



CHAPTER 63

An Act to amend the Quebec Municipal Commission Act

[Assented to, the 12th of April, 1938]

HIS MAJESTY, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows:

1. Section 38 of the Quebec Municipal Commission Act R.S., c. 111A, s. 38, am. (Revised Statutes 1925, chapter 111A), as enacted by the act 22 George V, chapter 56, section 1, and as amended by the acts 23 George V, chapter 50, section 4, and 24 George V, chapter 35, section 2, is again amended by adding thereto the following paragraph:

“Nevertheless, the provisions of this section shall not Application restricted. apply to the notice which must be given under subsections 1 and 2 of section 622 of the Cities and Towns’ Act (Chap. 102), nor to the notice mentioned in the fifth paragraph of article 453 of the Municipal Code.”

2. Section 44 of the said act, as amended by the acts R.S., c. 111A, s. 44, am. 23 George V, chapter 50, section 6, and 24 George V, chapter 35, section 4, is again amended:

a. By replacing sub-paragraph *b* thereof by the following:

“*b.* Ratify and confirm any plan of financial reorganization submitted by such municipality and interesting its Ratifying, etc., of certain reorganiza- tion plan. creditors as a whole or any category of its creditors. The ratification and confirmation of such plan shall be legally binding on the parties, unless creditors interested in the said plan who are holders of claims representing at least thirty-three and one-third per cent of the total debt affected by such plan object thereto in the manner provided

by a rule of practice established in virtue of section 48. If the plan of reorganization, by the nature thereof, requires an issue of bonds, the provisions of law governing the municipality with respect to loans shall apply but without it being necessary to have recourse to the approval of the elector-proprietors.”;

b. By adding thereto, after sub-paragraph *c* thereof, the following paragraphs:

Provisions of such plan.

“Any financial reorganization plan as contemplated in sub-paragraph *b* may decree that, for a fixed period, certain provisions of this act shall continue to apply to such municipality, notwithstanding the fact that the Commission may have given a decision to the effect that there is no more occasion to consider the said municipality in default.

Additional provisions of such plan.

Such plan may, furthermore, decree that, for a fixed period, the revenues from taxes, licenses, waterworks or electricity services or paid by one or more industrial or commercial establishments must be employed, wholly or partly, exclusively for particular purposes specified in the plan.”

R.S., c. 111A, s. 46, am.

3. Section 46s of the said act, as enacted by the act 23 George V, chapter 50, section 7, is amended:

a. By adding thereto, after the word: “except”, in the third line of the first paragraph thereof, the words: “, subject to the last paragraph of this section,”;

b. By adding thereto, after the second paragraph thereof, the following paragraph:

Effect of adjudication.

“The adjudication of an immoveable to any municipal corporation, having an interest by reason of a privilege on the said immoveable, purges the latter from all constituted ground rents, rents contemplated under an emphyteutic lease and rents replacing seigniorial rights, counting from the date of the adjudication and as long as the immoveable remains the property of the said municipal corporation. Such rents shall again be an encumbrance upon the immoveable, but for the future only, counting from the date on which the immoveable ceases to be the property of the municipal corporation.”

Coming into force.

4. This act shall come into force on the day of its sanction.