



THE NEWFOUNDLAND AND LABRADOR GAZETTE

EXTRAORDINARY

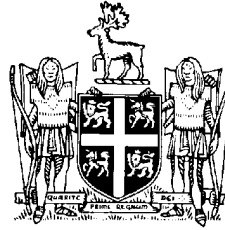
PART II

PUBLISHED BY AUTHORITY

ST. JOHN'S, MONDAY, AUGUST 1, 2022

**NEWFOUNDLAND AND LABRADOR
REGULATIONS**

**NLR 46/22
NLR 47/22**



**NEWFOUNDLAND AND LABRADOR
REGULATION 46/22**

*Proclamation bringing Act into force
(In force August 1, 2022)
under the
Emergency 911 Act, 2022
(O.C. 2022-180)*

(Filed July 28, 2022)

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

JUDY M. FOOTE
Lieutenant Governor

DENIS MAHONEY
Deputy Attorney General

SEAN DUTTON
Deputy Registrar General

TO ALL TO WHOM THESE PRESENTS SHALL COME,
GREETING;
A PROCLAMATION

WHEREAS in and by section 28 of *An Act Respecting a Province-Wide 911 Service for the Reporting of Emergencies*, Statutes of Newfoundland and Labrador 2022, Chapter E-7.03 (the “Act”), it is provided that the Act comes into force on a day to be proclaimed by the Lieutenant-Governor in Council;

AND WHEREAS it is deemed expedient that the Act shall now come into force;

*Proclamation bringing an Act respecting
a Province-Wide 911 Service for the Reporting of
Emergencies into force
(In Force August 1, 2022)*

46/22

NOW KNOW YE, THAT WE, by and with the advice of Our Executive Council of Our Province of Newfoundland and Labrador, do by this our Proclamation declare and direct that *An Act Respecting a Province-Wide 911 Service for the Reporting of Emergencies*, Statutes of Newfoundland and Labrador 2022, Chapter E-7.03, shall come into force on the date of publication of this Proclamation in the Newfoundland and Labrador Gazette.

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

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

WITNESS: Our trusty and well-beloved the
Honourable Judy M. Foote, Member of
Our Privy Council of Canada, Chancellor of the Order of
Newfoundland and Labrador, Lieutenant Governor
in and for Our Province of Newfoundland and Labrador.

AT OUR GOVERNMENT HOUSE, in Our City of St. John's
this 26th day of July in the year of Our Lord
two thousand and twenty-two,
in the seventy-first year of Our Reign.

BY COMMAND,

SEAN DUTTON
Deputy Registrar General



**NEWFOUNDLAND AND LABRADOR
REGULATION 47/22**

Emergency 911 Fee Regulations, 2022
under the
Emergency 911 Act, 2022
(O.C. 2022-181)

(Filed July 28, 2022)

Under the authority of section 22 of the *Emergency 911 Act, 2022*, the Lieutenant-Governor in Council makes the following regulations.

Dated at St. John's, July 28, 2022.

Krista Quinlan
Clerk of the Executive Council

REGULATIONS

Analysis

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Short title

1. These regulations may be cited as the *Emergency 911 Fee Regulations, 2022*.

Definitions

2. In these regulations

(a) "Act" means the *Emergency 911 Act, 2022*; and

(b) "fee" means the fee for the emergency 911 service referred to in section 14 of the Act.

Fee for emergency
911 service

3. (1) The fee shall be paid monthly by every subscriber.

(2) The fee shall be \$0.75 a month for each exchange service.

(3) Where a telecommunications service provider retains a monthly service fee as authorized under subsection 14(4) of the Act, it shall deduct that monthly service fee from the fee referred to in subsection (2).

Prepaid wireless
telephone service

4. (1) A telecommunications service provider shall, on a monthly basis, deduct the fee from a subscriber's wireless telephone service prepaid account, if one exists.

(2) The fee referred to in subsection (1) may be prorated in the manner contemplated in subsection 14(3) of the Act.

(3) Where insufficient funds are available to deduct the fee from a subscriber's wireless telephone service prepaid account, the subscriber shall not be considered to have refused to pay the fee and the telecommunications service provider shall not make any further efforts to collect the fee.

Remittance of fee

5. A telecommunications service provider shall, on a monthly basis and within 45 days after the last day of each month,

(a) remit to the minister an amount equal to the fees that the telecommunications service provider billed to subscribers during that month, less any monthly service fee authorized under subsection 14(4) of the Act; and

(b) submit to the minister a report containing the following information with respect to that month:

(i) the amount of fees that the telecommunications service provider billed,

(ii) the amount of fees that the telecommunications service provider remitted to the minister,

- (iii) the amount of the monthly service fees retained as authorized under subsection 14(4) of the Act, if any,
- (iv) the number of exchange services that the telecommunications service provider provided, and
- (v) if applicable, the taxes, levies, duties or similar charges that the telecommunications service provider collected.

(2) Fees are not considered to be remitted to the minister until they are received by the minister.

Estimate of fees by minister

6. (1) Where a telecommunications service provider fails to remit fees to the minister as required by the Act and these regulations, the minister may make an estimate of the amount of fees that should have been remitted by the telecommunications service provider.

(2) An estimated amount under subsection (1) shall be considered to be the amount of fees that the telecommunications service provider has not remitted.

Duty to provide information

7. (1) A telecommunications service provider shall provide the minister with the following information:

- (a) the corporate name of the telecommunications service provider; and
- (b) the name, address, telephone number, fax number and e-mail address of the contact person for the telecommunications service provider.

(2) Where information referred to in subsection (1) changes, a telecommunications service provider shall provide the minister with updated information.

Collection costs

8. Where a telecommunications service provider fails to remit fees to the minister as required by the Act and these regulations, the telecommunications service provider shall, on demand by the minister or a person designated by the minister, pay to the minister all of the costs and expenses incurred in collecting the fees.

Fees considered held in trust

9. (1) Fees collected by a telecommunications service provider under the authority of the Act and these regulations, except a monthly

service fee retained under the authority of subsection 14(4) of the Act, shall be considered to be held in trust for the minister and the fees shall, until remitted, form a lien on the entire estate of the telecommunications service provider or on the entire assets of the telecommunications service provider's estate in the hands of any trustee, in priority to every claim, privilege, lien or encumbrance.

(2) Where a telecommunications service provider is considered under subsection (1) to hold fees referred to in that subsection in trust, those fees shall be considered to be held separate from and form no part of the estate or assets of the telecommunications service provider, whether or not the fees have in fact been kept separate and apart from the estate or assets of the telecommunications service provider.

Recovery of fees

10. (1) The amount of fees required to be remitted to the minister, which excludes any monthly service fees authorized under subsection 14(4) of the Act, is a debt due to the Crown and may be recovered by action in any court of competent jurisdiction.

(2) The court may in an action under subsection (1) make an order as to the costs of the action.

Statements by accountant

11. A telecommunications service provider shall, not later than a date to be established by the minister, provide the minister with a written statement signed by a chartered professional accountant certifying that the information contained in the reports submitted under section 5 during the previous calendar year is complete and accurate.

Retention of documents

12. A telecommunications service provider shall

(a) retain all books of account, reports, records and documents for a minimum of 6 years after the date on which the books of account, reports, records and documents were made; and

(b) where requested by the minister, provide copies all books of account, reports, records and documents to the minister.

Repeal

13. The *Emergency 911 Fee Regulations, Newfoundland and Labrador Regulation, 80/14* are repealed.

Commencement

14. These regulations come into force on the day the *Emergency 911 Act, 2022* comes into force.

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ST. JOHN'S, MONDAY, AUGUST 1, 2022

Extraordinary Gazette Index

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