



Province of Newfoundland

THIRTY-NINTH GENERAL ASSEMBLY  
OF  
NEWFOUNDLAND

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**VERBATIM REPORT**  
*(Hansard)*

*Speaker: Honourable James Russell*

Thursday

19 February 1987

The House met at 3:00 p.m.

MR. SPEAKER (McNicholas):

Order, please!

SERGEANT-AT-ARMS:

Mr. Speaker, His Honour the Lieutenant-Governor has arrived.

MR. SPEAKER:

Admit His Honour the Lieutenant-Governor.

SERGEANT-AT-ARMS:

Ladies and Gentlemen, it is the wish of His Honour the Lieutenant-Governor that all present be seated.

HON. JAMES A. McGRATH

(Lieutenant-Governor):

MR. SPEAKER AND MEMBERS OF THE HONOURABLE HOUSE OF ASSEMBLY:

The Second Session of 40th General Assembly of this Honourable House of Assembly is about to be prorogued. Before relieving you from your duties, I wish to convey to you my appreciation for the careful and sympathetic attention given to the important matters brought before you by my Ministers.

MR. SPEAKER AND MEMBERS OF THE HONOURABLE HOUSE OF ASSEMBLY:

Forty-nine pieces of legislation were enacted during this Session of the Honourable House of Assembly. In particular, legislative initiatives were taken in the administration of justice, labour, municipal affairs, consumer affairs, finance and the development of our offshore resources.

In the area of the administration of justice, several significant legislative measures were enacted. For the first time since 1889, a new Judicature Act was

passed. This Act revised the law relating to the superior courts of the Province. The Act abolished the District Court of Newfoundland and merged its functions with the Trial Division of the Supreme Court. It is my Government's hope that the services of the Supreme Court will now be brought closer to people in the rural areas of our Province. The new Judicature Act also provided new Rules of Court which reformed much of the civil procedure used in our Supreme Court since the 1880's when the Colony of Newfoundland adopted the original English Rules of Court.

In keeping with the reform and change in philosophy of company law throughout North America, my Government introduced an Act to revise and reform the law respecting corporations. The old Companies Act had its origins in 19th Century English Statutes, which the Colony of Newfoundland used as a basis for its Act of 1899. Over the years, the original Newfoundland law had been amended but with no real change in basic philosophy. Again, it is my Government's hope that the new Corporations Act will assist in the development of our Province.

My Government introduced The International Commercial Arbitration Act to provide for the application in this Province of the Convention on the Recognition and Enforcement of Foreign Arbitration Awards adopted by the United Nations.

MR. SPEAKER AND MEMBERS OF THE HONOURABLE HOUSE OF ASSEMBLY:

As an indication of my Government's commitment to the consumers of this Province, an Act to revise the law respecting

insurance adjusters, agents and brokers was enacted during this Session. As well, an amendment was introduced to The Real Estate trading Act to provide for the establishment of a real estate Foundation.

In the area of labour, my Government introduced very significant legislation respecting labour standards and workers' compensation. With respect to labour standards, my Government introduced amendments to The Labour Standards Act, 1977 to provide that an employee is entitled to receive a period of seventeen weeks of adoption leave and to provide that tips and gratuities are the property of the employee to whom or for whom they are given. Further, my Government introduced amendments to The Workers' Compensation Act, 1983 to provide that the activities of the Commission are overseen by a Board of Directors and to establish the Workers' Compensation Appeal Tribunal.

As a further indication of my Government's commitment to the future of our young people, my Government introduced an Act to provide for payment of financial assistance for students attending post-secondary educational institutions. My Government also introduced amendments to The Marine Institute Act and The Memorial University Act.

In the area of municipal affairs, my Government introduced legislation to revise and consolidate the law respecting the assessment of real property for the purposes of the imposition of property taxes by municipalities and school tax authorities.

**MR. SPEAKER AND MEMBERS OF THE**

**HONOURABLE HOUSE OF ASSEMBLY:**

During this Session, my Government introduced a number of amendments to certain financial measures. Throughout its office, my Government has been very sensitive to the needs of persons on fixed incomes, particularly those whose main source of income is a pension. Consequently, pensions to former public servants were further increased during this Session. In this regard, my Government also introduced amendments to The Portability of Pensions Act and The Public Service (Pensions) Act. Legislation was also introduced to amend the Income Tax Act to maintain uniformity between federal and provincial law.

Ever mindful of our fragile environment, my Government introduced legislation to amend The Department of Environment Act to provide that a person responsible for the occurrence of pollution is liable for the cost of cleaning up the pollution. Also the fines for a violation of the Act were substantially increased.

During this Session, my Government introduced further amendments to The Leaseholds in St. John's Act to facilitate the obtaining of the freehold to property by a lessee entitled to the freehold.

**MR. SPEAKER AND MEMBERS OF THE  
HONOURABLE HOUSE OF ASSEMBLY:**

As Honourable Members will recall, on February 11, 1985, my Government and the Government of Canada signed the Atlantic Accord. During this Session, my Government introduced a Bill that implements this Memorandum of Agreement between both Governments

on offshore petroleum resource management and revenue sharing. As well, my Government introduced amendments to The Petroleum and Natural Gas Act to provide for the establishment of a royalty system by the Government of the Province in accordance with the terms of the Atlantic Accord.

Among the other legislative measures enacted during this Session were An Act To Amend The Loan and Guarantee Act, 1957, An Act To Amend The Land Development Act, An Act To Amend The Newfoundland And Labrador Housing Corporation Act, An Act To Amend The Newfoundland Public Service Commission Act, 1973, An Act To Amend The Social Assistance Act, 1977, An Act To To Amend The City Of St. John's (Loan) Act, 1978, An Act To Amend The Matrimonial Property Act and The Canada and The United Kingdom Reciprocal Recognition And Enforcement Of Judgements Act.

**MR. SPEAKER AND MEMBERS OF THE HONOURABLE HOUSE OF ASSEMBLY:**

During this Session, a Resolution respecting the establishment of a NATO Tactical Training Centre at the Goose Bay Air Base was unanimously adopted by this Honourable House.

**MR. SPEAKER AND MEMBERS OF THE HONOURABLE HOUSE OF ASSEMBLY:**

I thank you for the large measure of supply you have granted. I assure you that the appropriations that you have granted will be extended by my Ministers with care and efficiency.

It is my pleasure that the Second Session of this 40th General Assembly now be prorogued and it is prorogued accordingly.