

Gouvernement du Québec

O.C. 1075-2001, 12 September 2001

An Act respecting registry offices
(R.S.Q., c. B-9; 2000, c. 42)

Publication by registration in the land register

- **Tariff of fees**
- **Former registers of registry offices**
- **Application of certain transitional provisions**
- **Amendments**

Regulation to amend the Tariff of fees respecting publication by registration in the land register and the application of certain transitional provisions relating to the former registers of registry offices

WHEREAS, under section 8 of the Act respecting registry offices (R.S.Q., c. B-9), as amended by section 116 of the Act to amend the Civil Code and other legislative provisions relating to land registration (2000, c. 42), the Government may, by order, make tariffs of fees to be collected by registrars for the various services performed by them;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), a draft Regulation was published in Part 2 of the *Gazette officielle du Québec* of 4 July 2001 with a notice that it could be made by the Government upon the expiry of 45 days following that publication;

WHEREAS, following that publication, comments were made;

WHEREAS it is expedient to make the Regulation with amendments;

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

THAT the Regulation to amend the Tariff of fees respecting publication by registration in the land register and the application of certain transitional provisions relating to the former registers of registry offices, attached to this Order in Council, be made.

JEAN ST-GELAIS,
Clerk of the Conseil exécutif

Regulation to amend the Tariff of fees respecting publication by registration in the land register and the application of certain transitional provisions relating to the former registers of registry offices*

An Act respecting registry offices
(R.S.Q., c. B-9, s. 8; 2000, c. 42, s. 116)

1. The Tariff of fees respecting publication by registration in the land register and the application of certain transitional provisions relating to the former registers of registry offices is amended by substituting the following for section 1:

“1. This Tariff applies to any registration division until the date fixed in the notice of the Minister of Natural Resources, in accordance with section 237 of the Act to amend the Civil Code and other legislative provisions relating to land registration (2000, c. 42), stating that the registry office established therein is fully computerized for land registration purposes.”.

2. The following is substituted for section 2:

“2. The fee for the registration of an application for the registration of a right is \$40.”.

3. The following is substituted for section 3:

“3. Notwithstanding section 2, the fee for the registration of an application for registration of rights presented in the form of a summary is \$40 per summarized document.”.

4. The following is substituted for section 4:

“4. The fee for the registration of an application for the cancellation or reduction of a registration is \$50, including the cancellation or reduction of rights provided for in a first application for registration covered by the application for cancellation or reduction, plus \$30 for each additional application for registration.”.

5. Section 5 is amended by substituting “\$40” and “\$7” for “\$20” and “\$5”.

6. The following is inserted after section 5:

* The Tariff of fees respecting publication by registration in the land register and the application of certain transitional provisions relating to the former registers of registry offices, made by Order in Council 1597-93 dated 17 November 1993 (1993, *G.O.* 2, 6257), has not been amended since it was made.

5.1. The fee for the registration of an application for registration of an address, by a notice or by a reference to a notice already published, of the renewal of the registration of an address or the omitted reference to a notice of address is \$30.

Notwithstanding the foregoing, the fee is not payable for the registration of the change in a reference to a notice of address.”.

7. Section 6 is amended

(1) by substituting the following for the part preceding paragraph 1:

“Notwithstanding sections 2, 3, 4 and 5.1, no fee is payable for the registration of”;

(2) by substituting the following for paragraph 1:

“(1) a change in the address or name of the persons referred to in article 3022 of the Civil Code or a cancellation or reduction of the registration of a notice of address;” and

(3) by adding the following after paragraph 11:

“(12) the abandonment or revocation of a real right of State resource development that is not exempt from registration.”.

8. The following is substituted for section 7:

“7. The fee for the statements certified by the registrar provided for in article 3019 of the Civil Code and in article 704 of the Code of Civil Procedure is \$10 for the certified statement and \$10 for each copy of application for registration, including the accompanying document where the application is in the form of a summary, making up the statement.”.

9. Section 8 is revoked.

10. The following is inserted after section 8:

“8.1. The fee for affixing an additional registration certificate is \$10.”.

11. Section 10 is revoked.

12. Section 11 is amended by inserting the following sentence between the first and second sentence:

“The fee for each copy of the plan is \$5 per lot subject to the application.”.

13. The following is substituted for section 12:

“12. The fee for copies of applications, including the accompanying documents where they are in the form of a summary, forwarded for the purposes of transfers of immovables or the updating of the municipal assessment rolls, is \$3 per copy, regardless of the means used to issue such copies.”.

14. Section 13 is revoked.

15. Section 14 is amended by striking out the words “serving provisionally as the land register”.

16. Section 16 is amended by striking out the words “that serve provisionally as the land register” in paragraph 1.

17. The following paragraph is inserted after section 17:

“17.1. The fee prescribed in this Tariff shall be indexed on 1 April of each year from 1 April 2003 on the basis of the cumulative rate of increase in the general Consumer Price Index for Canada for the period beginning on 31 December 2001 and ending on 31 December of the year preceding the indexing, as determined by Statistics Canada. The fee indexed in the prescribed manner shall be reduced to the nearest dollar where it contains a fraction of a dollar less than \$0.50. It shall be increased to the nearest dollar where it contains a fraction of a dollar equal to or greater than \$0.50.”.

18. This Regulation comes into force on the date fixed in the notice by the Minister of Natural Resources, in accordance with section 237 of the Act to amend the Civil Code and other legislative provisions relating to land registration (2000, c. 42), stating that a first registry office is fully computerized for land registration purposes, except for sections 2 to 6, the first and second paragraphs of section 7 and sections 8, 11 and 12 which will come into force on 1 January 2002.