

Draft Regulations

Draft Regulation

Police Act
(chapter P-13.1)

Sûreté du Québec — Amounts payable by municipalities for the services provided — Amendment

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), that the Regulation to amend the Regulation respecting the amounts payable by municipalities for the services provided by the Sûreté du Québec, appearing below, may be made by the Government on the expiry of 45 days following this publication.

The draft Regulation reviews the calculation methods for determining the amount of the sum payable to the Government by a municipality for the police services provided by the Sûreté du Québec pursuant to section 77 or 82 of the Police Act (chapter P-13.1) to enable the municipalities concerned to forecast the amount of the sum payable that will be billed to them.

In that context, it eliminates the notion of estimated contribution and the annual review provided for in the current Regulation and it adapts accordingly the calculation of the amount of the refund to regional county municipalities.

Lastly, it provides certain consequential amendments and transitional provisions.

The measures proposed by the draft Regulation have no impact on enterprises, including small and medium-sized businesses.

Further information may be obtained by contacting Jean-Sébastien Dion, director of police organization, Direction générale des affaires policières, Ministère de la Sécurité publique, tour du St-Laurent, 9^e étage, 2525, boulevard Laurier, Québec (Québec) G1V 2L2; email: jean-sebastien.dion@misp.gouv.qc.ca; telephone: 418 646-6777, extension 60112.

Any person wishing to comment on the draft Regulation is requested to submit written comments within the 45-day period to Véronyck Fontaine, Secretary General, Ministère de la Sécurité publique, tour des Laurentides,

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GENEVIÈVE GUILBAULT,
Minister of Public Security

Regulation to amend the Regulation respecting the amounts payable by municipalities for the services provided by the Sûreté du Québec

Police Act
(chapter P-13.1, s. 77)

1. The Regulation respecting the amounts payable by municipalities for the services provided by the Sûreté du Québec (chapter P-13.1, r. 7) is amended in the heading of Division 1 by replacing “CONTRIBUTION” by “AMOUNT”.

2. The heading of subdivision 1 is amended by replacing “method” by “methods”.

3. Section 1 is replaced by the following:

“**1.** This Division sets out the calculation methods for determining the amount payable to the Government by a municipality, pursuant to section 77 of the Police Act (chapter P-13.1), for police services provided by the Sûreté du Québec.”

4. Section 1.1 is replaced by the following:

“**1.1.** The amount payable by a municipality for the police services provided by the Sûreté du Québec that are covered by the Regulation respecting the police services that municipal police forces and the Sûreté du Québec must provide according to their level of jurisdiction (chapter P-13.1, r. 6), excluding the supplementary services referred to in section 19, for a municipal fiscal year, is obtained using the following formula:

$$A \times [B \times D \times ((E \times T \times F) / G)]$$

$$A = 50\%;$$

B = the amount established as letter B for the preceding year adjusted according to the rate established by the letter C;

C = the variation between the consumer price index for the second year preceding the fiscal year concerned and that of the year preceding that fiscal year, as established for the whole of Québec by Statistics Canada for April of that year, to which is added a progressivity stabilization coefficient of 0.01;

D = the number of police officers of the Sûreté du Québec assigned by agreement to local or regional municipalities as at 1 January of the municipal fiscal year concerned;

E = the average of the municipality's standardized property value established pursuant to section 2;

F = 1 or, where the municipality receives police services for only part of the fiscal year, the number of days during which it receives those services over the number of days in the fiscal year;

G = the sum of the products obtained by multiplying the letter E by the letter T for each municipality receiving police services from Sûreté du Québec;

T = the rate established pursuant to sections 4 and 5.”

5. Section 1.2 is amended

(1) by replacing, in the first paragraph,

(a) “The contribution of a” by “The amount payable, established pursuant to section 1.1, by a”;

(b) “by an amount calculated using the following formula” by “by an amount obtained using the following formula”;

(c) by replacing “the amount of the contribution of” in letter B by “the amount payable by”;

(2) by replacing “the contribution of the municipality is not increased” in the last paragraph by “the amount payable by the municipality pursuant to section 1.1 is not increased”.

6. Section 1.3 is replaced by the following:

“1.3. The amount payable by a municipality, established pursuant to section 1.1, is increased by 4% for the fiscal year following that during which the population of the municipality reaches or exceeds 50,000 inhabitants.

It is then increased, for the consecutive fiscal years that follow, where the population of the municipality is still 50,000 inhabitants or more, by 8% and 12% then, for all the subsequent fiscal years, by 15%.

Where the population of the municipality drops under 50,000 inhabitants during a fiscal year, the amount payable by a municipality for the following fiscal year is that established pursuant to section 1.1, without it being increased.”

7. Section 2 is amended

(1) by replacing the first and second paragraphs by the following:

“The municipality's standardized property value is that established for the second fiscal year preceding the fiscal year concerned in accordance with the regulation made under paragraph 7 of section 262 of the Municipal Taxation Act (chapter F-2.1).

The average of a municipality's standardized property value is calculated from the standardized property value of that municipality for the fiscal year referred to in the first paragraph and for the 5 preceding fiscal years.”;

(2) by replacing “the estimated contribution is payable” in the last paragraph by “the amount is payable”.

8. Section 4 is amended by replacing “for which the contribution is payable” at the end by “prior to the fiscal year concerned”.

9. Section 5 is amended

(1) by replacing subparagraph 1 of the second paragraph by the following:

“(1) the sum of the products obtained by multiplying, for each municipality whose territory has been amalgamated, the standardized property value established for the last fiscal year before the amalgamation came into force, by the rate established pursuant to section 4.”;

(2) by striking out “when that fiscal year precedes the 2002 fiscal year, the Schedule I referred to is that of the Regulation replaced under section 25” in subparagraph 2 of the second paragraph;

(3) by replacing the fourth paragraph by the following:

“For the purposes of the second paragraph, the municipalities concerned are deemed to have received services from the Sûreté du Québec for the entire last fiscal year before the amalgamation came into force.”;

(4) by striking out the last paragraph.

10. Sections 5.1 to 5.3 are revoked.

11. The heading of Division 2 is amended by replacing “CONTRIBUTION” by “AMOUNT PAYABLE”.

12. Section 6 is amended by replacing “contribution” by “amount payable”.

13. Section 7 is amended by replacing “referred to in section 2” at the end of the first paragraph by “for each fiscal year referred to in section 2”.

14. Section 9 is amended

(1) by striking out “of the contribution” at the end of the first paragraph;

(2) by replacing “contribution is payable” at the end of the second paragraph by “amount is payable”.

15. Section 10 is amended by replacing “contribution” by “amount payable”.

16. Section 11 is amended

(1) by replacing “contribution is payable” in the first paragraph, by “amount is payable”;

(2) by replacing “contribution” in the second paragraph by “amount”.

17. Section 13 is amended

(1) by replacing the first paragraph by the following:

“Where, within the time limits prescribed by this Regulation, the municipalities of a regional county municipality paid in full the amount payable established in accordance with section 1.1 for a municipal fiscal year, the regional county municipality is eligible for a refund if the total of the amounts established in accordance with section 1.1 for each municipality of the regional county municipality exceeds 80% of the product obtained by multiplying the number of police officers assigned by agreement to the regional county municipality by the amount established pursuant to the letter B in the formula provided for in section 1.1. The refund paid by the Minister to the eligible regional county municipality represents the difference between the amount established as being 80% of the product and the total of the amounts established in accordance with section 1.1 for each municipality of the regional county municipality.”;

(2) by striking out the second paragraph.

18. Section 16 is amended by replacing “du montant” in the French text by “de la somme”.

19. The heading of Division 4 is replaced by “AMOUNT PAYABLE FOR SUPPLEMENTARY SERVICES”.

20. Section 19 is amended by replacing “The contribution payable for partial services provided by the Sûreté du Québec is calculated using the following formula:” in the first paragraph by “The amount payable by a municipality, pursuant to section 82 of the Police Act (chapter P-13.1), for the supplementary services provided by the Sûreté du Québec, is obtained by using the following formula:”.

21. The heading of Schedule I is amended by striking out “FOR THE STANDARDIZED PROPERTY VALUE”.

TRANSITIONAL

22. To calculate the amount payable by a municipality, pursuant to section 1.1 of the Regulation respecting the amounts payable by municipalities for the services provided by the Sûreté du Québec, as replaced by section 4 of this Regulation,

(1) for the 2020 fiscal year:

(a) the letter A is equal to 49.575%;

(b) the letter B is equal to \$196,070;

(c) the letter C is not applicable;

(d) an amount equal to 46.35% of the difference between the amount paid by the municipality for the 2019 fiscal year and the amount obtained following the application of the first paragraph of section 5.1 and sections 5.2 and 5.3, as they read before their revocation by this Regulation, is added thereto;

(2) for the 2021 fiscal year:

(a) the letter A is equal to 49.575%;

(b) the letter C is equal to 6.774%;

(3) for the 2022, 2023 and 2024 fiscal years:

(a) the letter A is equal to 49.575%;

(b) the letter C is equal to 4.899%.

23. For each of the 2020, 2021, 2022, 2023 and 2024 fiscal years, if the amount payable by the municipality pursuant to the Regulation respecting the amounts payable by municipalities for the services provided by the Sûreté du Québec, as amended by this Regulation, is

(1) equal to or greater than the amount paid by the municipality for the fiscal year preceding the fiscal year concerned, increased by 2%, but equal to or less than the amount paid by the municipality for the fiscal year preceding the fiscal year concerned, increased by 7%, the amount payable by the municipality is equal to the amount obtained pursuant to the Regulation respecting the amounts payable by municipalities for the services provided by the Sûreté du Québec, as amended by this Regulation;

(2) less than the amount paid by the municipality for the fiscal year preceding the fiscal year concerned, increased by 2%, the amount payable by the municipality is equal to the amount paid for the fiscal year preceding the fiscal year concerned, increased by 2%;

(3) greater than the amount paid by the municipality for the fiscal year preceding the fiscal year concerned, increased by 7%, the amount payable by the municipality is equal to the amount paid for the fiscal year preceding the fiscal year concerned, increased by 7%.

24. For the purposes of subparagraph *d* of subparagraph 1 of the first paragraph of section 22 and section 23 of this Regulation, for the 2020 fiscal year, the amount paid by a municipality for the 2019 fiscal year is that established pursuant to the Regulation respecting the amounts payable by municipalities for the services provided by the Sûreté du Québec, as it read before being amended by this Regulation, for that fiscal year, without taking into account any amount granted to that municipality by the Minister of Municipal Affairs and Housing to cover part of the increase of the costs of police service of the municipality by the Sûreté du Québec for the 2019 fiscal year.

25. To calculate the amount payable by a municipality pursuant to section 1.1 of the Regulation respecting the amounts payable by municipalities for the services provided by the Sûreté du Québec, as replaced by section 4 of this Regulation, for the 2025 fiscal year, the value of the letter B, for that fiscal year, is obtained by determining the value of the letter B, for each preceding fiscal year as of 2020, considering that the letter B, for that last fiscal year, is equal to \$203,274.

26. Despite section 1.3 of the Regulation respecting the amounts payable by municipalities for the services provided by the Sûreté du Québec, as replaced by section 6 of this Regulation, the amount payable by a municipality for the 2020 fiscal year, established pursuant to section 1.1 of the Regulation respecting the amounts payable by municipalities for the services provided by the Sûreté du Québec, as replaced by section 4 of this Regulation, is increased by

(1) 15%, if the population of the municipality was 50,000 inhabitants or more during the 2019, 2018, 2017 and 2016 fiscal years;

(2) 12%, if the population of the municipality was 50,000 inhabitants or more during the 2019, 2018 and 2017 fiscal years;

(3) 8%, if the population of the municipality was 50,000 inhabitants or more during the 2019 and 2018 fiscal years.

27. Sections 22 to 26 do not apply to a municipality served by a municipal police force before (*insert the date of coming into force of this Regulation*).

To calculate the amount payable by a municipality referred to in the first paragraph, pursuant to section 1.1 of the Regulation respecting the amounts payable by municipalities for the services provided by the Sûreté du Québec, as replaced by section 4 of this Regulation, for the fiscal year during which it begins receiving the services of the Sûreté du Québec, the value of the letter B, for that fiscal year, is obtained by determining the value of the letter B, for each of the preceding fiscal years as of 2020, taking into consideration that the letter B, for that last fiscal year, is equal to \$203,274.

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