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Limits of the deemed trust created under provincial tax legislation

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In its judgment in the case of *Banque Nationale du Canada* v. *Agence du Revenu du Québec*, 2011 QCCA 1943, issued on October 21, 2011, the Court of Appeal of Quebec discussed two grounds of dispute that might be of interest to the hypothecary creditors of tax debtors when the tax authorities rely on provincial statutory provisions pertaining to deemed trusts, namely :

1. the limits of the scope of the deemed trust; and
2. the estoppel.

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