

1993

## CHAPTER 27

### **An Act to amend *The Income Tax Act***

(Assented to May 21, 1993)

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

Short title

1 This Act may be cited as *The Income Tax Amendment Act, 1993*.

R.S.S. 1978, c.I-2 amended

2 *The Income Tax Act* is amended in the manner set forth in this Act.

Section 4 amended

**3(1) Subclause 4(1)(k)(ii) is amended by repealing paragraphs (A), (B) and (C) and substituting the following:**

“(A) \$300 in the case of an individual who, in calculating the amount deductible for the taxation year pursuant to subsection 118(1) of the Federal Act, includes an amount determined in accordance with subparagraph 118(1)(a)(ii) in determining the value of B in the formula set out in that subsection of the Federal Act;

“(B) \$300 in the case of an individual who, in calculating the amount deductible for the taxation year pursuant to subsection 118(1) of the Federal Act, includes an amount determined in accordance with subparagraph 118(1)(b)(iv) in determining the value of B in the formula set out in that subsection of the Federal Act;

“(C) the product P, to a maximum of \$1,000, calculated in accordance with the following formula:

$$P = \$250 \times QD$$

where QD is the number of qualified dependants with respect to whom the individual is an eligible individual on the last day of the taxation year, in the case of an individual:

- (I) who does not have a cohabiting spouse on the last day of the taxation year; or
- (II) who has a cohabiting spouse on the last day of the taxation year whose income for the taxation year is less than the individual's income for the taxation year”.

**(2) The following subsection is added after subsection (2):**

“(3) For the purposes of clause (1)(k):

- (a) ‘**cohabiting spouse**’ means cohabiting spouse within the meaning of section 122.6 of the Federal Act;
- (b) ‘**eligible individual**’ means eligible individual within the meaning of section 122.6 of the Federal Act;
- (c) ‘**qualified dependant**’ means qualified dependant within the meaning of section 122.6 of the Federal Act”.

Section 6 amended

**4 Section 6 is amended:**

**(a) by adding “and before January 1, 1994” after “December 31, 1992” in subsection (4.3);**

**(b) by adding the following subsections after subsection (4.3):**

“(4.4) Notwithstanding subsection (1), with respect to taxation years ending after December 31, 1993 and before January 1, 1995, the tax payable under this Act by a corporation, other than a credit union, for a taxation year when the corporation is eligible for a deduction under section 125 of the Federal Act is equal to the sum of:

- (a) an amount equal to 8.5% of an amount equal to that proportion of the least of the amounts determined under paragraphs 125(1)(a), (b) and (c) of the Federal Act for the taxation year that:
- (i) the amount of that portion of its taxable income earned in the taxation year in Saskatchewan, determined in accordance with paragraph 124(4)(a) of the Federal Act;

bears to:

- (ii) the total amount of the portions of its taxable income earned in the taxation year in all provinces, determined in accordance with paragraph 124(4)(a) of the Federal Act; and
- (b) 17% of the amount equal to the corporation's total taxable income earned in Saskatchewan during the taxation year less any amounts to which the 8.5% rate is applied in accordance with clause (a).

“(4.5) Notwithstanding subsection (1), with respect to taxation years ending after December 31, 1994, the tax payable under this Act by a corporation, other than a credit union, for a taxation year when the corporation is eligible for a deduction under section 125 of the Federal Act is equal to the sum of:

- (a) an amount equal to 8% of an amount equal to that proportion of the least of the amounts determined under paragraphs 125(1)(a), (b) and (c) of the Federal Act for the taxation year that:
  - (i) the amount of that portion of its taxable income earned in the taxation year in Saskatchewan, determined in accordance with paragraph 124(4)(a) of the Federal Act;

bears to:

- (ii) the total amount of the portions of its taxable income earned in the taxation year in all provinces, determined in accordance with paragraph 124(4)(a) of the Federal Act; and
- (b) 17% of the amount equal to the corporation's total taxable income earned in Saskatchewan during the taxation year less any amounts to which the 8% rate is applied in accordance with clause (a)”;

**(c) in subsection (5.3), by adding “and before January 1, 1994” after “December 31, 1992”;**

**(d) by adding the following subsections after subsection (5.3):**

“(5.4) Notwithstanding subsection (1), with respect to taxation years ending after December 31, 1993 and before January 1, 1995, the tax payable under this Act by a corporation that is a credit union for a taxation year when the credit union is eligible for a deduction under subsection 125(1) or 137(3) of the Federal Act is equal to the sum of:

- (a) an amount equal to 8.5% of an amount equal to that proportion of the least of the amounts calculated under paragraphs 125(1)(a), (b) and (c) of the Federal Act and the amount with respect to which an allowance is made under subsection 137(3) of the Federal Act for the taxation year that:
  - (i) the amount of that portion of its taxable income earned in the taxation year in Saskatchewan, determined in accordance with paragraph 124(4)(a) of the Federal Act;

bears to:

- (ii) the total amount of the portions of its income earned in the taxation year in all provinces, determined in accordance with paragraph 124(4)(a) of the Federal Act; and
- (b) 17% of the amount equal to the credit union's total taxable income earned in Saskatchewan during the taxation year less any amounts to which the 8.5% rate is applied in accordance with clause (a).

“(5.5) Notwithstanding subsection (1), with respect to taxation years ending after December 31, 1994, the tax payable under this Act by a corporation that is a credit union for a taxation year when the credit union is eligible for a deduction under subsection 125(1) or 137(3) of the Federal Act is equal to the sum of:

- (a) an amount equal to 8% of an amount equal to that proportion of the least of the amounts calculated under paragraphs 125(1)(a), (b) and (c) of the Federal Act and the amount with respect to which an allowance is made under subsection 137(3) of the Federal Act for the taxation year that:
  - (i) the amount of that portion of its taxable income earned in the taxation year in Saskatchewan, determined in accordance with paragraph 124(4)(a) of the Federal Act;

bears to:

- (ii) the total amount of the portions of its income earned in the taxation year in all provinces, determined in accordance with paragraph 124(4)(a) of the Federal Act; and
- (b) 17% of the amount equal to the credit union's total taxable income earned in Saskatchewan during the taxation year less any amounts to which the 8% rate is applied in accordance with clause (a)”;

**and**

**(e) by repealing clause (6)(d) and substituting the following:**

“(d) with respect to the period commencing on January 1, 1993 and ending on December 31, 1993, 9%;

“(e) with respect to the period commencing on January 1, 1994 and ending on December 31, 1994, 8.5%;

“(f) with respect to the period commencing on January 1, 1995, 8%”.

Section 7.1 amended

**5 Subsection 7.1(3) is repealed and the following substituted:**

“(3) Subject to subsections (4) to (10), a corporation may apply to the minister for, and the minister may allow, a deduction from the tax otherwise payable pursuant to this Part, for the first and second taxation years of a corporation, in an amount D calculated in accordance with the following formula:

$$D = (R \times P) - \text{MPTR}$$

where:

D is the deduction allowed;

R is:

for the period commencing after March 26, 1986 and ending before January 1, 1992, 10%;

for the period commencing on January 1, 1992 and ending before January 1, 1993, 9.5%;

for the period commencing on January 1, 1993 and ending before January 1, 1994, 9%;

for the period commencing on January 1, 1994 and ending before January 1, 1995, 8.5%;

P is the proportion of the least of the amounts determined pursuant to paragraphs 125(1)(a), (b) and (c) of the Federal Act for the taxation year that:

the amount of that portion of the corporation's taxable income earned in the taxation year in Saskatchewan, determined in accordance with paragraph 124(4)(a) of the Federal Act;

bears to:

with respect to taxation years:

ending before January 1, 1987, its total taxable income attributable to all jurisdictions;

ending after December 31, 1986, the total amount of the portions of its taxable income earned in the taxation year in all provinces, determined in accordance with paragraph 124(4)(a) of the Federal Act;

MPTR is the amount determined with respect to the corporation pursuant to clause 6(7)(b) for the taxation year”.

New section 7.2

**6 The following section is added after section 7.1:**

Manufacturing and processing tax credit

“7.2(1) In this section:

- (a) `**amalgamation**' means an amalgamation as defined in subsection 87(1) of the Federal Act;
- (b) `**Canadian-controlled private corporation**' means a Canadian-controlled private corporation as defined in paragraph 125(7)(b) of the Federal Act;
- (c) `**manufacturing and processing**' means manufacturing and processing as defined in paragraph 125.1(3)(b) of the Federal Act and includes qualified activities as defined in the Federal regulations made for the purposes of paragraph 125.1(3)(a) of the Federal Act;
- (d) `**manufacturing and processing tax credit**' means the tax credit calculated pursuant to subsection (3);
- (e) `**qualified property**' means property of a Canadian-controlled private corporation that:
  - (i) is prescribed machinery and equipment, as prescribed for the purposes of the definition of qualified property in subsection 127(9) of the Federal Act;
  - (ii) is acquired after March 31, 1993 and before January 1, 1994;

- (iii) was not used, or acquired for use or lease, for any purpose before it was acquired by the corporation; and
- (iv) is used in Saskatchewan by the corporation primarily for manufacturing or processing goods for lease or sale;
- (f) **'winding-up'** means a winding-up of a corporation to which subsection 88(1) of the Federal Act applies.
- (2) A Canadian-controlled private corporation may deduct from its tax otherwise payable pursuant to this Act for a taxation year an amount not more than the lesser of:
- (a) its manufacturing and processing tax credit at the end of the taxation year; and
- (b) its tax otherwise payable pursuant to this Act for the taxation year.
- (3) The manufacturing and processing tax credit for a Canadian-controlled private corporation at the end of a taxation year is the amount MPTC, if it is positive, calculated in accordance with the following formula:

$$\text{MPTC} = (\text{CC} + \text{CCPY} + \text{OA} + \text{OAPY}) - \text{PD}$$

where:

MPTC is the amount of the manufacturing and processing tax credit;

CC is 8% of the sum of all amounts, each of which is the capital cost to the corporation of qualified property acquired by it in the taxation year determined without reference to subsection 13(7.1) of the Federal Act;

CCPY is 8% of the sum of all amounts, each of which is the capital cost to the corporation of qualified property acquired by it in the ten taxation years preceding or the three taxation years following that taxation year determined without reference to subsection 13(7.1) of the Federal Act;

OA is the sum of all amounts, each of which is an amount required by subsection (4) or (6) to be added in computing the corporation's manufacturing and processing tax credit at the end of the taxation year;

OAPY is the sum of all amounts, each of which is an amount required by subsection (4) or (6) to be added in computing the corporation's manufacturing and processing tax credit at the end of any of the ten taxation years preceding or the three taxation years following that taxation year;

PD is the sum of all amounts, each of which:

is an amount deducted pursuant to this section from tax otherwise payable pursuant to this Act by the corporation for a preceding taxation year; and

is related to property acquired in the taxation year, in the ten taxation years preceding that taxation year or in the two taxation years following that taxation year.

- (4) When computing its manufacturing and processing tax credit at the end of a taxation year, a corporation that is a beneficiary under a trust shall add its share of the amount that the trust, if the trust were a taxpayer, would be required to calculate as the amounts CC and CCPY pursuant to subsection (3) for that taxation year.
- (5) For the purposes of subsection (4), a corporation's share of the trust is the amount that would reasonably be considered as its share, having regard to all circumstances including the terms and conditions of the trust.
- (6) When computing its manufacturing and processing tax credit at the end of a taxation year, a corporation that is a partner shall add its share of the amount that the partnership, if the partnership were a taxpayer, would be required to calculate as the amounts CC and CCPY pursuant to subsection (3) for that taxation year.
- (7) For the purposes of subsection (6), a corporation's share of the partnership is the amount that would reasonably be considered as its share, having regard to all circumstances.
- (8) For the purposes of calculating the manufacturing and processing tax credit of a new corporation that is the result of an amalgamation, the new corporation is deemed to be the continuation of each of its predecessor corporations if:
- (a) the amalgamation took place after March 31, 1993;
- (b) the new corporation is a Canadian-controlled private corporation; and
- (c) one of its predecessor corporations had a manufacturing and processing tax credit, any portion of which was not deducted in any taxation year by the predecessor corporation in computing its tax otherwise payable pursuant to this Act.
- (9) For the purposes of calculating the manufacturing and processing tax credit of a parent corporation a subsidiary of which has been wound-up, the parent corporation is deemed to be the continuation of

its subsidiary if:

- (a) the winding-up took place after March 31, 1993;
  - (b) the parent corporation is a Canadian-controlled private corporation; and
  - (c) the subsidiary corporation had a manufacturing and processing tax credit, any portion of which was not deducted in any taxation year by the subsidiary corporation in computing its tax otherwise payable pursuant to this Act.
- (10) A Canadian-controlled private corporation may renounce its manufacturing and processing tax credit on or before the date by which the Canadian-controlled private corporation is required to file its return of income for the year pursuant to section 150 of the Federal Act.
- (11) If a Canadian-controlled private corporation renounces its manufacturing and processing tax credit pursuant to subsection (10), that Canadian-controlled private corporation is deemed for all purposes never to have received, have been entitled to receive or have had a reasonable expectation of receiving that tax credit".

Section 12 amended

**7 Section 12 is amended by adding ", (4.2)" after "(4.1)".**

New sections 12 to 14

**8 Sections 12 to 14 are repealed and the following substituted:**

Assessment

"12 Subsections 152(1) and (2) to (8) of the Federal Act apply, with any necessary modification, for the purposes of this Act.

Withholding

"13 Subsections 153(1) to (3) of the Federal Act apply, with any necessary modification, for the purposes of this Act.

Reassessment

"14 Where a collection agreement is in effect and notwithstanding that the normal reassessment period for a taxpayer with respect to a taxation year has elapsed, if a taxpayer's tax payable pursuant to Part 1 of the Federal Act for the year is reassessed, the Minister of Finance shall:

- (a) reassess;
  - (b) make additional assessments; or
  - (c) assess tax, interest or penalties;
- as the case may be".

New sections 15 and 16

**9 Sections 15 and 16 are repealed and the following substituted:**

Farmers and fishermen

"15(1) Subject to subsection 16(3), every individual whose chief source of income is farming or fishing, other than an individual to whom subsection 153(2) of the Federal Act applies for the purposes of this Act, shall pay to the Minister of Finance, with respect to each taxation year:

- (a) on or before December 31 in the taxation year, two-thirds of:
    - (i) the amount estimated by the individual pursuant to section 151 of the Federal Act, as it applies for the purposes of this Act, to be the tax payable pursuant to this Act by the individual for the year; or
    - (ii) the tax payable pursuant to this Act by the individual for the immediately preceding taxation year; and
  - (b) on or before the individual's balance due day for the year, the remainder of the individual's tax as estimated pursuant to section 151 of the Federal Act, as it applies for the purposes of this Act.
- (2) Where a collection agreement is entered into, an individual to whom subsection (1) applies shall pay the amount that is:
- (a) required pursuant to clause (1)(a); and
  - (b) computed with respect to the same year that the amount that the individual is liable to pay pursuant to

paragraph 155(1)(a) of the Federal Act is computed.

#### Other individuals

"16(1) Subject to subsection (3), every individual, other than an individual to whom subsection 153(2) of the Federal Act applies for the purposes of this Act or to whom section 15 applies, shall pay to the Minister of Finance, with respect to each taxation year:

- (a) on or before March 15, June 15, September 15 and December 15 in the taxation year, one-quarter of:
  - (i) the amount estimated by the individual pursuant to section 151 of the Federal Act, as it applies for the purposes of this Act, to be the tax payable pursuant to this Act by the individual for the year; or
  - (ii) the tax payable pursuant to this Act by the individual for the immediately preceding taxation year; and
- (b) on or before the individual's balance due day for the year, the remainder of the individual's tax as estimated pursuant to section 151 of the Federal Act, as it applies for the purposes of this Act.
- (2) Where a collection agreement is entered into, an individual to whom subsection (1) applies shall pay the amount that is:
  - (a) required pursuant to clause (1)(a); and
  - (b) computed with respect to the same year that the amount that the individual is liable to pay pursuant to paragraph 156(1)(a) of the Federal Act is computed.
- (3) Where no federal instalments are required pursuant to section 156.1 of the Federal Act for a taxation year, the individual:
  - (a) is not required to pay instalments pursuant to section 15 or 16 of this Act for the taxation year; and
  - (b) on or before the individual's balance-due day for the taxation year, shall pay to the Minister of Finance the individual's tax as estimated pursuant to section 151 of the Federal Act, as it applies for the purposes of this Act, for the taxation year".

#### Section 19 amended

**10 Subsection 19(1) is repealed and the following substituted:**

"(1) Subject to subsection (2) and section 20, subsections 70(2) and 104(2), paragraph 104(23)(e), sections 158 to 160, subsection 160.1(1), sections 160.2 and 160.3 and subsections 161(1) to (7), (9) and (11) of the Federal Act apply, with any necessary modification, to the payment of tax pursuant to this Act".

#### New section 21

**11 Section 21 is repealed and the following substituted:**

##### Returns

- "21(1) Subsections 162(1) to (3), (7) and (11) of the Federal Act apply, with any necessary modification, to this Act.
- (2) Where a collection agreement is in effect, the Minister of Finance may refrain from levying or reduce a penalty provided in this section if the person who is liable to the penalty is required to pay a penalty pursuant to section 162 of the Federal Act with respect to the same failure".

#### Section 21 amended

**12 Subsection 21(1) is repealed and the following substituted:**

"(1) Subsections 162(1) to (3), (5), (7) and (11) and section 235 of the Federal Act apply, with any necessary modification, to this Act".

#### New section 22

**13 Sections 22 and 22.1 are repealed and the following substituted:**

##### Failure to report and false statements

- "22(1) Subsection 163(1), paragraph 163(2)(a), as it would apply without reference to subsection 120(2) of the Federal Act, and subsections 163(2.1), (3) and (4) of the Federal Act apply, with any necessary modification, for the purposes of this Act.
- (2) Where a collection agreement is in effect, the Minister of Finance may refrain from levying or reduce a penalty provided in this section if the person who is liable to the penalty is required to pay a penalty

pursuant to section 163 of the Federal Act with respect to the same failure or the same false statement or omission, as the case may be".

New section 22.2

14 **Section 22.2 is repealed and the following substituted:**

Penalty re instalments

"22.2 Section 163.1 of the Federal Act applies, with any necessary modification, for the purposes of this Act".

Section 23 amended

**15 Subsection 23(1) is repealed and the following substituted:**

“(1) Subsections 164(1) to (1.31), (1.5), (2) and (3) to (7) of the Federal Act apply, with any necessary modification, to the payment of tax pursuant to this Act”.

Section 25 amended

**16 Section 25 is amended by striking out “Section 165 applies” and substituting “Sections 165, 166.1 and 166.2 of the Federal Act apply”.**

Section 26 amended

**17 Subsection 26(1) is repealed and the following substituted:**

“(1) Section 169 of the Federal Act applies, with any necessary modification, for the purposes of this Act”.

Section 29 amended

**18 Section 29 is amended by striking out “and 171, subsection 178(1) and section” and substituting “,171 and”.**

Section 32 amended

**19 Section 32 is amended by adding “, 221.1” after “220”.**

New sections 34 and 35

**20 Sections 34 and 35 are repealed and the following substituted:**

Taxes are debts due to Her Majesty

“34 Section 222 of the Federal Act applies, with any necessary modification, for the purposes of this Act.

Certificates

“35(1) Subsections 223(2) to (4) of the Federal Act apply, with any necessary modification, for the purposes of this Act.

(2) Where a collection agreement is in effect, subsection (1) does not apply, but the Minister of Finance may proceed pursuant to section 223 of the Federal Act for the purpose of collecting any amount payable pursuant to this Act by a taxpayer”.

New section 38

**21 Section 38 is repealed and the following substituted:**

Seizure

“38 Section 225 of the Federal Act applies, with any necessary modification, for the purposes of this Act”.



New section 39

**22 Section 39 is repealed and the following substituted:**

Taxpayer leaving Canada or Saskatchewan

"39 Section 226 of the Federal Act applies, with any necessary modification, for the purposes of this Act".

Section 40 amended

**23 Section 40 is amended:**

**(a) by repealing subsection (1) and substituting the following:**

"(1) Subsections 227(1) to (5), (8), (8.2) to (9), (9.2), (9.4), (9.5) and (11) to (13) of the Federal Act apply, with any necessary modification, for the purposes of this Act";

**(b) by repealing subclauses (8)(b)(ii) and substituting the following:**

"(ii) subsection 227(8),(8.3) to (9), (9.2), (9.4) or (9.5) or section 227.1 or 235 of the Federal Act, as they apply, with any necessary modification, for the purposes of this Act";

**(c) by repealing subclause (8)(b)(iii) and substituting the following:**

"(iii) section 45 of this Act"; and

**(d) by repealing subsections (9) to (11).**

New section 40.1

**24 Section 40.1 is repealed and the following substituted:**

Liability of directors for failure to pay tax

"40.1 Section 227.1 of the Federal Act applies, with any necessary modification, for the purposes of this Act".

Section 47 amended

**25 Subsection 47(3) is repealed and the following substituted:**

"(3) Subsection 238(2) of the Federal Act applies, with any necessary modification, for the purposes of this Act".

New section 48

**26 Section 48 is repealed and the following substituted:**

False statements, destruction of records, evasion and conspiracy

"48 Subsection 239(1) of the Federal Act applies, with any necessary modification, for the purposes of this Act".

New sections 51 and 52

**27 Sections 51 and 52 are repealed and the following substituted:**

Liability of officers, directors for offences by corporation

"51 Section 242 of the Federal Act applies, with any necessary modification, for the purposes of this Act.

Restriction on court respecting minimum sentences and suspension of sentence

"52 Section 243 of the Federal Act applies, with any necessary modification, for the purposes of this Act".

Section 53 amended

**28 Section 53 is amended:**

**(a) by repealing subsection (1) and substituting the following:**

"(1) Subsections 244(1) to (5), (7) to (11), (13) to (17) and (20) and subsection 248(7) of the Federal Act apply, with any necessary modification, for the purposes of this Act";

**(b) by repealing subsections (2) to (9);**

**(c) by repealing subsections (11) to (14); and**

**(d) by repealing subsection (16).**

Section 59 amended

**29 Subsection 59(1) is amended by striking out "subsection 35(2)" and substituting "subsection 223(3) of the Federal Act, as it applies to this Act".**

Section 60 amended

30 **Section 60 is amended:**

**(a) by repealing clauses (1)(b) and (c) and substituting the following:**

“(b) `amount' means amount as defined in the Federal Act;

“(c) `assessment' means assessment as defined in the Federal Act”;

**(b) by adding the following clause after clause (1)(c):**

“(c.1) `balance-due day' means balance-due day as defined in the Federal Act”;

**(c) by repealing clause (1)(d) and substituting the following:**

“(d) `business' means business as defined in the Federal Act”;

**(d) by repealing clause (1)(f) and substituting the following:**

“(f) `corporation' means corporation as defined in the Federal Act”;

**(e) by repealing clauses (1)(i) to (k) and substituting the following:**

“(i) `employed' means employed as defined in the Federal Act;

“(j) `employee' means employees as defined in the Federal Act;

“(k) `employer' means employer as defined in the Federal Act”;

**(f) by repealing clause (1)(n) and substituting the following:**

“(n) `fiscal period' means fiscal period as defined in the Federal Act”;

**(g) by repealing clauses (1)(t) to (v) and substituting the following:**

“(t) `permanent establishment' means permanent establishment within the meaning of the Federal Regulations;

“(u) `person' means person as defined in the Federal Act;

“(v) `prescribed' means prescribed as defined in the Federal Act”;

**(h) by repealing clauses (1)(z) to (bb) and substituting the following:**

“(z) `taxable income' means taxable income as defined in the Federal Act;

“(aa) `taxation year' means taxation year as defined in subsection 249(1) of the Federal Act and, in the case of an estate or trust arising on death, means taxation year as determined in accordance with subsection 104(23) of the Federal Act;

“(bb) `taxpayer' means taxpayer as defined in the Federal Act”;

**(i) by adding “(3.2)” after “164(3), (3.1)” in subsection (6.1);**

**(j) by repealing subsection (6.1) and substituting the following:**

“(6.1) Subsection 248(11) of the Federal Act applies, with any necessary modification, for the purposes of this Act, to the extent that that subsection applies to subsections 161(1), (2) and (11), 164(3) to (4) and 227(8.3) and (9.2) of the Federal Act”; and

**(k) by striking out “Bankruptcy Act” in clause (9)(f) and substituting “Bankruptcy and Insolvency Act”.**

Schedule amended

31 **The Schedule is amended by adding after:**

“Registry of the Federal Court Office of the Registrar of Her Majesty's Court of Queen's Bench for Saskatchewan”

**the following:**

“Department of National Revenue Department of Finance”.

Application of amendments

32(1) Subject to subsections (2) to (20), the amendments to *The Income Tax Act* being made by this Act apply on and after the day this Act comes into force.

(2) Section 3 applies to the 1993 and subsequent taxation years.

(3) Section 5 applies on and after January 1, 1992.

(4) Section 6 applies on and after April 1, 1993.

(5) Section 7 applies to assessments made for the 1985 and subsequent taxation years.

(6) Section 8 applies after April 27, 1989 except with respect to any taxation year of a taxpayer for which a notification of original assessment pursuant to *The Income Tax Act*, or a notification that no tax is payable by the taxpayer for the taxation year, was mailed on or before April 27, 1986.

(7) Section 9 applies to the 1990 and subsequent taxation years.

- (8) Section 10 applies to the 1988 and subsequent taxation years.
- (9) Section 11 applies to amounts referred to in paragraph 161(7)(a) of the *Income Tax Act* (Canada) with respect to subsequent taxation years referred to in that paragraph ending after July 13, 1990.
- (10) Section 12 applies on and after December 17, 1991.
- (11) Section 13 applies to amounts referred to in subsection 163(4) of the *Income Tax Act* (Canada) with respect to subsequent taxation years ending after July 13, 1990.
- (12) Section 15 applies to refunds for the 1985 and subsequent taxation years.
- (13) Section 16 applies to applications filed after January 16, 1992.
- (14) Section 19 applies on and after January 1, 1990.
- (15) Section 22 applies on and after December 17, 1991.
- (16) The reference to section 235 of the *Income Tax Act* (Canada) being added by clause 23(b) applies on and after December 17, 1991.
- (17) Section 28 applies on and after December 17, 1991.
- (18) Clause 30(b) applies on and after January 1, 1990.
- (19) Clause 30(i) applies with respect to refunds for the 1985 and subsequent taxation years.
- (20) Clause 30(j) applies on and after January 1, 1987, and interest computed with respect to a period ending before that day shall be computed on and after that day.

#### Coming into force

- 33(1) Subject to subsections (2) to (4), this Act comes into force on the day of assent.
- (2) Section 4 of this Act comes into force on the day of assent, but is retroactive and is deemed to have been in force on and from January 1, 1993.
- (3) Section 6 of this Act comes into force on the day of assent, but is retroactive and is deemed to have been in force on and from April 1, 1993.
- (4) Section 7 of this Act comes into force on the day of assent, but is retroactive and is deemed to have been in force on and from January 1, 1992.
- (5) Section 19 of this Act comes into force on the day of assent, but is retroactive and is deemed to have been in force on and from January 1, 1990.