

## Regulations and other acts

Gouvernement du Québec

### O.C. 82-98, 28 January 1998

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

#### Compensations in lieu of taxes — Amendments

Regulation to amend the Regulation respecting compensations in lieu of taxes

WHEREAS under paragraph 2 of section 262 of the Act respecting municipal taxation (R.S.Q., c. F-2.1), amended by section 2 of Chapter 41 of the Statutes of 1996, by section 58 of Chapter 67 of the Statutes of 1996 and by section 292 of Chapter 43 of the Statutes of 1997, the Government may by regulation:

(a) increase the percentage provided in the second, third or fourth paragraph of section 255;

(b) list the types of immovables or of places of business comprised in a category contemplated in section 255, or excluded therefrom;

(c) prescribe the rules for computing the aggregate taxation rate of a local municipality, for the purposes of section 255, which may differ from those contemplated in section 234;

(d) designate the person who pays the amount contemplated in section 210, 254 or 257 and prescribe the other terms and conditions of that payment; designate different persons or prescribe different terms and conditions according to such classes of immovables or places of business as it may determine;

(e) prescribe rules of payment or refunding applicable to the amount contemplated in section 210, 254 or 257 in the case of changes made to the roll;

(f) prescribe the payment and mode of computation of interest in cases of late payment of the amount referred to in section 210, 254 or 257, including the payment or refund contemplated in subparagraph e, or in cases where a demand of the Administrative Tribunal of Québec or a court judgment gives rise to a payment or a refund contemplated in the said subparagraph;

(g) prescribe the time limit within which the demand for payment contemplated in section 210, 254.1 or 257 must be made;

WHEREAS the Government made the Regulation respecting compensations in lieu of taxes;

WHEREAS it is expedient to amend the Regulation;

WHEREAS in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), the draft Regulation to amend the Regulation respecting compensations in lieu of taxes was published in the *Gazette officielle du Québec* of 29 October 1997 on pages 5247 and 5248 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 his comments in writing to the Minister of Municipal Affairs before the expiry of that period;

WHEREAS no comments were received on that draft Regulation before the expiry of that period;

WHEREAS it is expedient to make the Regulation without any amendment;

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

THAT the Regulation to amend the Regulation respecting compensations in lieu of taxes, attached to this Order in Council, be made.

MICHEL CARPENTIER,  
*Clerk of the Conseil exécutif*

### Regulation to amend the Regulation respecting compensations in lieu of taxes<sup>(\*)</sup>

An Act respecting municipal taxation  
(R.S.Q., c. F-2.1, s. 262, par. 2; 1996, c. 41, s. 2; 1996, c. 67, s. 58; 1997, c. 43, s. 292)

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.

\* 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).

**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 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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Gouvernement du Québec

**O.C. 140-98**, 4 February 1998

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

**Régie de l'énergie**  
— **Procedure**

Regulation respecting the procedure of the Régie de l'énergie

WHEREAS under section 113 of the Act respecting the Régie de l'énergie (1996, c. 61), the Régie de l'énergie may adopt rules of procedure applicable to the examination of applications or to public hearings;

WHEREAS under section 115 of the Act, the rules of procedure made by the Régie must be submitted to the Government for approval;

WHEREAS under sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), a draft Regulation respecting the procedure of the Régie de l'énergie was published in Part 2 of the *Gazette officielle du Québec* of 29 October 1997 with a notice that it could be approved by the Government upon the expiry of 45 days following that publication;

WHEREAS under section 18 of that Act, a regulation may come into force within a shorter time period than that prescribed in section 17 of that Act where the authority approving it is of the opinion that the urgency of the situation requires it;

WHEREAS under section 18 of that Act, the reason justifying such coming into force shall be published with the regulation;

WHEREAS, in the opinion of the Government, the urgency due to the following circumstances justifies such coming into force of the Regulation respecting the procedure of the Régie de l'énergie:

— as of 11 February 1998, the Régie de l'énergie will have jurisdiction to examine and rule on complaints from consumers of electric power, to determine the amount representing the operating costs borne by a gasoline or diesel fuel retailer and, within six months from that date, will have to give an opinion to the Government on the terms and conditions for establishing and implementing tariffs for the supply of electric power to consumers referred to in section 52 of the Act respecting the Régie de l'énergie;

— the rules of procedure applicable to the examination of applications submitted to the Régie de l'énergie or to a public hearing shall be in force as of 11 February 1998 in order to allow the interested persons to exercise their right;

WHEREAS it is expedient to approve the Regulation with amendments;

IT IS ORDERED, therefore, upon the recommendation of the Minister of State for Natural Resources and Minister of Natural Resources:

THAT the Regulation respecting the procedure of the Régie de l'énergie, attached to this Order in Council, be approved.

MICHEL CARPENTIER,  
*Clerk of the Conseil exécutif*