

Regulations and Other Acts

Gouvernement du Québec

O.C. 519-97, 23 April 1997

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

Tariff of costs exigible

Tariff of costs exigible by the Régie du logement

WHEREAS under subparagraph 4 of the first paragraph of section 108 of the Act respecting the Régie du logement (R.S.Q., c. R-8.1), the Government may make regulations prescribing where such is the case, the duties or costs exigible for any act performed by the board or by a party in the case of an application or a proceeding, and the duties or costs relating to the administration of the Act, establishing the standards, conditions and modalities applicable to the receipt, keeping and reimbursement of such duties or costs, exempting certain categories of persons from the payment of such duties or costs, and determining, where necessary, the maximum amount that a party may be bound to pay under section 79.1 for the whole or one or the other of such acts;

WHEREAS by Order in Council 630-82 dated 17 March 1982, the Government made the Regulation respecting fees payable to the Régie du logement;

WHEREAS it is expedient to replace that Regulation;

WHEREAS under sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), a draft of the Tariff attached to this Order in Council was published in Part 2 of the *Gazette officielle du Québec* of 8 January 1997 with a notice that it could be made by the Government upon the expiry of a 45-day period following that publication;

WHEREAS comments have been received and examined;

WHEREAS it is expedient to make the Tariff of costs exigible by the Régie du logement, attached hereto, with amendments;

IT IS ORDERED, therefore, upon the recommendation of the Minister of Municipal Affairs:

THAT the Tariff of costs exigible by the Régie du logement, attached to this Order in Council, be made.

MICHEL CARPENTIER,
Clerk of the Conseil exécutif

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., subparagraph. 4)

DIVISION I

COSTS EXIGIBLE BY THE RÉGIE DU LOGEMENT

1. 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, revision or a decrease of of rent, for contesting an adjustment or re-establishment of rent, for the revision of a decision of the court or for an application including 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 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 a last resort assistance program provided for in the Act respecting income security (R.S.Q., c. S-3-1.1) shall be exempted from paying costs.

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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Gouvernement du Québec

O.C. 530-97, 23 April 1997

An Act respecting the Société de développement du Québec
(R.S.Q., c. S-11.01)

Private Investment and Job Creation Promotion Fund

Regulation respecting the Private Investment and Job Creation Promotion Fund

WHEREAS under section 2 of the Act respecting the Société de développement industriel du Québec (R.S.Q., c. S 11.01), the object of the Corporation is to promote economic development in Québec;

WHEREAS under section 3 of the Act, the Corporation shall grant financial assistance under a program;

WHEREAS under section 5 of the Act, the Government may establish by regulation financial assistance programs for businesses, designed to promote economic development in Québec;

WHEREAS under section 47 of the Act, the Government may make regulations to establish criteria to determine which businesses may receive financial assistance, to determine the form of financial assistance and the conditions a business must fulfil to obtain financial assistance and to determine the cases in which duties or charges are exigible from a business that applies for financial assistance;

WHEREAS under section 12 of the Regulations Act (R.S.Q., c. R 18.1), a proposed regulation may be made without having been published as prescribed in section 8 of that Act, if the authority making it is of the opinion that the urgency of the situation requires it;

WHEREAS under section 13 of that Act, the reason justifying the absence of prior publication shall be published with the regulation;