

1975 Bill 30
(Second Session)

First Session, 18th Legislature, 24 Elizabeth II

THE LEGISLATIVE ASSEMBLY OF ALBERTA

BILL 30

**THE UTILITY COMPANIES INCOME TAX REBATES
AMENDMENT ACT, 1975**

THE PROVINCIAL TREASURER

First Reading

Second Reading

Third Reading

BILL 30

1975

(Second Session)

THE UTILITY COMPANIES INCOME TAX REBATES AMENDMENT ACT, 1975

(Assented to _____, 1975)

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of Alberta, enacts as follows:

1. *The Utility Companies Income Tax Rebates Act is hereby amended.*

2. *Section 2 is amended*

(a) *by striking out clause (a) and by substituting the following clause:*

(a) "federal tax rebate" means moneys paid to the Government of Canada by utility companies as income tax or estimated income tax payable under the *Income Tax Act* (Canada) for the 1966 or any subsequent taxation year and transferred to the Government of Alberta pursuant to the *Public Utilities Income Tax Transfer Act* (Canada) as amended from time to time;

(b) *as to clause (b) by adding after the words "income tax" the words "or estimated income tax",*

(c) *as to clause (c), subclause (i) by striking out the words "or gas" and by substituting the words " , gas or steam".*

3. *Section 3 is struck out and the following section is substituted:*

3.(1) Subject to the regulations, the Provincial Treasurer may make payments to utility companies, for the benefit of the persons who are from time to time its customers in Alberta, of moneys not exceeding in the aggregate the total of

(a) moneys received or estimated to be receivable by the Province by way of federal tax rebate, and

(b) moneys received or estimated to be receivable by the Province as provincial income tax.

1. This Bill will amend chapter 380 of the Revised Statutes of Alberta 1970.

2. Section 2 presently reads:

2. In this Act,

- (a) "federal tax rebate" means moneys paid to the Government of Canada by utility companies as income tax under the Income Tax Act (Canada) for the 1966 or any subsequent taxation year and transferred to the Government of Alberta pursuant to an Act of the Parliament of Canada;
- (b) "provincial income tax" means moneys paid by utility companies as income tax under The Alberta Income Tax Act for the 1966 or any subsequent taxation year;
- (c) "utility company" means a corporation that
 - (i) carries on business in the Province as a distributor and seller of electrical energy or gas, and
 - (ii) is designated under the regulations as a utility company for the purposes of this Act.

3. Section 3 presently reads:

3. Subject to the regulations, the Provincial Treasurer may make payments to utility companies, for the benefit of the persons who are from time to time its customers in Alberta, of the whole or part of

- (a) moneys received by the Province by way of federal tax rebates, and
- (b) moneys received by the Province as provincial income taxes.

(2) Where the Provincial Treasurer makes any payment under subsection (1) to a utility company before the Province receives the federal tax rebate and the provincial income tax, or either, in respect of that utility company, he may deduct interest charges in accordance with subsection (3) from any payment to that utility company under subsection (1).

(3) Interest charges on moneys paid to utility companies under subsection (1) before the Province receives the federal tax rebate and the provincial income tax, or either, in respect of that utility company, shall be equal to the interest that would be earned by the Province if the Province were to invest an amount equal to those monies paid

- (a) at the regular prime lending rate of the Province of Alberta Treasury Branches then in effect, and
- (b) for a period commencing with the payment of the monies and terminating with the actual or estimated receipt by the Province of the federal tax rebate and the provincial income tax, or either in respect of that utility company.

4. Section 4 is amended by adding the following clause after clause (d):

- (d1) designating which portions of provincial income tax may be paid by the Provincial Treasurer under section 3, subsection (1), clause (b),

5. This Act comes into force on the day upon which it is assented to.

4. Section 4 empowers the Lieutenant Governor in Council to make regulations.