

**NOTE:** Attached to the end of Part II is a list of Statutes of Newfoundland and Labrador, 2014 as enacted up to June 5, 2014.



# THE NEWFOUNDLAND AND LABRADOR GAZETTE

PART I

PUBLISHED BY AUTHORITY

Vol. 89

ST. JOHN'S, FRIDAY, JUNE 27, 2014

No. 26

JUDICATURE ACT

SUPREME COURT OF NEWFOUNDLAND AND LABRADOR  
TRIAL DIVISION

*Rules of the Supreme Court, 1986*  
*Criminal Proceedings Guidelines*

PRACTICE NOTE  
P.N. (TD) No. 2014-01

DATE ISSUED: June 13, 2014

RULES AFFECTED: N/A

EFFECTIVE DATE: June 30, 2014

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* and Rule 1.04 of the *Criminal Proceedings Guidelines*.

**REQUESTING INSTALLATION OF SPECIAL EQUIPMENT  
FOR CRIMINAL, CIVIL AND FAMILY TRIALS**

**Background and Purpose**

1. From time to time, parties approach Court staff indicating that they wish to install special equipment in the courtroom for use in presenting evidence (for example, special monitors, playback equipment or other equipment to display electronic or digital evidence) or for some other purpose during a trial. The following practice note is issued to: (1) provide guidance to such parties on how to make their request; and (2) reduce the risk of delays that can result from the malfunctioning of equipment installed in the courtroom.

**Practice Note**

2. Where a party needs to install specialized equipment in the courtroom prior to the commencement of a trial, they must contact the Trial Coordinator in writing at least two weeks prior to the commencement of the trial.
3. The request may be made by letter or by email directed to the Trial Coordinator at the following addresses:

Trial Coordinator  
Supreme Court of Newfoundland  
and Labrador, General Division  
309 Duckworth Street  
P.O. Box 937  
St. John's, NL A1C 5M3

OR

inquiries@supreme.court.nl.ca  
Subject line: Trial Coordinator – Special Equipment Request

4. The letter or email must set out: (1) the name and contact information of the requesting party; (2) the style of cause of the matter and file number; (3) the date the trial is scheduled to commence; (4) the nature of the equipment required; and (5) whether the equipment will be provided by the party or whether they are requesting that the Court provide it.
5. The Trial Coordinator will determine whether the requested equipment is available and, if so, will contact the requesting party to arrange for the installation. If the requested equipment is unavailable, the Trial Coordinator will inform the requesting party and the requesting party will be responsible for providing it.
6. Once the equipment is installed in the Court, the requesting party must test that the equipment is functioning with the intended media (for example, if the equipment is required to play an audio or video file, the actual file must be tested on the equipment) no later than two days before the start of trial to minimize any delays that might result from malfunctioning equipment.

Authorized by:

David B. Orsborn  
CHIEF JUSTICE (A)  
OF THE SUPREME COURT OF  
NEWFOUNDLAND AND LABRADOR,  
TRIAL DIVISION

Darlene Wells  
REGISTRAR OF THE TRIAL DIVISION  
OF THE SUPREME COURT OF  
NEWFOUNDLAND AND LABRADOR

June 27

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**URBAN AND RURAL PLANNING ACT, 2000**

**TOWN OF PARADISE  
NOTICE OF REGISTRATION  
DEVELOPMENT REGULATIONS  
AMENDMENT No. 73, 2013**

TAKE NOTICE that the TOWN OF PARADISE Development Regulations Amendment No. 73, 2013, adopted by Council on the 18<sup>th</sup> day of March, 2014, has been registered by the Minister of Municipal and Intergovernmental Affairs.

In general terms, the amendment rezones land located along Ortega Drive from Residential Subdivision Area (RSA) to Rural Residential (RR). The intent of the amendment is to accommodate the development of a six (6) lot un-serviced residential subdivision.

**ST. JOHN'S URBAN REGION REGIONAL PLAN  
AMENDMENT No. 11, 2013**

The Minister of Municipal and Intergovernmental Affairs has approved St. John's Urban Region Regional Plan Amendment No. 11, 2013. The amendment re-designates land west of Topsail Pond Road, as well as along Ortega Drive and Buckingham Drive from "Rural" and "Restricted Development" to "Urban Development". This Regional Plan Amendment was required in order for the Town to proceed with Development Regulations Amendment No. 73, 2013.

The amendments come into effect on the day that this notice is published in *The Newfoundland and Labrador Gazette*. Anyone wishing to inspect a copy of Development Regulations Amendment No. 73, 2013 and St. John's Urban Region Regional Plan Amendment No. 11, 2013 may do so at the Paradise Town Hall, 28 McNamara Drive, during normal hours of operation.

TOWN OF PARADISE  
Terrilynn Smith, Town Clerk

PO #39161

June 27

**QUIETING OF TITLES ACT**

**COURT NO. 2013 01G 5501  
IN THE SUPREME COURT OF  
NEWFOUNDLAND AND LABRADOR  
TRIAL DIVISION (GENERAL)**

IN THE MATTER OF the *Quieting of Titles Act*, RSNL1990 cQ-3 and amendments thereto (the "Act");

AND

IN THE MATTER OF all that piece or parcel of land situate and being at South Branch, District of St. Georges-

Stephenville East, Province of Newfoundland and Labrador containing an area of 16.076 hectares;

AND

IN THE MATTER OF an Application of JOHN GILLAM, of Oxnard, State of California, USA.

**NOTICE**

NOTICE IS HEREBY given to all parties that JOHN GILLAM, of Oxnard, in the State of California, USA (hereinafter call the "Owner") has applied to the Supreme Court of Newfoundland and Labrador, Trial Division to have investigated:

All that piece or parcel of land situate and being at South Branch, District of St. Georges-Stephenville East, Newfoundland and Labrador, Canada abutted and bounded as follows:

That is to say; Beginning at a point having coordinates N5307734.877 E4579512 derived from Control Monument number 84G41 87;

Thence by land of T'Rail Park, 20 metres wide, N36°39'04"E a distance of 39.724 metres;

Thence N26°35'31"E a distance of 72.732 metres;

Thence N23°32'39"E a distance of 246.077 metres;

Thence crossing a Road Reserve, 20 metres wide, N28°37'24"E a distance of 21.069 metres;

Thence by land of T'Rail Park, 20 metres wide, N29°48'39"E a distance of 117.301 metres;

Thence by land of Rita Gillam S27°30'04"W a distance of 531.687 metres;

Thence crossing a Road Reserve, 20 metres wide, S5°59'26"W a distance of 26.799 metres,

Thence by the sideline of the Trans Canada Highway, 60.96 metres wide S28°00'55"W a distance of 25.182 metres;

Thence by Crown Land S61°48'41"W a distance of 366.534 metres;

Thence by land of Henry Gear or Assigns, Vol. 64 Fol. 151, N27°32'19"W a distance of 282.912 metres to a point of beginning.

Reserving out of the above described parcel of land a road reserve, 20 metres wide, running through the property as shown,

The herein described parcel of land contains an area of 16.076 hectares and is more particularly delineated on the plan number 12140-1 hereto attached;

All bearings refer to the meridian of fifty-eight degrees thirty minutes west longitude of the Modified Three Degree Transverse Mercator Projection (NAD83).

subject to such conditions as the Court may deem just. All adverse claims shall then be registered on such manner as the Supreme Court may direct.

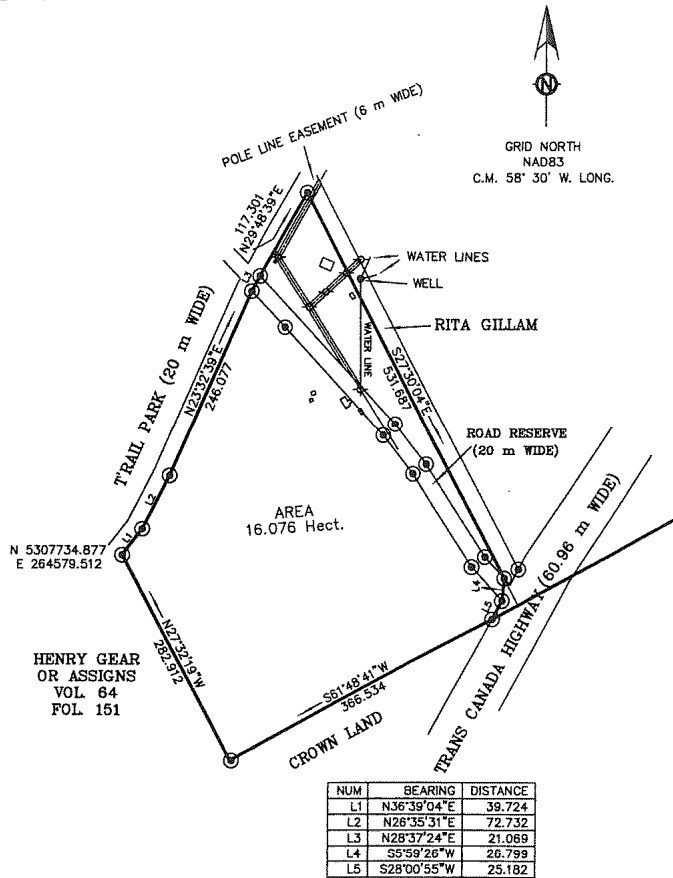
Robin C. Davis  
Dated: August 1, 2012  
Newfoundland Land Surveyor  
Stephenville Crossing, NL

GITTENS & ASSOCIATES  
Solicitors for the Applicant  
PER: Sharon McKim-Ryan

All persons having title adverse to the said title claims by the Owner shall file in the Registry of the Supreme Court of Newfoundland and Labrador, Trial Division particulars of such adverse claim and serve same, together with an Affidavit verifying same, on the undersigned solicitors for the Applicant, on or before the 14<sup>th</sup> day of July, 2014, after which date no party having a claim shall be permitted to file same or be heard except by leave of the Court and

ADDRESS FOR SERVICE:  
The Stonehouse, 8 Kenna's Hill  
St. John's, NL A1A 1H9

Tel: (709) 579-8424  
Fax: (709) 738-1339



LEGEND

- ▲ CONTROL MONUMENT
- CAPPED IRON BAR
- IRON BAR (EXISTING)
- x-x-x-x- FENCE
- C/L ELECTRICAL LINE
- DRIVEWAY
- C/L ROAD
- POLE

NOTES

© Robin C. Davis, Newfoundland Land Surveyor, 2012. Unauthorized use, alteration or reproduction of this survey plan is prohibited by law as outlined in The Copyright Act. However, use and reproduction thereof by or on behalf of the person for whom this survey was prepared, is permitted, provided that no alterations whatsoever are made thereto.

All distances are horizontal ground distances.  
GRID COORDINATES SHOWN ARE DERIVED FROM C.M. 84C4187 HAVING GRID COORDINATES N 5298988.665 E 251295.068

	LAND SURVEYED FOR JOHN GILLAM SOUTH BRANCH NEWFOUNDLAND AND LABRADOR	DWG. NO.: 12140-1
	R. DAVIS SURVEYS LTD. P.O. BOX 449 STEPHENVILLE CROSSING, NL	SCALE: 1:5000
		DRAWN BY: H.D.
		DATE: AUGUST 1 2012

**2011 08G 0151**  
**IN THE SUPREME COURT OF**  
**NEWFOUNDLAND AND LABRADOR**  
**TRIAL DIVISION (GENERAL)**

O'BRIEN ANTHONY WHITE  
Solicitors for the Applicant  
PER: Donald E. Anthony

IN THE MATTER OF the *Quieting of Titles Act*,  
RSNL1990 cQ-3, and amendments thereto;

AND

IN THE MATTER OF all that piece or parcel of land situate  
and being at Happy Valley-Goose Bay, in the Electoral  
District of Lake Melville and more commonly known as 30  
Markland Road, Happy Valley-Goose Bay, in the Province  
of Newfoundland and Labrador;

AND

IN THE MATTER OF an Application by BENJAMIN  
PONNIUK and BARBARA PARDY, both of Happy  
Valley-Goose Bay, in the Province of Newfoundland and  
Labrador, Canada;

**NOTICE OF APPLICATION**

NOTICE IS HEREBY given to all parties that BENJAMIN  
PONNIUK and BARBARA PARDY, of the Town of  
Happy Valley-Goose Bay, in the Province of  
Newfoundland and Labrador, has applied to the Supreme  
Court of Newfoundland and Labrador, Trial Division, to  
have the title to ALL THAT piece or parcel of land situate  
and being in Happy Valley-Goose Bay, in the Electoral  
District of Lake Melville, in the Province of Newfoundland  
and Labrador, Canada, and being more particularly  
described and delineated in Schedule "A" hereto annexed  
and which are filed with the Application in this matter in  
the Registry of the Supreme Court of Newfoundland and  
Labrador, Trial Division at Happy Valley-Goose Bay  
investigated for declaration that the said BENJAMIN  
PONNIUK and BARBARA PARDY are the absolute  
owners thereof, free from the exceptions and qualifications  
in section 22 of the *Quieting of Titles Act*.

All persons having title adverse to the said title claimed by  
the said BENJAMIN PONNIUK and BARBARA PARDY  
shall file at the Registry of the Supreme Court of  
Newfoundland and Labrador, Trial Division, at Happy  
Valley-Goose Bay particulars of such adverse claim and  
serve the same together with an Affidavit verifying the  
same on the undersigned, the Solicitors for the Applicant,  
on or before the 11<sup>th</sup> day of July, 2014, after which date no  
party having any claim shall be permitted to file the same  
or to be heard except by special leave of the Court and  
subject to such conditions as the Court may deem just. All  
adverse claims shall be investigated in such manner as the  
Supreme Court may direct.

DATED at Happy Valley-Goose Bay, in the Province of  
Newfoundland and Labrador, this 5<sup>th</sup> day of May, 2014.

ADDRESS FOR SERVICE:  
P.O. Box 736, Stn. B  
169 Hamilton River Road, Suite 201  
Happy Valley-Goose Bay, NL A0P 1E0

Tel: (709) 722-0637  
Fax: (709) 722-6780

**SCHEDULE "A"**

Civic No. 30 Markland Road July 3, 2013

All that piece or parcel of land situate and being at Happy  
Valley-Goose Bay, in the Electoral District of Lake  
Melville, in the Province of Newfoundland and Labrador,  
being bound and abutted as follows, that is to say:

Beginning at a point the said point being a Found Capped  
Iron Bar in the Northerly limit of Markland Road, 15.24  
metres wide, said point having co-ordinates of North  
5908136.337 metres and East 385537.913 metres of the 3  
degree M.T.M. co-ordinate system;

Thence along the aforesaid Northerly limit of Markland  
Road North 86 degrees 56 minutes 27 seconds West 26.485  
metres;

Thence North 85 degrees 34 minutes 28 seconds West  
3.873 metres;

Thence along Civic No. 32, Eastern Provincial Airways,  
Volume 121 Folio 87, now Dorothy and Mary Batchelor,  
Roll 966 Frame 1520, as registered in the Newfoundland  
and Labrador Registry of Deeds, North 4 degrees 49  
minutes 56 seconds East 60.962 metres;

Thence along Crown Land South 85 degrees 34 minutes 28  
seconds East 3.441 metres;

Thence South 86 degrees 21 minutes 32 seconds East  
26.977 metres;

Thence along a portion of Volume 124 Folio 4, claimed  
and occupied by Civic No. 28, Charles and Emily  
Dollmont, South 4 degrees 53 minutes 41 seconds West  
60.700 metres, more or less, to the point of beginning.

Containing an area of 0.185 hectares, more or less, and  
being Civic No. 30, as shown on the diagram annexed  
hereto;

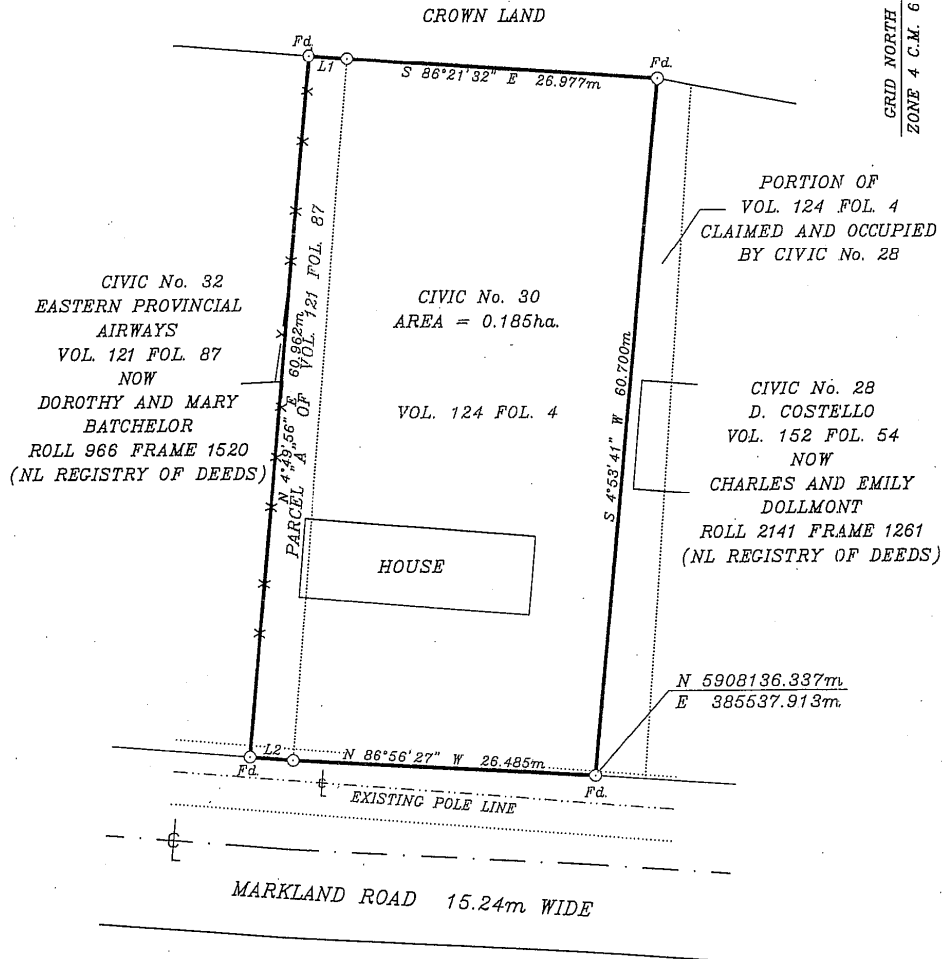
All bearings being referred to the central meridian of 61  
degrees 30 minutes West longitude of the Three Degree  
Transverse Mercator Projection, Zone 4, NAD 83.

SCHEDULE "B"

NOTE:

CIVIC No. 30 IS A CONSOLIDATION SURVEY  
OF PARCEL "A" OF VOLUME 121 FOLIO 87  
AND PORTION OF VOLUME 124 FOLIO 4.

GRID NORTH NAD 83.  
ZONE 4 C.M. 61°30' W.L.



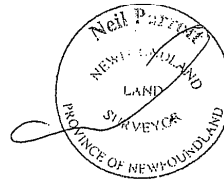
NOTE:

COORDINATES WERE OBTAINED  
USING R.T.K. SURVEYING TECHNIQUE  
REFERENCED TO PROVINCIAL CONTROL  
MONUMENT No. 76G2703.

LINE	BEARING	DISTANCE
L1	S 85°34'28" E	3.441m
L2	N 85°34'28" W	3.873m

N.E. PARROTT SURVEYS LTD.  
NEWFOUNDLAND LAND SURVEYORS  
GOOSE BAY, NEWFOUNDLAND & LABRADOR 896-5019

Fd. - FOUND.  
 ○ - CAPPED IRON BAR  
 DATE: - JULY 03, 2013  
 SCALE - 1:400  
 JOB No. - 13-093  
 Linear Measurement Horizontal Ground Distances



**TRUSTEE ACT**

**ESTATE NOTICE**

IN THE MATTER of the Estate of WARREN CHARLES ALLAN DALTON, Late of Catalina, 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 WARREN CHARLES ALLAN DALTON, Gentleman, who died at Bonavista, NL on or about October 18, 2012, are hereby requested to send particulars thereof in writing, duly attested, to the Office of the Public Trustee, 401 - 136 Crosbie Road, St. John's, NL, A1B 3K3, Administrator of the Estate of WARREN CHARLES ALLAN DALTON, on or before July 31, 2014, 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 St. John's, this 25<sup>th</sup> day of June, 2014.

OFFICE OF THE PUBLIC TRUSTEE  
Administrator of the Estate of  
WARREN CHARLES ALLAN DALTON

ADDRESS FOR SERVICE:  
401 - 136 Crosbie Road  
St. John's, NL A1B 3K3

Tel: (709) 729-1025  
Fax: (709) 729-3063

June 27

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**ESTATE NOTICE**

IN THE MATTER of the Estate of ELLIOTT ROSS DEAN, Late of Victoria, 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 ELLIOTT ROSS DEAN, Gentleman, who died at Carbonear, NL on or about April 30, 2007, are hereby requested to send particulars thereof in writing, duly attested, to the Office of the Public Trustee, 401 - 136 Crosbie Road, St. John's, NL, A1B 3K3, Administrator of the Estate of ELLIOTT ROSS DEAN, on or before July 31, 2014, 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 St. John's, this 25<sup>th</sup> day of June, 2014.

OFFICE OF THE PUBLIC TRUSTEE  
Administrator of the Estate of  
ELLIOTT ROSS DEAN

ADDRESS FOR SERVICE:  
401 - 136 Crosbie Road  
St. John's, NL A1B 3K3

Tel: (709) 729-1025  
Fax: (709) 729-3063

June 27

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**ESTATE NOTICE**

IN THE MATTER of the Estate of ALFRED LEO RYAN, Late of Ferryland, 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 ALFRED LEO RYAN, Gentleman, who died at St. John's, NL on or about September 20, 2012, are hereby requested to send particulars thereof in writing, duly attested, to the Office of the Public Trustee, 401 - 136 Crosbie Road, St. John's, NL, A1B 3K3, Administrator of the Estate of ALFRED LEO RYAN, on or before July 21, 2014, 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 St. John's, this 19<sup>th</sup> day of June, 2014.

OFFICE OF THE PUBLIC TRUSTEE  
Administrator of the Estate of  
ALFRED LEO RYAN

ADDRESS FOR SERVICE:  
401 - 136 Crosbie Road  
St. John's, NL A1B 3K3

Tel: (709) 729-2548  
Fax: (709) 729-3063

June 27

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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. 89

ST. JOHN'S, FRIDAY, JUNE 27, 2014

No. 26

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## NEWFOUNDLAND AND LABRADOR REGULATIONS

NLR 47/14

NLR 48/14

NLR 49/14

NLR 50/14

NLR 51/14

NLR 52/14

NLR 53/14





**NEWFOUNDLAND AND LABRADOR  
REGULATION 47/14**

*Proclamation bringing Act into force  
(SNL 2013 cA-3.1)(In force June 30, 2014)  
under the  
Adoption Act, 2013  
(O.C. 2014-152)*

*(Filed June 25, 2014)*

*ELIZABETH THE SECOND, by the Grace of God of the  
United Kingdom, Canada and Her Other Realms and Territories  
QUEEN, Head of the Commonwealth, Defender of the Faith.*

FELIX COLLINS  
Attorney General

JUSTICE B. GALE WELSH  
Administrator

TO ALL TO WHOM THESE PRESENTS SHALL COME,

GREETING;

A PROCLAMATION

WHEREAS in and by section 93 of “*An Act Respecting Adoptions*” Statutes of Newfoundland and Labrador 2013 chapter A-3.1 (the “Act”) it is provided that the Act shall come into force on a date to be fixed by Proclamation of Our Lieutenant Governor in Council;

AND WHEREAS it is deemed expedient that the Act shall now come into force on June 30, 2014;

NOW KNOW YE, THAT WE, by and with the advice of Our Executive Council of Our Province of Newfoundland and Labrador, do by this our Proclamation declare and direct that “*An Act Respecting Adoptions*,” Statutes of Newfoundland and Labrador 2013 chapter A-3.1 shall come into force on June 30, 2014.

OF ALL WHICH OUR LOVING SUBJECTS AND ALL OTHERS whom these Presents may concern are hereby required to take notice and to govern themselves accordingly.

*Proclamation bringing an Act Respecting Adoptions  
into force (In force June 30, 2014)*

47/14

IN TESTIMONY WHEREOF WE have caused these Our Letters to be made Patent and the Great Seal of Newfoundland and Labrador to hereunto affixed.

WITNESS: Our trusty and well-beloved the Honourable Justice Gale B. Welsh, Justice of the Supreme Court of Newfoundland and Labrador, Court of Appeal, Administrator in and for Our Province of Newfoundland and Labrador.

AT the City of St. John's this 18<sup>th</sup> day of June in the year of Our Lord two thousand and fourteen in the sixty-third year of Our Reign.

BY COMMAND,

STEVE KENT  
Registrar General



## NEWFOUNDLAND AND LABRADOR REGULATION 48/14

*Adoption Regulations, 2014*  
under the  
*Adoption Act, 2013*

*(Filed June 25, 2014)*

Under the authority of section 73 of the *Adoption Act, 2013* I make the following regulations.

Dated at St. John's, June 3, 2014.

Clyde Jackman  
Minister of Child, Youth and Family Services

### REGULATIONS

#### *Analysis*

- |   |  |  |
|---|--|--|
| 1. Short title  | 10. Surrender of records after adoption of a child |  |
| 2. Definitions  | 11. Annual report to manager                       |  |
| PART I<br>LICENSING ADOPTION AGENCY                             |  |  |
| 3. Application for a licence                                    | 12. Advertising by an adoption agency              |  |
| 4. Educational and employment requirements                      | 13. Conflict of interest                           |  |
| 5. Conditions of a licence                                      | PART II<br>ADOPTION ASSESSMENT PROGRAM             |  |
| 6. Application to renew a licence                               | 14. Adoption assessment program                    |  |
| 7. Suspension or cancellation of a licence                      | PART III<br>REPEAL AND COMMENCEMENT                |  |
| 8. Provision of services when adoption agency ceases operations | 15. Repeal   |  |
| 9. Information to be provided to clients                        | 16. Commencement                                   |  |

Short title                    **1.** These regulations may be cited as the *Adoption Regulations, 2014*.

Definitions                    **2.** In these regulations

- (a) "Act" means the *Adoption Act, 2013*; and
- (b) "adoption agency" means an adoption agency licensed under section 7 of the Act.

**PART I**  
**LICENSING ADOPTION AGENCY**

Application for a licence                    **3.** (1) In addition to the requirements in section 7 of the Act, an applicant applying for an adoption agency licence shall

- (a) provide a certificate of conduct from the Royal Newfoundland Constabulary or a certified criminal record check from the Royal Canadian Mounted Police;
- (b) provide 3 references;
- (c) provide a child, youth and family services records check;
- (d) provide the name of each person who will perform the adoption functions and duties in the adoption agency together with proof that he or she meets the requirements of section 4;
- (e) identify the services for which the adoption agency wishes to be licensed;
- (f) provide a description of the file storage and security arrangements for the adoption agency, including the method to be used to provide backup files in the event of loss;
- (g) provide proof of insurance coverage for the adoption agency and its employees; and
- (h) any other documentation or information that a manager considers necessary.

(2) Where the applicant is a corporation it shall provide

- (a) a copy of its articles of incorporation and by-laws;
- (b) the names and addresses of the directors and officers of the corporation;
- (c) a certificate of conduct from the Royal Newfoundland Constabulary or a certified criminal record check from the Royal Canadian Mounted Police for each director and officer of the corporation;
- (d) 3 references for each director and officer of the corporation;
- (e) a child, youth and family services records check for each director and officer of the corporation; and
- (f) the documentation and information referred to in paragraphs (1)(d) to (h).

(3) In addition to the requirements in subsection (1) or (2), where the applicant proposes to provide intercountry adoption services it shall

- (a) identify the countries where the services shall be provided; and
- (b) provide proof of its accreditation in the named countries.

(4) A manager may issue a licence to operate an adoption agency where he or she is satisfied that the

- (a) documentation and information provided in subsections (1) to (3) is satisfactory;
- (b) applicant is a resident of the province or where the applicant is a corporation, that each of the directors and officers are residents of the province; and
- (c) applicant will operate the adoption agency in accordance with the Act and these regulations.

(5) A licence issued under this section may contain terms and conditions consistent with the Act and these regulations.

(6) A licence issued under this section shall be valid for a period of not more than 3 years from the date of issue.

Educational and  
employment  
requirements

4. A person may only be approved to perform adoption functions and duties as required under the Act on behalf of a licensed adoption agency where he or she provides the following documentation to the satisfaction of a manager:

- (a) a certificate of conduct from the Royal Newfoundland Constabulary or a certified criminal record check from the Royal Canadian Mounted Police;
- (b) 3 references;
- (c) a child, youth and family services records check;
- (d) proof that he or she is registered under the *Social Workers Act*; and
- (e) proof that he or she has worked a minimum of 3 years as a registered social worker.

Conditions of a  
licence

5. (1) A licence is subject to the following conditions:

- (a) an adoption agency shall cease operations in another country when requested to do so by the provincial director or a manager;
- (b) an adoption agency shall only provide those adoption services for which it has a licence;
- (c) an adoption agency shall promptly notify a manager in writing of an intention to change the services for which the adoption agency is licensed and the change is not valid until it has been approved in writing by that manager; and
- (d) an adoption agency shall comply with provincial adoption policies and standards.

(2) Paragraphs (1)(b) and (c) do not restrict an adoption agency from providing other services unrelated to adoption.

Application to  
renew a licence



6. (1) A person who wishes to renew a licence shall, at least 60 days before the expiry date of the licence or a shorter time that is acceptable to a manager, apply to renew the licence, and shall provide

- (a) a statement confirming that the documentation and information provided under section 3 at the time of the application for a licence, or under this section at the time of the last licence renewal, has not changed or, where there has been a change in the documentation or information, a statement setting out the change;
- (b) a current certificate of conduct from the Royal Newfoundland Constabulary or a current certified criminal record check from the Royal Canadian Mounted Police;
- (c) a current child, youth and family services records check; and
- (d) any additional documentation or information that a manager considers necessary.

(2) A manager may renew a licence where the adoption agency

- (a) provides the documentation and information in subsection (1);
- (b) currently holds a valid licence;
- (c) is operating in a manner that is in the best interests of the persons who are receiving the adoption services; and
- (d) has complied with the requirements of the Act, these regulations and the terms and conditions of its licence.

(3) A licence renewed under this section may contain terms and conditions consistent with the Act and these regulations.

(4) A licence renewed under this section shall be valid for a period of not more than 3 years from the date of expiry of the previously valid licence.

7. (1) A manager may suspend or cancel a licence where

Suspension or  
cancellation of a  
licence

- (a) the adoption agency is not, in the opinion of the manager, operating in
  - (i) a manner that is in the best interests of the persons who are receiving the adoption services, or
  - (ii) accordance with the requirements of the Act, these regulations or the terms and conditions of its licence;
- (b) a person has made a material false statement in an application for a licence or the renewal of a licence; or
- (c) another circumstance that, in the opinion of the manager, is a cause for concern respecting the operation of the adoption agency.

(2) A manager shall give written notice to an adoption agency of a suspension or cancellation of its licence.

Provision of  
services when  
adoption agency  
ceases operations

**8.** (1) An adoption agency shall immediately surrender its files and records to a manager where its licence is

- (a) not renewed;
- (b) suspended; or
- (c) cancelled.

(2) Notwithstanding subsection (1), an adoption agency shall transfer its files and records to another adoption agency where directed by a manager.

(3) Where an adoption agency ceases operations, it shall

- (a) advise a manager in writing that it intends to cease operations;
- (b) provide for the transfer of files and records to a manager or another adoption agency as directed by a manager; and
- (c) advise a manager of all situations respecting clients which may require immediate attention and provide a manager with

the information necessary to enable him or her to make alternate arrangements for the clients.

Information to be provided to clients

**9.** Before providing a service an adoption agency shall advise the client of the

(a) process for providing the service, the time involved, the structure of the interviews, the fees to be charged and the method of payment; and

(b) advise the client of the adoption agency's arrangements for the security and storage of files.

Surrender of records after adoption of a child

**10.** (1) The files and records of an adoption agency respecting a child placed for adoption and supervised by the adoption agency shall be forwarded to a manager within one month after the granting of the adoption order.

(2) The files and records of an adoption agency respecting an intercountry adoption which was completed in the child's country of origin shall be forwarded to a manager within one month after the return of the adoptive parents with the child to the province.

(3) Notwithstanding subsections (1) and (2), where post adoption services are being provided by an adoption agency after an adoption order is granted, the adoption agency may make a request to a manager to retain a copy of specific information related to the services.

(4) Where an adoption agency has retained a copy of specific information under subsection (3), the adoption agency shall return the copy to a manager upon the completion of the post adoption services.

Annual report to manager

**11.** An adoption agency shall submit to a manager an annual report respecting its activities, including statistical information and any other information a manager may require.

Advertising by an adoption agency

**12.** (1) An adoption agency advertising under the authority of the Act may only advertise in accordance with subsections (2) and (3).

(2) The advertising of services provided by an adoption agency and promotional material about an adoption agency shall be truthful and accurate and not be misleading to the public.

(3) The advertising or promotional material referred to in subsection (2) shall not

- (a) identify persons involved in an adoption or a proposed adoption;
- (b) claim that an adoption agency can guarantee placement of a child for adoption;
- (c) claim that an adoption agency can provide an expeditious placement of a child for adoption; or
- (d) claim that the services of one adoption agency are superior to those of another.

Conflict of interest

**13.** An adoption agency shall not act for both the prospective adoptive parent and the birth parent or other person having custody of the child who is being adopted.

## **PART II ADOPTION ASSESSMENT PROGRAM**

Adoption  
assessment program

**14.** A prospective adoptive parent shall complete an adoption assessment program approved by the minister.

## **PART III REPEAL AND COMMENCEMENT**

Repeal

**15.** The *Adoption Regulations, Newfoundland and Labrador Regulation 85/05*, are repealed.

Commencement

**16.** These regulations come into force on **June 30, 2014**.

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## NEWFOUNDLAND AND LABRADOR REGULATION 49/14

*Adoption Agency Fees Regulations, 2014*  
under the  
*Adoption Act, 2013*  
(O.C. 2014-159)

*(Filed June 25, 2014)*

Under the authority of section 74 of the *Adoption Act, 2013*, the Lieutenant-Governor in Council makes the following regulations.

Dated at St. John's, June 24, 2014.

Julia Mullaley  
Clerk of the Executive Council

### REGULATIONS

#### *Analysis*

- |                |                 |
|----------------|-----------------|
| 1. Short title | 4. Commencement |
| 2. Fees        | Schedule        |
| 3. Repeal      |                 |

Short title	<b>1.</b> These regulations may be cited as the <i>Adoption Agency Fees Regulations, 2014</i> .
Fees	<b>2.</b> An adoption agency may charge fees for the services set out in the Schedule.
Repeal	<b>3.</b> The <i>Adoption Agency Fees Regulations, Newfoundland and Labrador Regulation 86/05</i> , are repealed.
Commencement	<b>4.</b> These regulations come into force on <b>June 30, 2014</b> .

**Schedule**

Services for which an adoption agency may charge fees:

1. Adoption planning, preparation and counselling.
2. Completion of consents to adoption.
3. Provision of an adoption assessment program approved by the minister.
4. Completion of a home assessment for a prospective adoptive parent.
5. Completion of an interim assessment where authorized by a manager.
6. Completion of a subsequent home assessment.
7. Completion of a home assessment update where an adoption placement has not occurred within 2 years of the approval of the prospective adoptive parent.
8. Supervision of placement, completion of post placement reports, preparation of court documents and completion of other adoption placement services.
9. Transfer of an adoption file to another adoption agency.
10. Facilitation of openness agreements.
11. Completion of post adoption reports for a child's country of origin.

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**NEWFOUNDLAND AND LABRADOR  
REGULATION 50/14**

*Proclamation bringing Act into force  
(SNL 2011 cA-4.01)(In force June 30, 2014)  
under the  
Adult Protection Act  
(O.C. 2014-154)*

*(Filed June 25, 2014)*

*ELIZABETH THE SECOND, by the Grace of God of the  
United Kingdom, Canada and Her Other Realms and Territories  
QUEEN, Head of the Commonwealth, Defender of the Faith.*

FELIX COLLINS  
Attorney General

JUSTICE B. GALE WELSH  
Administrator

TO ALL TO WHOM THESE PRESENTS SHALL COME,

GREETING;

A PROCLAMATION

WHEREAS in and by section 41 of “*An Act Respecting the Protection of Adults*” Statutes of Newfoundland and Labrador 2011 chapter A-4.01 (the “Act”) it is provided that the Act shall come into force on a date to be fixed by Proclamation of Our Lieutenant Governor in Council;

AND WHEREAS it is deemed expedient that the Act shall now come into force on June 30, 2014;

NOW KNOW YE, THAT WE, by and with the advice of Our Executive Council of Our Province of Newfoundland and Labrador, do by this our Proclamation declare and direct that “*An Act Respecting the Protection of Adults,*” Statutes of Newfoundland and Labrador 2011 chapter A-4.01 shall come into force on June 30, 2014.

OF ALL WHICH OUR LOVING SUBJECTS AND ALL OTHERS whom these Presents may concern are hereby required to take notice and to govern themselves accordingly.

*Proclamation bringing an Act Respecting the  
Protection of Adults into force  
(In force June 30, 2014)*

50/14

IN TESTIMONY WHEREOF WE have caused these Our Letters to be made Patent and the Great Seal of Newfoundland and Labrador to hereunto affixed.

WITNESS: Our trusty and well-beloved the Honourable Justice Gale B. Welsh, Justice of the Supreme Court of Newfoundland and Labrador, Court of Appeal, Administrator in and for Our Province of Newfoundland and Labrador.

AT the City of St. John's this 18<sup>th</sup> day of June in the year of Our Lord two thousand and fourteen in the sixty-third year of Our Reign.

BY COMMAND,

STEVE KENT  
Registrar General





## NEWFOUNDLAND AND LABRADOR REGULATION 51/14

*Income and Employment Support Regulations (Amendment)*  
under the  
*Income and Employment Support Act*  
(O.C. 2014-163)

*(Filed June 25, 2014)*

Under the authority of section 52 of the *Income and Employment Support Act*, the Lieutenant-Governor in Council makes the following regulations.

Dated at St. John's, June 25, 2014.

Paula Burt  
Deputy Clerk of the Executive Council

### REGULATIONS

#### *Analysis*

- |   |                 |
|---|-----------------|
| 1. Ss.13 to 15 R&S  | 2. Commencement |
| 13. Maintaining a residence                               |                 |
| 14. Maximum monthly income support -board and lodging     |                 |
| 15. Income support for persons 30 years of age or younger |                 |

NLR 144/04  
as amended

**1. Sections 13 to 15 of the *Income and Employment Support Regulations* are repealed and the following substituted:**

Maintaining a residence

**13.** (1) The monthly amount of income support for an applicant or recipient who is renting or owns a residence is up to

1 adult	without dependent children	\$534
1 adult	without dependent children but with one dependent student	756
1 adult	without dependent children but with two dependent students	863 plus 121 for each additional dependent student
1 adult	with dependent children	694
1 adult	with dependent children and one dependent student	742
1 adult	with dependent children but with two dependent students	863 plus 121 for each additional dependent student
2 adults	without dependent children	756
2 adults	without dependent children but with one dependent student	863 plus 121 for each additional dependent student
2 adults	with dependent children	742
2 adults	with dependent children and one dependent student	863 plus 121 for each additional dependent student

(2) The amounts under this section are reduced by the following amounts

- (a) where the applicant or recipient resides in an apartment or a house
  - (i) where heat and electricity are included, \$76 a month,
  - (ii) where heat only is included, \$49 a month, or
  - (iii) where electricity only is included, \$27 a month; or
- (b) where the applicant or recipient resides in a bed sitting room

- (i) where heat and electricity are included, \$61 a month,
- (ii) where heat only is included, \$49 a month, or
- (iii) where electricity only is included, \$12 a month.

Maximum monthly  
income support -  
board and lodging

**14. (1) The monthly amount of income support for an applicant or recipient who is boarding with a non-relative is**

1 adult	without dependent children	\$534
1 adult	without dependent children but with one dependent student	756
1 adult	without dependent children and two dependent students	863 plus 121 for each additional dependent student
1 adult	with dependent children	694
1 adult	with dependent children and one dependent student	742
1 adult	with dependent children and two dependent students	863 plus 121 for each additional dependent student
2 adults	without dependent children	756
2 adults	without dependent children and one dependent student	863 plus 121 for each additional dependent student
2 adults	with dependent children	742
2 adults	with dependent children with one dependent student	863 plus 121 for each additional dependent student

**(2) The monthly amount of income support for board and lodging for an applicant or recipient who is boarding with a relative is**

1 adult	without dependent children	\$323
1 adult	without dependent children but with one dependent student	642

*Income and Employment Support Regulations  
(Amendment)*

51/14

1 adult	with dependent children	570
1 adult	with dependent children and one dependent student	742 plus 121 for each additional dependent student
2 adults	without dependent children	642
2 adults	without dependent children but with one dependent student	863 plus 121 for each additional dependent student
2 adults	with dependent children	742
2 adults	with dependent children and one dependent student	863 plus 121 for each additional dependent student

Income support for persons 30 years of age or younger

**15.** (1) Notwithstanding section 13, the monthly amount of income support for a single person under the age of 30 years who is renting or owns a residence and who has no barriers or impairments which would limit that person's pursuit of employment or training as determined by an officer is \$257.

(2) Notwithstanding section 14 and subsections (1) and (3), the monthly amount of income support for board and lodging of a single person under the age of 30 years who, as determined by an officer, has no barriers or impairments which would limit that person's pursuit of employment or training

(a) who is boarding with a relative is \$123; or

(b) who is boarding with a non-relative is \$177.

(3) Notwithstanding subsection 14(1) and paragraph 2(b), the monthly amount of income support for a single person under age 30 who, as determined by an officer, has barriers or impairments which limit that person's pursuit of employment or training is \$507.

Commencement

**2. These regulations come into force on July 1, 2014.**

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**NEWFOUNDLAND AND LABRADOR  
REGULATION 52/14**

*Labour Relations Board Rules of Procedure (Amendment)*  
under the  
*Labour Relations Act*  
(O.C. 2014-161)

*(Filed June 25, 2014)*

Under the authority of section 22 of the *Labour Relations Act*, the Labour Relations Board, with the approval of the Lieutenant-Governor in Council, makes the following regulations.

Dated at St. John's, June 10, 2014.

Sheilagh Murphy  
Chair, Labour Relations Board

Julia Mullahey  
Clerk of the Executive Council

**REGULATIONS**

*Analysis*

1. S.45 Amdt.  
Reference or application to  
the board
2. Commencement

CNLR 745/96  
as amended

**1. Subsection 45(1) of the *Labour Relations Board Rules of Procedure* is repealed and the following substituted:**

Reference or  
application to the  
board

**45.** (1) A reference or application to the board under section 17 or 17.1 of the *Labour Relations Act* shall contain the following information:

- (a) name and address of the applicant;
- (b) name and address of the respondent; and
- (c) the grounds on which the reference or complaint is based.

Commencement

**2. These regulations come into force on July 1, 2014.**

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## NEWFOUNDLAND AND LABRADOR REGULATION 53/14

*Adult Protection Regulations*  
under the  
*Adult Protection Act*

*(Filed June 27, 2014)*

Under the authority of section 33 of the *Adult Protection Act*, I make the following regulations.

Dated at St. John's, June 26, 2014.

Paul Davis  
Minister of Health and Community Services

### REGULATIONS

#### *Analysis*

- |   |                  |
|---|------------------|
| 1. Short title                                | 3. Service plan  |
| 2. Assessment of capacity for decision-making | 4. Investigators |

Short title

**1.** These regulations may be cited as the *Adult Protection Regulations*.

Assessment of capacity for decision-making

**2.** An assessment of capacity for decision-making referred to in subsection 6(5) of the Act shall be conducted by an interdisciplinary team, which may include members of some or all of the following disciplines:

- (a) medicine;

- (b) nursing;
- (c) occupational therapy;
- (d) physiotherapy;
- (e) psychology;
- (f) social work; and
- (g) speech language pathology.

Service plan

**3.** A service plan shall include the following:

- (a) the original date of the service plan and the date of any amendments to it;
- (b) demographic information about the adult who is or may be need of protective intervention;
- (c) a description of the needs of the adult who is or may be in need of protective intervention;
- (d) details of the services and programs required to reduce the risk to and to meet the care needs of the adult who is or may be in need of protective intervention;
- (e) an outline of the responsibilities of caregivers of the adult who is or may be in need of protective intervention;
- (f) recommendations respecting the adult who is or may be in need of protective intervention;
- (g) where the service plan is reviewed by the review committee established under section 28 of the Act, the recommendations of that review committee;
- (h) a record of all court orders and court dates respecting the adult who is or may be in need of protective intervention; and
- (i) the dates of the service plan review.

Investigators



4. Members of the following disciplines are designated investigators for the purpose of section 15 the Act:

- (a) medicine;
- (b) nursing;
- (c) occupational therapy;
- (d) peace officers;
- (e) physiotherapy;
- (f) psychology;
- (g) social work; and
- (h) speech language pathology.

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Adoption Regulations, 2014 (In force June 30, 2014)	NLR 48/14	R&S NLR 85/05	June 27/14 p. 323
Adoption Agency Fees Regulations, 2014	NLR 49/14	R&S NLR 86/05	June 27/14 p. 331
<b>Adult Protection Act</b>			
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<b>Income and Employment Support Act</b>			
Income and Support Regulations (Amdt.) (In force July 1, 2014)	NLR 51/14	Amends NLR 144/04 S.13 to 15 R&S	June 27/14 p. 335
<b>Labour Relations Act</b>			
Labour Relations Board Rules of Procedure (Amdt.) (In force July 1, 2014)	NLR 52/14	Amends CNLR 745/96	June 27/14 p. 339

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**STATUTES OF NEWFOUNDLAND AND LABRADOR  
2014**

**Third Session, 47<sup>th</sup> General Assembly  
63 Elizabeth II, 2014**

<b>Bill</b>	<b>Act</b>	<b>Chapter</b>
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	<b>(ASSENTED TO MARCH 25, 2014)</b>	
* 1	<i>Public Interest Disclosure and Whistleblower Protection Act</i> (In force Jul. 1/14)	P-37.2
3	<i>Vital Statistics (Amendment) Act, 2009</i>	2
4	<i>Mental Health Care and Treatment (Amendment) Act</i>	3
5	<i>Printing Services Act Repeal Act</i>	4
6	<i>City of Corner Brook (Amendment) Act, City of Mount Pearl (Amendment) Act, City of St. John's (Amendment) Act and Municipalities (Amendment) Act, 1999</i>	5
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9	<i>Revenue Administration (Amendment) Act</i>	8
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14	<i>Emergency 911 Act</i> (To be proclaimed)	E-7.2

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**(ASSENTED TO JUNE 5, 2014)**

\* Bills amended in Committee of the Whole House.

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Chapter E-7.2	<u><i>Emergency 911 Act</i></u> - (To be proclaimed) <i>Fire Protection Services Act</i>
Chapter 19	<u><i>Labour Relations (Amendment) Act</i></u> <i>Fishing Industry Collective Bargaining Act</i> <i>Interns and Residents Collective Bargaining Act</i> <i>Labour Relations Regulations</i> <i>Public Service Collective Bargaining Act</i>
Chapter P-37.2	<u><i>Public Interest Disclosure and Whistleblower Protection Act</i></u> - (In force Jul. 1/14) <i>Labour Relations Act</i>
Chapter 7	<u><i>Publication of Adjudication Tribunal Decisions Amendment Act</i></u> <i>Chiropractors Act, 2009</i> <i>Dental Act, 2008</i> <i>Denturists Act, 2005</i>

*Dietitians Act*  
*Dispensing Opticians Act, 2005*  
*Health Professions Act*  
*Hearing Aid Practitioners Act*  
*Licensed Practical Nurses Act, 2005*  
*Massage Therapy Act, 2005*  
*Medical Act, 2011*  
*Occupational Therapists Act, 2005*  
*Optometry Act, 2012*  
*Pharmacy Act, 2012*  
*Physiotherapy Act, 2006*  
*Psychologists Act, 2005*  
*Registered Nurses Act, 2008*  
*Social Workers Act*

This list was prepared by the Office of the Legislative Counsel.

Questions or omissions should be brought to the attention of that Office.

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