

Table of Contents

1	Citation
2	Definitions <ul style="list-style-type: none"> Act — Loi adjusted rate — taux rajusté Minister — ministre real property — bien réel residential property — bien résidentiel restructured local government — gouvernement local restructuré
3	Calculation of the tax rate differential
4	Elimination of the tax rate differential
5	Expiry of Regulation

Under section 11.1 of the *An Act Respecting Local Governance Reform*, chapter 44 of the Acts of New Brunswick, 2021, the Lieutenant-Governor in Council makes the following Regulation:

Citation

1 This Regulation may be cited as the *Tax Rate Differential Regulation – Local Governance Act*.

Definitions

2 The following definitions apply in this Regulation.

“Act” means *An Act Respecting Local Governance Reform*, chapter 44 of the Acts of New Brunswick, 2021. (*Loi*)

“adjusted rate” means the adjusted rate fixed by the Minister for the year 2023 under paragraph 11(2)(f) of the Act for a portion of a restructured local government. (*taux rajusté*)

“Minister” means the Minister of Local Government and Local Governance Reform and includes any person designated by the Minister to act on the Minister’s behalf. (*ministre*)

“real property” means real property as defined in the *Real Property Tax Act*. (*bien réel*)

“residential property” means residential property as defined in the *Real Property Tax Act*. (*bien résidentiel*)

“restructured local government” means a restructured local government as defined in section 8 of the Act. (*gouvernement local restructuré*)

Calculation of the tax rate differential

3 For the purposes of this regulation, for real property that is residential property, the rate differential between portions of a restructured local government shall be established according to the following formula:

$$(A - B) - (C - D)$$

where

A is the adjusted rate for residential property in a portion of the restructured local government with the highest residential property tax rate of any portion of the restructured local government;

B is the portion of the adjusted rate referred to in variable “A” that is attributable to a service that varies between the portions of the restructured local government;

C is the adjusted rate for residential property fixed for a portion of the restructured local government other than the portion referred to in variable “A”; and

D is the portion of the adjusted rate referred to in variable “C” that is attributable to a service that varies between the portions of the restructured local government.

Elimination of the tax rate differential

4 For the purposes of section 11.1 of the Act, as enacted by subsection 2(2) of *An Act Respecting Community Funding*, chapter 40 of the Acts of New Brunswick, 2022, in order to eliminate the tax rate differential calculated in accordance with section 3, the restructured local government may increase the adjusted rate in a portion of the restructured local government by no more than \$0.05 per year for each \$100 valuation of real property that is residential property.

Expiry of Regulation

5 This Regulation expires on December 31, 2032.