



THE NEWFOUNDLAND AND LABRADOR GAZETTE

PART I

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Vol. 80

ST. JOHN'S, FRIDAY, SEPTEMBER 30, 2005

No. 39

URBAN AND RURAL PLANNING ACT

NOTICE OF REGISTRATION CITY OF MOUNT PEARL DEVELOPMENT REGULATIONS AMENDMENT NO. 152, 2005

TAKE NOTICE that the City of Mount Pearl Development Regulations Amendment Number 152, 2005, adopted by Council on the 6th day of September, 2005, has been registered by the Minister of Municipal and Provincial Affairs.

In general terms, the purpose of Development Regulations Amendment Number 152, 2005 is to amend Schedule A to revise the definition of Bed & Breakfast.

The Mount Pearl Development Regulations Amendment Number 152, 2005 comes into effect on the day that this notice is published in *The Newfoundland & Labrador Gazette*. Anyone who wishes to inspect a copy of this Amendment may do so at the Mount Pearl City Hall, 3 Centennial Street during normal working hours.

CITY OF MOUNT PEARL
Per: Gerard Lewis, Chief Administrative Officer

Sept 30

NOTICE OF REGISTRATION CITY OF MOUNT PEARL DEVELOPMENT REGULATIONS AMENDMENT NO. 153, 2005

TAKE NOTICE that the City of Mount Pearl Development Regulations Amendment Number 153, 2005, adopted by Council on the 6th day of September, 2005, has been registered by the Minister of Municipal and Provincial Affairs.

In general terms, the purpose of Development Regulations Amendment Number 153, 2005 is to amend Schedule A to add a definition for Retail Warehouse, and to amend Schedule D, Off-Street Parking Requirements, to add requirements for Retail Warehouse and to amend the requirements for Shopping Centre.

The Mount Pearl Development Regulations Amendment Number 153, 2005 comes into effect on the day that this notice is published in *The Newfoundland & Labrador Gazette*. Anyone who wishes to inspect a copy of this Amendment may do so at the Mount Pearl City Hall, 3 Centennial Street during normal working hours.

CITY OF MOUNT PEARL
Per: Gerard Lewis, Chief Administrative Officer

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**TRUSTEE ACT
ESTATE NOTICE**

**IN THE MATTER OF the Estate of Lynette Chaffey,
late of the Town of St. David's, in the Province of
Newfoundland and Labrador, deceased.**

All persons claiming to be creditors of or who have any claims or demands upon or affecting the Estate of Lynette Chaffey, also known as Lenetta Chaffey, late of the Town of St. David's, in the Province of Newfoundland and Labrador, deceased, are hereby requested to send particulars thereof in writing duly attested to the undersigned solicitors for the Administratrix of the Estate of the said deceased on or before the 31st day of October, 2005, after which date the said Administratrix will proceed to distribute the said Estate having regard only to the claims of which she then shall have notice.

BROTHERS & BURDEN
Solicitors for the Estate of Lynette Chaffey
Per: Lorilee A. Sharpe

ADDRESS FOR SERVICE:
89 West Valley Road
Corner Brook, NL
A2H 2X4

Sept 30

QUIETING OF TITLES ACT

2005 01T 8699

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

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

AND IN THE MATTER OF all that piece or parcel of land situate and being South of Shoal Bay Road, and East of Park Lane, Goulds, St. John's, in the Province of Newfoundland and Labrador, Canada, and being collectively known as 98-106 and 114 Shoal Bay Road, Goulds, St. John's, NL

AND IN THE MATTER OF an application of Robert Rideout, of Goulds, St. John's, in the Province of Newfoundland and Labrador.

NOTICE OF APPLICATION UNDER THE *QUIETING OF TITLES ACT* RSN 1990, c. Q-3, AS AMENDED

Notice is hereby given to all parties that Robert Rideout has applied to the Supreme Court of Newfoundland and Labrador, Trial Division, in the Judicial Centre of St. John's, to have title to ALL THAT piece or parcel of land

situate and being to the south of Shoal Bay Road and to the east of Park Lane, Goulds, St. John's, in the Province of Newfoundland and Labrador, Canada, and collectively known as 98-106 and 114 Shoal Bay Road, Goulds, St. John's, NL, and being more particularly described in the Schedule marked "A" annexed hereto, of which parcel he claims on his own behalf to be the owner, investigated and for a declaration that he is the absolute owner thereof. All persons having a claim adverse to this title claimed by the Petitioner shall file in the Registry of the Supreme Court, Trial Division, Judicial Centre of St. John's, at the Court House building, Duckworth Street, St. John's, Newfoundland and Labrador, Canada, A1C 5M3, particulars of such adverse claim and serve the same together with an Affidavit verifying the same on the undersigned Solicitor for the Petitioner on or before the 28th day of October, 2005, 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 such adverse claims shall then be investigated in such manner as the Supreme Court of Newfoundland and Labrador, Trial Division, may direct.

Dated at St. John's, Newfoundland and Labrador, this 23rd day of September, 2005.

LEARMONTH, DUNNE & CLARKE
Solicitors for the Petitioner
Per: Joseph F. Boulos

ADDRESS FOR SERVICE:
22 Church Hill
PO Box 700
St. John's, NL
A1C 5L4

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Schedule "A"

Boundary Description

Civic # 114 Shoal Bay Road, Goulds, St. John's, Newfoundland and Labrador.

BEGINNING at a point, said point having the following NAD83 coordinates in Zone 1 of the Transverse Mercator Projection as modified for the Province of Newfoundland N 5 255 068.333 and E 322 853.019;

THENCE along the grid bearing of N 15° 56' 40" W for a distance of 221.778 metres;

THENCE along the arc of a curve having a radius of 238.750 metres, on a chord distance of 26.477 metres, on a grid bearing of N 12° 45' 58" W;

THENCE along the grid bearing of N 09° 35' 16" W for a distance of 47.434 metres;

THENCE along the arc of a curve having a radius of 6.000 metres, on a chord distance of 9.653 metres, on a grid bearing of N 51° 33' 11" E;

THENCE along the grid bearing of S 67° 18' 23" E for a distance of 69.247 metres;

THENCE along the grid bearing of S 58° 48' 22" E for a distance of 20.825 metres;

THENCE along the grid bearing of S 49° 44' 26" E for a distance of 51.553 metres;

THENCE along the grid bearing of S 13° 18' 57" W for a distance of 75.803 metres;

THENCE along the grid bearing of S 14° 41' 44" W for a distance of 111.670 metres;

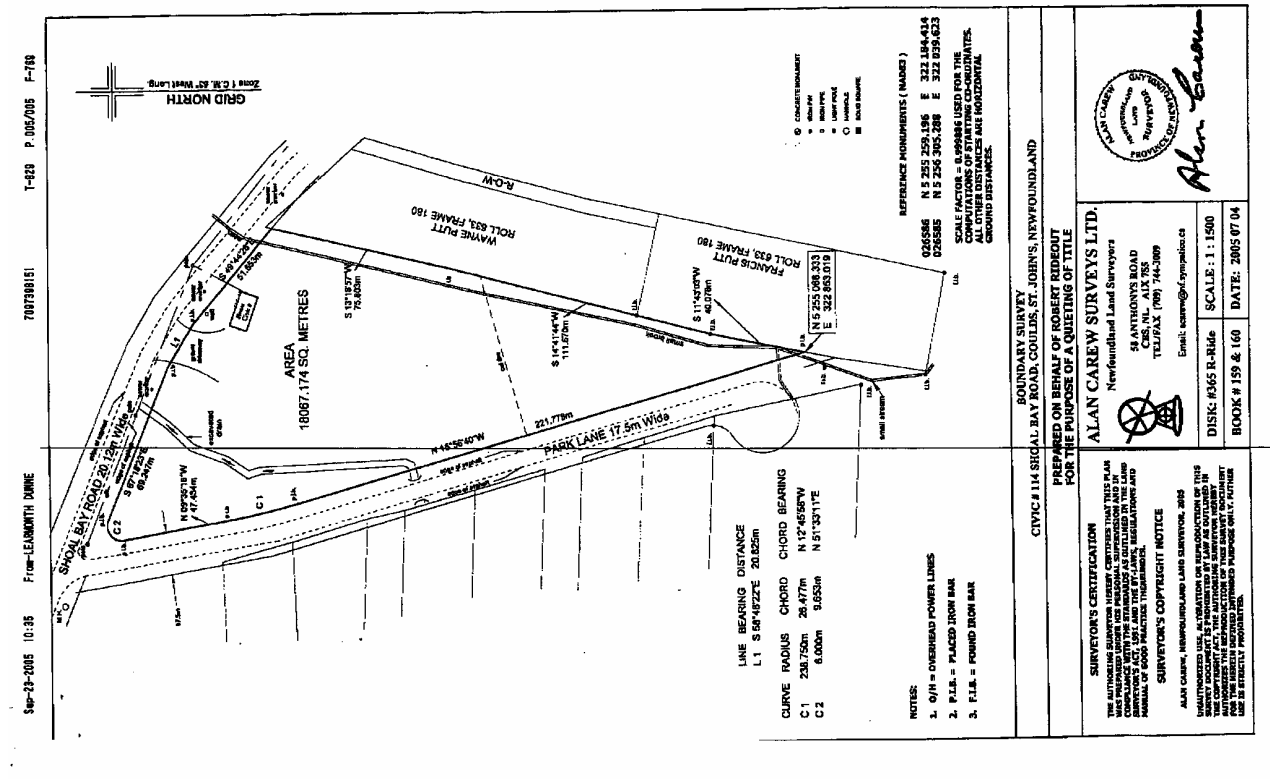
THENCE along the grid bearing of S 11° 43' 03" W for a distance of 40.078 metres to the point of beginning;

All bearings are Grid North NAD83 in Zone 1 of the Transverse Mercator Projection as modified for the Province of Newfoundland;

The above described piece or parcel of land contains an area of 18067.174 square metres, more or less, and is more particularly shown on the plan hereto attached dated 2005 07 04.

Note: There is a small brook running through the said Lot inside the southeastern boundary as shown. There is also an excavated drain extending through the said Lot as shown. There is a cut line extending through the said Lot as shown. There is a house and a gravel driveway erected on the said parcel of land as shown.

This description and accompanying plan are integral parts necessary to adequately reflect the legal boundary of the subject property and therefore cannot be separated.



CORPORATIONS ACT
NOTICE - SECTION 341(2)

NOTICE IS HEREBY GIVEN pursuant to section 341(2) of the *Corporations Act* that the Registrar, under authority of s.341(1), has decided to dissolve the following corporations effective 120 days from September 23, 2005:

Number	Company Name		
36093	10466 Newfoundland Ltd.	11194	Barachois Development Association
36227	10477 Nfld. Inc.	36724	Baricor Minerals Inc
36502	10486 NEWFOUNDLAND INC.	8701	BARTLETT, LINEHAN, ASSOCIATES LIMITED
36588	10492 NFLD LTD.	36678	Bay St. George Progress Club Inc.
36715	10495 NFLD LTD.	7218	Bay St. George Senior Citizens Home
37056	10505 NEWFOUNDLAND LIMITED	36767	Bay-Lin Enterprises Ltd.
37058	10506 NEWFOUNDLAND LIMITED	36320	BEACH FISHERIES LTD.
37126	10510 Newfoundland Limited	4859	Beck Construction Limited
37272	10518 NFLD. LTD.	6374	Becker Contractors Limited
4881	10569 Newfoundland Limited	36432	BELCAN TRADING INC.
36276	4 SEASONS MOTORSPORTS & RENTALS LTD.	23032	BERGS LIMITED
18109	A. Mitchell and Son Limited	36211	Beverage Industry Association of Newfoundland and Labrador Inc.
36178	ABATRAD HOLDINGS INC.	18765	Bishop's Falls Senior Citizens Housing Committee
24535	ABBOTT'S CONTRACTORS LIMITED	23683	BJANES ENTERPRISES INC.
37505	ABC HOLDINGS INC.	36508	Black Tickle Fishermens Committee Incorporated
36779	Accomp Business Services Inc.	17578	BLUE FOAM III LIMITED
13958	Advanced Concepts Engineering Limited	37488	BMN Gas & Convenience Ltd.
36257	AFTERMARKET EQUIPMENT SERVICES LTD.	37377	Body Gear Enterprises inc
36404	AIR TORNGAT INC.	21145	BOTWOOD AREA ASSOCIATION OF COMMUNITY LIVING INC.
37683	ALEXANDER'S CONVENIENCE INC.	37460	Browne's Convenience Ltd.
36154	Altus Investments Inc.	36233	BRS Inspections Ltd.
14025	ANCHOR ENTERPRISES INC.	37536	BRUNO'S FINE FOODS INC.
22697	ART'S AUTO CENTRE LIMITED	24402	Brush-Up Painting Inc.
7365	Artistic Hairstyling Limited	36693	BRYZAK CORPORATION
14168	Astro Construction Limited	9885	BURIN PENINSULA DRYCLEANERS LIMITED
37235	ATLANTIC CANADA TRUCKING LIMITED	36208	BusinessTel Ltd.
36874	ATLANTIC CARPET CARE LTD.	7414	Butler's Grocery Limited
37365	ATLANTIC SEAWEED FARMS LTD.	36976	BYRNE'S AUTO REPAIR LTD.
37626	Aubern Enterprises Ltd.	5352	C & G ENTERPRISES LIMITED
36453	AURORA OFFSHORE INC.	20329	C.S.C. Holdings Limited
18945	AUSTIN ADVERTISING (1985) LIMITED	7876	C.W. FLEMING LIMITED
17928	AUTOMOTIVE SERVICES LIMITED	21531	Cable Holdings Limited
37629	AVALON AQUACULTURE INC.	37680	Cabot Shipping Holdings Limited
36640	Avalon Audiology Services Inc.	36076	CAD SOLUTIONS NFLD. INC.
36457	Avalon Convenience Stores Ltd.	11075	CADILLAC CONSTRUCTION COMPANY LIMITED
36382	AVALON OFFSHORE ALLIANCE INC.	36566	Canadian Associates for Training and Education International, Inc.
14183	Avalon Roofing Limited	36244	Canadian International Scholastic Investment Group Inc.
37123	Avatuk Adventures Ltd.	35997	CANARY OILFIELD LTD.
36836	B & C Drycleaners (1996) Limited	21867	CAPE RAY RECREATION ASSOCIATION INC.
20385	B & C MUSSEL GROWERS LIMITED	37109	Carey & Sons Enterprises Ltd
19169	B & E TRUCKING LIMITED	21246	Carter Agencies Ltd.
36354	B. & R. Convenience Ltd.	36909	CASTLE ROCK RESTAURANT LTD.
6693	B. & S. Electrical Limited	36503	CBS Photo Studio Ltd.
19057	B.A. TRUCKING LIMITED	36892	CD Holdings Inc
5350	Baceo Limited	36925	CELEBRITY PROMOTIONS NFLD 1996 INC.
36990	Baine Harbour Fishermen's Committee Incorporated	9868	Centennial Arena Association
17225	Baltimore Realities Limited	22451	Central Fabric & Crafts Limited
		37213	Central Newfoundland Tire Ltd.
		36280	CENTURY 21 Bay Realty Inc.
		23873	CFA Plazas (Torbay) Limited
		20469	CFA Plazas Limited

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23051	CFP BUILDERS LIMITED	37677	EKWETE CONSULTING INC
36644	Cheng Xin International, Inc.	37654	ELDER-CARE LIMITED
19342	Churchill Enterprises Limited	36493	Endico Trucking & Contracting Ltd
37214	Civil Prosecution Services Inc.	21922	Eringlo Corporation
19413	CLEAN-CARE LIMITED	37212	Ernest Hardy Limited
36694	COACHING COUNCIL OF NEWFOUNDLAND AND LABRADOR INC.	11074	Exploits Valley Young Men's Christian Association
36906	COASTAL DIVING INTERNATIONAL INC.	36202	FAMILY PAK LTD.
2340	Col-Dor Limited	22796	FELKER'S SALES & SERVICES LTD.
36616	Colin Enterprise Ltd.	36885	FIRE RISK LTD.
36757	Collins Gas Bar and Convenience Ltd.	36649	First Labrador Resources Ltd.
20488	Combdon's Logging and Lumber Limited	37454	FLYNN MARITIME INCORPORATED
36550	Communication Devices & Equipment Inc.	36196	FORTUNE ATLANTIC LIMITED
36179	Community Economic Development Strategies Inc.	37326	FOUR SEASONS RENTALS INC.
36759	COMPETITIVE CONTRACTING LIMITED	9128	FRANK BROPHY LIMITED
17795	COMPLETE DRUG MART LIMITED	14387	FRED KEEPING & SON LIMITED
4505	COMPLETE RENT-ALLS, LIMITED	37049	FRESHWATER COMMUNITY IMPROVEMENT INC.
37321	ComTech Computer Repair Ltd	36872	FUSHELL INCORPORATED
36816	CONCORD INDUSTRIES INC	37717	Future Technology Information Services Inc.
36229	Condon Industries Ltd.	36336	FUTURES PLUS INC.
37185	CONNOLLY HUMAN RESOURCES INC.	36828	G. P. Machinery Inc.
37509	CONWAY'S PLANT STOP LTD.	4238	G.J. Shortall, Limited
13470	COOMBS BODY & WELDING SHOP LIMITED	36660	GARY COOK LTD.
5151	Corner Brook Minor Hockey Association	36425	Gators Swamp Limited
19817	CORNER CONSTRUCTION Limited	36664	Ge Feng Trading Company, Inc.
36509	CORNET (Community On-Line Resource NETwork) Inc.	8308	Gemini Holdings Company Limited
37004	Corthom Wood Corporation	36468	GeoMar Satellite Inc.
37521	COTTON CREATIONS LIMITED	36980	Get Active Inc.
36169	CoWal Educational Inc.	35949	Global Atlantic Inc.
20235	Cromers Property Limited	37564	Globex International Corporation
37348	Crown Caps & Accesories Inc.	37279	Goodies Wholesale Limited
23250	Cyberspace Design Limited	37384	GOOSE BAY MAINTENANCE INC
36459	D & D Engraving Limited	5285	Gordon Holdings Limited
17665	D. J. HEALEY & SON LIMITED	36282	GOSPEL MUSIC CELEBRATION INCORPORATED
37539	DANNY'S DINER LIMITED	11956	Gosse's Nursing Home Limited
36043	Dawe's Snowclearing & Landscaping Ltd.	36342	Grand Dynasty Restaurant & Lounge Limited
36883	DealerNet Inc.	15398	GRANT'S SUPERETTE LIMITED
19209	DENCO LIMITED	19455	Great Northern Construction (1985) Limited
36194	Development Council Holdings Limited	37115	GREMLIN ENTERPRISES LTD.
37284	DMC Restorations Inc.	12909	Grenfell Investments Limited
9727	Domestic Cleaners Limited	37102	Gros Morne Ventures Ltd.
10073	Dominion Paving Limited	19244	H. & J. LUMBER LIMITED
36488	DOYLE'S ATLANTIC ENTERPRISES LIMITED	18658	H. & R. Wholesale Limited
37239	Dr. P. Wenig Ltd.	37369	HABITAT HOLDINGS INC.
10845	DRAKE'S SERVICE STATION LIMITED	37252	HALCO ENTERPRISE LTD.
36623	Dylan Construction Ltd.	22100	HALLEY, HUNT HOLDINGS LIMITED
37018	DYMO INTERNATIONAL LIMITED	36497	HAMILTON SYSTEMS & SALES LIMITED
36806	E. L. and L. Fishermen's Committee Inc.	36891	Happy Days Diner Limited
18869	E. M. & F. CONSTRUCTION LIMITED	37457	Harding Holdings Limited
37332	E.W.H. INVESTMENTS LIMITED	21044	Heatherton-Highlands Recreation Assoc. Inc.
36890	East Coast Watersports Ltd.	20441	Helitactics Limited
37266	Eat Rite Deli Inc.	37584	Hide-Away Park Inc.
37168	Ebony Granite Limited	36494	Highlander Exploration Services Limited
36594	ECCO ENTERPRISES INC.	18001	HILLYARD ENTERPRISES LIMITED
13625	Econo Home Heat Limited	8924	Home Decor Limited

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36771	HOPEDALE STATUS OF WOMEN COUNCIL INC.	36448	MARTIAL ASSOCIATIONS OF NEWFOUNDLAND INC.
23544	Hospitality Inc.	16241	Martineau and Sons Limited
15918	Humber Valley Cemetery Association	37246	Master Enterprises Limited
37456	Hurley's Funeral Home Inc.	36595	MATA Enterprises Ltd.
37417	IMAGE CONSULTANTS INC.	10701	McNeil's Transport Limited
20674	Innu Development Corporation	23870	MENKHOR LIMITED
6097	Investment Dealer Co. Limited	36348	Mid-Atlantic Tours Ltd.
35945	Invitations To Imagine Inc.	36381	Mobile 1 Inc.
36750	J & R Paving Ltd.	36945	MOFFATT MOVING & STORAGE (NEWFOUNDLAND) LIMITED
36714	J. P. FOREST PRODUCTS LTD.		Mor-Tare Transport Limited
37101	J.D. Tires Ltd.	17238	MOTORSPORT DIRECT INCORPORATED
36511	J.M.B. Enterprises Company Limited	37479	Mount Pleasant Developers Inc.
36430	JCK HOLDINGS LTD.		Munn & Oke Limited
37721	JCM Deep Sea Fishing Consultants Limited	37044	Mushuau Air Limited
24245	JIM MERCER'S WELDING LIMITED	4943	N. J. ROBBINS CONSULTANTS INC.
36600	Joh & Col Enterprises Ltd.	36507	N.F.L.D. Clearance Ltd
36483	JOYCO ENTERPRISES LIMITED	37064	N.F.L.D. HOME CONTRACTING CO. LTD.
24417	K & C AUTO BODY LTD.	36738	Nain Slipway and Boathouse Committee Inc.
17647	K & R VARIETY LIMITED	36572	Nain Storage Inc.
23445	KANAKI INDUSTRIES INC.		Networth Management Inc.
37684	Karen's Hair Studio Inc.	37476	NEVIK ENTERPRISES LIMITED
37462	KDM CONSTRUCTION LIMITED		New Founde Masters Inc.
37571	KELLIGREWS MASSAGE & HYDROTHERAPY INC.	36948	New Ground Holdings Ltd.
36646	Kenton International, Inc.	36380	New Image Restorations Inc.
14278	Kilbride Auto Body (1981) Limited	36489	New Ocean Enterprises Ltd.
23987	Killiney Farm Inc.	37357	NEWFOUND TECHNOLOGIES INC.
24145	KINETTE CLUB OF GRAND BANK INC.	36337	Newfoundland & Labrador Arbitration & Mediation Society Inc.
36744	King's Cove Historical Society Inc.	36300	Newfoundland & Labrador Paralegal Training Institute Inc.
36428	KIRBY CONSTRUCTION INC.	37303	Newfoundland and Labrador Association of Municipal Administrators
37099	KITCHENS AND MORE LIMITED	37019	Newfoundland and Labrador Outfitters Association Inc.
36900	L.P. SQUIRES INC.	36847	Newfoundland Brokerage (1976) Limited
36275	La Scie Convenience and Snack Bar Inc.	36871	Newfoundland Driver Training Limited
13191	LAB ELECTRIC LIMITED		NEWFOUNDLAND INDEPENDENT MOTORCYCLIST ASSOCIATION INC.
36705	LABRADOR CITY YOUTH CENTRE INC	18130	NEWFOUNDLAND MARKETING INTERNATIONAL INVESTMENTS INC.
36185	LABRADOR HELICOPTERS LTD		Newfoundland Marketing International Trading Inc.
37428	LABRADOR WEST AIRPORT CORPORATION	36203	NEWFOUNDLAND MOVER LIMITED
22924	LAURIE ZON FISHERIES LIMITED	9268	Newfoundland Sea Farms Inc.
9914	LAW'S RESTAURANTS LIMITED	37166	Newfoundland Sport Fishing Ltd.
16068	Layden's Trucking Limited	36547	Newland Limited
37372	LEEVOY'S Custom Computer Services Inc.		NewPhase Enterprises Ltd.
12942	Leo's Variety Limited	37550	NEWTOR TRADING INC.
12769	Lewisporte Mall Merchants Association		Nfld. & Lab. Fund Raising Promo Inc.
37270	Lifetime Systems Ltd.	37551	NIKAT HOLDINGS LIMITED
18512	Linda Murphy Interior Design Limited		NikStar Resturants Co. Ltd.
37024	Lite-Hearted Inc.	36835	NMI/SINO Worldwide Economic Interest Group Inc.
37162	Lord God Father Almighty, Creator & King of Heaven & Earth Community Health Care Services Corp.	36774	Northern Lights Fisheries Inc.
37570	M & I Enterprises Inc.	36039	NORTHERN LIGHTS SALES LIMITED
19293	M. & J. FISHERIES COMPANY LIMITED	17126	Northland Associates Limited
37523	M. & P. Convenience Limited	36981	Northlight Photographic (82) Limited
16714	M. E. P. Services Limited	37247	
37124	M.D.W. Enterprises Ltd.	37615	
37065	M.L. White Enterprises Ltd.	37286	
36788	M.T.K. Pizza Ltd.	36478	
36692	Main St. Financial Services Group (Nfld.) INC.	36242	
8420	Major Building Supplies Limited	36487	
		23119	
		9029	
		15810	

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11096	Notre Dame Club	36991	Red Harbour Fishermen's Committee Incorporated
36074	O'Brien Oilfield Properties Ltd.		
16297	O'Neill Holdings Limited	24414	Red Indian Lake Ground Search Team Inc.
37147	OCEANCREST SEAFOODS INC.	36091	Red Rover Inc.
36427	OLIVE BRANCH MUSIC COMPANY CANADA INC.	37281	REDLAND ELECTRIC LTD.
		22166	Renedessa's Limited
7224	OLIVEGROVE LIMITED	37003	Renovation Plus Incorporated
13947	One Stop Convenience Stores Limited	21130	REPROGRAPHICS LIMITED
36485	Osmond Tree Services Ltd.	37395	RESIDUAL HOLDINGS LIMITED
37306	Our Place Campers Assoc. Incorporated	37403	Rice Bros. Ltd.
24213	P & P Siding Systems Ltd.	3816	RICHARD & B.A. RYAN (NFLD) LIMITED
37471	P.H.J. ENTERPRISES INC.		
36265	P.L. Food Services Inc.	21727	Richard Seypka & Associates Limited
10050	Pab Limited	21842	RIGOLET RADIO SOCIETY INCORPORATED
36848	Paralegal Society of Newfoundland and Labrador Inc.		
		36815	RIVER BEND COUNTRY INNS INC.
8961	PAT'S SERVICES LIMITED	37223	RJ JEWELRY REPAIRS LIMITED
36289	Patricks Cove Fisheries Gear Shed Committee Incorporated	36753	Roche's Auctioneering Services Ltd.
		17662	Rod's Cabinet Shop Limited
5966	PATTEN'S SERVICE CENTRE LIMITED	5746	Roderick Davis & Sons Limited
36915	PAYDIRT DRILLING INC.	21454	Rols Masonry Ltd.
36285	PEARLVIEW AUTO SALES LTD.	37465	ROY HUGHES LTD.
37013	Peg's Place Incorporated	37181	Royal Designs Ltd.
17880	Philpotts Enterprises Ltd.	36707	RUBY SILVER INC.
36965	PICTURE PERFECT ENTERPRISES LIMITED	36310	Rushoon Fishermen's Committee Incorporated
36377	Pieroway Enterprizes Ltd.	12431	S & D Enterprises Limited
36378	Pieroway's Loader Services Ltd.	36549	S. HRISTOS CO. LIMITED
21581	PiKalujak Fisheries Limited	22713	SAGONA INVESTMENTS LIMITED
4352	PIKE ENTERPRISES, LIMITED	36629	Salmonid Resources Incorporated
22401	PIKO LIMITED	36082	SAMMS INVESTMENTS LIMITED
36956	PIONEER MARINE SERVICES LTD.	37150	Samskip Ltd.
36199	PIZZA GREEK INC.	37280	Sante Fe Trading Company Inc.
11911	Placentia West Development Association	37238	Santo Antonio Foods Inc.
37182	POSTVILLE FISHERMEN'S COMMITTEE INC.	37245	SATELLITE CITY INC.
		37255	SCANA/ALUMA OFFSHORE PARTNERING LIMITED
22019	POWELL'S CONVENIENCE STORE LIMITED		
		22791	SCANDINAVIAN SHOP LIMITED
36234	POWER BUILDING CONTRACTORS LTD.	22831	SEA SONS II LTD.
		36315	SEAL COVE FISHERMAN'S COMMITTEE INC.
36639	Practical Home Holdings Inc.		
36297	PREMO CONTRACTORS LTD.	37443	Seanic Canada Inc.
35966	PRIMEVAL RESOURCES INC.	11858	SHEARS LIMITED
17015	PROVINCIAL ELEVATOR SERVICES LIMITED	18684	SHELSHER HOLDINGS LIMITED
		36213	SHORE TAXI LTD
36560	PROVINCIAL MORTGAGE BROKERS LIMITED	36832	SIGNAL COMMUNICATIONS INC
		37713	Simpson Management Inc.
37304	PT & W DESIGNS LIMITED	36723	SINO/CANADA INTERNATIONAL ECONOMIC INVESTMENT GROUP INC.
37190	Punjab Holdings Limited		
36652	Qiang Hui (Canada) Ltd.	6508	Skinner Agencies Limited
10023	Quikmart Limited	20247	Skippers Limited
36440	QUINELLA TRADING INC.	37199	SLIMPLICITY WEIGHT LOSS LTD.
21493	R T POWER & ASSOCIATES LIMITED	37231	SMP Ventures Limited
36335	R. & S. Convenience Incorporated	37029	SNAPS PHOTO LIMITED
36226	R. C. TECHNOLOGIES INC	14838	Snellen Holding Company Limited
36617	RanRod Investments Limited	12788	South West Coast Historical Society
18836	RAYCO CONSTRUCTION COMPANY LIMITED	36475	SPEEDY REAL ESTATE INC
		36710	Sport Logo Inc.
36984	RDC GROUP INC.	37706	St. Bernard's-Jacques Fontaine Community Hall Association Inc.
19939	RDS (Canada) Limited		
6643	RECON LIMITED	20749	St. Pius X Parent-Teachers' Association
		37133	Standard Electrical Limited

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36482	Starbright Mobile Welding Ltd.	37180	TOUCHE GAMES INC
36200	STASSIS FOODS INC.	37050	Transactional Developers (11) Limited
36761	Stemark Enterprises Ltd.	36261	Transitions In Progress (TIP) Limited
36820	Stephenville Home Comfort Centre Inc.	36519	TRI - CITY CONSULTANTS LIMITED
35936	STONE HOUSE EATERY & CATERING COMPANY LTD.	37026	TRIBAR ENTERPRISES INC.
21844	STORAGE EAST INCORPORATED	36643	TRINITY - CONCEPTION MOBILITY CLUB INC.
18544	STRICKLAND'S STORE LIMITED	2384	Trinity Brick Products Limited
10177	Studio 2 Limited	37545	Trinity Conception Paralegal Corporation
14258	STYLECHANGE ENTERPRISES LIMITED	37085	TRM International Inc.
9304	Sunrise Industries (Nfld.) Limited	36661	U-CAMP LTD.
36647	Sunshine International Marketing, Inc.	36637	ULTRA VISION LTD.
37060	SUPERIOR FOOD MARKET INC.	36181	UNIVERSAL EMBROIDERERS LTD.
19711	SUPERWOOD LIMITED	36574	Universal Fabricators and Erectors Inc.
16058	Synchro Newfoundland and Labrador Inc. Association, Inc. - L'Association Canadienne de Nage Synchronisee Inc.	36632	VALMA'S SPECIALTIES LIMITED
37192	Systems Technology Group Inc.	36591	VERMICO INDUSTRIES INC.
36545	T & S SERVICES LTD.	36072	Vichary Enterprises Ltd.
7412	T and A Amusements Limited	36651	Viking Pets and Supplies Limited
36635	TAYLOR DEVELOPMENT MANAGEMENT LIMITED	36554	Viking Trailblazers Snowmobile Club Inc.
36645	Tele Lab Incorporated	37700	VINCENT VARIETY LTD.
36833	Temple & Associates Inc.	37524	Virginia Video Inc.
37292	TERRA NOVA AEROTECH LTD.	36570	VORTEXT PUBLISHING INC.
10787	Terra Nova Security Limited	37105	VRI VIRTUAL REALITY IMAGING INC.
23264	TEXTILE PRODUCTS INC	22397	WALSH ELECTRICAL LIMITED
5361	The 1997 Corporation	37424	WCS Central Ltd.
37184	The Candy Shack (1996) Limited	37422	WCS Eastern Ltd.
19908	THE CLOTHES CLOSET LIMITED	37423	WCS Grenfell Ltd.
36034	The Computer Tutor Inc.	36325	WEST COAST PHOTO LIMITED
15096	The Dress-Her Limited	37574	WESTERN CONCRETE FLOORS LTD.
37703	The Fish Shack Limited	18928	Wheelchair Sports Association of Newfoundland and Labrador
37503	The Hair Gallery Ltd.	36850	WHITECAP ADVENTURES CORPORATION
14136	The Horwood Recreation Commission Association	36498	Whoppers Trout Farm Inc.
36364	The Iapetus Marble Company Ltd.	36232	WILDFIRE PRODUCTS LTD.
10876	THE NEWFOUNDLAND TRANSPORT HISTORICAL SOCIETY	36048	WILDLIFE SURVEYS INCORPORATED
18613	The Old Bonaventure Recreation Association	9666	William R. Parsons Limited
6068	THE PLACENTIA AREA HISTORICAL SOCIETY	36628	WILLIAM'S HARBOUR FISHERMEN'S COMMITTEE INCORPORATED
16188	The Royal Newfoundland Constabulary Association	36312	Woodfax Ltd.
20990	The Shoe Shop Limited	37204	Y. & C. Property Holdings Limited
37320	The Southern Post Limited	36439	YELLOW DORY INC.
37041	THE SPORTS PAGE LIMITED	11637	Young's Sales & Service Limited
36955	The Sunflower Cafe & Gallery Ltd.	24027	Youngs' Wholesale (1989) Limited
5211A	The West Coast Inter-faith Social Welfare Council	37634	ZIGGY PEELGOOD'S ENTERPRISES LIMITED
37388	THE WOORKS CLUB LIMITED		
36634	THUNNUS LURE LTD.		
36742	TOTAL SPORTS INC		
		Total Companies: 500	
			DOUGLAS LAING Registrar of Companies
		Sept 30	

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:-

PENNY RAYANN HUNT

of 132 Gerogetown Road, Corner Brook, A2H 3X2, in the Province of Newfoundland and Labrador, as follows:

To change my minor unmarried child's name from

BRADY NICHOLAS HANN
to
BRADY NICHOLAS HUNT

DATED this 19th day of September, 2005.

PENNY HUNT
(Signature of Applicant)

Sept 30

**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:-

JEFF JOSEPH CAMMIE

of 26 Carter Avenue, Corner Brook, A2H 6Y9, in the Electoral District of Humber West, in the Province of Newfoundland and Labrador, as follows:

To change my minor unmarried child's name from

MITCHELL NATHAN DANIEL BALDWIN
to
MITCHELL DANIEL CAMMIE

DATED this 20th day of September, 2005.

JEFF CAMMIE
(Signature of Applicant)

Sept 30

**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:-

WILLIAM WHITE

of General Delivery, South East Bight, A0E 3B0, in the Province of Newfoundland and Labrador, as follows:

To change my name from

WILLIAM WHITE
to
WILLIAM FRANCIS WHYTE

DATED this 2nd day of September, 2005.

WILLIAM WHITE
(Signature of Applicant)

Sept 30

**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:-

TAMMY LOCKYER

of PO Box 306, Arnold's Cove, A0B 1A0, in the Province of Newfoundland and Labrador, as follows:

To change my minor unmarried child's name from

JORDAN GERMAIN TRAVERSE
to
JORDAN GERMAIN LOCKYER

DATED this 7th day of September, 2005.

TAMMY LOCKYER
(Signature of Applicant)

Sept 30

**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:-

JEANANN BIGGIN

of Box 154, Port Saunders, A0K 4H0, in the Province of Newfoundland and Labrador, as follows:

To change my minor unmarried child's name from
ASHLYN BRIDGET JOYCE PLOWMAN
to
ASHLYN BRIDGET JOYCE BIGGIN

DATED this 22nd day of September, 2005.

JEANANN BIGGIN
(Signature of Applicant)

Sept 30

**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:-

ELVENA FAITH CARROLL

of PO Box 10, RR 3, Margaree – Fox Roost, A0M 1C0, in the Province of Newfoundland and Labrador, as follows:

To change my minor unmarried child's name from
RYAN BUNTER
to
RYAN DANIEL ALVIN CARROLL

DATED this 21st day of September, 2005.

ELVENA CARROLL
(Signature of Applicant)

Sept 30



THE NEWFOUNDLAND AND LABRADOR GAZETTE

PART II

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

Vol. 80

ST. JOHN'S, FRIDAY, SEPTEMBER 30, 2005

No. 39

NEWFOUNDLAND AND LABRADOR

REGULATIONS

NLR 89/05

NLR 90/05

NLR 91/05



NEWFOUNDLAND AND LABRADOR REGULATION 89/05

Child Care Services Regulations, 2005
under the
Child Care Services Act

(Filed September 23, 2005)

Under the authority of section 16 of the *Child Care Services Act*, the minister makes the following regulations.

Dated at St. John's, September 22, 2005.

John Ottenheimer
Minister of Health and Community Services

REGULATIONS

Analysis

- | | |
|--|---|
| 1. Short title | 14. Service |
| 2. Definitions | 15. Ratios and group sizes |
| 3. Application for agency licence | 16. Family child care |
| 4. Application for centre based child care service licence | 17. Qualifications of operators |
| 5. Application for family child care licence | 18. Home room staff |
| 6. Application for renewal | 19. Family child care qualifications |
| 7. Agency | 20. Child care services consultants |
| 8. Building requirements | 21. Waiver of qualifications |
| 9. Child care service requirements | 22. Equivalency |
| 10. Records | 23. Continuing education |
| 11. Notification of change | 24. Transitional education requirements |
| 12. Transportation | 25. Transitional |
| 13. Inspectors and inspection | 26. New licence required |
| | 27. Transitional: play spaces |

28. Day camps
29. Repeal
Schedule

Short title

1. These Regulations may be cited as the *Child Care Services Regulations, 2005*.

Definitions

2. In these Regulations

- (a) "Act" means the *Child Care Services Act*;
- (b) "centre based child care" means child care that is provided under the direction and management of an operator;
- (c) "certification" means the certification levels and classifications of levels described in the Schedule;
- (d) "family child care" means the provision of child care by a licensee, or a person who is supervised by an agency, in that licensee's or person's home; and
- (e) "home room" means a separate area in a child care centre that is equipped and supplied with developmentally appropriate material sufficient for the use of the children in the group using that area.

Application for agency licence

3. (1) A corporation that applies under subsection 7(7) of the Act for a licence to operate an agency shall do so on the form provided for the purpose by the director.

(2) An application for a licence referred to in subsection (1) shall be accompanied by the following documentation and information in support of the application:

- (a) proof of incorporation;
- (b) certificates of conduct from the Royal Newfoundland Constabulary or the Royal Canadian Mounted Police satisfactory to the director for the directors and officers of the corporation who will have contact with children, or the records of children, in a child care service under the supervision of the agency;

- (c) 3 references each satisfactory to the director for the directors and officers of the corporation who will have contact with children, or the records of children, in a child care service under the supervision of the agency;
 - (d) child protection records checks satisfactory to the director for the directors and officers of the corporation who will have contact with children, or the records of children, in a child care service under the supervision of the agency;
 - (e) with respect to directors and officers of the corporation who will have contact with children, a current record of immunization;
 - (f) proof of necessary municipal approvals; and
 - (g) proof of having obtained \$1 million commercial general liability insurance or its equivalent or a statement from an insurer of an intention to provide the insurance.
- (3) An agency shall ensure, as a condition of retaining its licence, that
- (a) its employees and persons providing family child care under its supervision who will have contact with the records of children in a child care service satisfy the requirements imposed on directors and officers under subsection (2);
 - (b) its employees who may have contact with children, in addition to the requirement contained in paragraph (a), provide a current record of immunization; and
 - (c) the persons providing family child care under its supervision, shall, in addition to the requirements contained in paragraphs (a) and (b), provide evidence that they have a current first aid certificate from an organization recognized by the minister as being qualified to give the certificate.
- (4) An application for a licence referred to in subsection (1) shall be accompanied by a program prepared in accordance with the program policy approved by the minister and containing information respecting:

- (a) the duties and responsibilities of officers and employees of the corporation; and
- (b) the supports to be provided to family child care services under the agency's supervision.

(5) It is a condition of the continuance of its agency licence that a corporation shall

- (a) implement its program;
- (b) not change its program; or
- (c) not make changes to its directors or officers who have contact with children, or the records of children, in family child care homes for which the agency is responsible,

without the prior approval of the director.

(6) An agency licence may be issued for up to 3 years.

Application for
centre based child
care service licence

4. (1) A person who applies under subsection 7(1) of the Act for a licence to operate a centre based child care service shall do so on the form provided for the purpose by the director.

(2) An application for a licence referred to in subsection(1) shall be accompanied by the following documentation and information in support of the application:

- (a) where the applicant is
 - (i) a corporation,
 - (A) proof of incorporation,
 - (B) certificates of conduct from the Royal Newfoundland Constabulary or the RCMP satisfactory to the director for the directors and officers of the corporation who will have contact with children or the records of children to whom child care is provided,
 - (C) 3 references each satisfactory to the director for the directors and officers of the corporation who will

have contact with children or the records of children to whom child care is provided,

- (D) child protection records checks satisfactory to the director for the directors and officers of the corporation who will have contact with children, or the records of children, to whom child care is provided,
- (E) with respect to the directors and officers of the corporation who will have contact with children, a current record of immunization, and
- (F) the name of the person who will serve as the operator of the child care service together with proof satisfactory to the director that the person meets the requirements of these regulations to be an operator, or

(ii) not a corporation,

- (A) certificates of conduct from the Royal Newfoundland Constabulary or the RCMP satisfactory to the director for the applicant and, where the applicant is not the operator, the operator, who will have contact with children or the records of children to whom child care is provided,
- (B) 3 references each satisfactory to the director for the applicant and, where the applicant is not the operator, the operator, who will have contact with children or records of children to whom child care is provided,
- (C) child protection records checks satisfactory to the director for the applicant and, where the applicant is not the operator, the operator, who will have contact with children, or the records of children, to whom child care is provided,
- (D) proof that the applicant, where the applicant is the operator, meets the educational and other requirements of these regulations,

- (E) a current record of immunization for the applicant and, where the applicant is not the operator, the operator,
 - (F) with respect to an applicant, and where the applicant is not the operator, the operator, who will be directly involved in caring for children, evidence that he or she has a current first aid certificate from an organization recognized by the minister as being qualified to give the certificate,
 - (G) the name of the person who will serve as the operator if different from the applicant together with proof satisfactory to the director that the person meets the requirements of these regulations to be an operator;
- (b) proof of necessary municipal approvals;
 - (c) proof of having obtained \$1 million commercial general liability insurance or its equivalent or a statement from an insurer of an intention to provide the insurance; and
 - (d) professionally drawn plans showing
 - (i) the area of the building and associated areas where the child care service will be provided,
 - (ii) the home rooms,
 - (iii) the sleep room for infants, if applicable,
 - (iv) washroom facilities,
 - (v) the kitchen location, where one is on site; and
 - (e) certification that there has been compliance with building and outdoor play area standards set by the minister.
- (3) An application for a licence referred to in subsection (1) shall be accompanied by a program prepared in accordance with the program policy approved by the minister and containing information respecting

- (a) the principles on which the program has been developed;
 - (b) equipment;
 - (c) room arrangements;
 - (d) the outdoor play area;
 - (e) the daily routine;
 - (f) play materials description; and
 - (g) policies on how children will be oriented to the service, on health and safety issues, on parental involvement, on the guidance of children's behaviour, on transportation of children, on outings for children and admission to and departure from the service.
- (4) A licensee shall ensure, as a condition of retaining its licence, that its employees
- (a) who will have contact with the records of children in a child care service satisfy the requirements imposed on directors and officers under subsection (2);
 - (b) who will have contact with children but not be directly involved in caring for them, in addition to meeting the requirements of paragraph (a), provide a current record of immunization; and
 - (c) who will be directly involved in caring for children, in addition to meeting the requirements of paragraphs (a) and (b), provide evidence that they have a current first aid certificate from an organization recognized by the minister as being qualified to give the certificate.
- (5) A person who is not an employee of a licensee but who, as a result of an education or training program, or as a result of an assistance program,
- (a) may have contact with the records of children in a child care service;

- (b) may have contact with children but will not be directly involved in carrying for children; or
- (c) is directly involved in caring for children

shall comply with paragraph (4)(a), (b) or (c) as if the person were an employee of the licensee.

(6) It is a condition of the continuance of a licence referred to in subsection (1)

- (a) that a licensee shall not make any changes to its directors or officers who have contact with children, or the records of children, in the child care centre without the prior approval of the director; and
- (b) that all modifications and changes made to areas of the building and associated areas where child care is provided have the prior approval of a director.

(7) The appointment by a licensee of an operator is subject to the prior approval of the director.

(8) A licence to provide centre based child care may be issued for up to 3 years.

Application for
family child care
licence

5. (1) A person who applies under subsection 7(1) of the Act for a licence to operate a family child care service shall do so on the form provided for the purpose by the director.

(2) An application for a licence referred to in subsection (1) shall be accompanied by the following documentation and information in support of the application:

- (a) certificates of conduct from the Royal Newfoundland Constabulary or the RCMP satisfactory to the director for the applicant and other persons living in the home;
- (b) 3 references satisfactory to the director for the applicant;
- (c) child protection records checks satisfactory to the director for the applicant and other persons living in the home;

- (d) proof that the applicant meets the educational requirements under these regulations;
- (e) proof of necessary municipal approvals;
- (f) proof of having obtained \$1 million commercial general liability insurance or its equivalent or a statement from an insurer of an intention to provide the insurance;
- (g) a sketch to scale of the home and outdoor play area where the child care will be provided showing the area of the home where the family child care service will be provided; and
- (h) certification there has been compliance with the building and outdoor play area standards set by the minister.

(3) Subsection 4(4) applies to an applicant and other persons living in the home.

(4) A person who intends to live in a home from which a family child care service is operated shall satisfy the requirements of subsections (2) and (3) before he or she begins to live there.

(5) An application for a licence referred to in subsection (1) shall be accompanied by a program prepared in accordance with the program policy approved by the minister and containing information respecting

- (a) the principles on which the program has been developed;
- (b) equipment;
- (c) room arrangements;
- (d) the outdoor play area;
- (e) the daily routine;
- (f) play materials description; and
- (g) policies on how children will be oriented to the service, on health and safety issues, on parental involvement, on the guidance of children's behaviour, on transportation of chil-

dren, on outings for children and admission to and departure from the service.

(6) It is a condition of the continuance of a licence issued under subsection (1) that all modifications and changes made to areas of the building and associated areas where child care is provided have the prior approval of a director.

(7) A licence to provide family child care may be issued for up to 3 years.

Application for
renewal

6. (1) An application for a renewal or variation of a licence shall be on the form provided by the director for the purpose and shall be accompanied by the documentation referred to in the form.

(2) An application for a renewal of a licence shall be made not later than 60 days prior to the expiry of the current licence, but an application for a variation may be made at any time.

Agency

7. (1) An agency shall

- (a) receive applications and approve persons to provide family child care services in accordance with the requirements for licensing a family child care service under these regulations;
- (b) shall supervise family child care services under its control to ensure compliance with the Act and these regulations;
- (c) shall provide supports to family child care services under its supervision; and
- (d) shall appoint a person as a home visitor.

(2) The appointment of a home visitor is subject to the prior approval of the director.

(3) A home visitor shall visit a family child care service at least once a month.

(4) All approved family child care services under the supervision of an agency are subject to the requirements imposed on licensed family child care under these regulations.

Building require-
ments

8. (1) A child care service

- (a) shall, if it is centre based,
 - (i) be located in premises which are not more than one floor above the ground floor and a home room for the care of children aged birth to 24 months shall be at grade level,
 - (ii) have a home room for each group of children attending that centre with floor space of not less than 3.3 square metres per child in that home room, excluding fixed equipment,
 - (iii) have a separate sleep room directly accessible to the home room of children aged from birth to 24 months,
 - (iv) provide diapering stations if licensed for children not of school age,
 - (v) provide washroom facilities which are available for the exclusive use of that child care service and which meet the requirements of the National Building Code (Canada),
 - (vi) if it operates more than 4 hours a session, have access to an outdoor play area on-site, surfaced, enclosed, of a size and equipped in the manner determined by the minister, and
 - (vii) if it operates for 4 or fewer hours a session, have access to an outdoor play area which, if it is on-site, shall conform to the requirements of subparagraph (vi), but if it is not on-site, which is safe and appropriate for the purpose, in the opinion of a director; and
- (b) if it is a family child care service which has an on-site outdoor play area, it shall conform to the requirements of subparagraph (vi), but if it does not have an on-site outdoor play space, then with subparagraph (vii).

(2) A building or a part of a building that has been approved for the operation of a centre based child care service shall not be used for another purpose during the hours of operation of the service.

(3) Where more than one centre based child care service is operated from a building, each service shall fulfil all the requirements of these regulations as if it alone operated from the building.

(4) Where an application is made for a licence by a person who was licensed under the *Day Care and Homemaker Services Act* on June 4, 1999 the person shall comply with the relevant health and life safety standards applicable to that person's application immediately before that date, subject to safety and other standards which the provincial director may impose.

Child care service
requirements

9. (1) A child care service

- (a) shall have a telephone that is in working order;
- (b) shall have a first aid kit which meets the requirements of the Standards and Guidelines for Health in Child Care Settings Manual approved by the minister;
- (c) shall provide and maintain safe play materials, furniture and equipment which is developmentally appropriate and sufficient for the children cared for in the service in conformity with standards established under the *Hazardous Products Act* (Canada);
- (d) shall not allow the use of baby walkers or infant or older children jumping apparatus;
- (e) where it is necessary to administer prescription medication to a child, shall first obtain the written permission of a parent or guardian of the child for the administration of the medication;
- (f) shall administer an over-the-counter medication to a child only as directed by a physician, dentist or nurse practitioner, but a person providing care to a child in a child care service may administer fever-reducing medication to the child with the prior, written consent of the parent or guardian of the child;

- (g) shall keep medication to be administered to a child in a safe, secure and appropriate place as well as the records pertaining to the administration of the medication;
- (h) shall ensure a child being cared for in the child care service is appropriately supervised at all times;
- (i) shall not permit a child to leave the child care service premises with a person who is not that child's parent or legal guardian without the written consent of that parent or legal guardian;
- (j) shall carry out a monthly fire and emergency evacuation drill from the premises in which that child care service is operated;
- (k) shall provide meals to children in accordance with the requirements of the Canada Food Guide to Healthy Eating;
- (l) shall prepare food and ensure food handling and food handling facilities are in accordance with the requirements of the Standards and Guidelines for Health in Child Care Settings Manual approved by the minister;
- (m) shall ensure a child sleeps, is fed and offered food appropriate to the child's stage of development and individual capability;
- (n) shall, daily, provide to the parent or guardian of a child who is less than 24 months of age a written record of the child's eating, sleeping and elimination patterns;
- (o) shall, where a child becomes seriously ill, injured or dies while in the care of a child care service, immediately notify a parent, guardian or other person named under paragraph 10(1)(c) and the director of that illness, injury or death and the notification shall be given by the licensee for that child care service, the operator, provider or an agency which supervises that child care service;
- (p) shall, where a child care service is operated by one person, have the services of a second person who is more than 18

years of age immediately available in case of an emergency;
and

(q) shall implement the program approved for that child care service at the time of being licensed.

(2) Notwithstanding paragraph (q), a program may be changed with the prior approval of the director.

(3) A centre based child care service may only provide child care between the hours of 6:30 a.m. and 8:30 p.m.

Records

10. (1) A child care service shall keep and maintain records with respect to each child at the child care service, including

- (a) the name, address and date of birth of the child;
- (b) the name, home and work address and telephone number of the parent or guardian of the child;
- (c) the name, address and telephone number of a person other than the parent or guardian who may be contacted in the case of an emergency;
- (d) the date of the child's admission into the child care service;
- (e) the date of the child's departure from the child care service;
- (f) the name and address and telephone number of the child's physician;
- (g) a daily register maintained by a person designated for the purpose or child care provider indicating the date of birth of each child and the time of arrival and departure of each child from the child care service premises;
- (h) a current health record;
- (i) an administration of medications record;
- (j) an injury and incident report; and

(k) the other records required to be kept by the Standards and Guidelines for Health in Child Care Settings Manual.

(2) A child care service shall keep and maintain at the service's operating location, and an agency, at the office of the agency,

(a) the most recent fire and health inspection report of the premises where that child care service is located; or

(b) the most recent fire and health inspection report of premises where child care services under the supervision of that agency are carried out;

(c) copies of violation orders and corrective action notices for the current licence period; and

(d) information required to be provided by these regulations about child care operators, providers, employees and other persons.

(3) The records required to be kept by a child care service by this section shall be retained on file at the premises of the child care service or agency to which it relates and that information shall be made available to an inspector upon his or her request for that information.

(4) The parent of a child shall have access to the records of his or her child referred to in paragraphs (1)(a) to (k) and records referred to in paragraphs (2)(a) to (c) upon request.

(5) A person shall not destroy, alter, deface or obliterate an employee, child or other record referred to in this section.

Notification of
change

11. (1) A child care service and an agency shall notify, in writing, a parent or guardian of a child in a service

(a) of a variation, suspension or cancellation of a licence or approval applicable to that child care service;

(b) of the closure or sale of a child care service or agency, not fewer than 2 weeks before that closure or sale, where possible;

- (c) as soon as is practicable after becoming aware of the commencement of an investigation by a director of child, youth and family services, the Royal Newfoundland Constabulary or the Royal Canadian Mounted Police into a matter involving a child cared for in the child care service and an employee or other person associated with the child care service, unless the constabulary, police or the director of child, youth and family services directs otherwise; and
- (d) of conditions imposed upon the renewal of a licence, if considered appropriate by the director.

(2) Where an agency ceases to supervise a family child care service, the agency shall immediately notify a parent or guardian of a child to whom child care is provided.

(3) Where notice is given under this section, confirmation of the notice shall be given to the director.

Transportation

12. (1) Where children are being transported by or on behalf of a child care service, in addition to the driver a person 16 years of age or older shall accompany the children where more than

- (a) 8 children entitled to attend school are being transported;
- (b) 4 children between the ages of 24 and 69 months are being transported; or
- (c) 3 children who are less than 24 months are being transported.

(2) Where the children being transported belong to more than one of the age groups referred to in paragraphs (1)(a) to (c), the age of the youngest of the children determines which of the ratios set by paragraphs (1)(a) to (c) applies.

(3) Notwithstanding subsection (1) or (2), where a child is being transported on a snow vehicle or sled or on the device commonly known as a komatik, the child shall be accompanied by a person 18 years of age or older, in addition to the driver, who shall have the child in sight at all times.

(4) Notwithstanding subsection (1), (2) or (3), a child shall not be left unattended.

(5) Where children in a child care service are being walked to an outside activity away from the child care service premises, there shall be sufficient supervision to ensure that those children are safely and properly escorted to, from and at that activity.

Inspectors and inspection

13. (1) A child care service and an agency shall be inspected by an inspector at least once a year.

(2) An inspector may enter onto an agency at any time or a child care service premises at any time when children are being provided with care on those premises.

(3) An inspector who inspects agencies shall ensure that in a year, at least 10% or 5 of the family child care homes, whichever is greater, operated under the supervision of an agency are inspected.

(4) An inspector shall report annually on each child care service and agency licensed by a director to that director.

Service

14. (1) A violation order or notice of a decision made under subsection 10(2) of the Act shall be personally served on a licensee or operator of a child care service.

(2) Notwithstanding subsection (1), where personal service cannot be effected, service may be made by registered mail to the last known address of the licensee or child care service.

(3) A notification required to be given in writing may be personally served or sent by regular mail to the last known address of the person requiring notice.

Ratios and group sizes

15. (1) The following ratios of staff to children and child group sizes shall apply with respect to child care centres:

Age of Child	Staff to Child Ratio	Maximum Group Size
0 to 24 months	1 staff to 3 children	6 children
24 to 36 months	1 staff to 5 children	10 children

36 to 69 months	1 staff to 8 children	16 children
57 to 84 months and entitled to attend school	1 staff to 12 children	24 children
84 to 155 months	1 staff to 15 children	30 children

(2) In a child care centre

(a) children aged from birth to 12 months shall not be included in a mixed age group; and

(b) notwithstanding subsection (1), in a group of children made up of more than one category of age group as set out in subsection (1), commonly known as a mixed age group of children,

(i) where the group consists of children who are more than 12 months and less than 69 months of age, the age of the youngest child shall determine the staff to child ratio and group size,

(ii) where the group consists of children ages 24 to 84 months, the maximum group size shall be 14 with an adult to child ratio of one to 7, but the group shall not comprise more than 4 children ages 24 to 36 months,

(iii) where the group consists of children ages 36 to 155 months, the maximum group size shall be 16 with an adult to child ratio of one to 8, but the group shall not comprise more than 4 children ages 84 to 155 months, and

(iv) where the group consists of children ages 57 to 155 months, the maximum group size shall be 30 with an adult to child ratio of one to 15, but the group shall not comprise more than 12 children ages 57 to 84 months who are entitled to attend school.

(3) The mixed age grouping required by subsection (2) does not apply during the last hour of operation of a child care service where the children are 24 months or older and there are no more than 5 children in attendance.

(4) For the purpose of determining a ratio under subsection (1) or (2), a child who continues to be placed in an age group beyond, or is moved before, the birthday at which he or she would ordinarily move to another age group because a period of transition is in the best interests of the child, shall be considered as belonging to that age group for a maximum of 3 months.

(5) A person who provides child care at a child care service shall be 18 years of age or older.

(6) When calculating staff to child ratios, only staff who are actually supervising children shall be considered.

(7) Notwithstanding subsection (1), a child care service licensed and operating under the *Day Care and Homemaker Services Act* on the day the Act came into force may have a ratio of one staff person to 6 children for a maximum group size of 12, for children aged 24 to 36 months.

Family child care

16. (1) An applicant for a licence to provide family child care may be licensed to provide care for a maximum of 6 children, the actual number to be determined by

- (a) the ages and needs of the children;
- (b) the number and ages of the applicant's own children who are living in the house;
- (c) the physical environment in which the children will be cared for; and
- (d) the program proposed for the children by the applicant.

(2) Where a person is providing family child care to more than 4 children, no more than 3 children shall be below the age of 36 months and no more than 2 of those 3 children shall be between the ages of birth and 24 months.

(3) Notwithstanding subsections (1) and (2), a person providing family care may provide care to 4 children below the age of 36 months but, in that case, no more than 2 of those children shall be between the ages of birth and 24 months and the maximum number of children to whom the person may provide care is 4.

(4) Notwithstanding subsections (1), (2) and (3), a person providing family child care may provide child care to 3 children between the ages of birth and 24 months, but in that case the person shall not provide care to more than those 3 children at a time.

(5) Where a director believes that the care of children would not be detrimentally affected by doing so, notwithstanding subsections (1) to (4), the director may permit a person providing family child care to provide care to 2 additional children who are entitled to attend school where 2 of the children to whom the person provides care are his or her own children who are not entitled to attend school.

(6) Where a director believes that the care of children would not be detrimentally affected by doing so, the director may permit a person providing family child care to provide care to a seventh child where the care is provided

(a) for no longer than 1.5 hours once a day; or

(b) for a continuous period of 12 hours once a week.

(7) A director shall not give an exemption under subsection (5) and a permission under subsection (6) to a person providing family child care so that the person would have the exemption and the permission at the same time.

(8) Where an exemption is given under subsection (5) or a permission given under subsection (6), the person to whom it is given shall nevertheless comply with subsections (2), (3) and (4).

Qualifications of operators

17. (1) A centre based child care service shall have an operator who directs and manages the operation of that service and an operator shall have

(a) not less than a Level 2 certification in the age range classifications referred to in Schedule A for which the child care centre is licensed; and

(b) 2 or more years of work experience in a licensed child care centre.

(2) One of the years of work experience referred to in paragraph (1)(b) may be in an unlicensed setting with school aged children.

Home room staff

18. (1) A home room shall have a person known as the lead staff person and that lead staff person shall have not less than a Level 1 certification in the age range classifications of the children cared for in that room and not less than one year of work experience in one of the classifications.

(2) A person employed in a child care centre who is considered to be a part of the ratio of staff to children referred to in section 15 or 25 and who is not the lead staff person, shall have not less than an entry level certification in the age range classifications of the children cared for in the home room to which that person is assigned and in the event there are infants in the home room a level one certification in infant care is required.

Family child care qualifications

19. (1) A home visitor shall have

(a) not less than a Level 2 certification in the family child care classification; and

(b) not less than 2 years experience in a family child care setting.

(2) A person who offers a child care service in his or her home under the supervision of an agency or under his or her own licence shall have not less than an entry level certification in family child care.

Child care services consultants

20. Where the department or a board employs a person as a child care services consultant to administer and monitor the licensing of child care services in the province or in a region under the jurisdiction of the board, that child care services consultant shall have

(a) a Level 4 certification; and

(b) not fewer than 3 years of working experience in a child care setting.

Waiver of qualifications

21. (1) The educational and work qualifications contained in sections 17 to 19 may be waived by a director where the director is satisfied that persons who meet the qualifications cannot be reasonably obtained by the child care service in the area in which the service is operated.

(2) In seeking a waiver of a director under subsection (1), a licensee shall provide the director with

- (a) a copy of the advertisement seeking qualified applicants;
- (b) the reasons why a person with suitable qualifications cannot be reasonably obtained and why the licensee has selected another person;
- (c) the conditions agreed to by the person selected for fulfilling the required qualifications; and
- (d) the conditions for satisfying the educational requirements contained in sections 17 to 19 agreed to by the applicant.

(3) A director may approve a person referred to in subsection (2) or may approve the person subject to the conditions the director may set.

Equivalency

22. Notwithstanding sections 17 to 20 the provincial director may determine a combination of education and experience as equivalent to the certification levels described in the Schedule.

Continuing education

23. In order to keep a certification valid, the holder of that certification shall complete not less than 30 hours of professional development training or continuing education every 3 years.

Transitional education requirements

24. Notwithstanding sections 17 to 20, a person approved as a group supervisor of a day care licensed under the *Day Care and Homemaker Services Act* for 10 or more years immediately before June 4, 1999 shall be considered to hold the certification required of an operator under these regulations.

Transitional

25. A day care centre licensed under the *Day Care and Homemaker Services Act* whose licence was in force on June 4, 1999 and that had, on that day an enrolment of children who were

- (a) more than 36 months and less than 69 months with more than 16 children in a group, may continue with that group to a maximum of 24 children with a ratio of one staff person to 8 children;

- (b) more than 24 months and less than 69 months, who do not attend school, and with more than 10 children in a mixed age group, may continue with that group to a maximum of 15 children with a ratio of one staff person to 5 children;
- (c) a group comprising more than 10 children who were between the ages of 24 and 155 months may continue with that age group to a maximum of 16 children, but the adult to child ratio shall be one to 8, no more than 4 children shall be between 24 and 36 months and no more than 4 children shall be between 84 to 155 months; and
- (d) a group comprising more than 16 children who were between the ages of 36 and 155 months may continue with that age group to a maximum of 24 children, but the adult to child ratio shall be one to 8 and no more than 4 children shall be 84 to 155 months.

New licence re-
quired

26. Where a child care centre referred to in subsection 15(7) or section 25 changes its location, capacity, physical structure or age range of children, that child care service shall apply for a new licence under the Act.

Transitional: play
spaces

27. A child care service licensed on the coming into force of these regulations that has an existing play space adjacent to the building where the service is provided that is unable to meet the space requirements for an outdoor play space imposed by these regulations may be exempted where the director is satisfied that the service's program contains compensatory measures that adequately address the deficiency.

Day camps

28. The activity commonly known as day camps is not considered to be a child care service to which the Act and these regulations applies.

Repeal

29. The *Child Care Services Regulations, Newfoundland and Labrador Regulation 37/99*, are repealed.

Schedule

Child Care Service Certification

Classification	Entry Level	Level One	Level Two	Level Three	Level Four
Preschool	Preschool Orientation Course (PSOC)	Early Childhood Education (ECE) Certificate	ECE diploma	ECE diploma plus post-diploma specialization <i>or</i> ECE certificate plus related university degree	university degree in ECE <i>or</i> University degree plus ECE diploma
School-Age	School-age Orientation Course (SACCOC)	ECE Certificate plus SACCOC <i>or</i> related post-secondary certificate plus PSOC and SACCOC	ECE diploma plus SACCOC <i>or</i> related post-secondary diploma plus PSOC and SACCOC	preschool or school age level 2 plus post-diploma school age child care specialization <i>or</i> an Education degree plus SACCOC <i>or</i> related university degree plus PSOC and SACCOC	
Infant	No entry Level for Infant Child Care Services Certification	ECE certificate plus infant child care orientation course (ICCOC)	ECE diploma plus ICCOC	ECE diploma plus post-diploma infant-toddler specialization <i>or</i> related university degree plus ECE certificate plus ICCOC	
Family Child Care	Family Child Care Orientation Course (FCCOC)	Post-secondary Certificate in family child care <i>or</i> ECE certificate plus FCCOC	Family Child Care Level I plus ECE certificate <i>or</i> ECE diploma plus FCCOC	Family child care certificate plus ECE diploma <i>or</i> Family home child care level 1 plus related university degree	

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**NEWFOUNDLAND AND LABRADOR
REGULATION 90/05**

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

(Filed September 26, 2005)

Under the authority of section 55 of the *Judicature Act*, the Rules Committee of the Trial Division, on September 16, 2005, makes the following Rule.

Dated at St. John's, September 26, 2005.

Barry R. Sparkes, Q.C.
Registrar of the Supreme Court
Secretary, Rules Committee

RULES

Analysis

- | | |
|-----------------------------------|--------------------------------|
| 1. Rule 44A Added | 44A.02 Application |
| RULE 44A | 44A.03 Determination of amount |
| ADVANCE | 44A.04 Payment |
| PAYMENT OF | 44A.05 Multiple applications |
| DAMAGES | |
| 44A.01 Advance payment of damages | 2. Commencement |

1. The *Rules of the Supreme Court, 1986* are amended by adding immediately after Rule 44 the following:

**RULE 44A
ADVANCE PAYMENT OF DAMAGES**

Advance payment of damages

44A.01. Before damages are assessed, a judge may order the defendant to make an advance payment to the plaintiff on account of special damages if the court is satisfied that

- (a) the defendant against whom the order is sought has admitted liability for the plaintiff's damages, or
- (b) the plaintiff has obtained judgment against the defendant with damages to be assessed.

Application

44A.02. In any application for an advance payment of special damages, the plaintiff must specify, supported by affidavit evidence, the amount and nature of the special damages for which payment is sought.

Determination of amount

44A.03. In determining the amount of an advance payment, the judge may take into account any circumstances that the judge considers relevant, including

- (a) the amount of special damages already incurred or likely to be incurred before damages are assessed,
- (b) any counterclaim by the defendant,
- (c) the extent, if any, to which the plaintiff may be found to be contributorily negligent,
- (d) any failure by the plaintiff to mitigate the amount of special damages, and
- (e) the needs and resources of the plaintiff and the means of the defendant, including the availability to the defendant of in-

surance to indemnify the defendant in respect of the plaintiff's claim.

Payment

44A.04. The judge may order that payment under rule 44A.01 may be made by lump sum, by instalment, or by both.

Multiple applications

44A.05. A plaintiff may make more than one application pursuant to this Rule.

Commencement

2. This rule shall come into force on January 1, 2006.

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**NEWFOUNDLAND AND LABRADOR
REGULATION 91/05**

Employee Exemption Order, 2005
under the
Social Workers Association Act

(Filed September 27, 2005)

Under the authority of subsection 3(3) of the *Social Workers Association Act*, I make the following Order.

Dated at St. John's, September 27, 2005.

John Ottenheimer
Minister of Health and Community Services

REGULATIONS

Analysis

- | | |
|----------------|--------------|
| 1. Short title | 3. Exemption |
| 2. Definition | 4. Repeal |

Short title **1.** These Regulations may be cited as the *Employee Exemption Order, 2005*.

Definition **2.** In this Order, "Act" means the *Social Workers Association Act*.

Exemption **3.** (1) The following employees of the Government of the Province are exempt from the application of the *Act*:

- (a) adult probation officers;
- (b) classification officers; and
- (c) victim service coordinators.

(2) Employees exempted pursuant to section 3(1) and who meet the entry to practice requirements may register in accordance with the *Act*.

Repeal

4. The *Employee Exemption Order, Consolidated Newfoundland and Labrador Regulation 1131/96*, is repealed.

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Judicature Act			
Rules of the Supreme Court, 1986 (Amdt)	NLR 90/05	Rules 44 A.01- 44A.05 Added In force Jan. 1/06	Sept 30/05 p. 611
Social Workers Association Act			
Employee Exemption Order, 2005	NLR 91/05	CNLR 1131/96 R & S	Sept 30/05 p. 615

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