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Vol. 145, No. 14 — April 2, 2011

DEPARTMENT OF THE ENVIRONMENT

CANADIAN ENVIRONMENTAL PROTECTION ACT, 1999

Notice is hereby given that, pursuant to section 127 of the *Canadian Environmental Protection Act, 1999*, Disposal at Sea Permit No. 4543-2-03527 authorizing the loading for disposal and the disposal of waste or other matter at sea is approved.

1. *Permittee*: Seaspan International Ltd., North Vancouver, British Columbia.
2. *Waste or other matter to be disposed of*: Dredged material.
 - 2.1. *Nature of waste or other matter*: Dredged material consisting of rock, gravel, sand, silt, clay, wood waste or material typical to the approved loading site, except logs and usable wood.
3. *Duration of permit*: Permit is valid from May 13, 2011, to May 12, 2012.
4. *Loading site(s)*: Seaspan International Ltd. — Delta Shop, Delta, British Columbia, at approximately 49°10.24' N, 122°55.40' W (NAD83), as submitted in support of the permit application.
5. *Disposal site(s)*: Point Grey Disposal Site, within a one nautical mile radius of 49°15.40' N, 123°21.90' W (NAD83).
6. *Method of loading*: Loading will be carried out using cutter suction dredge, barge-mounted excavator or clamshell dredge.
7. *Route to disposal site(s) and method of transport*: Most direct navigational route from the loading site to the disposal site via pipeline, hopper scow, towed scow or hopper dredge.
8. *Method of disposal*: Disposal will be carried out by pipeline, bottom dumping, end dumping or cutter suction dredge.
9. *Total quantity to be disposed of*: Not to exceed 30 000 m³ place measure.
10. *Fees*: The fee prescribed by the *Disposal at Sea Permit Fee Regulations* shall be paid by the Permittee in accordance with those Regulations.
11. *Inspection*:
 - 11.1. By accepting this permit, the Permittee and their contractors accept that they are subject

to inspection pursuant to Part 10 of the *Canadian Environmental Protection Act, 1999*.

11.2. The Permittee shall ensure that records of all loading and disposal activities are kept on site for the duration of the permit and are available for inspection for two years following the expiry of the permit by any enforcement officer or analyst.

11.3. Ships operating under the authority of this permit shall carry and display a radar-reflecting device at all times mounted on the highest practical location.

12. *Contractors:*

12.1. The loading or disposal at sea referred to under this permit shall not be carried out by any person without written authorization from the Permittee.

12.2. The Permittee shall ensure that all persons involved in the loading, transport or disposal activities authorized by this permit conduct these activities in accordance with the relevant permit conditions.

13. *Reporting and notification:*

13.1. The Permittee shall provide the following information at least 48 hours before loading and disposal activities commence: name or number of ship, platform or structure used to carry out the loading and/or disposal, name of the contractor including corporate and on-site contact information, and expected period of loading and disposal activities. The above-noted information shall be submitted to Environment Canada's Environmental Enforcement Division, Pacific and Yukon Region, 604-666-9059 (fax) or das-pyr@ec.gc.ca (email).

13.2. The Permittee shall submit a written report to the Minister, as represented by the Regional Director of the Environmental Protection Operations Directorate, Pacific and Yukon Region, 201-401 Burrard Street, Vancouver, British Columbia V6C 3S5, 604-666-5928 (fax) or das.pyr@ec.gc.ca (email), within 30 days of either the completion of the work or the expiry of the permit, whichever comes first. This report shall contain the following information: a list of all work completed pursuant to the permit, including the location of the loading and disposal sites used, the quantity of matter disposed of at the disposal site(s), and the dates on which disposal activities occurred.

13.3. At all times, a copy of this permit and of documents and drawings referenced in this permit shall be available at the loading site and on all powered ships directly engaged in the loading and disposal operations.

14. *Special precautions:*

14.1. The Permittee shall submit a written dredged material disposal plan to the Minister, as represented by the Regional Director of the Environmental Protection Operations Directorate, Pacific and Yukon Region, identified in paragraph 13.2, for approval by Environment Canada prior to commencement of the first dredging operation authorized by this permit. The plan shall address procedures to accurately measure or estimate quantities of dredged material disposed of at the disposal site(s), vessel tracking, and a schedule for use of the disposal site(s). Modifications to the plan shall be made only with the written approval of Environment Canada.

14.2. The loading and disposal at sea referred to under this permit shall be carried out in accordance with the mitigation measures summarized in the report titled "Environmental Assessment Report — Loading and disposal at Seaspan Maintenance Shop, Delta, BC — 4543-2-03527" (March 2011).

DANIEL WOLFISH
Regional Director
Environmental Protection Operations Directorate
Pacific and Yukon Region
On behalf of the Minister of the Environment

[14-1-o]

DEPARTMENT OF THE ENVIRONMENT

CANADIAN ENVIRONMENTAL PROTECTION ACT, 1999

Notice is hereby given that, pursuant to section 127 of the *Canadian Environmental Protection Act, 1999*, Disposal at Sea Permit No. 4543-2-06661 authorizing the loading for disposal and the disposal of waste or other matter at sea is approved.

1. *Permittee*: Beothic Fish Processors Ltd., Valleyfield, Newfoundland and Labrador.

2. *Waste or other matter to be disposed of*: Fish waste and other organic matter resulting from industrial fish processing operations.

2.1. *Nature of waste or other matter*: Fish waste and other organic matter consisting of fish and shellfish waste.

3. *Duration of permit*: Permit is valid from May 2, 2011, to May 1, 2012.

4. *Loading site(s)*: Valleyfield, Newfoundland and Labrador, at approximately 49°07.30' N, 53°36.60' W (NAD83).

5. *Disposal site(s)*: Valleyfield, within a 250 m radius of 49°05.34' N, 53°35.76' W (NAD83), at an approximate depth of 8 m.

6. *Method of loading*:

6.1. The Permittee shall ensure that the material is loaded onto floating equipment complying with all applicable rules regarding safety and navigation and capable of containing all waste cargo during loading and transit to the approved disposal site.

6.2. The Permittee shall ensure that the waste to be disposed of is covered by netting or other material to prevent access by gulls and other marine birds, except during direct loading or disposal of the waste.

6.3. Material loaded for the purpose of disposal at sea may not be held aboard any ship for more than 96 hours from the commencement of loading without the written consent of an enforcement officer designated pursuant to subsection 217(1) of the *Canadian Environmental Protection Act, 1999*.

6.4. The loading and transit shall be completed in a manner that ensures that no material contaminates the marine environment, notably the harbour and adjacent beaches. The Permittee shall also ensure that the loading sites are cleaned up and, if necessary, that spilled wastes are recovered.

7. *Route to disposal site(s) and method of transport*: Most direct navigational route from the loading site to the disposal site.

8. *Method of disposal*:

8.1. The Permittee shall ensure that the waste to be disposed of is discharged from the equipment or ship while steaming within the disposal site boundaries and in a manner which will promote dispersion.

9. *Total quantity to be disposed of*: Not to exceed 1 600 tonnes.

10. *Inspection*:

10.1. By accepting this permit, the Permittee and their contractors accept that they are subject to inspection pursuant to Part 10 of the *Canadian Environmental Protection Act, 1999*.

11. *Contractors*:

11.1. The loading or disposal at sea referred to under this permit shall not be carried out by any person without written authorization from the Permittee.

11.2. The Permittee shall ensure that all persons involved in the loading, transport or disposal activities authorized by this permit conduct these activities in accordance with the relevant permit

conditions.

12. Reporting and notification:

12.1. The Permittee shall provide the following information at least 48 hours before loading and disposal activities commence: name or number of ship, platform or structure used to carry out the loading and/or disposal, name of the contractor including corporate and on-site contact information, and expected period of loading and disposal activities. The above-noted information shall be submitted to Mr. Rick Wadman, Environmental Protection Operations Directorate, Environment Canada, 6 Bruce Street, Mount Pearl, Newfoundland and Labrador A1N 4T3, 709-772-5097 (fax), rick.wadman@ec.gc.ca (email).

12.2. The Permittee shall submit a written report to the Minister, as represented by the Regional Director of the Environmental Protection Operations Directorate, Atlantic Region, c/o Mr. Rick Wadman, as identified in paragraph 12.1, within 30 days of either the completion of the work or the expiry of the permit, whichever comes first. This report shall contain the following information: the quantity of matter disposed of at the disposal site(s) and the dates on which disposal activities occurred.

12.3. This permit shall be displayed in an area of the plant accessible to the public.

I. R. GEOFFREY MERCER
Regional Director
Environmental Protection Operations Directorate
Atlantic Region
On behalf of the Minister of the Environment

[14-1-o]

DEPARTMENT OF THE ENVIRONMENT

CANADIAN ENVIRONMENTAL PROTECTION ACT, 1999

Notice is hereby given that, pursuant to section 127 of the *Canadian Environmental Protection Act, 1999*, Disposal at Sea Permit No. 4543-2-06667 authorizing the loading for disposal and the disposal of waste or other matter at sea is approved.

1. *Permittee*: Barry Group Inc., Dover, Newfoundland and Labrador.

2. *Waste or other matter to be disposed of*: Fish waste and other organic matter resulting from industrial fish processing operations.

2.1. *Nature of waste or other matter*: Fish waste and other organic matter consisting of fish and shellfish waste.

3. *Duration of permit*: Permit is valid from May 3, 2011, to May 2, 2012.

4. *Loading site(s)*: Dover, Newfoundland and Labrador, at approximately 48°52.00' N, 53°58.50' W (NAD83).

5. *Disposal site(s)*: Dover, within a 250 m radius of 48°51.00' N, 53°57.00' W (NAD83), at an approximate depth of 90 m.

6. *Method of loading*:

6.1. The Permittee shall ensure that the material is loaded onto floating equipment complying with all applicable rules regarding safety and navigation and capable of containing all waste cargo during loading and transit to the approved disposal site.

6.2. The Permittee shall ensure that the waste to be disposed of is covered by netting or other material to prevent access by gulls and other marine birds, except during direct loading or disposal of the waste.

6.3. Material loaded for the purpose of disposal at sea may not be held aboard any ship for more than 96 hours from the commencement of loading without the written consent of an enforcement

officer designated pursuant to subsection 217(1) of the *Canadian Environmental Protection Act, 1999*.

6.4. The loading and transit shall be completed in a manner that ensures that no material contaminates the marine environment, notably the harbour and adjacent beaches. The Permittee shall also ensure that the loading sites are cleaned up and, if necessary, that spilled wastes are recovered.

7. *Route to disposal site(s) and method of transport*: Most direct navigational route from the loading site to the disposal site.

8. *Method of disposal*:

8.1. The Permittee shall ensure that the waste to be disposed of is discharged from the equipment or ship while steaming within the disposal site boundaries and in a manner which will promote dispersion.

9. *Total quantity to be disposed of*: Not to exceed 200 tonnes.

10. *Inspection*:

10.1. By accepting this permit, the Permittee and their contractors accept that they are subject to inspection pursuant to Part 10 of the *Canadian Environmental Protection Act, 1999*.

11. *Contractors*:

11.1. The loading or disposal at sea referred to under this permit shall not be carried out by any person without written authorization from the Permittee.

11.2. The Permittee shall ensure that all persons involved in the loading, transport or disposal activities authorized by this permit conduct these activities in accordance with the relevant permit conditions.

12. *Reporting and notification*:

12.1. The Permittee shall provide the following information at least 48 hours before loading and disposal activities commence: name or number of ship, platform or structure used to carry out the loading and/or disposal, name of the contractor including corporate and on-site contact information, and expected period of loading and disposal activities. The above-noted information shall be submitted to Mr. Rick Wadman, Environmental Protection Operations Directorate, Environment Canada, 6 Bruce Street, Mount Pearl, Newfoundland and Labrador A1N 4T3, 709-772-5097 (fax), rick.wadman@ec.gc.ca (email).

12.2. The Permittee shall submit a written report to the Minister, as represented by the Regional Director of the Environmental Protection Operations Directorate, Atlantic Region, c/o Mr. Rick Wadman, as identified in paragraph 12.1, within 30 days of either the completion of the work or the expiry of the permit, whichever comes first. This report shall contain the following information: the quantity of matter disposed of at the disposal site(s) and the dates on which disposal activities occurred.

12.3. This permit shall be displayed in an area of the plant accessible to the public.

I. R. GEOFFREY MERCER
Regional Director
Environmental Protection Operations Directorate
Atlantic Region
On behalf of the Minister of the Environment

[14-1-o]

DEPARTMENT OF THE ENVIRONMENT

CANADIAN ENVIRONMENTAL PROTECTION ACT, 1999

Ministerial Condition No. 16229

Whereas the Minister of the Environment and the Minister of Health have assessed information pertaining to the substance Alkyl oxirane, polymer with alkyl oxirane sulfate alkylethers, alkali salts;

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 8, 2010, 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 Alkyl oxirane, polymer with alkyl oxirane sulfate alkylethers, alkali salts.

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

Restriction

3. The notifier may import the substance in order to use it only in oil production operations.

4. The notifier may manufacture the substance, if, at least 120 days prior to the beginning of the manufacturing, the notifier informs the Minister of the Environment, in writing, and provides the following information:

(a) the information specified in item 5 of Schedule 10 to the *New Substances Notification Regulations (Chemicals and Polymers)*;

(b) the information specified in paragraph 11(c) of Schedule 11 to those Regulations; and

(c) the following information related to the manufacturing and processing of the substance in Canada:

(i) a brief description of the manufacturing process that details precursors of the substance, reaction conditions (e.g. temperature, pressure, catalysts and reaction stoichiometry), and the nature (batch or continuous) and scale of the process,

(ii) a flow diagram of the manufacturing process that includes features such as process tanks, holding tanks and distillation towers, and

(iii) a brief description of the major steps in process operations, the chemical conversions, the points of entry of all feedstock, the points of release of substances, and the processes to eliminate environmental releases.

Disposal Restriction of the Substance

5. (1) The notifier must destroy or dispose of the substance or any waste containing it by

(a) on-shore deep-well injection in accordance with the laws of the jurisdiction where the well is located;

(b) incineration in accordance with the laws of the jurisdiction where the disposal facility is located; or

(c) depositing it in a secure landfill, in accordance with the laws of the jurisdiction where the landfill is located, if it cannot be destroyed or disposed of in accordance with paragraph (a) or (b).

(2) For the purpose of subitem (1), “waste” includes wastes resulting from rinsing transport vessels, storage vessels or blending vessels that contained the substance, process effluents from the manufacturing process, and any residual amounts of the substance.

Environmental Release

6. Where any release of the substance to the environment occurs, measures necessary to prevent any further release and to limit the dispersion of the substance shall be taken. Furthermore, the notifier shall inform the Minister of the Environment without delay by contacting an enforcement officer, designated under the *Canadian Environmental Protection Act, 1999*, of the Environment Canada Regional Office that is closest to where the release occurred.

Record-keeping Requirements

7. (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;
- (c) the name and address of each person obtaining the substance from the notifier; and
- (d) the name and address of the person in Canada who has disposed of the substance or of the waste containing the substance for the notifier, the method used to do so, and the quantities of the substance or waste shipped to that person.

(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

8. 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

9. The present ministerial conditions come into force on March 8, 2011.

[14-1-o]

DEPARTMENT OF THE ENVIRONMENT

CANADIAN ENVIRONMENTAL PROTECTION ACT, 1999

Ministerial Condition No. 16230

Whereas the Minister of the Environment and the Minister of Health have assessed information pertaining to the substance Alkyl oxirane, polymer with alkyl oxirane sulfate alkylethers, alkali salts;

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 8, 2010, 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 Alkyl oxirane, polymer with alkyl oxirane sulfate alkylethers, alkali salts.

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

Restriction

3. The notifier may import the substance in order to use it only in oil production operations.

4. The notifier may manufacture the substance if, at least 120 days prior to the beginning of the manufacturing, the notifier informs the Minister of the Environment, in writing, and provides the following information:

- (a) the information specified in item 5 of Schedule 10 to the *New Substances Notification Regulations (Chemicals and Polymers)*;
- (b) the information specified in paragraph 11(c) of Schedule 11 to those Regulations; and
- (c) the following information related to the manufacturing and processing of the substance in Canada:
 - (i) a brief description of the manufacturing process that details precursors of the substance, reaction conditions (e.g. temperature, pressure, catalysts and reaction stoichiometry), and the nature (batch or continuous) and scale of the process,
 - (ii) a flow diagram of the manufacturing process that includes features such as

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(iii) a brief description of the major steps in process operations, the chemical conversions, the points of entry of all feedstock, the points of release of substances, and the processes to eliminate environmental releases.

Disposal Restriction of the Substance

5. (1) The notifier must destroy or dispose of the substance or any waste containing it by

- (a) on-shore deep-well injection in accordance with the laws of the jurisdiction where the well is located;
- (b) incineration in accordance with the laws of the jurisdiction where the disposal facility is located; or
- (c) depositing it in a secure landfill, in accordance with the laws of the jurisdiction where the landfill is located, if it cannot be destroyed or disposed of in accordance with paragraph (a) or (b).

(2) For the purpose of subitem (1), “waste” includes wastes resulting from rinsing transport vessels, storage vessels or blending vessels that contained the substance, process effluents from the manufacturing process, and any residual amounts of the substance.

Environmental Release

6. Where any release of the substance to the environment occurs, measures necessary to prevent any further release and to limit the dispersion of the substance shall be taken. Furthermore, the notifier shall inform the Minister of the Environment without delay by contacting an enforcement officer, designated under the *Canadian Environmental Protection Act, 1999*, of the Environment Canada Regional Office that is closest to where the release occurred.

Record-keeping Requirements

7. (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;
- (c) the name and address of each person obtaining the substance from the notifier; and
- (d) the name and address of the person in Canada who has disposed of the substance or of the waste containing the substance for the notifier, the method used to do so, and the quantities of the substance or waste shipped to that person.

(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

8. 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

9. The present ministerial conditions come into force on March 8, 2011.

[14-1-o]

DEPARTMENT OF THE ENVIRONMENT

CANADIAN ENVIRONMENTAL PROTECTION ACT, 1999

Notice of intent to amend the Domestic Substances List under subsection 87(3) of the Canadian Environmental Protection Act, 1999 to indicate that subsection 81(3) of that Act applies to three substances

Whereas the three substances set out in Annex 1 to this Notice are specified on the *Domestic Substances List*;

Whereas the Minister of the Environment and the Minister of Health have conducted a screening assessment of each of the three substances set out in Annex 1 to this Notice, pursuant to section 68 or 74 of the *Canadian Environmental Protection Act, 1999*, and have released proposed risk management approaches on March 7, 2009, for a 60-day public comment period, in which the risk management objective is to reduce or eliminate the amount currently in use in Canada, and to prevent increases in exposure from these substances;

Whereas the Ministers are satisfied that Ethanol, 2-methoxy-, acetate, set out in Annex 1 to this Notice, is not being manufactured or imported in Canada by any person in a quantity of more than 100 kg in any one calendar year;

Whereas the Ministers are satisfied that Ethanol, 2-(2-methoxyethoxy)-, set out in Annex 1 to this Notice, is not being manufactured in Canada by any person in a quantity of more than 100 kg in any one calendar year and is only being imported into Canada by any person in a quantity of more than 100 kg for a limited number of uses;

Whereas the Ministers are satisfied that 2-Naphthalenol, 1-[(4-methyl-2-nitrophenyl)azo]-, set out in Annex 1 to this Notice, is only being manufactured or imported in Canada by any person in a quantity of more than 100 kg in any one calendar year for a limited number of uses;

And whereas the Ministers suspect that information received in respect of a new activity in relation to any of the substances set out in Annex 1 to this Notice may contribute to determining the circumstances in which a substance is toxic or capable of becoming toxic within the meaning of section 64 of the *Canadian Environmental Protection Act, 1999*,

Therefore, notice is hereby given that the Minister of the Environment intends to amend the *Domestic Substances List* pursuant to subsection 87(3) of the *Canadian Environmental Protection Act, 1999* to indicate that subsection 81(3) of that Act applies to the three substances set out in

Annex 1 to this Notice in accordance with Annex 2.

Public comment period

Any person may, within 60 days of publication of this notice, file with the Minister of the Environment comments with respect to this proposal. All comments must cite the *Canada Gazette*, Part I, and the date of publication of this notice and be sent to the Executive Director, Program Development and Engagement Division, Environment Canada, Gatineau, Quebec K1A 0H3, 819-953-7155 (fax), substances@ec.gc.ca (email).

The screening assessment reports and the proposed risk management approach documents for these substances may be obtained from the Government of Canada's Chemical Substances Web site at www.chemicalsubstanceschimiques.gc.ca.

In accordance with section 313 of the *Canadian Environmental Protection Act, 1999*, any person who provides information in response to this Notice may submit with the information a request that it be treated as confidential.

GEORGE ENEI
Director General
Science and Risk Assessment Directorate
 On behalf of the Minister of the Environment
 MARGARET KENNY
Director General
Chemicals Sectors Directorate
 On behalf of the Minister of the Environment

ANNEX 1

The substances to which the present Notice applies are

1. Ethanol, 2-methoxy-, acetate (Chemical Abstracts Service Registry Number [CAS RN] 110-49-6);
2. Ethanol, 2-(2-methoxyethoxy)- (CAS RN 111-77-3); and
3. 2-Naphthalenol, 1-[(4-methyl-2-nitrophenyl)azo]- (CAS RN 2425-85-6).

ANNEX 2

1. Part 1 of the *Domestic Substances List* is proposed to be amended by deleting the following:

110-49-6

111-77-3

2425-85-6

2. Part 2 of the List is proposed to be amended by adding the following:

Column 1 Substance	Column 2 Significant New Activity for which substance is subject to subsection 81(3) of the Act
110-49-6 S'	1. Any activity involving, in any one calendar year, more than 100 kg of the substance Ethanol, 2-methoxy-, acetate, other than its use in cleaning products at a concentration of less than 0.001% by weight. 2. For each significant new activity, the following information must be provided to the Minister at least 180 days before the day on which the quantity of the substance exceeds 100 kg in any one calendar year: (a) a description of the proposed new activity in relation to the substance;

	<p>(b) the information specified in Schedule 4 to the <i>New Substances Notification Regulations (Chemicals and Polymers)</i>;</p> <p>(c) the information specified in paragraphs 2(d) to (f) and items 8 and 9 of Schedule 5 to those Regulations; and</p> <p>(d) the information specified in item 11 of Schedule 6 to those Regulations.</p> <p>3. The above information will be assessed within 180 days after the day on which it is received by the Minister.</p>
111-77-3 S'	<p>1. Any activity involving, in any one calendar year, more than 100 kg of the substance Ethanol, 2-(2-methoxyethoxy)-, other than its use</p> <p>(a) in ink;</p> <p>(b) in coating for food packaging;</p> <p>(c) as a jet fuel additive;</p> <p>(d) in the following consumer products at a concentration of less than 7.9% by weight: in paints, paint strippers, cleaning agents, self-shining emulsions, and floor sealants;</p> <p>(e) in any formulation not meant to be used by consumers, including in a solvent or in an adhesive;</p> <p>(f) in industrial paints at a concentration of less than 20% by weight; and</p> <p>(g) in an activity regulated under the <i>Pest Control Products Act</i>.</p> <p>2. For each significant new activity, the following information must be provided to the Minister at least 180 days before the day on which the quantity of the substance exceeds 100 kg in any one calendar year:</p> <p>(a) a description of the proposed new activity in relation to the substance;</p> <p>(b) the information specified in Schedule 4 to the <i>New Substances Notification Regulations (Chemicals and Polymers)</i>;</p> <p>(c) the information specified in paragraphs 2(d) to (f) and items 8 and 9 of Schedule 5 to those Regulations; and</p> <p>(d) the information specified in item 11 of Schedule 6 to those Regulations.</p> <p>3. The above information will be assessed within 180 days after the day on which it is received by the Minister.</p>
2425-85-6 S'	<p>1. Any activity involving, in any one calendar year, more than 100 kg of the substance 2-Naphthalenol, 1-[(4-methyl-2-nitrophenyl)azo]-, other than its use</p> <p>(a) in enamel paints, industrial printing inks, polyurethane coatings, textiles and plastic products; and</p> <p>(b) in an activity regulated under the <i>Pest Control Products Act</i>.</p> <p>2. For each significant new activity, the following information must be provided to the Minister at least 180 days before the day on which the quantity of the substance exceeds 100 kg in any one calendar year:</p> <p>(a) a description of the proposed new activity in relation to the</p>

substance;

(b) the information specified in Schedule 4 to the *New Substances Notification Regulations (Chemicals and Polymers)*;

(c) the information specified in paragraphs 2(d) to (f) and items 8 and 9 of Schedule 5 to those Regulations; and

(d) the information specified in item 11 of Schedule 6 to those Regulations.

3. The above information will be assessed within 180 days after the day on which it is received by the Minister.

COMING INTO FORCE

3. The Order would come into force on the day on which it is registered

[14-1-o]

DEPARTMENT OF INDUSTRY

OFFICE OF THE REGISTRAR GENERAL

Appointments

<i>Name and position</i>	<i>Order in Council</i>
Government of Manitoba	
Administrators	
Monnin, The Hon. Marc M.	2011-409
March 12 and 13, 2011	
Monnin, The Hon. Michel	2011-410
April 6 and 7, 2011	
Kinsley, Karen	2011-419
Canada Mortgage and Housing Corporation	
President	
Ledohowski, Lindy	2011-418
Canadian Museum for Human Rights	
Trustee of the Board of Trustees	

March 24, 2011

DEPARTMENT OF TRANSPORT

AERONAUTICS ACT

Interim Order No. 5 Respecting Passenger Identification and Behaviour Observation

Whereas the annexed *Interim Order No. 5 Respecting Passenger Identification and Behaviour Observation* is required to deal with an immediate threat to aviation security;

And whereas, pursuant to subsection 6.41(1.2) ([see footnote a](#)) of the *Aeronautics Act* ([see footnote b](#)), the Minister of Transport has consulted with the persons and organizations that the Minister considers appropriate in the circumstances concerning the annexed *Interim Order No. 5 Respecting Passenger Identification and Behaviour Observation*;

Therefore, the Minister of Transport, pursuant to subsection 6.41(1) ([see footnote c](#)) of the *Aeronautics Act* ([see footnote d](#)), hereby makes the annexed *Interim Order No. 5 Respecting Passenger Identification and Behaviour Observation*.

Ottawa, March 14, 2011

CHUCK STRAHL
Minister of Transport

**INTERIM ORDER NO. 5 RESPECTING PASSENGER IDENTIFICATION AND BEHAVIOUR
OBSERVATION**

INTERPRETATION

Definitions

1. (1) The following definitions apply in this Interim Order.

“access document” « *document d'accès* »

“access document” means

- (a) a boarding pass, a ticket or any other document issued by an air carrier that confirms the status of the person to whom it was issued as a passenger on a flight;
- (b) a stand-by pass, a ticket or any other document issued by an air carrier that confirms the status of the person to whom it was issued as a stand-by passenger for a flight; or
- (c) a passenger escort form that is issued by an air carrier.

“prohibited item” « *article interdit* »

“prohibited item” means any good that

- (a) is listed or described in the general list of prohibited items or, if applicable, in the specific list of prohibited items; or
- (b) poses an immediate threat to aviation security.

Terminology: *Canadian Aviation Security Regulations*

(2) Unless the context requires otherwise, words and expressions used in this Interim Order have the same meaning as in section 1 of the *Canadian Aviation Security Regulations*.

APPLICATION

Identity screening

2. (1) Sections 4 to 7 apply at a passenger screening checkpoint at an aerodrome that is listed in

the schedule to the *CATSA Aerodrome Designation Regulations* if there is a heightened risk condition that can be mitigated by carrying out identity screening at that checkpoint.

Notification

(2) A screening authority must notify the Minister before carrying out identity screening under subsection (1) at a passenger screening checkpoint.

Behaviour observation

3. Section 8 applies on a trial basis at a passenger screening checkpoint that is at Vancouver International Airport if the screening authority has the operational capacity to carry out behaviour observation at that checkpoint.

IDENTITY SCREENING

Required identification

4. The required identification for access to a sterile area is

- (a) one piece of government-issued photo identification that shows the holder's name, date of birth and gender;
- (b) two pieces of government-issued identification at least one of which shows the holder's name, date of birth and gender; or
- (c) a restricted area identity card.

Identity screening

5. (1) A screening authority must not allow a person to pass beyond a passenger screening checkpoint into a sterile area unless the screening authority screens the person by looking at the person, and in particular their entire face, to determine if they appear to be 18 years of age or older.

Idem

(2) A screening authority must not allow a person who appears to be 18 years of age or older to pass beyond a passenger screening checkpoint into a sterile area unless the screening authority screens the person

- (a) by comparing the person, and in particular their entire face, against the required identification; and
- (b) by comparing the name on the person's access document with the required identification.

Lost or stolen identification

6. (1) If a person who appears to be 18 years of age or older presents documentation issued by a government or a police service and attesting to the loss or theft of the required identification, a screening authority must not allow the person to pass beyond a passenger screening checkpoint into a sterile area unless the screening authority

- (a) screens the person's identity using alternative forms of identification; and
- (b) carries out an additional screening of the person, and of any goods in their possession or control, for prohibited items.

Examples

(2) Alternative forms of identification include but are not limited to employee identity cards, public transit passes and baptismal certificates.

Refusal of entry

7. (1) A screening authority must not allow a person who appears to be 18 years of age or older to pass beyond a passenger screening checkpoint into a sterile area if

- (a) the person presents a piece of photo identification and does not resemble the photograph;
- (b) the person does not appear to be the age indicated by the date of birth on the identification they present;
- (c) the person does not appear to be of the gender indicated on the identification they present;
- (d) the person presents more than one form of identification and there is a major discrepancy between those forms of identification; or
- (e) there is a major discrepancy between the name on the identification presented by the person and the name on their access document.

Medical exceptions

(2) A screening authority may allow a person who presents a piece of photo identification but does not resemble the photograph to pass beyond a passenger screening checkpoint into a sterile area if

- (a) the person's appearance changed for medical reasons after the photograph was taken and the person presents the screening authority with a document signed by a health care professional and attesting to that fact; or
- (b) the person's face is bandaged for medical reasons and the person presents the screening authority with a document signed by a health care professional and attesting to that fact.

BEHAVIOUR OBSERVATION

Observation requirement

8. (1) A screening authority must observe persons who are at a passenger screening checkpoint.

Unusual behaviour

(2) If the screening authority observes that a person at the passenger screening checkpoint is exhibiting behaviour that appears unusual in the context of pre-board screening, the screening authority must not allow the person to pass beyond the checkpoint into a sterile area unless the screening authority

- (a) engages the person in conversation; and
- (b) screens the person's identity in accordance with sections 4 to 7.

Additional screening

(3) If the screening authority concludes, on the basis of a conversation with the person or the behaviour exhibited by the person, that the person's behaviour is unusual in the context of pre-board screening, the screening authority must not allow the person to pass beyond the passenger screening checkpoint into a sterile area unless the screening authority carries out an additional screening of the person, and of any goods in their possession or control, for prohibited items.

RECORDS

Identity screening

9. A screening authority must

- (a) keep a record that sets out the dates and times when, and the reasons why, the screening authority carries out identity screening at a passenger screening checkpoint in accordance with this Interim Order; and
- (b) make the record available to the Minister on reasonable notice given by the Minister.

REPEAL

10. *Interim Order No. 4 Respecting Passenger Identification and Behaviour Observation is repealed.*

CESSATION OF EFFECT

Cessation of effect

11. If this Interim Order is approved under subsection 6.41(2) of the Act, sections 3 and 8 cease to have effect eight months after the day on which this Interim Order is made.

EXPLANATORY NOTE

(This note is not part of the Interim Order.)

Proposal

The *Interim Order No. 5 Respecting Passenger Identification and Behaviour Observation* made under subsection 6.41(2) of the *Aeronautics Act* by the Minister of Transport authorizes the Canadian Air Transport Security Authority (CATSA) to screen persons by observing and engaging persons in conversation and requesting appropriate identification at pre-board screening checkpoints.

The *Interim Order No. 5 Respecting Passenger Identification and Behaviour Observation* will, in accordance with subsection 6.41(2) of the *Aeronautics Act*, cease to have effect 14 days after it is made unless it is approved by the Governor in Council. If so approved, the Interim Order will, in accordance with subsection 6.41(3) of the *Aeronautics Act*, remain in force for one year or until regulations having the same effect are made.

Objective

Effective aviation security relies on many layers of security. This is the case in Canada where aviation security is based on a variety of tools and approaches, including intelligence assessments and sharing, policing, physical security, regulations, training and the use of human and technical resources. Passenger behaviour observation is a behaviour-based assessment tool that is used to enhance aviation security.

This Interim Order is necessary to allow Canada to continue to fulfill its international and departmental responsibility to establish and implement regulations to safeguard aviation operations against acts of unlawful interference.

The *Interim Order No. 5 Respecting Passenger Identification and Behaviour Observation* allows CATSA to conduct an eight-month trial at a pre-board screening checkpoint at Vancouver International Airport. The effectiveness of the program will be carefully monitored by CATSA and Transport Canada to determine longer-term strategies and applications.

The Interim Order will also allow CATSA to carry out passenger identification screening provided that they notify the Minister in advance, and there is a heightened risk condition that can be mitigated by carrying out passenger identity screening at the screening checkpoint.

Background

Under the *Aeronautics Act*, an Interim Order can be used to deal with an immediate threat to aviation security. The frequency and nature of recent aviation security incidents demand that Canada take appropriate action, using existing resources, to secure air transportation. Focusing resources based on assessments of passengers instead of applying a "one size fits all" approach to passenger screening is one such action, and has the potential to better respond to the evolving risks although there is currently no such capability nor the authority to test one. The Interim Order provides the authority for Canada to proactively address a potential vulnerability by testing a possible mitigating action, and assess its effectiveness, in an evolving risk environment.

Canada is not immune from terrorist attacks and must continue to employ every method possible to secure the Canadian aviation security system. Budget 2009 provided funding to CATSA to develop a passenger behaviour observation program. In January 2010, the Government of Canada announced the development of the Passenger Behaviour Observation Program as an additional, targeted layer of airport security to respond to the continuing threat of terrorism and evolving terrorist methods.

Passenger behaviour observation focuses on applying a long-used, traditional tool of law

enforcement in the context of airline passengers — identifying irregular or unusual behaviour. A number of Canada's international partners have either introduced or are developing similar behaviour observation initiatives for inclusion into their aviation security programs, including Australia, France, Israel, Singapore, and the United States.

In addition, in Canada, similar programs are already in operation in law enforcement environments and are used by the Canada Border Services Agency, Citizenship and Immigration Canada, the Royal Canadian Mounted Police and as well as transit constables in some Canadian municipalities.

A cornerstone of aviation security is pre-board screening performed by CATSA. Its passenger behaviour observation screening officers have been trained to detect behaviour that appears unusual in context of pre-board screening, to ask for identification and engage passengers in conversation to assess whether additional screening is necessary.

Beyond the passenger behaviour observation trial currently under way at the Vancouver International Airport, the Interim Order also authorizes and requires CATSA to carry out passenger identification screening if there is a heightened risk condition that can be mitigated by carrying out this function.

The types of identification that may be verified by CATSA are the same as those already verified by airlines under the *Interim Order No. 3 Respecting Identity Screening*. The concept of verifying identification at the pre-board screening checkpoint is consistent with elements of a program already in place by the United States Transportation Security Administration.

The passenger behaviour observation trial has been designed to respect Canadian privacy and human rights legislation. Transport Canada and CATSA met with the Office of the Privacy Commissioner of Canada and the Canadian Human Rights Commission to discuss the trial and seek their input. The Office of the Privacy Commissioner of Canada expects a full privacy impact assessment (PIA) from CATSA following the Vancouver trial if the Department pursues expansion of the trial to a formal program. A PIA would determine the impact of this program on individual privacy and promote transparency and accountability in the management of personal information. The Canadian Human Rights Commission provided a draft guide on the collection of human rights relevant data. CATSA will continue to engage the Office of the Privacy Commissioner of Canada and the Canadian Human Rights Commission during and after the trial.

The Government of Canada is always looking for new approaches and technologies to further improve the security of the transportation system and travellers. While no single layer of aviation security may defeat terrorism, together the layers of security provide a robust defence.

Implications

The impact of the passenger behaviour observation trial is expected to be low, since CATSA will only engage passengers who exhibit behaviour that is unusual in the context of pre-board screening.

Equally low will be the impact of identification verification, since passengers are already required to present the same identification to air carriers at the boarding gate under the *Interim Order No. 3 Respecting Identity Screening*.

Without the Interim Order, CATSA would not have the legal authority to ask passengers for their identification nor could they observe and engage them in conversation for the purpose of the passenger behaviour observation trial.

Consultation

The Department informed stakeholders of its intent to develop and implement a passenger behaviour observation program as soon as practicable at the Advisory Group on Aviation Security (AGAS) on November 25, 2009. AGAS members include representatives from airlines, airports, unions, associations, other government departments and CATSA. There were no comments made on the proposed concept. Efforts to accelerate program development and implementation were made to acknowledge the December 25, 2009 incident, recent arrests made here in Canada and the continuing threat of terrorism.

Budget 2009 provided funding to CATSA to develop a passenger behaviour observation program. In

January 2010, the Government of Canada publicly announced its intent to develop such a program to respond to the continued threat of terrorism.

Transport Canada has consulted with CATSA and they fully support the Interim Order.

Departmental contact

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[14-1-o]

DEPARTMENT OF TRANSPORT

AERONAUTICS ACT

Interim Order No. 11 Respecting Mail, Cargo and Baggage

Whereas the annexed *Interim Order No. 11 Respecting Mail, Cargo and Baggage* is required to deal with an immediate threat to aviation security;

And whereas, pursuant to subsection 6.41(1.2) ([see footnote e](#)) of the *Aeronautics Act* ([see footnote f](#)), the Minister of Transport has consulted with the persons and organizations that the Minister considers appropriate in the circumstances concerning the annexed *Interim Order No. 11 Respecting Mail, Cargo and Baggage*;

Therefore, the Minister of Transport, pursuant to subsection 6.41(1) ([see footnote g](#)) of the *Aeronautics Act* ([see footnote h](#)), hereby makes the annexed *Interim Order No. 11 Respecting Mail, Cargo and Baggage*.

Ottawa, March 16, 2011

CHUCK STRAHL
Minister of Transport

INTERIM ORDER NO. 11 RESPECTING MAIL, CARGO AND BAGGAGE

INTERPRETATION

Terminology — *Canadian Aviation Security Regulations*

1. Unless the context requires otherwise, words and expressions used in this Interim Order have the same meaning as in section 1 of the *Canadian Aviation Security Regulations*.

MAIL AND CARGO

Yemen

2. An air carrier must not transport on a flight to Canada mail or cargo that originates in Yemen or has transited through Yemen.

Somalia

3. An air carrier must not transport on a flight to Canada mail or cargo that originates in Somalia or has transited through Somalia.

PRINTER OR TONER CARTRIDGES

Prohibition — passengers

4. A passenger must not transport any of the following goods as checked baggage on board a

flight operated by an air carrier from an aerodrome listed in the schedule to the *CATSA Aerodrome Designation Regulations*:

- (a) a printer cartridge that weighs 500 g (17.6 oz) or more; and
- (b) a toner cartridge that weighs 500 g (17.6 oz) or more.

Prohibition — air carriers

5. An air carrier must not transport any of the following goods as cargo on board a passenger-carrying flight that departs from an aerodrome listed in the schedule to the *CATSA Aerodrome Designation Regulations* if the passengers are screened before boarding for weapons, explosive substances, incendiary devices or their components or other dangerous items that could be used to jeopardize the security of an aerodrome or an aircraft:

- (a) a printer cartridge that weighs 500 g (17.6 oz) or more; and
- (b) a toner cartridge that weighs 500 g (17.6 oz) or more.

DESIGNATED PROVISIONS

Designation

6. (1) Sections 2 to 5 of this Interim Order are designated as provisions the contravention of which may be dealt with under and in accordance with the procedure set out in sections 7.7 to 8.2 of the Act.

Maximum amounts

(2) The maximum amount payable in respect of a contravention of a designated provision referred to in subsection (1) is

- (a) \$5,000, in the case of an individual; and
- (b) \$25,000, in the case of a corporation.

Notice

7. A notice referred to in subsection 7.7(1) of the Act must specify

- (a) the particulars of the alleged contravention;
- (b) that the person on whom the notice is served or to whom it is sent has the option of paying the amount specified in the notice or filing with the Tribunal a request for a review of the alleged contravention or the amount of the penalty;
- (c) that payment of the amount specified in the notice will be accepted by the Minister in satisfaction of the amount of the penalty for the alleged contravention and that no further proceedings under Part I of the Act will be taken against the person on whom the notice in respect of that contravention is served or to whom it is sent;
- (d) that the person on whom the notice is served or to whom it is sent will be provided with an opportunity consistent with procedural fairness and natural justice to present evidence before the Tribunal and make representations in relation to the alleged contravention if the person files a request for a review with the Tribunal; and
- (e) that the person on whom the notice is served or to whom it is sent will be deemed to have committed the contravention set out in the notice if the person fails to pay the amount specified in the notice and fails to file a request for a review with the Tribunal within the prescribed period.

REPEAL

8. *Interim Order No. 10 Respecting Mail, Cargo and Baggage* is repealed.

EXPLANATORY NOTE

(This note is not part of the Interim Order.)

Proposal

The *Interim Order No. 11 Respecting Mail, Cargo and Baggage* made under subsection 6.41(1) of the *Aeronautics Act* by the Minister of Transport bans all mail and cargo from Yemen and Somalia as well as bans or limits the carriage of large printer/toner cartridges on flights departing designated aerodromes in Canada.

The *Interim Order No. 11 Respecting Mail, Cargo and Baggage* will, in accordance with subsection 6.41(2) of the *Aeronautics Act*, cease to have effect 14 days after it is made unless it is approved by the Governor in Council. If so approved, the Interim Order will, in accordance with subsection 6.41(3) of the *Aeronautics Act*, remain in force for one year or until regulations having the same effect are made.

Objective

The *Interim Order No. 11 Respecting Mail, Cargo and Baggage* is necessary to deal with the immediate threat of potential explosives being transported on flights to Canada. This Interim Order will protect the security of Canada's skies and allow Canada to continue to fulfill its international and departmental responsibility to establish and implement regulations to safeguard aviation operations against acts of unlawful interference.

Background

The Canadian public expects commercial air travel to be safe and secure.

On November 1, 2010, the Department of Transport implemented a range of public and non-public security requirements to recognize incidents involving explosives found in cargo bound for the United States.

Since November 2010, using the Interim Order authority under the *Aeronautics Act*, Canada, like some other countries, has extended the prohibition on cargo and mail from Yemen to include Somalia, and prohibited the carriage of printer/toner cartridges in checked baggage and banned these cartridges as air cargo on all passenger aircraft departing Canada. Since Interim Orders only have effect for 14 days, the Minister of Transport has made subsequent Interim Orders.

Implications

Canada is not immune from terrorist attacks and must continue to employ every method possible to secure the Canadian aviation security system.

The Interim Order will add an additional layer of security to close identified security gaps and vulnerabilities and will provide enhanced security for the aviation security system.

There are no direct flights between Yemen or Somalia and Canada, and there is very little cargo or mail from either country.

Canada's action increases harmonization with U.S. rules respecting enhanced security of air cargo while maintaining an efficient and secure flow of business goods from Canada to the United States.

Consultation

The Minister consulted with CATSA, air carriers and air cargo operators who are affected by this Interim Order and they indicated their full support of the requirements.

Transport Canada will monitor the situation closely and will work with our security partners, both in Canada and internationally, to protect the safety and security of the travelling public. It will be determined in the coming months if proposed amendments to the *Canadian Aviation Security Regulations* will be submitted for consideration to the Governor Council.

Departmental contact

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[14-1-o]

DEPARTMENT OF TRANSPORT

MARINE LIABILITY ACT

Ship-source Oil Pollution Fund

Pursuant to section 110 ([see footnote i](#)) of the *Marine Liability Act* (the Act) and the *Marine Liability Regulations* made pursuant to paragraph 110(3)(b) ([see footnote j](#)) of the Act, the maximum aggregate liability of the Ship-source Oil Pollution Fund in respect of any particular occurrence during the fiscal year commencing April 1, 2011, will be \$157,803,519.

CHUCK STRAHL, P.C., M.P.
*Minister of Transport, Infrastructure
and Communities*

[14-1-o]

DEPARTMENT OF TRANSPORT

MARINE LIABILITY ACT

Ship-source Oil Pollution Fund

Pursuant to section 113 ([see footnote k](#)) of the *Marine Liability Act* (the Act) and the *Marine Liability Regulations* made pursuant to paragraph 113(3)(b) ([see footnote l](#)) of the Act, the amount of the levy in respect of payments into the Ship-source Oil Pollution Fund required by subsection 112(2) ([see footnote m](#)) of the Act would be 47.32 cents if the levy were to be imposed pursuant to subsection 114(1) ([see footnote n](#)) of the Act during the fiscal year commencing April 1, 2011.

CHUCK STRAHL, P.C., M.P.
*Minister of Transport, Infrastructure
and Communities*

[14-1-o]

OFFICE OF THE SUPERINTENDENT OF FINANCIAL INSTITUTIONS

TRUST AND LOAN COMPANIES ACT

Central 1 Trust Company — Order to commence and carry on business

Notice is hereby given of the issuance, pursuant to subsection 53(1) of the *Trust and Loan Companies Act*, of an order to commence and carry on business authorizing Central 1 Trust Company, and in French, Société de fiducie Central 1, to commence and carry on business, effective March 16, 2011.

March 18, 2011

JULIE DICKSON
Superintendent of Financial Institutions

[14-1-o]

[Footnote a](#)

S.C. 2004, c. 15, s. 11(1)

[Footnote b](#)

R.S., c. A-2

[Footnote c](#)

S.C. 2004, c. 15, s. 11(1)

[Footnote d](#)

R.S., c. A-2

[Footnote e](#)

S.C. 2001, c. 6

[Footnote f](#)

R.S., c. A-2

[Footnote g](#)

S.C. 2004, c. 15, s. 11(1)

[Footnote h](#)

R.S., c. A-2

[Footnote i](#)

S.C. 2001, c. 6

[Footnote j](#)

S.C. 2001, c. 6

[Footnote k](#)

S.C. 2001, c. 6

[Footnote l](#)

S.C. 2001, c. 6

[Footnote m](#)

S.C. 2001, c. 6

[Footnote n](#)

S.C. 2001, c. 6

Date modified: 2011-10-01