



Municipalities will not be able to apply for payment out of court

MOMLA 63(6)

Will come into force on a day to be named by proclamation of the Lieutenant Governor

Clauses 380(6)(b) and 380(6.1)(b) of the MA, which enable municipalities to apply for payments out of court, will be repealed.

Interested parties can apply for payment out of court between 90 days and ten years after payment into court was made (MOMLA 63(6)5)). Parties applying for payment out of court must serve notice of the application to the other interested parties and the Public Guardian and Trustee (MOMLA 63(6)(6)). Any money remaining in court after 10 years is deemed forfeited to the Crown, and the Public Guardian and Trustee may apply for that amount (MOMLA 63(6)(8) and(9)).

According to the **Transition** section at the end of this article, if a tax arrears certificate is registered before this section comes into force, the municipality will still be able to apply for payment out of court one year after the payment into court.

Forfeited corporate land

MOMLA 55(3)

Came in to force on May 30, 2017

Subsections 373(3) to (3.2) of the MA are repealed. MA 373(3) stated

This section applies to land that is vested in the Crown because of an escheat or forfeiture under the *Business Corporations Act* or the *Corporations Act* before or after the registration of a tax arrears certificate and that land may be sold under this Act for tax arrears.

This has been replaced with

MA 373(3) This section applies to land that is vested in the Crown because of an escheat or forfeiture as a result of the dissolution of a corporation, whether the land vested before or after the registration of a tax arrears certificate, and that land may be sold under this Act for tax arrears.