

Draft Regulations

Draft Regulation

An Act respecting municipal taxation
(R.S.Q., c. F-2.1)

Compensations in lieu of taxes — Amendments

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 compensations in lieu of taxes, 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 to make adjustments to the Regulation respecting compensations in lieu of taxes that have become necessary following the adoption of the Act to establish an administrative review procedure for real estate assessment and to amend other legislative provisions (1996, c. 67) and the Act respecting the implementation of the Act respecting administrative justice (1997, c. 43).

To this end, the Draft Regulation proposes to amend certain references that have become null and void or incomplete since the adoption of these Acts. These Acts have, among other things, temporarily created biennial rolls on the territory of the Communauté urbaine de Montréal, introduced the possibility of reaching agreements having the same effect as a decision of the Bureau de révision de l'évaluation foncière du Québec, and provide for the replacement of the latter by the Administrative Tribunal of Québec.

The Draft Regulation also proposes to extend to compensations in lieu of taxes the new rule concerning the suspension of the computation of interest on municipal taxes by the Administrative Tribunal of Québec for the duration of a proceeding.

To date, study of the matter has revealed no impact on the public and businesses.

Further information may be obtained from Mrs. Élène Delisle, advocate, 20, rue Pierre-Olivier-Chauveau, 2^e étage, Québec, G1R 4J3; telephone: (418) 691-2030; fax: (418) 643-3455.

Any interested person having comments to make on this Draft Regulation is asked to send them in writing, before the expiry of the 45-day period, to the Minister of

Municipal Affairs, 20, rue Pierre-Olivier-Chauveau, 3^e étage, Québec, G1R 4J3.

RÉMY TRUDEL,
Minister of Municipal Affairs

Regulation to amend the Regulation respecting compensations in lieu of taxes(*)

An Act respecting municipal taxation
(R.S.Q., c. F-2.1, s. 262, par. 2)

1. Section 10 of the Regulation respecting compensations in lieu of taxes is amended by striking out “under section 72.1 of the Act,” in the second paragraph.

2. Section 22 is amended

(1) by substituting “by an agreement reached under section 138.4 of the Act, a decision of the Administrative Tribunal of Québec” for “by a decision of the Bureau de révision de l'évaluation foncière du Québec” in subparagraph 1 of the second paragraph; and

(2) by adding the following paragraph at the end:

“Where the alteration to the roll follows a recourse before the Administrative Tribunal of Québec, the additional compensation or the amount collected in excess bears no interest for the period indicated in the decision of the Tribunal, where applicable, as the period during which the hearing of the recourse has been subject to an undue delay for which the debtor of the additional compensation or amount collected in excess, or the party litigant whose debtor is the successor, is not responsible.”

3. Until the day on which the Bureau de révision de l'évaluation foncière du Québec ceases to exist, the provisions of section 22 of the Regulation respecting compensations in lieu of taxes, as amended by section 2 of this Regulation, that apply to a decision of the Administrative Tribunal of Québec or a recourse before the

* The Regulation respecting compensations in lieu of taxes, made by Order in Council 1086-92 dated 22 July 1992 (1992, G.O. 2, 4058), was amended by the Regulation made by Order in Council 1055-95 dated 9 August 1995 (1995, G.O. 2, 2659).

latter apply, as the case may be, to a decision of the Bureau or a complaint before the latter.

4. 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

An Act respecting the Régie de l'énergie
(1996, c. 61)

Procedure of the Régie de l'énergie

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 respecting the procedure of the Régie de l'énergie, the text of which appears below, may be submitted to the Government for approval upon the expiry of 45 days following this publication.

The purpose of the Regulation is to make provisions respecting the examination of applications submitted to the Régie de l'énergie and, where required, the conduct of public hearings.

That Regulation will encourage citizens, groups and businesses to participate while prescribing rules for the presentation of evidence and observations by interested persons. The Regulation also provides for optional pre-hearing conferences intended, in particular, to simplify the conduct of the public hearings.

Further information may be obtained by contacting the secretary of the Régie de l'énergie, Tour de la Bourse, 800, place Victoria, bureau 255, C. P. 001, Montréal (Québec), H4Z 1A2; tel. (514) 873-2452; fax: (514) 873-2070.

Any 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 Secretary of the Régie de l'énergie, Tour de la Bourse, 800, place Victoria, bureau 255, C. P. 001, Montréal (Québec), H4Z 1A2. Comments will be studied by the Régie and forwarded to the Minister of Natural Resources, responsible for the administration of the Act respecting the Régie de l'énergie.

LISE LAMBERT,
Vice-chairman of the Régie de l'énergie

Regulation respecting the procedure of the Régie de l'énergie

An Act respecting the Régie de l'énergie
(1996, c. 61, ss. 113 and 115)

CHAPTER I SUBMISSION OF AN APPLICATION TO THE RÉGIE DE L'ÉNERGIE

1. Every application to the Régie shall be made in writing and shall

— indicate the name, address, telephone and fax numbers of the applicant and, where applicable, those of his representative;

— contain a clear and succinct summary of the facts, the reasons for the application and the conclusions sought;

— be signed by the applicant or his representative;

— include a list of all the documents that may be used to support the application;

— include the applicable fees, if any;

— include a receipt of the sending of the application to the defendant or the impleaded party, if any.

Any application not validly submitted may be returned to the applicant for completion.

2. The defendant or the impleaded party shall appear within 15 days of receiving the application, by filing an appearance with the Régie signed by him or his representative and by giving notice thereof to the applicant.

3. The defendant or the impleaded party may also, within 15 days of the expiry of the time allowed for appearing, file an answer with the Régie together with the receipt of the sending of that answer to the applicant.

4. The applicant may file with the Régie a reply in writing, within 15 days of receiving the answer, together with the receipt of the sending of that reply to the defendant or impleaded party.

CHAPTER II PUBLICATION OF INSTRUCTIONS RELATING TO A PUBLIC HEARING

5. Where the Régie orders a participant to publish its written instructions, the notice shall appear in a periodical distributed in the territory concerned by the public hearing.