

NATIONAL ASSEMBLY
Thirty-fourth Legislature, first session

1991, chapter 106
AN ACT RESPECTING AÉROPORTS DE MONTRÉAL

Bill 295

Introduced by Mr Jacques Chagnon, Member for Saint-Louis

Introduced 14 November 1991

Passage in principle 4 December 1991

Passage 4 December 1991

Assented to 5 December 1991

Coming into force: on the date or dates fixed by the Government

Act amended: None



CHAPTER 106

An Act respecting Aéroports de Montréal

[Assented to 5 December 1991]

Preamble 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:

Interpreta-
tion

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

“Aéroports
de Mont-
réal”

“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);

“lease”

“lease” means a lease between the Crown in right of Canada and Aéroports de Montréal in respect of Montréal International Airport (Dorval), Montréal International Airport (Mirabel), the airport of Saint-Hubert or any other immovable property operated by Aéroports de Montréal within the scope of its airport-related objects;

“immov-
ables”

“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.

Interpreta-
tion

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.

Restriction

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.

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

Interpretation **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.

Inapplicability of c. M-39 **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.

Inapplicability of c. A-19.1, s. 115 **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.

Presumption **7.** For the purposes of sections 2, 3 and 4 of this Act, a person who, by virtue of a contract or by sole operation of law, exercises, in the name of Aéroports de Montréal, to obtain payment of a debt owed by the latter, a right arising from a lease referred to in this Act, is deemed to be Aéroports de Montréal.

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