

PROVINCE OF BRITISH COLUMBIA

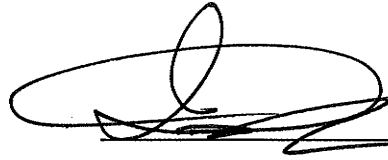
ORDER OF THE LIEUTENANT GOVERNOR IN COUNCIL

Order in Council No.

917

, Approved and Ordered

DEC 6 - 2006



Lieutenant Governor

Executive Council Chambers, Victoria

On the recommendation of the undersigned, the Lieutenant Governor, by and with the advice and consent of the Executive Council, orders that the attached Skeena Municipal Tax Relief Regulation, 2006, is made.



Minister of Community Services and Minister  
Responsible for Seniors' and Women's 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):- \_\_\_\_\_

October 27, 2006

## SKEENA MUNICIPAL TAX RELIEF REGULATION, 2006

### Definitions

1 In this regulation:

“**affected municipality**” means

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

“**bankruptcy proceeding**” means either of the following actions commenced in the Vancouver registry of the Supreme Court respecting the bankruptcy or receivership of New Skeena Forest Products Inc.:

- (a) L033220;
- (b) B041499;

“**municipal tax**”, in relation to land or improvements, means the proportion of taxes, other than school tax, imposed on the land or improvements that, if uncollected, will become taxes in arrear under section 245 of the *Community Charter* on December 31, 2006, and penalties and interest on that proportion, which proportion must be calculated using the following formula:

$$T \times 166 \div 365$$

where T = the amount of taxes, other than school tax, imposed on the land or improvements for the 2006 taxation year that, if uncollected, will become taxes in arrear under section 245 of the *Community Charter* on December 31, 2006;

“**school tax**” means taxes levied by the Province under section 119 of the *School Act* for the 2006 taxation year and interest and penalties on those taxes.

### Forgiveness of municipal tax

- 2 (1) An affected municipality, by resolution, may provide assistance to Sun Wave Forest Products Ltd. by irrevocably forgiving all or part of the municipal tax
- (a) imposed on land or improvements purchased by Sun Wave Forest Products Ltd. with the approval of the court in a bankruptcy proceeding, and
  - (b) that remains, or will remain, unpaid after 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.