



NATIONAL ASSEMBLY

FIRST SESSION

THIRTY-FOURTH LEGISLATURE

Bill 295
(Private)

An Act respecting Aéroports de Montréal

Introduction

Introduced by
Mr Jacques Chagnon
Member for Saint-Louis

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(Private)

An Act respecting Aéroports de Montréal

WHEREAS it is necessary to exempt Aéroports de Montréal from the application of certain legislative provisions, or to modify the scope of such provisions with respect to the said legal person;

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

1. In this Act, unless the context indicates otherwise,

“Aéroports de Montréal” means the corporation incorporated under that name on 21 November 1989 under Part II of the Canada Corporations Act (R.S.C., 1970, chapter C-32) as well as every legal person 90 % or more of the capital stock of which is owned by Aéroports de Montréal and every legal person without share capital which is entirely controlled by the latter, provided that such legal person carries on activities pertaining to the objects of Aéroports de Montréal concerning the operation of airports;

“lease” means a lease to be concluded in accordance with the agreement entered into on (*insert here the date of the signing*) 1991 between the Crown in Chief of Canada and Aéroports de Montréal, including any amendment to such a lease as well as any other lease related to the airport of Saint-Hubert or to any other immovable which may be operated by Aéroports de Montréal within the scope of its objects concerning the operation of airports;

“immovables” means an immovable in respect of which the Crown in Chief of Canada makes grants in lieu of taxes to municipalities in accordance with the general policy applicable to immovables belonging to the Crown.

2. For the purposes of the Act respecting municipal taxation (R.S.Q., chapter F-2.1) and the Education Act (R.S.Q., chapter I-13.3), Aéroports de Montréal is neither lessee, nor occupant, nor owner of an immovable contemplated by this Act.

3. No business tax may be imposed pursuant to Division III of Chapter XVIII of the Act respecting municipal taxation in respect of an activity carried on by Aéroports de Montréal and Aéroports de Montréal is not subject to any tariff under Division III.1 of Chapter XVIII of the said Act, except the tariff payable as consideration for the use of a municipal service.

Such consideration and the terms and conditions of its payment may, however, be established by agreement with the interested municipality.

4. Nothing in this Act shall be construed as exempting any person other than Aéroports de Montréal from the application of section 208, of Division III or Division III.1 of Chapter XVIII of the Act respecting municipal taxation, or of the provisions of the Education Act.

5. The Act to authorize municipalities to collect duties on transfers of immoveables (R.S.Q., chapter M-39) does not apply to a lease concluded pursuant to this Act.

6. Subparagraph 8 of the second paragraph of section 115 of the Act respecting land use planning and development (R.S.Q., chapter A-19.1) does not apply in respect of a cadastral operation within the meaning of the said Act when such an operation relates to an immovable contemplated by this Act.

7. The rights of Aéroports de Montréal resulting from a property lease concluded by the latter in its capacity as lessee of an immovable contemplated by this Act shall be held to be immovable real rights for the purposes of the Act respecting insurance (R.S.Q., chapter A-32), the Act respecting trust companies and savings companies (R.S.Q., chapter S-29.01) and the Act respecting the Caisse de dépôt et placement du Québec (R.S.Q., chapter C-2).

For the purposes of the aforementioned Acts, a pledge or other form of assignment by way of security of a right referred to in this section shall be held to be a hypothec.

8. This Act comes into force on the date or dates fixed by the Government.