

Bill 13

**An Act to give effect to the Budget
Speech delivered on 4 June 2014 and to
various other fiscal measures**

Section 126

AMENDMENT:

- (1) Replace “not less than” in the definition of “manufacturing corporation” in section 156.11 of the Taxation Act, proposed by subsection 1, by “greater than”.
- (2) Add “and the territory of Municipalité régionale de comté d’Antoine-Labelle” at the end of subparagraph vi of paragraph *a* of the definition of “intermediate area” in section 156.11 of the Taxation Act, proposed by subsection 1.

Adopté
G

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Section 467

AMENDMENT:

(1) Replace the portion of section 1029.8.36.166.60.27 of the Taxation Act before subparagraph *b* of the first paragraph, proposed by subsection 1, by the following:

“1029.8.36.166.60.27. A qualified corporation for a taxation year that encloses the documents referred to in the fourth paragraph with the fiscal return it is required to file for the year under section 1000 is deemed, subject to the third paragraph, to have paid to the Minister on the qualified corporation’s balance-due day for the year, on account of its tax payable for the year under this Part, an amount equal to the product obtained by multiplying 80% of the lesser of the following amounts by the rate determined in its respect for the year under section 1029.8.36.166.60.29:

(*a*) the aggregate of all amounts each of which is the corporation’s eligible expenses for the year, in relation to an eligible information technology integration contract; and

(2) Replace the portion of section 1029.8.36.166.60.28 of the Taxation Act before subparagraph *b* of the first paragraph, proposed by subsection 1, by the following:

“1029.8.36.166.60.28. A qualified corporation for a taxation year that is a member of a qualified partnership at the end of a fiscal period of the qualified partnership that ends in the year and that encloses the documents referred to in the sixth paragraph with the fiscal return it is required to file for the year under section 1000, is deemed, subject to the fourth paragraph, to have paid to the Minister on the qualified corporation’s balance-due day for the year, on account of its tax payable for the year under this Part, an amount equal to the product obtained by multiplying 80% of the lesser of the following amounts by the rate determined in its respect for the year under section 1029.8.36.166.60.29:

(a) the aggregate of all amounts each of which is the corporation's share of such a qualified partnership's eligible expenses for such a fiscal period, in relation to an eligible information technology integration contract; and

Adopte

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Section 354

AMENDMENT:

(1) Replace paragraph *b* of the definition of “eligible withdrawal” in section 979.24 of the Taxation Act, proposed by subsection 1, by the following paragraph:

(*b*) to meet the consequences of exceptional and unpredictable events, including financial difficulties likely to jeopardize continuation of the shipowner’s activities, to the extent the amount is reasonable in the circumstances;

(2) Replace paragraph *d* of section 979.35 of the Taxation Act, proposed by subsection 1, by the following paragraph:

(*d*) in relation to the disposition in the year of qualified property within the reserve, the amount by which the proceeds of disposition of the property exceeds the expenditures made for the purpose of making the disposition; and

Adopté


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Section 508

AMENDMENT:

(1) Replace the first paragraph of section 1129.12.45 of the Taxation Act, proposed by subsection 1, by the following paragraph:

“1129.12.45. A qualified shipowner is required to pay the tax determined in the second paragraph for a particular taxation year if

(a) the qualified shipowner’s tax-free reserve is deemed to end in the particular taxation year because of the application of section 979.32; or

(b) the particular taxation year includes the end of 31 December 2033 and, immediately before that time, qualified property is included in the qualified shipowner’s tax-free reserve.

(2) Replace subparagraph *a* of the third paragraph of section 1129.12.45 of the Taxation Act, proposed by subsection 1, by the following subparagraph:

(a) A is the fair market value of the qualified property within the qualified shipowner’s tax-free reserve at the end of the taxation year that precedes the particular taxation year where subparagraph *a* of the first paragraph applies or at the end of 31 December 2033 where subparagraph *b* of the first paragraph applies; and

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Section 449

AMENDMENT:

Replace “3 June 2014” and “4 June 2014” in subsections 2 to 4 by “4 June 2014” and “5 June 2014”, respectively.

Adopte
GD

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Section 450

AMENDMENT:

Replace “3 June 2014” and “4 June 2014” in subsections 2 to 4 by “4 June 2014” and “5 June 2014”, respectively.

Adapté
G

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Section 451

AMENDMENT:

Replace “incurred after that date” in subsection 2 by “incurred after 4 June 2014”.

Adopted
GD

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Section 538

AMENDMENT:

Withdraw.

Adopté
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Section 493

AMENDMENT:

- (1) Replace “filing-due date” in the first and second paragraphs of section 1029.8.157 of the Taxation Act, proposed by subsection 1, by “balance-due day”.
- (2) Replace “filing-due date” in the first and second paragraphs of section 1029.8.164 of the Taxation Act, proposed by subsection 1, by “balance-due day”.

Adopté
CD

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Section 589

AMENDMENT:

Replace by the following section:

589. (1) Section 37.4 of the Act is amended, in subparagraph *a* of the first paragraph,

(1) by replacing subparagraphs i to iv by the following subparagraphs:

“i. \$15,110 where, for the year, the individual has no eligible spouse and no dependent child,

“ii. \$24,490 where, for the year, the individual has no eligible spouse but has one dependent child,

“iii. \$27,775 where, for the year, the individual has no eligible spouse but has more than one dependent child,

“iv. \$24,490 where, for the year, the individual has an eligible spouse but has no dependent child, and”;

(2) by replacing subparagraphs 1 and 2 of subparagraph v by the following subparagraphs:

“(1) \$27,775 where the individual has one dependent child for the year, or

“(2) \$30,810 where the individual has more than one dependent child for the year; and”.

(2) Subsection 1 applies from the year 2014. In addition, where section 37.4 of the Act applies

(1) to the year 2013, subparagraph *a* of its first paragraph is to be read

(*a*) as if subparagraphs i to iv were replaced by the following subparagraphs:

“i. \$14,890 where, for the year, the individual has no eligible spouse and no dependent child,

“ii. \$24,130 where, for the year, the individual has no eligible spouse but has one dependent child,

“iii. \$27,385 where, for the year, the individual has no eligible spouse but has more than one dependent child,

“iv. \$24,130 where, for the year, the individual has an eligible spouse but has no dependent child, and”; and

(*b*) as if subparagraphs 1 and 2 of subparagraph v were replaced by the following subparagraphs:

“(1) \$27,385 where the individual has one dependent child for the year, or

“(2) \$30,390 where the individual has more than one dependent child for the year; and”; or

(2) to the year 2012, subparagraph *a* of its first paragraph is to be read

(*a*) as if subparagraphs i to iv were replaced by the following subparagraphs:

“i. \$14,730 where, for the year, the individual has no eligible spouse and no dependent child,

“ii. \$23,880 where, for the year, the individual has no eligible spouse but has one dependent child,

“iii. \$27,055 where, for the year, the individual has no eligible spouse but has more than one dependent child,

“iv. \$23,880 where, for the year, the individual has an eligible spouse but has no dependent child, and”; and

(*b*) as if subparagraphs 1 and 2 of subparagraph v were replaced by the following subparagraphs:

“(1) \$27,055 where the individual has one dependent child for the year,
or

“(2) \$29,985 where the individual has more than one dependent child
for the year; and”.

Adopte
Q

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Section 575

AMENDMENT:

- (1) Strike out “financial” after “partnership’s” in the fifth paragraph of section 8.3 of Schedule E to the Act respecting the sectoral parameters of certain fiscal measures, proposed by subsection 1.
- (2) Replace “fourth” in subparagraph 2 of the first paragraph of section 8.9 of Schedule E to the Act respecting the sectoral parameters of certain fiscal measures, proposed by subsection 1, by “third”.

Adopté
67

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Section 532

AMENDMENT:

(1) Replace the portion of the first paragraph of section 1159.3 of the Taxation Act before subparagraph *a*, proposed by paragraph 1 of subsection 1, by the following:

“1159.3. Subject to the first paragraph of sections 1159.3.1 to 1159.3.4, the compensation tax a person referred to in section 1159.2 is required to pay for a taxation year is equal to,”;

(2) Replace the portion of the second paragraph of section 1159.3 of the Taxation Act before subparagraph *a*, proposed by paragraph 2 of subsection 1, by the following:

“However, subject to the second paragraph of sections 1159.3.1 to 1159.3.4, if a person is not a financial institution throughout its taxation year, the compensation tax the person is required to pay for the year is equal to,”;

Adopte
AO

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Section 534

AMENDMENT:

(1) Replace the portion of the first paragraph of section 1159.3.2 of the Taxation Act before subparagraph *a*, proposed by subsection 1, by the following:

534. (1) The Act is amended by inserting the following sections after section 1159.3.1:

“**1159.3.2.** If the taxation year for which a compensation tax is computed under the first paragraph of section 1159.3 ends after 31 December 2012 and before 3 December 2014, the following rules apply:

(2) Replace subparagraph ii of subparagraph *a* of the first paragraph of section 1159.3 of the Taxation Act, enacted by subparagraph *a* of the first paragraph of section 1159.3.2 of the Act, proposed by subsection 1, by the following subparagraph:

“ii. the aggregate of 2.8% of the amount paid as wages in the part of the year that follows 31 December 2012 and 3.9% of the amount paid as wages in the part of the year that precedes 1 January 2013;”;

(3) Replace subparagraphs i and ii of subparagraph *b* of the first paragraph of section 1159.3.2 of the Taxation Act, proposed by subsection 1, by the following subparagraphs:

i. the proportion of 0.3% that the number of days in the taxation year that follow 31 December 2012 is of the number of days in the taxation year, and

ii. the proportion of 0.55% that the number of days in the taxation year that precede 1 January 2013 is of the number of days in the taxation year;

(4) Replace subparagraph *c* of the first paragraph of section 1159.3 of the Taxation Act, enacted by subparagraph *c* of the first paragraph of section 1159.3.2 of the Act, proposed by subsection 1, by the following subparagraph:

“(c) in the case of a savings and credit union, subject to subparagraph *d*, the aggregate of 2.2% of the amount paid as wages in the part of the year that follows 31 December 2012 and 3.8% of the amount paid as wages in the part of the year that precedes 1 January 2013;”;

(5) Replace subparagraph *e* of the first paragraph of section 1159.3 of the Taxation Act, enacted by subparagraph *d* of the first paragraph of section 1159.3.2 of the Act, proposed by subsection 1, by the following subparagraph:

“(e) in the case of a person who is not referred to in any of subparagraphs *a* to *d.1* and who made, with a person referred to in any of those subparagraphs, an election under subsection 1 of section 150 of the Excise Tax Act (Revised Statutes of Canada, 1985, chapter E-15) that is in effect in the year, the aggregate of 0.9% of the amount paid as wages in the part of the year during which the election was in effect and that follows 31 December 2012 and 1.5% of the amount paid as wages in the part of the year that precedes 1 January 2013;”;
and

(6) Replace subparagraph *f* of the first paragraph of section 1159.3 of the Taxation Act, enacted by subparagraph *e* of the first paragraph of section 1159.3.2 of the Act, proposed by subsection 1, by the following subparagraph:

“(f) in the case of any other person, 1.5% of the amount paid as wages in the part of the year that precedes 1 January 2013.”

(7) Replace the portion of the second paragraph of section 1159.3.2 of the Taxation Act before subparagraph *a*, proposed by subsection 1, by the following:

If the taxation year for which a compensation tax is computed under the second paragraph of section 1159.3 ends after 31 December 2012 and before 3 December 2014, the following rules apply:

(8) Replace subparagraph ii of subparagraph *a* of the second paragraph of section 1159.3 of the Taxation Act, enacted by subparagraph *a* of the second paragraph of section 1159.3.2 of the Act, proposed by subsection 1, by the following subparagraph:

“ii. the aggregate of 2.8% of the amount paid as wages in the part or parts of the year, as the case may be, during which the person was a financial institution that follow 31 December 2012 and 3.9% of the amount paid as wages in the part or parts of the year, as the case may be, during which the person was a financial institution that precede 1 January 2013;”;

(9) Replace subparagraphs *i* and *ii* of subparagraph *b* of the second paragraph of section 1159.3.2 of the Taxation Act, proposed by subsection 1, by the following subparagraphs:

i. the proportion of 0.3% that the number of days in the taxation year during which the person was a financial institution that follow 31 December 2012 is of the number of days in the taxation year during which the person was a financial institution, and

ii. the proportion of 0.55% that the number of days in the taxation year during which the person was a financial institution that precede 1 January 2013 is of the number of days in the taxation year during which the person was a financial institution;

(10) Replace subparagraph *c* of the second paragraph of section 1159.3 of the Taxation Act, enacted by subparagraph *c* of the second paragraph of section 1159.3.2 of the Act, proposed by subsection 1, by the following subparagraph:

“(c) in the case of a savings and credit union, subject to subparagraph *d*, the aggregate of 2.2% of the amount paid as wages in the part or parts of the year, as the case may be, during which the person was a financial institution that follow 31 December 2012 and 3.8% of the amount paid as wages in the part or parts of the year, as the case may be, during which the person was a financial institution that precede 1 January 2013;”;

(11) Replace subparagraph *e* of the second paragraph of section 1159.3 of the Taxation Act, enacted by subparagraph *d* of the second paragraph of section 1159.3.2 of the Act, proposed by subsection 1, by the following subparagraph:

“(e) in the case of a person who is not referred to in any of subparagraphs *a* to *d* and who made, with a person referred to in any of subparagraphs *a* to *d*.1 of the first paragraph, an election under subsection 1 of section 150 of the Excise Tax Act that is in effect in the year, the aggregate of 0.9% of the amount paid as wages in the part or parts of the year, as the case may be, during which the person was a financial institution and the election was in effect and that follow 31 December 2012 and 1.5% of the amount paid as wages in the part or parts of the year, as the case may be, during which the person was a financial institution that precede 1 January 2013;” and

(12) Replace subparagraph *f* of the second paragraph of section 1159.3 of the Taxation Act, enacted by subparagraph *e* of the second paragraph of section 1159.3.2 of the Act, proposed by subsection 1, by the following subparagraph:

“(f) in the case of any other person, except a professional order that has set up an insurance fund in accordance with section 86.1 of the Professional Code, 1.5% of the amount paid as wages in the part or parts of the year, as the case may

be, during which the person was a financial institution that precede 1 January 2013.”

(13) Insert the following sections after section 1159.3.2 of the Taxation Act, proposed by subsection 1:

“**1159.3.3.** If the taxation year for which a compensation tax is computed under the first paragraph of section 1159.3 ends after 2 December 2014 and before 1 April 2017, the following rules apply:

(a) subparagraph *a* of the first paragraph of section 1159.3 is to be read as follows:

“(a) in the case of a bank, a loan corporation, a trust corporation or a corporation trading in securities, subject to subparagraph *d*, the aggregate of 4.48% of the amount paid as wages in the part of the year that follows 2 December 2014 and 2.8% of the amount paid as wages in the part of the year that precedes 3 December 2014;”;

(b) the rate mentioned in subparagraphs i and ii of subparagraph *b*, subparagraph ii of subparagraph *d* and subparagraph *d.1* of the first paragraph of section 1159.3 is replaced by a rate equal to the total of

i. the proportion of 0.48% that the number of days in the taxation year that follow 2 December 2014 is of the number of days in the taxation year, and

ii. the proportion of 0.3% that the number of days in the taxation year that precede 3 December 2014 is of the number of days in the taxation year;

(c) subparagraph *c* of the first paragraph of section 1159.3 is to be read as follows:

“(c) in the case of a savings and credit union, subject to subparagraph *d*, the aggregate of 3.52% of the amount paid as wages in the part of the year that follows 2 December 2014 and 2.2% of the amount paid as wages in the part of the year that precedes 3 December 2014;” and

(d) subparagraph *e* of the first paragraph of section 1159.3 is to be read as follows:

“(e) in the case of a person who is not referred to in any of subparagraphs *a* to *d.1* and who made, with a person referred to in any of those subparagraphs, an election under subsection 1 of section 150 of the Excise Tax Act (Revised Statutes of Canada, 1985, chapter E-15) that is in effect in the year, the aggregate of 1.44% of the amount paid as wages in the part of the year during

which the election was in effect and that follows 2 December 2014 and 0.9% of the amount paid as wages in the part of the year that precedes 3 December 2014.”

If the taxation year for which a compensation tax is computed under the second paragraph of section 1159.3 ends after 2 December 2014 and before 1 April 2017, the following rules apply:

(a) subparagraph *a* of the second paragraph of section 1159.3 is to be read as follows:

“(a) in the case of a bank, a loan corporation, a trust corporation or a corporation trading in securities, subject to subparagraph *d*, the aggregate of 4.48% of the amount paid as wages in the part or parts of the year, as the case may be, during which the person was a financial institution that follow 2 December 2014 and 2.8% of the amount paid as wages in the part or parts of the year, as the case may be, during which the person was a financial institution that precede 3 December 2014;”;

(b) the rate mentioned in subparagraphs i and ii of subparagraph *b* and subparagraph ii of subparagraph *d* of the second paragraph of section 1159.3 is replaced by a rate equal to the total of

i. the proportion of 0.48% that the number of days in the taxation year during which the person was a financial institution that follow 2 December 2014 is of the number of days in the taxation year during which the person was a financial institution, and

ii. the proportion of 0.3% that the number of days in the taxation year during which the person was a financial institution that precede 3 December 2014 is of the number of days in the taxation year during which the person was a financial institution;

(c) subparagraph *c* of the second paragraph of section 1159.3 is to be read as follows:

“(c) in the case of a savings and credit union, subject to subparagraph *d*, the aggregate of 3.52% of the amount paid as wages in the part or parts of the year, as the case may be, during which the person was a financial institution that follow 2 December 2014 and 2.2% of the amount paid as wages in the part or parts of the year, as the case may be, during which the person was a financial institution that precede 3 December 2014;”;

(d) subparagraph *e* of the second paragraph of section 1159.3 is to be read as follows:

“(e) in the case of a person who is not referred to in any of subparagraphs *a* to *d* and who made, with a person referred to in any of subparagraphs *a* to *d.1* of the first paragraph, an election under subsection 1 of section 150 of the Excise Tax Act that is in effect in the year, the aggregate of 1.44% of the amount paid as wages in the part or parts of the year, as the case may be, during which the person was a financial institution and the election was in effect and that follow 2 December 2014 and 0.9% of the amount paid as wages in the part or parts of the year, as the case may be, during which the person was a financial institution that precede 3 December 2014.”

“**1159.3.4.** If the taxation year for which a compensation tax is computed under the first paragraph of section 1159.3 ends after 31 March 2017, the following rules apply:

(a) subparagraph *a* of the first paragraph of section 1159.3 is to be read as follows:

“(a) in the case of a bank, a loan corporation, a trust corporation or a corporation trading in securities, subject to subparagraph *d*, the aggregate of 2.8% of the amount paid as wages in the part of the year that is included, in whole or in part, in the period beginning on 1 April 2017 and ending on 31 March 2019 (in this section referred to as the “temporary contribution period”) and 4.48% of the amount paid as wages in the part of the year that precedes 1 April 2017;”;

(b) the rate mentioned in subparagraphs i and ii of subparagraph *b*, subparagraph ii of subparagraph *d* and subparagraph *d.1* of the first paragraph of section 1159.3 is replaced by a rate equal to the total of

i. the proportion of 0.3% that the number of days in the taxation year that are included in the period beginning on 1 April 2017 and ending on 31 March 2019 (in this section referred to as the “temporary contribution period”) is of the number of days in the taxation year, and

ii. the proportion of 0.48% that the number of days in the taxation year that precede 1 April 2017 is of the number of days in the taxation year;

(c) subparagraph *c* of the first paragraph of section 1159.3 is to be read as follows:

“(c) in the case of a savings and credit union, subject to subparagraph *d*, the aggregate of 2.2% of the amount paid as wages in the part of the year that is included in the temporary contribution period and 3.52% of the amount paid as wages in the part of the year that precedes 1 April 2017;”;

(d) subparagraph *e* of the first paragraph of section 1159.3 is to be read as follows:

“(e) in the case of a person who is not referred to in any of subparagraphs *a* to *d.1* and who made, with a person referred to in any of those subparagraphs, an election under subsection 1 of section 150 of the Excise Tax Act (Revised Statutes of Canada, 1985, chapter E-15) that is in effect in the year, the aggregate of 0.9% of the amount paid as wages in the part of the year during which the election was in effect and that is included in the temporary contribution period and 1.44% of the amount paid as wages in the part of the year that precedes 1 April 2017.”

If the taxation year for which a compensation tax is computed under the second paragraph of section 1159.3 ends after 31 March 2017, the following rules apply:

(a) subparagraph *a* of the second paragraph of section 1159.3 is to be read as follows:

“(a) in the case of a bank, a loan corporation, a trust corporation or a corporation trading in securities, subject to subparagraph *d*, the aggregate of 2.8% of the amount paid as wages in the part or parts of the year, as the case may be, during which the person was a financial institution that are included in the temporary contribution period and 4.48% of the amount paid as wages in the part or parts of the year, as the case may be, during which the person was a financial institution that precede 1 April 2017;”;

(b) the rate mentioned in subparagraphs i and ii of subparagraph *b* and subparagraph ii of subparagraph *d* of the second paragraph of section 1159.3 is replaced by a rate equal to the total of

i. the proportion of 0.3% that the number of days in the taxation year during which the person was a financial institution that are included in the temporary contribution period is of the number of days in the taxation year during which the person was a financial institution, and

ii. the proportion of 0.48% that the number of days in the taxation year during which the person was a financial institution that precede 1 April 2017 is of the number of days in the taxation year during which the person was a financial institution;

(c) subparagraph *c* of the second paragraph of section 1159.3 is to be read as follows:

“(c) in the case of a savings and credit union, subject to subparagraph *d*, the aggregate of 2.2% of the amount paid as wages in the part or parts of the year, as the case may be, during which the person was a financial institution that are included in the temporary contribution period and 3.52% of the amount paid as

wages in the part or parts of the year, as the case may be, during which the person was a financial institution that precede 1 April 2017;” and

(d) subparagraph *e* of the second paragraph of section 1159.3 is to be read as follows:

“(e) in the case of a person who is not referred to in any of subparagraphs *a* to *d* and who made, with a person referred to in any of subparagraphs *a* to *d.1* of the first paragraph, an election under subsection 1 of section 150 of the Excise Tax Act that is in effect in the year, the aggregate of 0.9% of the amount paid as wages in the part or parts of the year, as the case may be, during which the person was a financial institution and the election was in effect and that are included in the temporary contribution period and 1.44% of the amount paid as wages in the part or parts of the year, as the case may be, during which the person was a financial institution that precede 1 April 2017.””

(14) Insert “if it were determined without reference to this subsection and” after “that taxation year” in the portion of subparagraph *a* of paragraph 2 of subsection 3 before subparagraph *i*.

(15) Replace subparagraph *e* of the first and second paragraphs of section 1159.3 of the Taxation Act, enacted by subparagraph *ii* of subparagraph *a* of paragraph 2 of subsection 3, by the following subparagraphs:

“(e) in the case of any other person, the aggregate of 0.9% of the amount paid as wages in the part of the year that follows 31 December 2012 and 1.5% of the amount paid as wages in the part of the year that precedes 1 January 2013;”;

“(e) in the case of any other person, except a professional order that has set up an insurance fund in accordance with section 86.1 of the Professional Code, the aggregate of 0.9% of the amount paid as wages in the part or parts of the year, as the case may be, during which the person was a financial institution that follow 31 December 2012 and 1.5% of the amount paid as wages in the part or parts of the year, as the case may be, during which the person was a financial institution that precede 1 January 2013;”;

(16) Insert “if it were determined without reference to this subsection and” before “if subparagraphs *i* and *ii*” in subparagraphs *b* and *c* of paragraph 2 of subsection 3.

(17) Add the following subsection after subsection 3:

(4) In addition,

(1) in applying subparagraph i of subparagraph *a* of the first paragraph of section 1027 of the Act, subparagraph 1 of subparagraph iii of that subparagraph *a* and subparagraph *a* of the third paragraph of section 1027 of the Act, enacted by paragraph *b* of section 1027.0.3 of the Act, for the purpose of computing the amount of a payment that a corporation is required to make under subparagraph *a* of the first paragraph of section 1027 of the Act for a taxation year that ends after 2 December 2014, and in applying section 1038 of the Act for the purpose of computing the interest provided for in that section that the corporation is required to pay, if applicable, in respect of that payment, the corporation's estimated tax or tax payable, as the case may be, for that taxation year

(a) must, in respect of a payment that the corporation is required to make before 3 December 2014, be determined as if section 1159.3.3 of the Act, enacted by subsection 1, were read as if "4.48%", "0.48%", "3.52%" and "1.44%" were replaced wherever they appear by "2.8%", "0.3%", "2.2%" and "0.9%", respectively, and

(b) is, in respect of a payment that the corporation is required to make after 2 December 2014,

i. where the taxation year began before 3 December 2014 and the corporation is not, at the time of the payment, a qualified Canadian-controlled private corporation within the meaning of section 1027.0.1 of the Act, deemed to be equal to the total of the amount that would be its estimated tax or tax payable, as the case may be, for that year if it were determined in accordance with subparagraph *a* and the product obtained by multiplying, by the proportion that 12 is of the number of payments that the corporation is required to make after 2 December 2014 for the taxation year under subparagraph *a* of the first paragraph of section 1027 of the Act, the amount by which the estimated tax or tax payable, as the case may be, determined without reference to this subsection exceeds the amount that would be its estimated tax or tax payable, as the case may be, for that year if it were determined in accordance with subparagraph *a*, and

ii. where the taxation year began before 3 December 2014 and the corporation is, throughout the year, a qualified Canadian-controlled private corporation within the meaning of section 1027.0.1 of the Act, deemed to be equal to the total of the amount that would be its estimated tax or tax payable, as the case may be, for that year if it were determined in accordance with subparagraph *a* and the product obtained by multiplying, by the proportion that 4 is of the number of payments that the corporation is required to make after 2 December 2014 for the taxation year under subparagraph *a* of the first paragraph of section 1027 of the Act, the amount by which the estimated tax or tax payable, as the case may be, determined without reference to this subsection exceeds the amount that would be its estimated tax or tax payable, as the case may be, for that year if it were determined in accordance with subparagraph *a*;

(2) in applying subparagraph i of subparagraph *a* of the first paragraph of section 1027 of the Act, subparagraph 1 of subparagraph iii of that subparagraph *a* and subparagraph *a* of the third paragraph of section 1027 of the Act, enacted by paragraph *b* of section 1027.0.3 of the Act, for the purpose of computing the amount of a payment that a corporation is required to make under subparagraph *a* of the first paragraph of section 1027 of the Act for a taxation year that ends after 31 March 2017, and in applying section 1038 of the Act for the purpose of computing the interest provided for in that section that the corporation is required to pay, if applicable, in respect of that payment, the corporation's estimated tax or tax payable, as the case may be, for that taxation year

(a) must, in respect of a payment that the corporation is required to make before 1 April 2017, be determined as if section 1159.3.4 of the Act, enacted by subsection 1, were read as if "2.8%", "0.3%", "2.2%" and "0.9%" were replaced wherever they appear by "4.48%", "0.48%", "3.52%" and "1.44%", respectively, and

(b) is, in respect of a payment that the corporation is required to make after 31 March 2017,

i. where the taxation year began before 1 April 2017 and the corporation is not, at the time of the payment, a qualified Canadian-controlled private corporation within the meaning of section 1027.0.1 of the Act, deemed to be equal to the amount by which the amount that would be its estimated tax or tax payable, as the case may be, for that year if it were determined in accordance with subparagraph *a* exceeds the product obtained by multiplying, by the proportion that 12 is of the number of payments that the corporation is required to make after 31 March 2017 for the taxation year under subparagraph *a* of the first paragraph of section 1027 of the Act, the amount by which the estimated tax or tax payable, as the case may be, so determined exceeds the amount that would be its estimated tax or tax payable, as the case may be, for that year if it were determined without reference to this subsection, and

ii. where the taxation year began before 1 April 2017 and the corporation is, throughout the year, a qualified Canadian-controlled private corporation within the meaning of section 1027.0.1 of the Act, deemed to be equal to the amount by which the amount that would be its estimated tax or tax payable, as the case may be, for that year if it were determined in accordance with subparagraph *a* exceeds the product obtained by multiplying, by the proportion that 4 is of the number of payments that the corporation is required to make after 31 March 2017 for the taxation year under subparagraph *a* of the first paragraph of section 1027 of the Act, the amount by which the estimated tax or tax payable, as the case may be, so determined exceeds the amount that would be its estimated

tax or tax payable, as the case may be, for that year if it were determined without reference to this subsection; and

(3) in applying subparagraph i of subparagraph *a* of the first paragraph of section 1027 of the Act, subparagraph 1 of subparagraph iii of that subparagraph *a* and subparagraph *a* of the third paragraph of section 1027 of the Act, enacted by paragraph *b* of section 1027.0.3 of the Act, for the purpose of computing the amount of a payment that a corporation is required to make under subparagraph *a* of the first paragraph of section 1027 of the Act for a taxation year that ends after 31 March 2019, and in applying section 1038 of the Act for the purpose of computing the interest provided for in that section that the corporation is required to pay, if applicable, in respect of that payment, the corporation's estimated tax or tax payable, as the case may be, for that taxation year must, in respect of a payment that the corporation is required to make before 1 April 2019, be determined in accordance with subparagraph *a* of paragraph 1.

Adopté

Q

Bill 13

**An Act to give effect to the Budget
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Section 537

AMENDMENT:

(1) Replace subparagraph *c* of the second paragraph of section 1159.17 of the Taxation Act, proposed by subsection 1, by the following subparagraph:

(c) 0.3% in respect of a premium payable by a person during the period beginning on 1 January 2013 and ending on 2 December 2014;

(2) Add the following subparagraphs after subparagraph *c* of the second paragraph of section 1159.17 of the Taxation Act, proposed by subsection 1:

(d) 0.48% in respect of a premium payable by a person during the period beginning on 3 December 2014 and ending on 31 March 2017; or

(e) 0.3% in respect of a premium payable by a person during the period beginning on 1 April 2017 and ending on 31 March 2019.”

Adopté
66

Bill 13

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Section 660

AMENDMENT:

Replace subsection 2 by the following subsections:

(2) Subsection 1, except where it inserts “and subject to sections 42.6.1 and 42.6.2” in section 244 of the Act, applies in respect of a supply made after 29 January 1999.

(3) Subsection 1, where it inserts “and subject to sections 42.6.1 and 42.6.2” in section 244 of the Act, applies in respect of a supply (other than a supply made under an agreement in writing entered into before 3 December 2013) for which consideration becomes due after 31 December 2013 or is paid after that date without having become due.

Adopté


Bill 13

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Section 661

AMENDMENT:

Replace subsection 2 by the following subsection:

(2) Subsection 1 applies in respect of a supply made after 29 January 1999. However, where section 244.1 of the Act applies

(1) before 1 April 2013, the portion of that section 244.1 before paragraph 1 is to be read as if “and subject to sections 29.1, 42.6.1 and 42.6.2” were struck out; or

(2) after 31 March 2013 and in respect of a supply for which consideration becomes due before 1 January 2014 or is paid before that date without having become due, or in respect of a supply made under an agreement in writing entered into before 3 December 2013, the portion of that section 244.1 before paragraph 1 is to be read as if “sections 29.1, 42.6.1 and 42.6.2” were replaced by “section 29.1”.

Adopté
67

Bill 13

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Section 668

AMENDMENT:

Replace subsection 2 by the following subsection:

(2) Subsection 1 has effect from 29 January 1999. However, where section 267 of the Act applies

(1) before 1 January 2013, it is to be read as follows:

“267. If a registrant is a public service body (other than a government), sections 240 to 244 apply, with the necessary modifications, to an immovable acquired by the registrant for use as capital property of the registrant or, in the case of section 241, to improvements to an immovable that is capital property of the registrant, as if the immovable were movable property.”; or

(2) after 31 December 2012 and in respect of a supply for which consideration becomes due before 1 January 2014 or is paid before that date without having become due, or of a supply made under an agreement in writing entered into before 3 December 2013, it is to be read as follows:

“267. If a registrant is a public service body (other than a financial institution or a government), sections 240 to 244 apply, with the necessary modifications, to an immovable acquired by the registrant for use as capital property of the registrant or, in the case of section 241, to improvements to an immovable that is capital property of the registrant, as if the immovable were movable property.”

Adopté
60

Bill 13

**An Act to give effect to the Budget
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Section 669

AMENDMENT:

(1) Replace the portion before proposed section 267.1 of the Act respecting the Québec sales tax by the following:

669. (1) The Act is amended by inserting the following section after section 267:

(2) Add the following subsection after subsection 1:

(2) Subsection 1 has effect from 29 January 1999. However, where section 267.1 of the Act applies

(1) before 1 January 2013, it is to be read as follows:

“**267.1.**If a registrant is a prescribed mandatary of the Gouvernement du Québec or a prescribed agent of Her Majesty in right of Canada for the purposes of the definition of “specified Crown agent” in subsection 1 of section 123 of the Excise Tax Act (Revised Statutes of Canada, 1985, chapter E-15), sections 240 to 243 and 244.1 apply, with the necessary modifications, to an immovable acquired by the registrant for use as capital property of the registrant or, in the case of section 241, to improvements to an immovable that is capital property of the registrant, as if the immovable were movable property.”; or

(2) after 31 December 2012 and in respect of a supply for which consideration becomes due before 1 January 2014 or is paid before that date without having become due, or of a supply made under an agreement in writing entered into before 3 December 2013, it is to be read as follows:

“**267.1.**If a registrant (other than a financial institution) is a prescribed mandatary of the Gouvernement du Québec or a prescribed agent of Her Majesty in right of Canada for the purposes of the definition of “specified Crown agent” in subsection 1 of section 123 of the Excise Tax Act (Revised Statutes of Canada, 1985, chapter E-15), sections 240 to 243 and 244.1 apply, with the necessary

modifications, to an immovable acquired by the registrant for use as capital property of the registrant or, in the case of section 241, to improvements to an immovable that is capital property of the registrant, as if the immovable were movable property.”

Adopte

6

Bill 13

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Section 670

AMENDMENT:

Replace subsection 2 by the following subsections:

(2) Subsection 1, except where it inserts “42.6.1, 42.6.2,” in the portion of section 268 of the Act before paragraph 1, has effect from 29 January 1999.

(3) Subsection 1, where it inserts “42.6.1, 42.6.2,” in the portion of section 268 of the Act before paragraph 1, applies in respect of a supply (other than a supply made under an agreement in writing entered into before 3 December 2013) for which consideration becomes due after 31 December 2013 or is paid after that date without having become due.

Adopté
6

Bill 13

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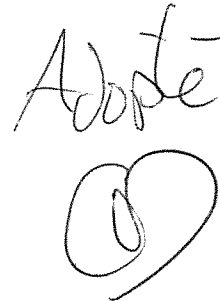
Section 671

AMENDMENT:

Replace by the following section:

671. (1) Section 272 of the Act is amended by replacing “sections 267 and 268” in the first paragraph by “sections 267, 267.1 and 268”.

(2) Subsection 1 has effect from 29 January 1999.



Bill 13

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Section 704

AMENDMENT:

Add the following subsection after subsection 2:

- (3) Paragraph 6 of subsection 1 has effect from 1 July 1992.

Adpte
CD

Bill 13

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Section 706

AMENDMENT:

Replace subparagraph 5 of the first paragraph of section 386 of the Act respecting the Québec sales tax, proposed by paragraph 1 of subsection 1, by the following subparagraph:

“(5) for a municipality,

(a) where the tax becomes payable after 31 December 2013 and before 1 January 2015, 62.8%; or

(b) where the tax becomes payable after 31 December 2014 or is paid before 1 January 2015 without having become payable, 50%.”;

Adopté
Q

Bill 13

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Section 707

AMENDMENT:

(1) Replace the first paragraph of section 386.1.1 of the Act respecting the Québec sales tax, proposed by subsection 1, by the following paragraph:

“386.1.1. Subject to sections 386.2, 386.3 and 387, a person that, on the last day of the person’s claim period or of the person’s fiscal year that includes that period, is designated to be a municipality for the purposes of this subdivision in respect of activities specified in the designation (in this section referred to as “specified activities”) is entitled to a rebate in respect of property or a service, other than a prescribed property or service, equal to the total of all amounts each of which is an amount determined by the formula

$$A \times B \times C.$$

(2) Replace subparagraphs 1 and 2 of the second paragraph of section 386.1.1 of the Act respecting the Québec sales tax, proposed by subsection 1, by the following subparagraphs:

(1) A is the percentage specified in subparagraph 5 of the first paragraph of section 386;

(2) B is an amount that is included in the total tax charged in respect of the property or service for the claim period and that is

(a) an amount of tax in respect of a supply made to the person, or the bringing into Québec of the property by the person, at any time,

(b) an amount deemed to have been paid or collected, at any time, by the person,

(c) an amount that is required to be added under sections 341.2 and 341.3 in determining the net tax of the person because a division or branch of the person becomes a small supplier division at any time, or

(d) an amount that is required to be added under paragraph 2 of section 210 in determining the net tax of the person because the person ceases, at any time, to be a registrant; and

(3) C is the extent, expressed as a percentage, to which the person intended, at that time, to consume, use or supply the property or service in the course of specified activities.”

Adopté
GO

Bill 13

**An Act to give effect to the Budget
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Section 708

AMENDMENT:

(1) Replace subparagraph *a* of subparagraph 2 of the first paragraph of section 386.2 of the Act respecting the Québec sales tax, proposed by paragraph 2 of subsection 1, by the following subparagraph:

(a) the percentage used for A in the formula in the first paragraph of section 386.1.1 were replaced by the percentage prescribed in section 386 applicable to a selected public service body that applies to the person, minus 50%,

(2) Replace the portion of subparagraph *b* of subparagraph 2 of the first paragraph of section 386.2 of the Act respecting the Québec sales tax before subparagraph i, proposed by paragraph 2 of subsection 1, by the following:

(b) in the case of a person that is not designated to be a municipality for the purposes of this subdivision, the reference to specified activities in subparagraph 3 of the second paragraph of section 386.1.1 were read as a reference

Adopté
G

Bill 13

**An Act to give effect to the Budget
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Section 709

AMENDMENT:

Replace the portion of section 386.3 of the Act respecting the Québec sales tax before paragraph 1, proposed by subsection 1, by the following:

“**386.3.** An amount is not to be included in determining the amount referred to in the description of B in the formula in section 386.1.1 in respect of a claim period of a person to the extent that”.

Adopté

CO

Bill 13

**An Act to give effect to the Budget
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Section 711

AMENDMENT:

Replace by the following section:

711. (1) Section 388.2 of the Act is amended

(1) by replacing the first paragraph by the following paragraph:

“**388.2.** Ville de Montréal and Ville de Québec, in respect of a year that begins after 1996, and Ville de Laval, in respect of a year that begins after 2000, are entitled, in addition to the rebate provided for in section 386, to compensation paid by the Minister before 30 June each year.”;

(2) by replacing “a year that begins after 2001” in subparagraph 3 of the second paragraph by “the years 2002 to 2014”;

(3) by adding the following subparagraph after subparagraph 3 of the second paragraph:

“(4) in respect of a year that begins after 2014, the amount prescribed for the year 2015.”;

(4) by replacing “a year that begins after 2003” in subparagraph 2 of the third paragraph by “the years 2004 to 2014”;

(5) by adding the following subparagraph after subparagraph 2 of the third paragraph:

“(3) in respect of a year that begins after 2014, the amount prescribed for the year 2015.”

(2) Paragraph 1 of subsection 1 has effect from 1 January 2014.

(3) Paragraphs 2 to 5 of subsection 1 have effect from 1 January 2015.

A handwritten signature in black ink, appearing to be 'Adèle' followed by a stylized flourish.

Bill 13

**An Act to give effect to the Budget
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Section 717

AMENDMENT:

Replace the portion of section 397.2 of the Act respecting the Québec sales tax before the formula in the first paragraph, proposed by subsection 1, by the following:

“**397.2.** Despite sections 386, 386.1.1 and 386.2, where a person who is a hospital authority, a facility operator or an external supplier is required to determine, under paragraph 2 of section 386.2, for the person’s claim period, a particular amount that would be determined by the formula in section 386.1.1 if that section applied to the person, in respect of a specified supply of any property of the person made at any time for the claim period, and the value of C in subparagraph 3 of the second paragraph of that section was the extent to which the person intended, at that time, to consume, use or supply the property in the course of specified activities, the particular amount is to be determined by the formula”.

Adopté
GD

Bill 13

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Section 788

AMENDMENT:

- (1) Insert the following subsection after subsection 3:
 - (4) Paragraphs 2 and 3 of subsection 1 have effect from 29 January 1999.
- (2) Replace subsections 4 to 7 by the following subsections:
 - (5) Paragraph 4 of subsection 1 has effect from 9 December 2011.
 - (6) Paragraph 5 of subsection 1 has effect from 22 March 2013.
 - (7) Paragraph 7 of subsection 1 has effect from 1 July 2010.
 - (8) Paragraph 8 of subsection 1 applies in respect of tax that becomes payable after 31 December 2013 and is not paid before 1 January 2014.

Adopté
GD

Bill 13

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Section 38

AMENDMENT:

(1) Replace “activity prescribed by regulation” in the definition of “processing” in the first paragraph of section 1 of the Mining Tax Act, proposed by paragraph 6 of subsection 1, by “prescribed activity”.

(2) Replace subsection 4 by the following subsection:

(4) Paragraphs 3 and 6 of subsection 1 apply to a fiscal year that begins after 31 December 2013. However, where section 1 of the Act applies before 1 September 2015, the definition of “processing” in the first paragraph of that section is to be read as if “prescribed activity” were replaced by “activity prescribed by regulation”.

Adopté
G

Bill 13

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Section 72

AMENDMENT:

(1) Replace subparagraph 2 of the first paragraph of section 30.2 of the Mining Tax Act, proposed by subsection 1, by the following subparagraph:

(2) if the operator is a member of an associated group in the fiscal year, an amount attributed for the fiscal year to the operator pursuant to the agreement described in the second paragraph and filed with the Minister in the prescribed form containing prescribed information or, if no amount is attributed to the operator under the agreement or in the absence of such an agreement, zero.

(2) Replace subsection 2 by the following subsection:

(2) Subsection 1 has effect from 1 January 2014. However, where section 30.2 of the Act applies before 1 September 2015, it is to be read as if “prescribed form containing prescribed information” in subparagraph 2 of the first paragraph were replaced by “form prescribed by the Minister”.

Adopté
68

Bill 13

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Section 81

AMENDMENT:

Replace by the following section:

81. (1) Section 36 of the Act is amended by replacing the portion before paragraph 1 by the following:

“**36.** Every operator shall, within six months after the end of its fiscal year, file with the Minister a mining duties return in the prescribed form containing prescribed information, accompanied by”.

(2) Subsection 1 applies to a fiscal year that begins after 31 December 2013. However, where section 36 of the Act applies before 1 September 2015, it is to be read as if “prescribed form containing prescribed information” in the portion of the first paragraph before subparagraph 1 were replaced by “form prescribed by the Minister”.

Adopté

CD

Bill 13

**An Act to give effect to the Budget
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Section 82

AMENDMENT:

- (1) Insert “, with dispatch,” after “shall” in section 39 of the Mining Tax Act, proposed by subsection 1.
- (2) Replace subsection 2 by the following subsection:
 - (2) Subsection 1 applies to a fiscal year that begins after 31 December 2013. However, where section 39 of the Act applies before 1 September 2015, it is to be read as if “, with dispatch,” were struck out.

Adopte

CD

Bill 13

**An Act to give effect to the Budget
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Section 88

AMENDMENT:

Withdraw.

Adopte
GD

Bill 13

**An Act to give effect to the Budget
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Section 6

AMENDMENT:

Replace proposed paragraph *a* of section 35.3 of the Tax Administration Act by the following paragraph:

“(a) preserve the registers or supporting documents relating to that fiscal or taxation year; and

Adopté

GD

Bill 13

**An Act to give effect to the Budget
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Section 187

AMENDMENT:

Replace subsection 4 by the following subsection:

(4) For the purposes of paragraph 1 of subsection 2, the parent corporation is not considered to be obligated to acquire control of the subsidiary corporation, and for the purposes of subsection 3, the parties are not considered to be obligated to make a disposition if, as a result of amendments to the Income Tax Act (Revised Statutes of Canada, 1985, chapter 1, 5th Supplement), the parent corporation or any of the parties, as the case may be, may be excused from that obligation.

Adopte
GD

Bill 13

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Section 211

AMENDMENT:

Replace paragraph 2 of subsection 2 by the following paragraph:

(2) it does not apply in respect of a disposition of an interest in a partnership made by a taxpayer before 1 January 2013 to a person with whom the taxpayer deals at arm's length if the taxpayer was obligated to dispose of the interest to the person pursuant to a written agreement entered into before 29 March 2012; in that respect, a taxpayer is not considered to be obligated to dispose of an interest in a partnership if, as a result of amendments to the Income Tax Act (Revised Statutes of Canada, 1985, chapter 1, 5th Supplement), the taxpayer may be excused from the obligation.

Adopté

CS

Bill 13

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Section 212

AMENDMENT:

Replace subsection 2 by the following subsection:

(2) Subsection 1, where it enacts sections 637.1, 637.2 and 637.4 of the Act, has effect from 14 August 2012, but does not apply in respect of a disposition, dilution, reduction or alteration of an interest in a partnership if the disposition, dilution, reduction or alteration is made before 1 January 2013 by persons that deal with each other at arm's length and pursuant to an obligation resulting from a written agreement entered into before 14 August 2012 and if no party to the agreement may be exempted from the obligation as a result of amendments to the Income Tax Act (Revised Statutes of Canada, 1985, chapter 1, 5th Supplement).

Adopté
CD

Bill 13

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Section 725

AMENDMENT:

(1) Replace the portion of the first paragraph of section 406.2 of the Act respecting the Québec sales tax before subparagraph 1, proposed by subsection 1, by the following:

“**406.2.**If an investment plan that is a selected listed financial institution and the manager of the investment plan have made a joint election referred to in the first or second paragraph of section 433.22 and that election is in effect in a particular reporting period of the manager for the purposes of Part IX of the Excise Tax Act (Revised Statutes of Canada, 1985, chapter E-15), the manager shall file a return with the Minister within the time the manager is required to file a return in accordance with section 238 of that Act for the particular reporting period, specifying the amount described in the second paragraph, if, throughout the particular reporting period, the manager

(2) Replace the second paragraph of section 406.2 of the Act respecting the Québec sales tax, proposed by subsection 1, by the following paragraph:

The amount referred to in the first paragraph is the negative amount that the investment plan could otherwise have deducted in determining its net tax under section 433.16 or 433.16.2 for a reporting period of the investment plan, if the manager has paid or credited the negative amount to the investment plan, or the positive amount that the investment plan would otherwise have been required to include in determining its net tax under either of those sections for the investment plan’s reporting period, if the negative or positive amount were determined on the basis of the following assumptions:

(1) the beginning of the investment plan’s reporting period coincided with the later of the beginning of the manager’s particular reporting period for the purposes of Part IX of the Excise Tax Act and the day in the manager’s particular reporting period on which the election referred to in the first or second paragraph of section 433.22, as the case may be, between the investment plan and the manager becomes effective;

(2) the end of the investment plan's reporting period coincided with the earlier of the end of the manager's particular reporting period for the purposes of Part IX of the Excise Tax Act and the day in the manager's particular reporting period on which the election referred to in the first or second paragraph of section 433.22, as the case may be, between the investment plan and the manager ceases to have effect;

(3) subparagraphs 1 and 2 of the third paragraph of section 433.22 did not apply in respect of the investment plan's reporting period; and

(4) if, at any time in the investment plan's reporting period, no election referred to in the first or second paragraph of section 470.2, as the case may be, is in effect between the investment plan and the manager, an amount of tax that became payable by the investment plan at that time, or that was paid by the investment plan at that time without having become payable, is included in determining the negative or positive amount only if the amount of tax is attributable to a supply made by the manager to the investment plan.

(3) Replace the first and second paragraphs of section 406.3 of the Act respecting the Québec sales tax, proposed by subsection 1, by the following paragraphs:

“406.3.If the amount described in the second paragraph of section 406.2 in relation to a return provided for in that section is positive, the manager shall pay that amount to the Minister on or before the day on which the manager is required to file the return.

If the amount described in the second paragraph of section 406.2 in relation to a return provided for in that section is negative, the manager may apply to the Minister for a rebate of that amount on or before the day on which the manager is required to file the return.

(4) Replace subsections 2 and 3 by the following subsections:

(2) Subsection 1 has effect from 1 January 2013. However, where section 406.2 of the Act applies in relation to a particular reporting period of the manager for the purposes of Part IX of the Excise Tax Act (Revised Statutes of Canada, 1985, chapter E-15) that includes 1 January 2013 but that began before that date, that section 406.2 is to be read as if subparagraph 1 of its second paragraph were replaced by the following subparagraph:

“(1) the beginning of the investment plan's reporting period coincided with the latest of

(a) the beginning of the manager's particular reporting period for the purposes of Part IX of the Excise Tax Act,

(b) the day in the manager's particular reporting period for the purposes of Part IX of the Excise Tax Act on which the election referred to in the first or second paragraph of section 433.22, as the case may be, between the investment plan and the manager becomes effective, and

(c) 1 January 2013;”.

(3) However, where an investment plan's manager has filed with the Minister a particular return before (*insert the date of assent to this Act*), except where the particular return was filed in accordance with section 406.2 of the Act, enacted by subsection 1,

(1) section 406.2 of the Act is, in respect of that particular return relating to a particular reporting period of the investment plan and of any previous reporting period of the investment plan, to be read as follows:

“**406.2.**If an investment plan that is a selected listed financial institution and the manager of the investment plan have made a joint election referred to in the first or second paragraph of section 433.22, the manager shall file a return with the Minister in respect of a particular reporting period of the investment plan on the day on or before which the investment plan is required, or would be required in the absence of section 470.2, to file a return in accordance with section 470.1 for the particular reporting period, specifying the amount described in the second paragraph, if the manager

(1) is not registered under Division I of Chapter VIII and is not required to be; and

(2) is not a selected listed financial institution.

The amount referred to in the first paragraph is the negative amount that the investment plan could otherwise have deducted in determining its net tax under section 433.16 or 433.16.2 for the investment plan's particular reporting period, if the manager has paid or credited the negative amount to the investment plan, or the positive amount that the investment plan would otherwise have been required to include in determining its net tax under either of those sections for the particular reporting period, if the negative or positive amount were determined on the basis of the following assumptions:

(1) the beginning of the investment plan's particular reporting period coincided with the day on which the election referred to in the first or second paragraph of section 433.22, as the case may be, between the investment plan and

the manager becomes effective, if that day is later than the first day of the particular reporting period;

(2) the end of the investment plan's particular reporting period coincided with the day on which the election referred to in the first or second paragraph of section 433.22, as the case may be, between the investment plan and the manager ceases to have effect, if that day is earlier than the last day of the particular reporting period;

(3) subparagraphs 1 and 2 of the third paragraph of section 433.22 did not apply in respect of the particular reporting period; and

(4) if, at any time in the particular reporting period, no election referred to in the first or second paragraph of section 470.2, as the case may be, is in effect between the investment plan and the manager, an amount of tax that became payable by the investment plan at that time, or that was paid by the investment plan at that time without having become payable, is included in determining the negative or positive amount only if the amount of tax is attributable to a supply made by the manager to the investment plan.”;

(2) section 406.2 of the Act, enacted by subsection 1, applies only in respect of a return relating to a particular reporting period of the manager for the purposes of Part IX of the Excise Tax Act that begins after the end of the investment plan's last reporting period in respect of which a return is required to be filed in accordance with section 406.2 of the Act respecting the Québec sales tax, enacted by paragraph 1; and

(3) in respect of the first return required to be filed by the manager under paragraph 2, the amount determined under the second paragraph of section 406.2 of the Act, enacted by subsection 1, is deemed to be the positive or negative amount obtained by the formula

$$A + B.$$

(5) Add the following subsections after subsection 3:

(4) For the purposes of the formula in paragraph 3 of subsection 3,

(1) A is the particular amount that is determined under the second paragraph of section 406.2 of the Act, enacted by subsection 1; and

(2) B is the portion of the particular amount that would be determined under the second paragraph of section 406.2 of the Act, enacted by subsection 1, in respect of the manager's particular reporting period for the purposes of Part IX of the Excise Tax Act that includes the last day of the investment plan's last reporting period in respect of which a return is required to be filed under section

406.2 of the Act respecting the Québec sales tax, enacted by paragraph 1 of subsection 3, if section 406.2 of the Act, enacted by subsection 1, applied in respect of the manager's particular reporting period, and that may reasonably be considered not to have been taken into account in computing the amount determined under the second paragraph of section 406.2 of the Act, enacted by paragraph 1 of subsection 3, in respect of the investment plan's last reporting period.

(5) A return that would otherwise be required to be filed before *(insert the date of the 31st day after the date of assent to this Act)* under section 406.2 of the Act, enacted by subsection 1, is deemed to have been filed with the Minister within the time referred to in the first paragraph of that section 406.2 if it is filed with the Minister on or before *(insert the date of the 31st day after the date of assent to this Act)*.

(6) A positive amount that would be payable to the Minister before *(insert the date of the 31st day after the date of assent to this Act)* under section 406.3 of the Act and the rebate of a negative amount that may be applied for to the Minister before that date under that section 406.3, where that amount is determined in accordance with section 406.2 of the Act, enacted by subsection 1, is deemed to have been paid or applied for, as the case may be, to the Minister within the time referred to in the first paragraph of that section 406.2 if it is paid or applied for, as the case may be, on or before *(insert the date of the 31st day after the date of assent to this Act)*.

(7) A return filed before *(insert the date of assent to this Act)* under section 406.2 of the Act, enacted by paragraph 1 of subsection 3, is deemed to have been filed with the Minister within the time referred to in the first paragraph of that section 406.2.

(8) A positive amount that would be payable to the Minister before *(insert the date of assent to this Act)* under section 406.3 of the Act and the rebate of a negative amount that may be applied for to the Minister before that date under that section 406.3, where that amount is determined in accordance with section 406.2 of the Act, enacted by paragraph 1 of subsection 3, is deemed to have been paid or applied for, as the case may be, to the Minister within the time referred to in the first paragraph of that section 406.2 if it is paid or applied for, as the case may be, on or before *(insert the date of assent to this Act)*.

Adopté
CS

Bill 13

**An Act to give effect to the Budget
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Section 742

AMENDMENT:

(1) Replace section 433.15.9 of the Act respecting the Québec sales tax, proposed by subsection 1, by the following section:

“433.15.9. Where a particular provision of this subdivision III, or of the regulations made under it, refers, in respect of a financial institution that is a selected listed financial institution throughout a reporting period in a fiscal year and that is also a selected listed financial institution for the purposes of Part IX of the Excise Tax Act (Revised Statutes of Canada, 1985, chapter E-15) throughout the reporting period, to the value of an element in a formula in the Excise Tax Act or a regulation made under that Act, or to the value such an element would have, in respect of the financial institution as regards Québec, if Québec were a participating province within the meaning of subsection 1 of section 123 of that Act, that value is to be determined with reference to any election, authorization or agreement that is in effect for the reporting period for the purposes of the Excise Tax Act or a regulation made under that Act.

(2) Insert “, or of the regulations made under it,” after “subdivision III” in the portion of section 433.15.10 of the Act respecting the Québec sales tax before paragraph 1, proposed by subsection 1.

(3) Replace the first paragraph of section 433.15.11 of the Act respecting the Québec sales tax, proposed by subsection 1, by the following paragraph:

“433.15.11. For the purposes of this subdivision III and the regulations made under it, if a financial institution that is a selected listed financial institution throughout a particular reporting period in a fiscal year is not a selected listed financial institution for the purposes of Part IX of the Excise Tax Act (Revised Statutes of Canada, 1985, chapter E-15) throughout the particular period and one or more parts of the business of the financial institution for the particular period consist of operations normally conducted by any of the types of financial institutions described in any of sections 24 to 26 and 29 to 38 of the Selected Listed Financial Institutions Attribution Method (GST/HST) Regulations made

under that Act, the financial institution and the Minister may agree that the percentage applicable to the financial institution as regards Québec for the particular period that would be determined under subsection 2 of section 225.2 of that Act, or Parts 2 and 5 of those Regulations, if Québec were a participating province within the meaning of subsection 1 of section 123 of that Act, be determined as provided for in section 39 of those Regulations.

(4) Insert “and the regulations made under it” after “subdivision III” in the portion of section 433.15.12 of the Act respecting the Québec sales tax before paragraph 1, proposed by subsection 1.

(5) Replace section 433.15.13 of the Act respecting the Québec sales tax, proposed by subsection 1, by the following section:

“433.15.13. For the purposes of this subdivision III and the regulations made under it, if an investment plan results from a plan merger, within the meaning of subsection 1 of section 16 of the Selected Listed Financial Institutions Attribution Method (GST/HST) Regulations made under the Excise Tax Act (Revised Statutes of Canada, 1985, chapter E-15), and it is a selected listed financial institution immediately after the merger, the fiscal year of the investment plan that precedes the fiscal year that includes the day on which the merger occurs and the fiscal year that includes that day are each deemed to end in a different taxation year of the investment plan and both of those taxation years are deemed to follow each other in the same order as the corresponding fiscal years.”

Adopté
CS

Bill 13

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Section 745

AMENDMENT:

Replace section 433.16.1 of the Act respecting the Québec sales tax, proposed by subsection 1, by the following section:

“433.16.1. A selected listed financial institution that is a non-stratified investment plan throughout a particular reporting period in a particular fiscal year may elect in the prescribed form containing prescribed information that the value of C in the formula in the first paragraph of section 433.16 be determined as if an election under subclause I of clause B of subparagraph ii of paragraph *d* of section 59 of the Selected Listed Financial Institutions Attribution Method (GST/HST) Regulations made under the Excise Tax Act (Revised Statutes of Canada, 1985, chapter E-15) had been made, if

(1) the investment plan is not a selected listed financial institution for the purposes of Part IX of the Excise Tax Act throughout the particular reporting period;

(2) units of the investment plan are issued, distributed or offered for sale in the particular fiscal year and immediately before the issuance, distribution or offering for sale no units of the investment plan are issued and outstanding;

(3) no election under the third paragraph of section 433.16 or under section 433.19.1 or 433.19.10 is in effect in respect of the investment plan and the particular fiscal year;

(4) the reconciliation day, within the meaning of subparagraph ii of paragraph *a* of section 59 of the Selected Listed Financial Institutions Attribution Method (GST/HST) Regulations, is not included in the particular fiscal year; and

(5) no election under section 433.19.4 is in effect throughout the particular fiscal year.

A selected listed financial institution that is a non-stratified investment plan (other than an exchange-traded fund) throughout a particular reporting period in a particular fiscal year may elect in the prescribed form containing prescribed information that the value of *C* in the formula in the first paragraph of section 433.16 be determined as if an election under paragraph *b* of section 60.1 of the Selected Listed Financial Institutions Attribution Method (GST/HST) Regulations had been made, if

(1) the investment plan is not a selected listed financial institution for the purposes of Part IX of the Excise Tax Act throughout the particular reporting period;

(2) units of the investment plan are issued, distributed or offered for sale in the particular fiscal year and immediately before the issuance, distribution or offering for sale no units of the investment plan are issued and outstanding;

(3) the fifth paragraph of section 433.16.2 does not apply to the investment plan for the particular reporting period; and

(4) paragraph *d* of section 59 of the Selected Listed Financial Institutions Attribution Method (GST/HST) Regulations would not be applicable to the investment plan if Québec were a participating province within the meaning of subsection 1 of section 123 of the Excise Tax Act.

Adapté



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Section 750

AMENDMENT:

Replace the portion of subparagraph 1 of the third paragraph of section 433.22 of the Act respecting the Québec sales tax before subparagraph *a*, proposed by subsection 1, by the following:

(1) for the investment plan, no amount of tax under subsection 1 of section 165 of the Excise Tax Act or under any of sections 212, 218 and 218.01 of that Act is to be taken into account in determining the value of A in the formula in the first paragraph of section 433.16 or 433.16.2, as the case may be, and no amount of tax under any of sections 16, 17, 18 and 18.0.1 is to be taken into account in determining the value of F in the formula in the first paragraph of section 433.16 or the value of D in the formula in the first paragraph of section 433.16.2, as the case may be, if

Adopté
GD

Bill 13

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Section 35

AMENDMENT:

Replace by the following section:

35. (1) Section 19 of the Act is amended

(1) by replacing subparagraph 6 of the fifth paragraph by the following subparagraph:

“(6) investments made by the Fund in a partnership or legal person that consist of an initial capital outlay of at least \$25,000,000 or of an additional capital outlay, provided that the strategic value of the initial capital outlay and, if applicable, of the additional capital outlay has been recognized, after 22 December 2004, by the Minister of Finance, and that those investments are not otherwise eligible investments;”;

(2) by replacing subparagraph 10 of the fifth paragraph by the following subparagraph:

“(10) investments made by the Fund after 10 November 2011 in Fonds Relève Québec, s.e.c.;”;

(3) by adding the following subparagraphs after subparagraph 10 of the fifth paragraph:

“(11) investments made by the Fund in Fonds Biomasse Énergie I, S.E.C.; and

“(12) investments made by the Fund in Teralys Capital Fonds d’Innovation, S.E.C.”;

(4) by inserting “and 11” after “7” in the seventh paragraph;

(5) by inserting “and 12” after “10” in the eighth paragraph;

(6) by replacing “5%” in subparagraph 2.1 of the tenth paragraph by “10%”;

(7) by striking out the eleventh paragraph.

(2) Paragraphs 1 and 3 to 7 of subsection 1 apply to a fiscal year that begins after 31 May 2014.

(3) Paragraph 2 of subsection 1 has effect from 11 November 2011.

Adopté

CD

AM 43
s. 610 (s. 11)

Bill 13

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Section 610

AMENDMENT:

Withdraw.

Adopté
CS

Bill 13

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Section 687

AMENDMENT:

(1) Replace the portion before proposed paragraph 1 of section 346.1 of the Act respecting the Québec sales tax by the following:

687. (1) Section 346.1 of the Act is amended by replacing paragraph 1 by the following paragraph:

(2) Add the following subsection after subsection 1:

(2) Subsection 1 has effect from 11 December 1998.

Adopté
CD

Bill 13

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Section 576.1

AMENDMENT:

Insert the following section after section 576:

576.1. (1) Section 3.4 of Schedule H to the Act is amended by replacing the first paragraph by the following paragraph:

“**3.4.** A favourable advance ruling or a qualification certificate given or issued to a corporation under this chapter certifies that the film referred to in it is recognized as a Québec film production. It also specifies the filing date of the application for its issue. In the event that the filing date precedes 1 September 2014 but follows 4 June 2014, the Société de développement des entreprises culturelles specifies in the favourable advance ruling or qualification certificate whether or not the work in respect of the film was sufficiently advanced on that latter date.”

(2) Subsection 1 applies in respect of a favourable advance ruling or a qualification certificate given or issued after 4 June 2014.

Adopté
67

Bill 13

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Section 580.1

AMENDMENT:

Insert the following section after section 580:

580.1. (1) Section 4.3 of Schedule H to the Act is amended by replacing the first paragraph by the following paragraph:

“**4.3.** A qualification certificate issued to a corporation under this chapter certifies that the dubbed version of a film referred to in the qualification certificate is recognized as a qualified production of the corporation. It also specifies the date on which that version was completed.”

(2) Subsection 1 applies in respect of a qualification certificate issued after 31 August 2014.

Adopté
WS

Bill 13

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Section 581.1

AMENDMENT:

Insert the following section after section 581:

581.1. (1) Section 5.3 of Schedule H to the Act is amended by replacing the first paragraph by the following paragraph:

“**5.3.** An approval certificate issued to a corporation under this chapter certifies that the film referred to in the certificate is recognized as a qualified production or as a qualified low-budget production. It also specifies the filing date of the application for its issue. In the event that the filing date precedes 1 September 2014 but follows 4 June 2014, the Société de développement des entreprises culturelles specifies in the approval certificate whether or not the work in respect of the film was sufficiently advanced on that latter date.”

(2) Subsection 1 applies in respect of an approval certificate issued after 4 June 2014.

Adopté
CD

Bill 13

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Section 584.1

AMENDMENT:

Insert the following sections after section 584:

584.1. (1) Section 6.4 of Schedule H to the Act is amended by inserting the following paragraph after the first paragraph:

“Furthermore, the favourable advance ruling or qualification certificate specifies the filing date of the application for its issue. In the event that the filing date precedes 1 September 2014 but follows 4 June 2014, the Société de développement des entreprises culturelles specifies in the favourable advance ruling or qualification certificate whether or not the work in respect of the recording was sufficiently advanced on that latter date.”

(2) Subsection 1 applies in respect of a favourable advance ruling or a qualification certificate given or issued after 4 June 2014.

Adopté
CD

Bill 13

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Section 584.2

AMENDMENT:

584.2. (1) Section 7.4 of Schedule H to the Act is amended by inserting the following paragraph after the first paragraph:

“Furthermore, the favourable advance ruling or qualification certificate specifies, in the case where it is given or issued for the period described in paragraph 1 of section 7.2, the filing date of the application for its issue or, in any other case, the filing date of the application for the issue of the favourable advance ruling or qualification certificate given or issued for the period described in that paragraph 1. In the event that the filing date precedes 1 September 2014 but follows 4 June 2014, the Société de développement des entreprises culturelles specifies in the favourable advance ruling or qualification certificate whether or not the work in respect of the performance was sufficiently advanced on that latter date.”

(2) Subsection 1 applies in respect of a favourable advance ruling or a qualification certificate given or issued after 4 June 2014.

Adopté
GD

Bill 13

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Section 584.3

AMENDMENT:

584.3. (1) Section 8.4 of Schedule H to the Act is amended by inserting the following paragraph after the second paragraph:

“Furthermore, the favourable advance ruling or qualification certificate specifies the filing date of the application for its issue. In the event that the filing date precedes 1 September 2014 but follows 4 June 2014, the Société de développement des entreprises culturelles specifies in the favourable advance ruling or qualification certificate whether or not the work in respect of the work or group of works was sufficiently advanced on that latter date.”

(2) Subsection 1 applies in respect of a favourable advance ruling or a qualification certificate given or issued after 4 June 2014.

Adopté
CD

Bill 13

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Section 584.4

AMENDMENT:

584.4. (1) Section 9.4 of Schedule H to the Act is amended by replacing the first paragraph by the following paragraph:

“**9.4.** A favourable advance ruling or a qualification certificate given or issued to a corporation under this chapter certifies that the multimedia event or environment referred to in it is recognized as a qualified production of the corporation. It also specifies the filing date of the application for its issue. In the event that the filing date precedes 1 September 2014 but follows 4 June 2014, the Société de développement des entreprises culturelles specifies in the favourable advance ruling or qualification certificate whether or not the work in respect of the multimedia event or environment was sufficiently advanced on that latter date.”

(2) Subsection 1 applies in respect of a favourable advance ruling or a qualification certificate given or issued after 4 June 2014.

Adopté
UD

Bill 13

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Section 586.1

AMENDMENT:

Insert the following section after section 586:

586.1. (1) Section 33.0.2 of the Act is amended by replacing the portion of the first paragraph before subparagraph *a* by the following:

“33.0.2. For the purposes of the definition of “total payroll” in the first paragraph of section 33, this section and sections 33.0.3, 33.0.4, 34.1.0.3 and 34.1.0.4, the following rules must be taken into consideration:”.

(2) Subsection 1 has effect from 21 November 2012.

Adopté
GD

Bill 13

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Section 732.1

AMENDMENT:

Insert the following section after section 732:

732.1. (1) Section 417.0.1 of the Act is amended by adding the following paragraph after the third paragraph:

“Despite sections 294 and 295, the person to whom the first paragraph applies who makes a taxable supply described in subparagraph *c* of paragraph 1 of section 294 or 295 is deemed to be a small supplier at either of the following times if, at that time, the person is not a registrant for the purposes of Part IX of the Excise Tax Act:

- (1) the time the person makes the taxable supply; or
 - (2) the time all or part of the consideration for the taxable supply becomes due or is paid without having become due.”
- (2) Subsection 1 has effect from 1 January 2013.

Adopté
GD

Bill 13

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Section 791.1

AMENDMENT:

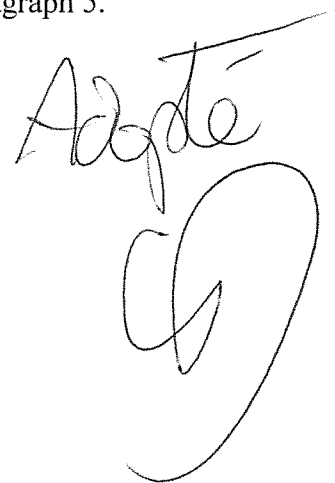
Insert the following section before section 792:

791.1. Where section 11.3 of the Act respecting the Ministère de la Santé et des Services sociaux (chapter M-19.2) applies to the fiscal year 2015–2016, it is to be read

(1) as if the following paragraph were inserted after paragraph 1:

“(1.1) the money transferred to it by the Minister of Finance, at the intervals that Minister determines, out of the money credited to the general fund and corresponding to the amount by which the money collected by the Minister of Revenue under the Taxation Act (chapter I-3) exceeds the money that would be so collected if section 750 of that Act were read without reference to its paragraph *d* and if paragraph *c* of that section were read without reference to “the lesser of \$100,000 and”; and

(2) as if “, 1.1” were inserted after “paragraphs 1” in paragraph 5.

A handwritten signature in black ink, appearing to read 'Adèle', with a large, stylized flourish below it.