

Gouvernement du Québec

**O.C. 1599-97, 10 December 1997**

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

**Conditions or restrictions applicable to the exercise of the tariffing powers of local municipalities**

Regulation to amend the Regulation respecting the conditions or restrictions applicable to the exercise of the tariffing powers of local municipalities

WHEREAS under paragraph 8.2 of section 262 of the Act respecting municipal taxation (R.S.Q., c. F-2.1), the Government may by regulation impose any conditions or restrictions of the exercise of any tariffing power provided for in sections 244.1 to 244.9 of the Act respecting municipal taxation;

WHEREAS the Government made the Regulation respecting the conditions or restrictions applicable to the exercise of the tariffing powers of local municipalities;

WHEREAS it is expedient to amend that Regulation;

WHEREAS in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), a Draft Regulation to amend the Regulation respecting the conditions or restrictions applicable to the exercise of the tariffing powers of local municipalities was published in the *Gazette officielle du Québec* of 17 September 1997 on page 4611 with a notice that it could be made by the Government upon the expiry of 45 days following that publication and that any interested person could send their comments in writing to the Minister of Municipal Affairs before the expiry of the 45-day period;

WHEREAS no comments on the Draft Regulation were received before the expiry of the 45-day period;

WHEREAS it is expedient to make the Regulation without amendment;

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

THAT the Regulation to amend the Regulation respecting the conditions or restrictions applicable to the exercise of the tariffing powers of local municipalities, attached to this Order in Council, be made.

*Clerk of the Conseil exécutif,*  
MICHEL CARPENTIER

**Regulation to amend the Regulation respecting the conditions or restrictions applicable to the exercise of the tariffing powers of local municipalities**

An Act respecting municipal taxation  
(R.S.Q., c. F-2.1, s. 262, par. 8.2)

**1.** The Regulation respecting the conditions or restrictions applicable to the exercise of the tariffing powers of local municipalities, made by Order in Council 1201-89 dated 26 July 1989 and amended by the Regulation made by Order in Council 1091-92 dated 22 July 1992, is further amended in the title by striking out the word “local”.

**2.** Section 1 is amended

(1) by striking out the word “local” wherever it appears; and

(2) by striking out the words “a regional county municipality.”

**3.** The words “served by the fire protection service of the municipality and does not otherwise contribute to the financing of that service” are substituted for the words “of and is not a ratepayer of the local municipality” in the second paragraph of section 2.

**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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Gouvernement du Québec

**O.C. 1612-97, 10 December 1997**

An Act respecting family benefits  
(1997, c. 57)

**Family benefits**  
— **Amendments**

Regulation to amend the Regulation respecting family benefits

WHEREAS under subparagraph 2 of the first paragraph of section 8 of the Act respecting family benefits (1997, c. 57), the Government shall determine, by regulation, the method for determining the income used to calculate the family allowance;

WHEREAS under subparagraph 4 of the first paragraph of that section, the Government may, by regulation, fix the amount below which the Régie des rentes du Québec is not required to pay the family allowance;

WHEREAS under section 77 of that Act, the Government may, by a regulation made before 1 September 1998, make any other transitional provision needed to provide for the application of the Act, in addition to the transitional provisions set out in the Act, and such regulation may, if it so provides, apply from any date not prior to 1 August 1997;

WHEREAS under section 12 of the Regulations Act (R.S.Q., c. R-18.1), a regulation may be made notwithstanding the publication requirement of section 8 of that Act where the authority making it is of the opinion that the urgency of the situation requires it;

WHEREAS under section 18 of that Act, a regulation may come into force on the date of its publication in the *Gazette officielle du Québec* where the authority making it is of the opinion that the urgency of the situation requires it;

WHEREAS under sections 13 and 18 of that Act, the reason justifying the absence of prior publication and such coming into force shall be published with the regulation;

WHEREAS the Government is of the opinion that the urgency due to the following circumstances justifies the absence of prior publication and such coming into force:

— the Regulation respecting family allowances, made by Order in Council 1018-97 dated 13 August 1997 provides that the amount of the family allowance depends on the net income;

— until 1998, according to the fiscal legislation of Québec, income security benefits included in that income will continue to be so included even if they were reimbursed; that situation results in a reduction in the amount of the family allowance;

— to rectify the situation as soon as possible, it is expedient to make by regulation a transitional provision, for 1996 and 1997, so as to exclude from the net income income security benefits that were included but were reimbursed;

IT IS ORDERED, therefore, on the recommendation of the Minister of Child and Family Welfare:

THAT the Regulation to amend the Regulation respecting family allowances, attached to this Order in Council, be made.

MICHEL CARPENTIER,  
*Clerk of the Conseil exécutif*

## Regulation to amend the Regulation respecting family allowances (\*)

An Act respecting family benefits  
(1997, c. 57, s. 8, 1st par., subpars. 2 and 4 and s. 77)

**1.** Section 16 of the Regulation respecting family allowances is amended

(1) by substituting “\$10” for “\$1” in the second paragraph;

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

“Where the allowance is no longer due, an amount less than \$2 shall not be paid. Notwithstanding the foregoing, that amount shall be paid later when, added to the amount of another allowance paid under this Regulation, it reaches the minimum of \$10 prescribed in the second paragraph or the minimum of \$2 prescribed in this paragraph.”.

**2.** The following is inserted after section 20:

“**20.1.** For 1996 and 1997, any amount reimbursed during the year under section 35 of the Act respecting income security (R.S.Q., c. S-3.1.1) shall be subtracted from the income referred to in the second paragraph of section 7. If the result of that subtraction is less than zero, the income is deemed to be zero.

This section has effect from 1 August 1997.”.

**3.** This Regulation comes into force on the date of its publication in the *Gazette officielle du Québec*.

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\* The Regulation respecting family benefits was made by Order in Council 1018-97 dated 13 August 1997.