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Canada

Canada Gazette

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GOVERNMENT NOTICES

DEPARTMENT OF THE ENVIRONMENT

CANADIAN ENVIRONMENTAL PROTECTION ACT, 1999

Ministerial Condition No. EAU-650

Whereas the Minister of the Environment and the Minister of Health have assessed information pertaining to the substance Poly[oxy(methyl-1,2-ethanediyl)], .alpha.-hydro-.omega.- (phenylmethoxy)-, ester with 2-hydroxy-1,2,3-propanetricarboxylic acid (3:1), Chemical Abstracts Service No. 879499-69-1;

And whereas the ministers suspect that the substance is toxic or capable of becoming toxic,

The Minister of the Environment, pursuant to paragraph 84(1)(a) of the Canadian Environmental Protection Act, 1999, hereby permits the manufacture or import of the substance in accordance with the conditions of the following annex.

PETER KENT Minister of the Environment

ANNEX

Conditions

(Paragraph 84(1)(a) of the Canadian Environmental Protection Act, 1999)

1. The following definitions apply in these ministerial conditions:

"notifier" means the person who has, on November 23, 2011, provided to the Minister of the Environment the prescribed information concerning the substance in accordance with subsection 81(1) of the *Canadian Environmental Protection Act, 1999*.

"substance" means Poly[oxy(methyl-1,2-ethanediyl)], .alpha.-hydro-.omega.-(phenylmethoxy)-, ester with 2-hydroxy-1,2,3-propanetricarboxylic acid (3:1), Chemical Abstracts Service No. 879499-69-1.

2. The notifier may manufacture or import the substance only in accordance with the present ministerial conditions.

Restriction

3. The notifier may manufacture or import the substance if it is not used in spray-applied consumer products.

Record-keeping Requirements

4. (1) The notifier shall maintain electronic or paper records, with any documentation supporting the validity of the information contained in these records, indicating

(a) the use of the substance;

(b) the quantity of the substance that the notifier manufactures, imports, purchases, sells and uses; and

(c) the name and address of each person obtaining the substance from the notifier.

(2) The notifier shall maintain electronic or paper records mentioned in subitem (1) at the notifier's principal place of business in Canada for a period of at least five years.

Other Requirements

5. The notifier shall inform all persons who obtain the substance from them, in writing, of the terms of these ministerial conditions. The notifier shall obtain, prior to any transfer of the substance, written confirmation from these persons that they will comply with the terms of these ministerial conditions as if they had been imposed on them. This written confirmation shall be maintained at the notifier's principal place of business in Canada for a period of at least five years.

Coming into Force

6. The present ministerial conditions come into force on January 21, 2012.

DEPARTMENT OF THE ENVIRONMENT

CANADIAN ENVIRONMENTAL PROTECTION ACT, 1999

Order 2012-66-01-01 Amending the Non-domestic Substances List

The Minister of the Environment, pursuant to subsection 66(2) of the Canadian Environmental Protection Act, 1999 (see footnote a), hereby makes the annexed Order 2012-66-01-01 Amending the Non-domestic Substances List.

Gatineau, January 10, 2012

PETER KENT Minister of the Environment

ORDER 2012-66-01-01 AMENDING THE NON-DOMESTIC SUBSTANCES LIST

AMENDMENTS

1. Part | of the *Non-domestic Substances List* (see footnote 1) is amended by adding the following in numerical order:

84-71-9 1815-99-2 2602-34-8 3068-78-8 4532-96-1 4920-95-0 5089-72-5 5413-49-0 6613-30-5 [3-1-0]

1227829-85-7 1227829-86-8 1231942-91-8 1233239-68-3 1233709-93-7 1248586-00-6

2. Part || of the List is amended by adding the following in numerical order:

18287-8	Cashew, nutshell liq., reaction products with formaldehyde and arylalkylamine
18304-7	Fatty acids, reaction products with alkanolamine and alkyloxide
18311-5	Oils glyceridic, reaction products with propylene glycol
18313-7	Propanoic acid, 3-hydroxy-2-(hydroxymethyl)-2-methyl, polymer with 1,2-ethanediamine, α-hydro-ω-hydroxy poly[oxyalkylenediyl] and 5- isocyanto-1-(isocyanatomethyl)-1,3,3-trimethylcyclohexane, potassium salt, [2-(2-methoxymethylethoxy)methylethoxy]propanol-blocked
18340-7	Oxirane, 2,2'-[(1-methylethylidene)bis(4,1-phenyleneoxymethylene)]bis-, homopolymer, ester with α-(carboxy-1-oxyalkyl)-ω-[(1-oxo-2-propen-1- yl)oxy]polyether

COMING INTO FORCE

3. This Order comes into force on the day on which it is published in the Canada Gazette.

[3-1-0]

DEPARTMENT OF THE ENVIRONMENT

CANADIAN ENVIRONMENTAL PROTECTION ACT, 1999

Significant New Activity Notice No. 15274a (variation to Significant New Activity Notice No. 15274)

Significant New Activity Notice

(Section 85 of the Canadian Environmental Protection Act, 1999)

Whereas the Minister of the Environment and the Minister of Health have assessed information in respect of the substance Lithium cobalt manganese nickel oxide, Chemical Abstracts Service Registry No. 182442-95-1, under section 83 of the *Canadian Environmental Protection Act, 1999*;

Whereas the Minister of the Environment published on February 21, 2009, Significant New Activity Notice No. 15274 in Part I of the *Canada Gazette*, Vol. 143, No. 8;

Whereas the substance is not specified on the Domestic Substances List;

And whereas the ministers suspect that a significant new activity in relation to the substance may result in the substance becoming toxic within the meaning of section 64 of the *Canadian Environmental Protection Act, 1999*,

Therefore, the Minister of the Environment hereby varies Significant New Activity Notice No. 15274, pursuant to subsection 85(2) of the *Canadian Environmental Protection Act, 1999*, in accordance with the following Annex.

ANNEX

1.Paragraphs 2(a) to (e) of the Significant New Activity Notice No. 15274 are replaced by the following:

(a) a description of the proposed significant new activity in relation to the substance;

(*b*) the analytical information to determine the average particle size and particle size distribution of the substance;

(c) the information describing the agglomeration (aggregation) state, shape, surface area and surface charge of the substance;

(*d*) the test data and a test report on the water solubility of the substance involved in the significant new activity that comply with the Organisation for Economic Co-operation and Development Series on Testing and Assessment, Number 29, *Guidance Document on Transformation/Dissolution of Metals and Metal Compounds in Aqueous Media*, and that is current at the time the test is developed;

(e) the information specified in Schedule 6 to the New Substances Notification Regulations (Chemicals and Polymers);

(f) the analytical information to determine the average particle size and particle size distribution of the test substance as administered in the health and ecological toxicity tests required under paragraph (e);

(g) the information describing the agglomeration (aggregation) state, shape, surface area and surface charge of the test substance as administered in the health and ecological toxicity tests required under paragraph (e); and

(h) all other information or test data in respect of the substance that are in the possession of the person who intends to use the substance for the proposed significant new activity, or to which they have access, and that are relevant to determine whether the substance is toxic or capable of becoming toxic.

EXPLANATORY NOTE

(This explanatory note is not part of the Significant New Activity Notice.)

A Significant New Activity Notice is a legal instrument issued by the Minister of the Environment pursuant to section 85 of the *Canadian Environmental Protection Act, 1999*. The Significant New Activity Notice sets out the appropriate information that must be provided to the Minister for assessment prior to the commencement of a new activity as described in the Notice.

Substances that are not listed on the *Domestic Substances List* can be manufactured or imported only by the person who has met the requirements set out in section 81 of the *Canadian Environmental Protection Act, 1999*. Under section 86 of the *Canadian Environmental Protection Act, 1999*, in circumstances where a Significant New Activity Notice is issued for a new substance, it is the responsibility of every person who transfers the physical possession or control of the substance to notify all persons to whom the possession or control is transferred of the obligation to comply with the Significant New Activity Notice and of the obligation to notify the Minister of the Environment of any new activity and all other information as described in the Notice. It is the responsibility of the users of the substance to be aware of and comply with the Significant New Activity Notice and to submit a Significant New Activity notification to the Minister prior to the commencement of a significant new activity associated with the substance. However, as mentioned in subsection 81(6) of the *Canadian Environmental Protection Act, 1999*, a Significant New Activity notification is not required when the proposed new activity is regulated under an act or regulations listed on Schedule 2 to the *Canadian Environmental Protection Act, 1999*.

A Significant New Activity Notice does not constitute an endorsement from Environment Canada or the Government of Canada of the substance to which it relates, or an exemption from any other laws or regulations that are in force in Canada and that may apply to this substance or activities involving the substance.

[3-1-0]

DEPARTMENT OF THE ENVIRONMENT

CANADIAN ENVIRONMENTAL PROTECTION ACT, 1999

Significant New Activity Notice No. 16605

Significant New Activity Notice

(Section 85 of the Canadian Environmental Protection Act, 1999)

Whereas the Minister of the Environment and the Minister of Health have assessed information in respect of the substance Cerium vanadium oxide, Chemical Abstracts Service Registry No. 13597-19-8, under section 83 of the *Canadian Environmental Protection Act, 1999*;

Whereas the substance is not specified on the Domestic Substances List;

And whereas the ministers suspect that a significant new activity in relation to the substance may result in the substance becoming toxic within the meaning of section 64 of the *Canadian Environmental Protection Act, 1999*,

Therefore, the Minister of the Environment indicates, pursuant to section 85 of the *Canadian Environmental Protection Act, 1999*, that subsection 81(4) of that Act applies with respect to the substance in accordance with the Annex.

PETER KENT Minister of the Environment

ANNEX

Information Requirements

(Section 85 of the Canadian Environmental Protection Act, 1999)

1. In relation to the substance Cerium vanadium oxide, a significant new activity is

(*a*) where the substance is engineered to contain particles of particle size ranging from 1 to 100 nanometres, its use in quantities greater than 10 kg per calendar year; or

(*b*) in all other cases, its use in quantities greater than 100 kg per calendar year other than as an active ingredient in fluid catalytic cracking additives.

2. The following information must be provided to the Minister at least 90 days before the commencement of each proposed significant new activity:

(a) a description of the proposed significant new activity in relation to the substance;

(b) for a new activity described in paragraph 1(a):

(i) the information specified in Schedule 6 to the *New Substances Notification Regulations (Chemicals and Polymers)*,

(ii) the analytical information to determine the average particle size and particle size distribution of the substance,

(iii) the information describing the agglomeration/aggregation state, shape, surface area and surface charge of the substance,

(iv) the test data and a test report on the water solubility of the substance involved in the significant new activity that comply with the modified Organization for Economic Co-operation and Development Series on Testing and Assessment, Number 29, *Guidance Document on Transformation/ Dissolution of Metals and Metal Compounds in Aqueous Media*, and that is current at the time the test is developed,

(v) the analytical information to determine the average particle size and particle size distribution of the test substance as administered in the health and ecological toxicity tests required under subparagraph (i),

(vi) the information describing the agglomeration/aggregation state, shape, surface area and surface charge of the test substance as administered in the health and ecological toxicity tests required in subparagraph (i);

(c) for a new activity described in paragraph 1(b):

- (i) the information specified in item 7 of Schedule 4 to those Regulations,
- (ii) the information specified in item 8 of Schedule 5 to those Regulations,
- (iii) the information specified in item 11 of Schedule 6 to those Regulations,
- (iv) where the new activity is the use of the substance in fuel additives:

(A) the information specified in Schedule 6 to those Regulations, where the data specified in item 7 of this schedule is from an inhalation toxicity study,

(B) the information describing the composition and concentration of the emissions of the substance and the fuel to which it is added when they are combusted,

(C) the information describing the effects of heavy metals in the substance on catalytic converters and catalyzed particulate filters used as vehicle emissions control technologies,

(D) the information describing the effects of the substance on the movement of fuel in soil and aquifers in the eventuality of a fuel spill or leak; and

(d) all other information or test data in respect of the substance that are in the possession of the person who intends to use the substance for the proposed significant new activity, or to which they have access, and that are relevant to determining whether the substance is toxic or capable of becoming toxic.

3. The above information will be assessed within 90 days after the day on which it is received by the Minister.

EXPLANATORY NOTE

(This explanatory note is not part of the Significant New Activity Notice.)

A Significant New Activity Notice is a legal instrument issued by the Minister of the Environment pursuant to section 85 of the *Canadian Environmental Protection Act, 1999*. The Significant New Activity Notice sets out the appropriate information that must be provided to the Minister for ARCHIVED — Canada Gazette – GOVERNMENT NOTICES

assessment prior to the commencement of a new activity as described in the Notice.

Substances that are not listed on the *Domestic Substances List* can be manufactured or imported only by the person who has met the requirements set out in section 81 of the *Canadian Environmental Protection Act, 1999*. Under section 86 of the *Canadian Environmental Protection Act, 1999*, in circumstances where a Significant New Activity Notice is issued for a new substance, it is the responsibility of every person who transfers the physical possession or control of the substance to notify all persons to whom the possession or control is transferred of the obligation to comply with the Significant New Activity Notice and of the obligation to notify the Minister of the Environment of any new activity and all other information as described in the Notice. It is the responsibility of the users of the substance to be aware of and comply with the Significant New Activity Notice and to submit a Significant New Activity notification to the Minister prior to the commencement of a significant new activity associated with the substance. However, as mentioned in subsection 81(6) of the *Canadian Environmental Protection Act, 1999*, a Significant New Activity notification is not required when the proposed new activity is regulated under an act or regulations listed on Schedule 2 to the *Canadian Environmental Protection Act, 1999*.

A Significant New Activity Notice does not constitute an endorsement from Environment Canada or the Government of Canada of the substance to which it relates, or an exemption from any other laws or regulations that are in force in Canada and that may apply to this substance or activities involving the substance.

DEPARTMENT OF HEALTH

CONTROLLED DRUGS AND SUBSTANCES ACT

Notice to interested parties — Proposed amendment to Schedule III to the Controlled Drugs and Substances Act *and the Schedule to Part J of the* Food and Drug Regulations

This notice provides interested stakeholders with the opportunity to provide comments on Health Canada's proposal to add the following substances to Schedule III to the *Controlled Drugs and Substances Act* (CDSA) and to the Schedule to Part J of the *Food and Drug Regulations* (FDR):

- Benzylpiperazine (BZP) [1-benzylpiperazine] and its salts, isomers and salts of isomers, and
- Trifluoromethylphenylpiperazine (TFMPP) [1-(3-trifluoromethylphenyl)piperazine] and its salts, isomers and salts of isomers.

The substances BZP and TFMPP are used recreationally in Canada for their hallucinogenic and stimulant effects. BZP has also been found as an ingredient in products marketed for weight loss, despite the fact that no products containing BZP or TFMPP have been authorized for sale in Canada under the FDR. While the extent of their use in Canada is unknown, products containing BZP and TFMPP are available domestically for sale on the Internet and in specialty retail outlets (head shops, sex shops, etc.), and pills containing BZP and TFMPP have been marketed as a safe and legal alternative to 3,4-methylenedioxy-methamphetamine, commonly known as ecstasy. In addition, Canada Border Services Agency has notified Health Canada of increasing volumes of BZP and TFMPP being imported into Canada. This is supported by the number of samples of drugs seized by law enforcement that were analyzed by Health Canada's Drug Analysis Service and found to contain BZP and/or TFMPP, which has increased from 8 samples in 2006 to 2 559 samples in 2011.

The ready availability of BZP and TFMPP poses a potential risk to the health and safety of Canadians. Effects associated with the use of these substances include increased body temperature, increased blood pressure, dilated pupils, increased euphoria, alertness, and/or paranoia. Taken together in high doses, BZP and TFMPP may cause hallucinations, slowed breathing and/or convulsions. Scientific evidence suggests these substances have a medium to high potential for abuse.

Although neither substance is included in the Schedule to any of the United Nations Drug Control Conventions, a number of countries have already elected to regulate BZP and/or TFMPP as controlled substances. For example, the United States, the European Union, New Zealand, Australia, Belgium and Denmark all regulate BZP as a controlled substance while New Zealand also regulates TFMPP as a controlled substance.

[3-1-0]

Including BZP and TFMPP in Schedule III to the CDSA would prohibit the following activities with these substances: possession, trafficking, possession for the purpose of trafficking, importation, exportation, possession for the purpose of exportation, and production. Inclusion in the Schedule to Part J to the FDR would provide a means by which research involving these substances, if required, could be carried out in Canada. The scheduling of BZP and TFMPP will also enable law enforcement agencies to take action under the CDSA against suspected illegal activities involving these substances.

The publication of this notice begins a 30-day comment period. This notice is further to the Notice of Intent to Interested Parties (NOI) published on November 22, 2008 (<u>www.gazette.gc.ca/rp-pr/p1/2008/2008-11-22/html/notice-avis-eng.html#d105</u>), on Health Canada's proposal to include a wider range of piperazine derivatives in one of the Schedules to the CDSA. Information received in response to the 2008 NOI has informed Health Canada's decision to limit this regulatory action to the scheduling of BZP and TFMPP only.

If you are interested in this process or have comments on this notice, please contact Elizabeth Dussault, Regulatory Policy Division, Office of Controlled Substances, Address Locator 3503D, 123 Slater Street, Ottawa, Ontario K1A 0K9, by fax at 613-946-4224 or by email at <u>OCS regulatorypolicy-BSC politiquereglementaire@hc-sc.gc.ca</u>.

January 21, 2012

CATHY SABISTON Director General Controlled Substances and Tobacco Directorate

[3-1-0]

DEPARTMENT OF INDIAN AFFAIRS AND NORTHERN DEVELOPMENT

CANADA PETROLEUM RESOURCES ACT

Interests issued as a result of the 2010-2011 Calls for Bids: Central Mackenzie Valley

The Minister of Indian Affairs and Northern Development hereby gives notice, pursuant to subsection 15(4) of the *Canada Petroleum Resources Act*, R.S. 1985, c. 36, 2nd supplement, of the interests which have been issued as a result of the 2010-2011 Central Mackenzie Valley Calls for Bids. Winning bidders, having submitted work deposits representing 25% of their work proposal bid, have been issued an exploration licence. A summary of the terms and conditions of the exploration licences issued is also set out herein.

A notice of the selected bids was published in Part I of the Canada Gazette on July 16, 2011.

In accordance with the requirements set out in the 2010-2011 Central Mackenzie Valley Calls for Bids, the following exploration licences have been issued:

Central Mackenzie Valley

Parcel CMV2011-01 (82 643 hectares more or less)

Work proposal bid: \$1,512,121.99 Work deposit: \$ 378,030.00 Issuance fee: \$ 2,250.00 Bidder: MGM Energy Corp. - 50% 6362 N.W.T. Limited - 50% Designated representative: MGM Energy Corp. Exploration licence: EL473

Parcel CMV2011-02 (87 948 hectares more or less)

Work proposal bid: \$18,296,208.00 Work deposit: \$ 4,574,052.00 Issuance fee: \$ 1,750.00 Bidder: Shell Canada Limited - 100% Designated representative: Shell Canada Limited Exploration licence: EL467

Parcel CMV2011-03 (88 848 hectares more or less)

Work proposal bid: \$21,500,003.00 Work deposit: \$ 5,375,000.00 Issuance fee: \$ 1,250.00 Bidder: Imperial Oil Resources Ventures Limited - 50% ExxonMobil Canada Ltd. - 50% Designated representative: Imperial Oil Resources Ventures Limited Exploration licence: EL471

Parcel CMV2011-05 (86 602 hectares more or less)

Work proposal bid: \$1,502,502.50 Work deposit: \$ 375,626.00 Issuance fee: \$ 1,250.00 Bidder: MGM Energy Corp. - 50% 6362 N.W.T. Limited - 50% Designated representative: MGM Energy Corp. Exploration licence: EL474

Parcel CMV2011-07 (87 117 hectares more or less)

Work proposal bid: \$18,098,660.00 Work deposit: \$ 4,524,665.00 Issuance fee: \$ 2,250.00 Bidder: Shell Canada Limited - 100% Designated representative: Shell Canada Limited Exploration licence EL468

Parcel CMV2011-08 (87 495 hectares more or less)

Work proposal bid: \$66,712,035.00 Work deposit: \$16,678,009.00 Issuance fee: \$ 2,750.00 Bidder: ConocoPhillips Canada Resources Corp. - 100% Designated representative: ConocoPhillips Canada Resources Corp. Exploration licence: EL470

Parcel CMV2011-09 (85 288 hectares more or less)

Work proposal bid: \$2,021,212.99 Work deposit: \$ 505,303.00 Issuance fee: \$ 2,250.00 Bidder: MGM Energy Corp. - 50% 6362 N.W.T. Limited - 50% Designated representative: MGM Energy Corp. Exploration licence: EL475

Parcel CMV2011-10 (26 533 hectares more or less)

Work proposal bid: \$7,049,269.00 Work deposit: \$1,762,317.00 Issuance fee: \$ 1,250.00 Bidder: Shell Canada Limited - 100% Designated representative: Shell Canada Limited Exploration licence: EL469

Parcel CMV2011-11 (90 632 hectares more or less)

Work proposal bid: \$21,500,003.00 Work deposit: \$ 5,375,000.00 Issuance fee: \$ 2,500.00 Bidder: Imperial Oil Resources Ventures Limited - 50% ExxonMobil Canada Ltd. - 50% Designated representative: Imperial Oil Resources Ventures Limited Exploration licence: EL472 The following is a summary of the terms and conditions of the exploration licences being issued to the winning bidders in the Central Mackenzie Valley:

1. The exploration licences confer, relative to the lands, the right to explore for and the exclusive right to drill and test for petroleum; the exclusive right to develop those frontier lands in order to produce petroleum; and the exclusive right, subject to compliance with the other provisions of the Act, to obtain a production licence.

2. The term of an exploration licence for Central Mackenzie Valley is nine years consisting of two consecutive periods of five and four years.

3. Each interest owner shall drill one well prior to the end of Period 1, that is within the first five years, as a condition precedent to obtaining tenure to Period 2. Failure to drill a well shall result in the reversion to Crown reserve, at the end of Period 1 of the lands not subject to a significant discovery licence or a production licence.

4. The interest holders submitted their issuance fees and posted work deposits equivalent to 25% of the bid submitted for each parcel. A reduction of the deposit will be made as allowable expenditures, as defined in the Calls for Bids, are incurred on the lands in Period 1 of the term.

5. Rentals will be applicable only in Period 2 at a rate of \$3.00 per hectare in respect of the first year, \$5.50 in the second year and \$8.00 in the third and fourth years. A reduction of rentals will be made as allowable expenditures, as defined in the Calls for Bids, are incurred during Period 2 of the term.

6. Other terms and conditions referred to in the licences include provisions respecting indemnity, liability, successors and assigns, notice, waiver and relief, appointment of representative and agreement by interest owner.

7. For the payment of a prescribed service fee, the exploration licences may be inspected, or by written request, certified copies made available at the following address: Office of the Registrar, Oil and Gas Management Directorate, Northern Oil and Gas Branch, Department of Indian Affairs and Northern Development, 15–25 Eddy Street, 10th Floor, Gatineau, Quebec K1A 0H4, 819-997-0048 (telephone), Rights@aandc.gc.ca (email).

January 13, 2012

JOHN DUNCAN, P.C., M.P. Minister of Indian Affairs and Northern Development

[3-1-0]

DEPARTMENT OF INDUSTRY

OFFICE OF THE REGISTRAR GENERAL

Senators called

His Excellency the Governor General has been pleased to summon to the Senate of Canada, by letters patent under the Great Seal of Canada, bearing date of January 6, 2012:

 Buth, JoAnne L., of Winnipeg, in the Province of Manitoba, Member of the Senate and a Senator for the Province of Manitoba;

- Doyle, Norman E., of St. John's, in the Province of Newfoundland and Labrador, Member of the Senate and a Senator for the Province of Newfoundland and Labrador;

 Maltais, Ghislain, of Québec, in the Province of Quebec, Member of the Senate and a Senator for the division of Shawinegan, in the Province of Quebec;

 Seth, Asha, of Toronto, in the Province of Ontario, Member of the Senate and a Senator for the Province of Ontario;

- Unger, Betty, of Edmonton, in the Province of Alberta, Member of the Senate and a Senator for

the Province of Alberta;

 White, Vernon Darryl, of Ottawa, in the Province of Ontario, Member of the Senate and a Senator for the Province of Ontario.

January 13, 2012

DIANE BÉLANGER Official Documents Registrar

[3-1-0]

<u>Footnote a</u> S.C. 1999, c. 33

Footnote 1 Supplement, Canada Gazette, Part I, January 31, 1998

Date modified: 2013-01-31