

PROVINCE OF BRITISH COLUMBIA  
ORDER OF THE LIEUTENANT GOVERNOR IN COUNCIL

Order in Council No. 843, Approved and Ordered NOV 29 2005

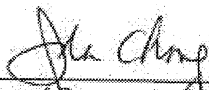


Lieutenant Governor  
Administrator

Executive Council Chambers, Victoria

On the recommendation of the undersigned, the <sup>Administrator</sup> ~~Lieutenant Governor~~, by and with the advice and consent of the Executive Council, orders that

- (a) the Skeena Debt Relief Regulation, B.C. Reg. 343/2004 is repealed, and
- (b) the attached Skeena Municipal Tax Relief Regulation is made.



Minister of Community Services and  
Minister Responsible for Seniors' and Womens' Issues



Presiding Member of the Executive Council

*(This part is for administrative purposes only and is not part of the Order.)*

Authority under which Order is made:

Act and section:- Community Charter, S.B.C. 2003, c. 26, s. 281

Other (specify):- oic 769/2004

November 16, 2005

1026/2005/14

# SKEENA MUNICIPAL TAX RELIEF REGULATION

## Definitions

1 In this regulation:

“**affected municipality**” means any of the following:

- (a) the City of Prince Rupert;
- (b) the City of Terrace;
- (c) the District of Port Edward;
- (d) the District of New Hazelton;

“**bankruptcy proceeding**” means any of the following actions commenced in the Vancouver registry of the Supreme Court respecting the bankruptcy or receivership of a Skeena company:

- (a) L033220;
- (b) B041499;
- (c) B041500;
- (d) B041498;
- (e) B041501;

“**Skeena company**” means any of the following:

- (a) New Skeena Forest Products Inc.;
- (b) Orenda Forest Products Ltd.;
- (c) Orenda Logging Ltd.;
- (d) 9753 Acquisition Corp.;

“**municipal tax**” means

- (a) taxes in arrear under section 245 of the *Community Charter*,
  - (b) delinquent taxes under section 246 of the *Community Charter*, and
  - (c) taxes that if uncollected will become taxes in arrear on December 31, 2005, and penalties and interest on those taxes,
- but does not include school tax;

“**sale**” means a sale approved by the court in a bankruptcy proceeding;

“**school tax**” means taxes levied by the Province under section 119 of the *School Act* and interest and penalties on those taxes.

## Forgiveness of taxes

- 2 (1) An affected municipality, by resolution, may provide assistance to a purchaser of land or improvements that are or were assets of a Skeena Company in a bankruptcy proceeding by irrevocably forgiving all or part of the municipal tax that
- (a) was imposed on the land or improvements, and
  - (b) remains, or will remain, unpaid after
    - (i) the completion of the sale of the land or improvements to the purchaser, and

- (ii) the full administration of the estate and the discharge of the trustee and the receiver in each bankruptcy proceeding.
- (2) If an affected municipality exercises the power under subsection (1),
  - (a) section 251 of the *Community Charter* does not apply in relation to the tax forgiven, and
  - (b) the municipality must not exercise the powers of collection and recovery established by the *Community Charter* or the *Local Government Act* in relation to the forgiven amount.