

1999

CHAPTER 18

An Act to amend *The Income Tax Act*

(Assented to May 6, 1999)

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, 1999*.

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

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

Section 7.3 amended

3 **The descriptions of the amounts CC and CCPY in subsection 7.3(4) are repealed and the following substituted:**

“ CC is the total of:

(a) with respect to qualified property acquired by the corporation on or before March 20, 1997, 9% 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;

(b) with respect to qualified property acquired by the corporation after March 20, 1997 and before March 27, 1999, 7% 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; and

(c) with respect to qualified property acquired by the corporation after March 26, 1999, 6% 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 the total of:

(a) with respect to qualified property acquired by the corporation on or before March 20, 1997, 9% of the sum of all amounts, each of which is the capital cost to the corporation of qualified property acquired by it in any of the seven taxation years preceding or any of the three taxation years following the taxation year, determined without reference to subsection 13(7.1) of the Federal Act;

(b) with respect to qualified property acquired by the corporation after March 20, 1997 and before March 27, 1999, 7% of the sum of all amounts, each of which is the capital cost to the corporation of qualified property acquired by it in any of the seven taxation years preceding or any of the three taxation years following the taxation year, determined without reference to subsection 13(7.1) of the Federal Act; and

(c) with respect to qualified property acquired by the corporation after March 26, 1999, 6% of the sum of all amounts, each of which is the capital cost to the corporation of qualified property acquired by it in any of the seven taxation years preceding or any of the three taxation years following the taxation year, determined without reference to subsection 13(7.1) of the Federal Act ”.

Section 7.31 amended

4(1) Clause 7.31(4)(b) is amended:

(a) by striking out “ and ” after subclause (i); and

(b) by repealing subclause (ii) and substituting the following:

“ (ii) with respect to qualified property acquired in Saskatchewan, or brought into Saskatchewan, by the corporation after March 20, 1997 and before March 27, 1999, 7% of the sum of all amounts, each of which:

(A) is an expenditure incurred by the corporation in the taxation year to install the qualified property or otherwise make it initially available for use in Saskatchewan, other than amounts included in the value of the qualified property on which tax was computed pursuant to *The Education and Health Tax Act*; and

(B) forms part of the capital cost to the corporation of the qualified property, determined without reference to subsection 13(7.1) of the Federal Act; and

“ (iii) with respect to qualified property acquired in Saskatchewan, or brought into Saskatchewan, by the corporation after March 26, 1999, 6% of the sum of all amounts, each of which:

(A) is an expenditure incurred by the corporation in the taxation year to install the qualified property or otherwise make it initially available for use in Saskatchewan, other than amounts included in the value of the qualified property on which tax was computed pursuant to *The Education and Health Tax Act*; and

(B) forms part of the capital cost to the corporation of the qualified property, determined without reference to subsection 13(7.1) of the Federal Act ”.

(2) Clause 7.31(5)(a) is amended:

(a) by striking out “ and ” after subclause (i); and

(b) by repealing subclause (ii) and substituting the following:

“(ii) with respect to the tax payable pursuant to *The Education and Health Tax Act* after March 20, 1997 and before March 27, 1999, 1.07 times the sum of all amounts, each of which:

(A) is tax payable pursuant to *The Education and Health Tax Act* computed on the basis of the rent payable pursuant to the capital lease; and

(B) is paid during the taxation year by the corporation; and

“(iii) with respect to the tax payable pursuant to *The Education and Health Tax Act* after March 26, 1999, 1.06 times the sum of all amounts, each of which:

(A) is tax payable pursuant to *The Education and Health Tax Act* computed on the basis of the rent payable pursuant to the capital lease; and

(B) is paid during the taxation year by the corporation ”.

Section 7.4 amended

5(1) Subsection 7.4(4) is amended by striking out “ A corporation ” and substituting “ With respect to taxation years ending on or before December 31, 1999, a corporation ”.

(2) Subsection 7.4(5) is amended by striking out “ Where ” and substituting “ With respect to taxation years ending on or before December 31, 1999, where ”.

(3) Subsection 7.4(6) is amended by striking out “ A corporation ” and substituting “ With respect to taxation years ending on or before December 31, 1999, a corporation ”.

(4) Subsection 7.4(7) is amended by striking out “ When computing ” and substituting “ With respect to taxation years ending on or before December 31, 1999, when computing ”.

(5) Subsection 7.4(8) is amended by striking out “ If the Minister ” and substituting “ With respect to taxation years ending on or before December 31, 1999, if the Minister ”.

Section 7.7 amended

6 Subclause 7.7(1)(b)(ii) is amended by striking out “ subsections 127(9) and (11.1) ” and substituting “ subsections 127(9), (11.1), (11.5), (18), (19) and (20) ”.

Section 60 amended

7 Subclauses 60(1)(s)(i) and (ii) are repealed and the following substituted:

“(i) the Receiver General of Canada, in relation to the remittance of any amount as or on account of tax payable pursuant to this Act; and

“(ii) the minister, in relation to the administration and enforcement of this Act, other than:

(A) subsection 32.1(5) and sections 7.31, 54 and 58; and

(B) section 7.4 with respect to taxation years ending on or before December 31, 1999 ”.

Coming into force

- 8(1) Subject to subsections (2) and (3), this Act comes into force on assent.
- (2) Sections 3 and 4 of this Act come into force on assent but are retroactive and are deemed to have been in force on and from March 27, 1999.
- (3) Section 6 of this Act comes into force on assent but is retroactive and is deemed to have been in force on and from March 20, 1998.