

Draft Regulations

Draft Regulation

An Act respecting the Régie du logement (R.S.Q., c. R-8.1)

Costs exigible by the Régie du logement — Replacement

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), that the Tariff of costs exigible by the Régie du logement, the text of which appears below, may be made by the Government upon the expiry of 45 days following this publication.

The purposes of the draft regulation are:

— to increase from \$42 to \$50 the basic tariff of the costs exigible by the Régie du logement for all applications other than applications for a ruling on a change in a lease, for the fixing or revision of rent, for contesting an adjustment of rent, for the revision of a decision or for a decrease in rent;

— for all the applications excluded above, that is, those for the fixing of rent and a decrease in rent, to fix the upper limit at \$50, subject to annual indexing, and establish a decrease in relation to the amount of the rent paid, as follows:

— \$50, where the rent is more than \$600;

— \$40, where the rent is more than \$350 but no more than \$600;

— \$30, where the rent is \$350 or less;

— to fix at \$126 the costs for an application for authorization to convert an immovable to divided co-ownership, to which shall be added \$126 per dwelling starting with the second dwelling;

— to increase from \$20 to \$25 the costs for replacing on the roll a case struck off the roll or for a motion to reopen a hearing;

— to extend the present rules respecting indexing, collection, exemption and reimbursement;

— to introduce costs of 3.8 % for rent deposits;

— to prescribe the following tariff of costs for the service of a proceeding on which a commissioner may rule:

a maximum cost of \$6 for service of a proceeding introductive of suit, to which the following maximum costs may be added for an authorized special mode of service:

— \$20 for service by a bailiff;

— \$75 for service by public notice.

Additional information may be obtained by contacting Mr. Claude Reed at the Régie du logement, rez-de-chaussée, bureau 2360, Pyramide Ouest (D), 5199, rue Sherbrooke Est, Montréal (Québec), H1T 3X1, tel.: (514) 873-6575 or fax: (514) 873-6805.

Any interested person having comments to make on the matter is asked to send them in writing, before the expiry of the 45-day period, to the Minister of Municipal Affairs, 20, rue Chauveau, secteur B, 3^e étage, Québec (Québec), G1R 4J3.

RÉMY TRUDEL,
Minister of Municipal Affairs

Tariff of costs exigible by the Régie du logement

An Act respecting the Régie du logement (R.S.Q., c. R-8.1, s. 108, 1st par., subpar. 4)

DIVISION I COSTS EXIGIBLE BY THE RÉGIE DU LOGEMENT

I. For the filing of the proceedings below, the costs exigible are established as follows:

(1) \$50 for an application other than the applications referred to in paragraphs 2 and 3;

(2) for an application for a ruling on a change in a lease, for the fixing or revision of rent, for contesting an adjustment of rent, for the revision of a decision or for an application for the sole purpose of obtaining a decrease in rent:

\$30, where the rent is \$350 or less;

\$40, where the rent is more than \$350 but no more than \$600;

\$50, where the rent is more than \$600;

(3) \$126 for an application for authorization to convert an immovable to divided co-ownership, to which \$126 shall be added per dwelling starting with the second dwelling;

(4) \$25 for replacing on the roll a case struck off the roll or for a motion to reopen a hearing.

2. From 1997, the costs provided for in section 1 shall be indexed on 1 November of each year on the basis of the rate of variation in the general Consumer Price Index for Canada, as determined by Statistics Canada under the Statistics Act (R.S.C., 1985, c. S-19), calculated on the basis of the average of the indexes for the preceding 12 months.

The indexed amounts shall be reduced to the nearest dollar where they contain a fraction of a dollar less than \$0.50; they shall be increased to the nearest dollar where they contain a fraction of a dollar equal to or greater than \$0.50.

The Régie du logement shall inform the public of the annual indexing calculated under this section. It shall do so through Part 1 of the *Gazette officielle du Québec* and, where the Board considers it appropriate, by any other means.

3. The costs provided for in section 1 are payable upon the filing of the proceeding, in cash, by certified cheque, by postal money order or by another instrument of payment providing the same guarantees, made out to the Minister of Finance.

4. Any person who proves that he receives financial support under the Act respecting income security (R.S.Q., c. S-3-1.1) shall be exempted from paying the costs provided for in section 1.

5. The Board shall reimburse the costs paid for filing where it grants:

(1) a motion for the correction of a decision;

(2) an application for revocation of a decision made under the second paragraph of section 89 of the Act respecting the Régie du logement (R.S.Q., c. R-8.1).

6. Costs of 3.8 % shall be exigible and shall be collected by the Board at the time of deposit, from the rents deposited at its office.

DIVISION II

COSTS EXIGIBLE FOR THE SERVICE OF CERTAIN PROCEEDINGS

7. Pursuant to section 79.1 of the Act respecting the Régie du logement (R.S.Q., c. R-8.1), the costs incurred by the applicant for the service of the proceeding introductive of suit to each party may be adjudged up to an amount of \$6.

In addition to the costs provided for in the first paragraph, where a special mode of service is authorized by the Board or where a new service is imposed, the costs incurred may be adjudged up to an amount of:

(1) \$20 for service by a bailiff, those costs being established in accordance with the Tariff of fees and transportation expenses of bailiffs (R.R.Q., 1981, c. H-4, r. 3);

(2) \$75 for service by public notice.

8. This Regulation replaces the Regulation respecting fees payable to the Régie du logement, made by Order in Council 630-82 dated 17 March 1982.

9. This Regulation comes into force on the fifteenth day following the date of its publication in the *Gazette officielle du Québec*.

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Draft Regulation

Dairy Products and Dairy Products Substitutes Act (R.S.Q., c. P-30)

Dairy products substitutes — Amendment

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), that the Regulation to amend the Regulation respecting dairy products substitutes, the text of which appears below, may be made by the Government upon the expiry of 45 days following this publication.

The purpose of the draft regulation is, in accordance with the Agreement on Internal Trade, to harmonize the Québec regulatory provisions respecting the colouring of margarine with federal and provincial regulations. For that purpose, the draft regulation proposes to remove from the Regulation respecting dairy products substitutes (R.R.Q., 1981, c. P-30, r. 15) the standard for the colour of the product.