

ONTARIO REGULATION

made under the

ELECTRICITY ACT, 1998

Amending O. Reg. 162/01

(PAYMENTS IN LIEU OF CORPORATE TAXES - MUNICIPAL ELECTRICITY UTILITIES)

1. (1) Subsection 1.1 (1) of Ontario Regulation 162/01 is amended by striking out “sections 8.2 and 11.1” and substituting “sections 8.2, 11.1 and 11.2”.

(2) Subsection 1.1 (2) of the Regulation is amended by striking out “sections 8.2 and 11.1” in the portion before clause (a) and substituting “sections 8.2, 11.1 and 11.2”.

2. (1) Subsection 11.1 (1) of the Regulation is amended by adding “and before April 23, 2015” at the end.

(2) Subsection 11.1 (2) of the Regulation is amended by striking out “after December 31, 2007” and substituting “after December 31, 2007 and before April 23, 2015” in the portion before clause (a).

3. The Regulation is amended by adding the following section:

11.2 For the purposes of determining the amount of a payment required by section 93 of the Act in respect of a transaction or event that occurs after April 22, 2015, section 100 of the Federal Act, other than subsections (1.1), (1.2) and (1.3), applies with the following modification:

1. The references in subsections 100 (1) and (1.4) of the Federal Act to a person or partnership described in any of paragraphs 100 (1.1) (a) to (d) of that Act shall be read as references to a person or partnership that is not an eligible corporation or eligible partnership under section 1.1 of this Regulation.

4. (1) Subsection 12 (1) of the Regulation is amended by striking out “(2) applies” in the portion before clause (a) and substituting “(2) and (3) apply”.

(2) Section 12 of the Regulation is amended by adding the following subsection:

(3) For the period after December 31, 2015 and before January 1, 2019, and despite the application of paragraph 38 (a) of the Federal Act, as it applies for the purposes of determining

the amount of a payment required by section 93 of the Act, a municipal electricity utility's taxable capital gain for a taxation year from a deemed disposition of a property under paragraph 149 (10) (b) of the Federal Act, as it applies for the purposes of subsection (2), is deemed to be zero.

Commencement

5. This Regulation is deemed to have come into force on April 23, 2015.

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