown on Schedule B hereto
annexed

ALL BEARINGS aforementioned, for which Lloyd T.
Burton and Marion Burton claims to be the owners,
investigated and for a Declaration that they are the absolute
owners in fee simple and that the said Lloyd T. Burton and
Marion Burton, have been ordered to publish notice of the
Application as required by the above noted Act.

All persons having title adverse to the said title claimed by
the Applicants, shall file in the Registry of the Supreme
Court of Newfoundland and Labrador, at Corner Brook
particulars of such adverse claim, and serve the same
together with an affidavit verifying same on the
undersigned solicitor for the Applicants on or before the
22nd day of April, 2005, after which date no party having
any claim shall be permitted to file the same or be heard
except by leave of the Court and subject to such conditions
as the Court may deem just.

All such adverse claims shall be then investigated in such
manner as the said Supreme Court of Newfoundland and
Labrador at Corner Brook may direct.

DATED at the Town of Stephenville, Province of
Newfoundland and Labrador, this 20th day of March, 2005.

MARCHE-WHITE LAW OFFICE
Solicitor for the Administrator
PER: Marie Marche-White

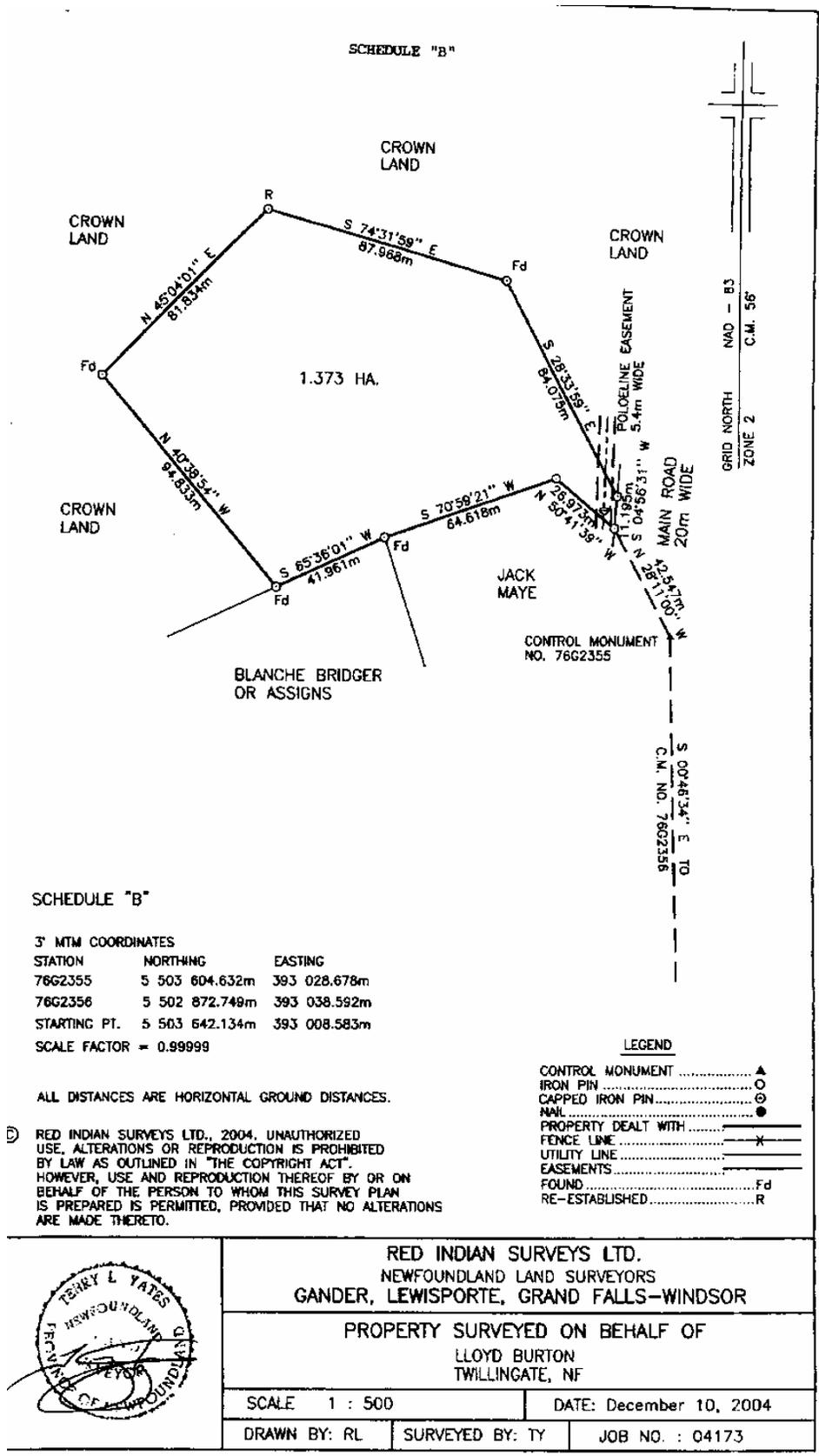
ADDRESS FOR SERVICE
P. O. Box 272
43 Main Street
Stephenville, NL A2N 2Z4

April 1

SCHEDULE 'A'

Lloyd T. Burton and Marion Burton Twillingate, NL

All that piece or parcel of land situate and being at
Twillingate in the Electoral District of Twillingate & Fogo
abutted and bounded as follows, that is to say: Beginning
at a point in the northwesterly limit of the Main Road,
twenty meters wide, the said point having Three Degree
MTM Coordinates of north 5 503 642.134 meters and east
393 008.583 meters and being distant forty-two decimal
five four seven meters as measured on a bearing of north
twenty-eight degrees eleven minutes zero zero seconds
west from Control Monument No. 76G2355, thence
running by land of Jack Maye north fifty degrees forty-one
minutes thirty-nine seconds west twenty-six decimal nine
seven three meters, thence south seventy degrees fifty-nine
minutes twenty-one seconds west sixty-four decimal six
one eight meters, thence running by land of Blanche
Bridger or Assigns south sixty-five degrees thirty-six
minutes zero one seconds west forty-one decimal nine six
one meters, thence running by Crown Land north forty
degrees thirty-eight minutes fifty-four seconds west ninety-
four decimal eight three three meters, thence north forty-
five degrees zero four minutes zero one seconds east
eighty-one decimal eight three four meters, thence south
seventy-four degrees thirty-one minutes fifty-nine seconds
east eighty-seven decimal nine six eight meters, thence
south twenty-eight degrees thirty-three minutes fifty-nine
seconds east eighty-four decimal zero seven five meters,
thence running along the aforesaid northwesterly limit of
the Main Road, twenty meters wide, south zero four
degrees fifty-six minutes thirty-one seconds west eleven
decimal one nine five meters, more or less, to the point of
beginning and being more particularly shown and
delineated on the attached plan, the above described piece
or parcel of land being subject to a poleline easement, 5.4
meters wide, extending through the said property, the above
described piece or parcel of land containing an area of
1.373 hectares, more or less, all bearings and coordinates
being referenced to the Three Degree MTM Projection
System, NAD-83, zone 2, with the Central Meridian being
56 degrees.



SCHEDULE "B"

3' MTM COORDINATES

STATION	NORTHING	EASTING
76G2355	5 503 604.632m	393 028.678m
76G2356	5 502 872.749m	393 038.592m
STARTING PT.	5 503 642.134m	393 008.583m

SCALE FACTOR = 0.99999

ALL DISTANCES ARE HORIZONTAL GROUND DISTANCES.

RED INDIAN SURVEYS LTD., 2004. UNAUTHORIZED USE, ALTERATIONS OR REPRODUCTION IS PROHIBITED BY LAW AS OUTLINED IN "THE COPYRIGHT ACT". HOWEVER, USE AND REPRODUCTION THEREOF BY OR ON BEHALF OF THE PERSON TO WHOM THIS SURVEY PLAN IS PREPARED IS PERMITTED, PROVIDED THAT NO ALTERATIONS ARE MADE THERETO.

LEGEND

CONTROL MONUMENT	▲
IRON PIN	○
CAPPED IRON PIN	⊙
NAIL	●
PROPERTY DEALT WITH	—x—
FENCE LINE	— — —
UTILITY LINE	— — —
EASEMENTS	— — —
FOUNDFd
RE-ESTABLISHEDR

	RED INDIAN SURVEYS LTD. NEWFOUNDLAND LAND SURVEYORS GANDER, LEWISPORTE, GRAND FALLS-WINDSOR	
	PROPERTY SURVEYED ON BEHALF OF LLOYD BURTON TWILLINGATE, NF	
	SCALE 1 : 500	DATE: December 10, 2004
	DRAWN BY: RL	SURVEYED BY: TY JOB NO. : 04173

2005 01 T 2084
IN THE SUPREME COURT OF
NEWFOUNDLAND AND LABRADOR
TRIAL DIVISION

IN THE MATTER OF an application of Gordon Dooley, John Dooley and Gerald Dooley of Mount Pearl in the Province of Newfoundland and Labrador, Retired Farmers, and Carol Dooley of Mount Pearl aforesaid, wife of Gerald Dooley aforesaid

AND

IN THE MATTER OF the *Quieting of Titles Act*, cQ-3 of the Revised Statutes of Newfoundland and Labrador, 1990

AND

IN THE MATTER OF ALL THAT piece or parcel of land situate and being at Kenmount Hill, Mount Pearl in the Province of Newfoundland and Labrador

NOTICE OF APPLICATION UNDER THE *QUIETING OF TITLES ACT*, CHAPTER Q-3 OF THE REVISED STATUTES OF NEWFOUNDLAND AND LABRADOR, 1990

NOTICE is hereby given to all parties that Gordon Dooley, John Dooley and Gerald Dooley of Mount Pearl in the Province of Newfoundland and Labrador, Retired Farmers, and Carol Dooley of Mount Pearl aforesaid, wife of Gerald Dooley aforesaid have applied to the Supreme Court of Newfoundland and Labrador, to have the title to ALL THAT piece or parcel of land situate and being at Kenmount Hill, Mount Pearl in the Province of Newfoundland and Labrador, Canada more particularly described in schedule "A" and shown on plan "B" hereto annexed, of which the said Gordon Dooley, John Dooley and Gerald Dooley of Mount Pearl in the Province of Newfoundland and Labrador, Retired Farmers and Carol Dooley of Mount Pearl aforesaid, wife of Gerald Dooley aforesaid claim to be the owners, investigated and they request a Declaration that Gordon Dooley, John Dooley, and Gerald Dooley of Mount Pearl in the Province of Newfoundland and Labrador, Retired Farmers, and Gerald Dooley of Mount Pearl aforesaid, wife of Gerald Dooley are the absolute owners in fee simple in possession of the said lands and the said Gordon Dooley, John Dooley and Gerald Dooley of Mount Pearl in the Province of Newfoundland and Labrador, Retired Farmers, and Carol Dooley of Mount Pearl aforesaid, wife of Gerald Dooley have been ordered to publish Notice of Application as required by the above named Act.

All persons having title adverse to the said title claim of Gordon Dooley, John Dooley and Gerald Dooley of Mount Pearl in the Province of Newfoundland and Labrador, Retired Farmers, and Carol Dooley of Mount Pearl aforesaid, shall file in the Registry of the Supreme Court of Newfoundland and Labrador particulars of such adverse claim and serve the same together with an Affidavit verifying the same on the undersigned Solicitor for the Petitioners on or before May 6, 2005, after which date no party having any claim shall be permitted to file the same

or be heard except by special leave of the Court and subject to such conditions as the Court may deem just.

All such adverse claims shall then be investigated in such manner as the Court may direct.

DATED AT St. John's, Newfoundland and Labrador this 23rd day of March, 2005.

J. DAVID B. BAIRD, Q.C.
Solicitor for the Petitioners

ADDRESS FOR SERVICE;
Suite 706, TD Place
140 Water Street, P. O. Box 665
St. John's, NL A1C 5L4

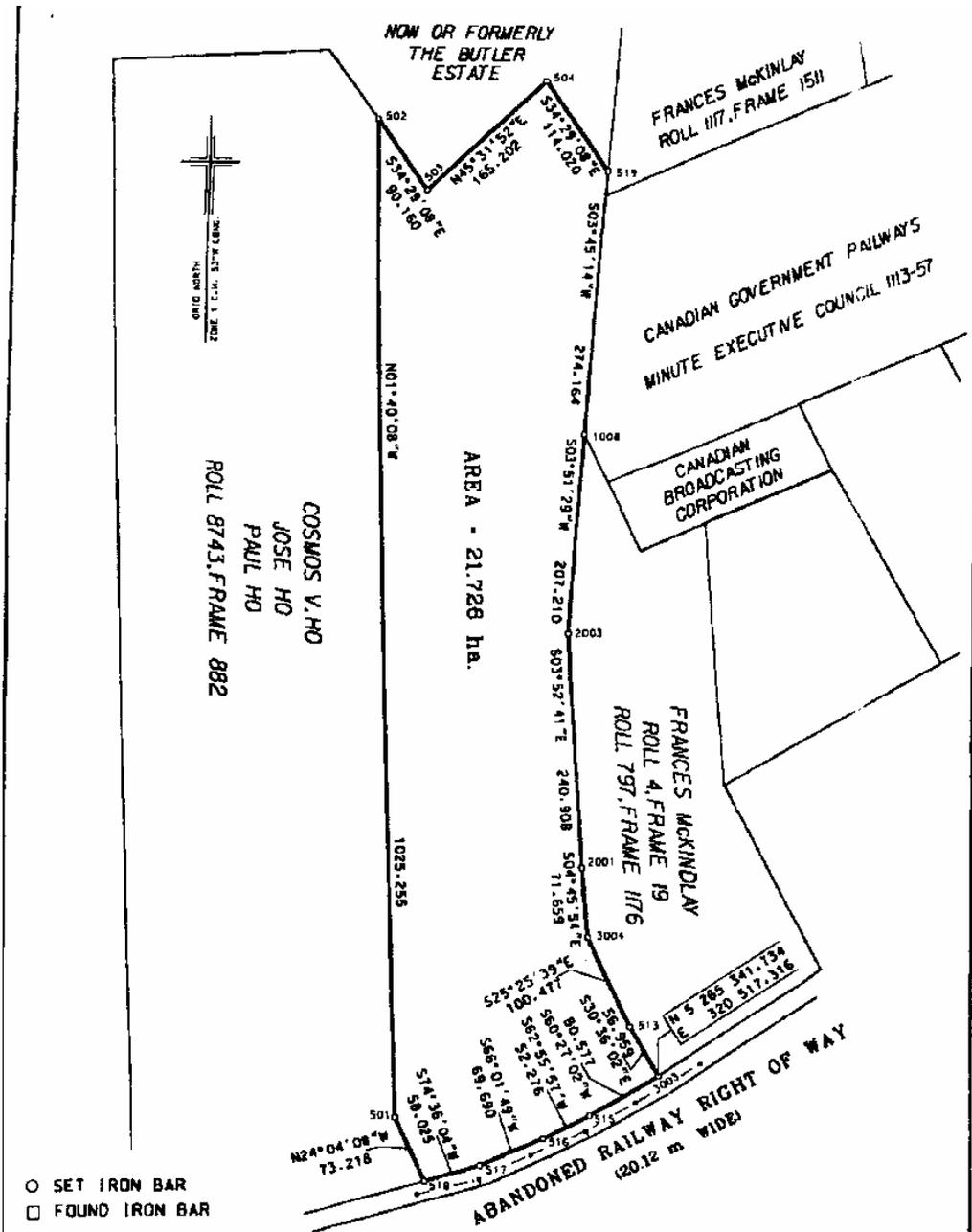
April 1

SCHEDULE 'A'

Property of John Dooley, Gordon Dooley,
Gerald Dooley & Carol Dooley
Kenmount Hill, Mount Pearl, NL

ALL THAT piece or parcel of land, situate and being on the northern side of an abandoned Railway Right of Way (20.12 metres wide), Kenmount Hill, in the City of Mount Pearl, in the Province of Newfoundland and Labrador, Canada, and being bounded and abutted as follows: THAT IS TO SAY, beginning at a point on the northern side of an abandoned Railway Right of Way, said point having coordinates N 5 265 341.734 metres and E 320 517.316 metres of the Three Degree Modified Transverse Mercator Projection NAD – 83 for the Province of Newfoundland and Labrador, THENCE along the northern side of an abandoned Railway Right of Way S 60° 27' 02" W for a distance of 69.690 metres, THENCE S 62° 55' 57" W for a distance of 52.276 metres, THENCE S 66° 01' 49" W for a distance of 69.690 metres, THENCE S74° 36' 04" W for a distance of 58.025 metres, THENCE by property of Cosmos V. Ho, Paul Ho and Jose Ho N 24° 04' 08" W for a distance of 73.218 metres, THENCE N 01° 40' 08" W for a distance of 1025.255 metres, THENCE by property now or formerly the Butler Estate S 34° 29' 08" E for a distance of 90.160 metres, THENCE N 45° 31' 52" E for a distance of 165.202 metres, THENCE N 34° 29' 08" E for a distance of 114.020 metres. THENCE by property of Frances McKinlay and by property of Canadian Government Railways S 03° 45' 14" W for a distance of 274.164 metres. THENCE by property of Frances McKinlay S03° 51' 29" W for a distance of 207.210 metres, THENCE S 03° 52' 41" E for a distance of 240.908 metres. THENCE S 04° 45' 54" E for a distance of 71.659 metres, THENCE S 25° 25' 39" E for a distance of 100.477 metres, THENCE S 30° 36' 02" E for a distance of 56.959 metres, more or less, to the point of beginning and containing an area of 21.726 hectares, more or less. Which land is more particularly shown on the plan hereto attached. All bearings being referred to the above mentioned projection. All linear measurements are horizontal ground distances.

This description and accompanying plan, Job # 7043 of Brown and Way Surveys, form an integral part of the returns and are not separable.



- SET IRON BAR
- FOUND IRON BAR

© COPYRIGHT: ROBERT A. WAY, N.L.S.

Monuments used for tie-in, Zone 1: 80G2170 N 5 264 953.677 80G2171 N 5 265 059.969
E 320 807.124 E 320 335.787
NAD - 83

All linear measurements are horizontal ground distances.
For the computation of coordinates, horizontal ground distances have been reduced to the Nfld 3° M T M Projection plane by multiplying them by an average combined scale factor of 0.999885

	BROWN & WAY SURVEYS	
	Professional Surveying Services	
	Tel: (709) 726-1040	Telecopier: (709) 726-1041
	email: brownsur@firstcity.net	
PROPERTY OF		
JOHN DOOLEY, GORDON DOOLEY, GERALD DOOLEY & CAROL DOOLEY		
KENMOUNT HILL		MOUNT PEARL, NL
SCALE: 1:5000	DATE: JULY 01, 2003	
JOB NO: 7043	SURVEY:	

CHANGE OF NAME ACT

C-8 RSN 1990

**NOTICE OF APPLICATION
FOR CHANGE OF NAME**

NOTICE is hereby given that an application will be made to the Minister of Government Services for a change of name, pursuant to the provisions of the *Change of Name Act*, by me:-

ANDREW JOSEPH MCCARTHY

of 582 Southside Road, St. John's, A1C 1A5, in the Province of Newfoundland and Labrador, as follows:

To change my name from

ANDREW JOSEPH MCCARTHY
to
ANDREW JOSEPH MCYER

DATED this 24th day of March, 2005.

ANDREW MCCARTHY
(Signature of Applicant)

April 1

**NOTICE OF APPLICATION
FOR CHANGE OF NAME**

NOTICE is hereby given that an application will be made to the Minister of Government Services for a change of name, pursuant to the provisions of the *Change of Name Act*, by me:-

LEON LOCKYER

of 582 Southside Road, St. John's, A1E 1A5 in the Province of Newfoundland and Labrador, as follows:

To change my name from

LEON LOCKYER
to
IAN LEON MCYER

DATED this 24th day of March, 2005.

LEON LOCKYER
(Signature of Applicant)

April 1

**NOTICE OF APPLICATION
FOR CHANGE OF NAME**

NOTICE is hereby given that an application will be made to the Minister of Government Services for a change of name, pursuant to the provisions of the *Change of Name Act*, by me:-

DORIS BUTLER

of 256 Bauline Line, Portugal Cove, A1M 2V5, in the Province of Newfoundland and Labrador, as follows:

To change my minor unmarried child's name from

ANTHONY DEAN BUTLER
to
ANTHONY DEAN FOLEY

DATED this 23rd day of March, 2005.

DORIS BUTLER
(Signature of Applicant)

April 1

**NOTICE OF APPLICATION
FOR CHANGE OF NAME**

NOTICE is hereby given that an application will be made to the Minister of Government Services for a change of name, pursuant to the provisions of the *Change of Name Act*, by me:-

JOCELYN CYNTHIA COLLEY

of 31-C Smallwood Drive, Grand Falls-Windsor, A2B 1G5, in the Province of Newfoundland and Labrador, as follows:

To change my name from

JOCELYN CYNTHIA COLLEY
to
JOCELYN CYNTHIA BROOKS

DATED this 18th day of March, 2005.

JOCELYN COLLEY
(Signature of Applicant)

April 1



THE NEWFOUNDLAND AND LABRADOR GAZETTE

PART II

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

Vol. 80

ST. JOHN'S, FRIDAY, APRIL 1, 2005

No. 13

**NEWFOUNDLAND AND LABRADOR
REGULATION**

NLR 28/05



**NEWFOUNDLAND AND LABRADOR
REGULATION 28/05**

*Workplace Health, Safety and Compensation
Regulations (Amendment)*
under the
Workplace Health, Safety and Compensation Act
(O.C. 2005-098)

(Filed March 30, 2005)

Under the authority of section 123 of the *Workplace Health, Safety and Compensation Act*, the Workplace Health, Safety and Compensation Commission, with the approval of the Lieutenant-Governor in Council makes the following regulations.

Dated at St. John's, March 29, 2005.

Tim Murphy
Deputy Clerk of the Executive Council

Joan Cleary
Chairperson
Workplace Health, Safety and
Compensation Commission

REGULATIONS

Analysis

1. S.28.1 Added
Alternative assessment pay-
ment arrangement
2. Commencement

CNLR 1025/96
as amended

1. The *Workplace Health, Safety and Compensation Regulations* are amended by adding immediately after section 28 the following:

Alternate assess-
ment payment
arrangement

28.1 (1) Notwithstanding section 28, an employer

- (a) whose total assessment for the immediately preceding year was less than \$54,000;
- (b) who enters into the arrangement that the commission may require to pay his or her assessment for the current year in equal monthly instalments on the first day of the month between April and October; and
- (c) who makes the payments in the manner and at the time required by the arrangement referred to in paragraph (b)

is not liable to the penalty required by that section.

(2) Where, during the year, the assessment due and payable by an employer for the current year changes, the amount payable under the arrangement entered into by the employer with the commission under subsection (1) shall be adjusted as required and the employer shall pay the balance of the assessment for the year, as adjusted, in equal monthly instalments beginning on the first day of the month immediately following the assessment adjustment and ending on the first day of October.

(3) Where an employer, who has entered into an arrangement with the commission under subsection (1), defaults in making a payment, in the amount or manner or at the time required under his or her arrangement with the commission, section 28 applies to the amount in default.

Commencement

2. These regulations come into force on April 1, 2005.

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PART II

CONTINUING INDEX OF SUBORDINATE LEGISLATION

Title of Act and Subordinate Legislation made thereunder	CNLR or NL Reg.	Amendment	NL Gazette Date & Page No.
Workplace Health, Safety and Compensation Act			
Workplace Health, Safety and Compensation Regulations (Amdt)	NLR 28/05	CNLR 1025/96 S. 28.1 Added	April 1/05, p. 147

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Legislative History of the Judicature Act, 1791-1988

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