

Q2 2013 Accounting status



This quarterly update discusses developments related to the accounting for income taxes in Canada. This edition includes:

- **Legislative changes**—April 1, 2013, to June 30, 2013
- **Federal and provincial/territorial bills**—tabled or received royal assent in 2013
- **Corporate income tax rates**—accounting status (January 1, 2010, to June 30, 2013)
- **PwC contacts**

Legislative changes— April 1 to June 30, 2013

Legislative developments from April 1 to June 30, 2013, that affect income taxes are outlined below.

Federal Bill C-60 (2013 budget bill)

Federal Bill C-60, *An Act to implement certain provisions of the budget tabled in Parliament on March 21, 2013 and other measures*, received royal assent on June 26, 2013.

Bill C-60 implements the measures in a Notice of Ways and Means Motion that was tabled on April 22, 2013, and includes the 2013 federal budget measure that extends the 50% straight-line accelerated capital cost allowance rate, for two years, to eligible manufacturing and processing machinery and equipment acquired before 2016.

Bill C-60 does not include key federal budget measures that:

- extend the thin capitalization rules to Canadian-resident trusts and to non-resident corporations and trusts that operate in Canada
- introduce an anti-avoidance measure to support the restrictions on the deductibility of losses, and the use of certain other tax benefits, after certain share acquisition transactions
- eliminate certain tax benefits related to leveraged life insurance arrangements known as ‘leveraged insured annuities’ and ‘10/8 arrangements’

For more information, see our *Tax memos* at www.pwc.com/ca/budget:

- ‘2013 Federal budget: Staying the course’
- ‘2013 Federal budget: Alert for mining companies’

Status: Bill C-60 is considered substantively enacted for Canadian GAAP purposes as of April 29, 2013, and enacted for US GAAP purposes as of June 26, 2013.

Provincial/territorial budgets

Several provinces and territories introduced budgets and related legislation (see Table 1) from April 1 to June 30, 2013. The following provinces announced changes to their general corporate income tax rate:

- British Columbia – up from 10% to 11% on April 1, 2013
- New Brunswick – up from 10% to 12% on July 1, 2013

Other key changes in provincial budgets follow:

- British Columbia – See our *Tax Insights* ‘June 27, 2013 British Columbia budget: Tax highlights’ at www.pwc.com/ca/budget
- Manitoba – See our *Tax memo* ‘2013 Manitoba budget: Tax highlights’ at www.pwc.com/ca/budget
- Nova Scotia – The Digital Media Tax Credit is extended.
- Ontario – See our *Tax memo* ‘2013 Ontario budget: Tax highlights’ at www.pwc.com/ca/budget
- Quebec – See our *Tax memos* ‘2013 Quebec budget tax highlights’ and ‘2013-2014 Quebec budget’ at www.pwc.com/ca/taxmemo
- Saskatchewan – The province is no longer committed to reducing its general corporate income tax rate from 12% to 10% by 2015; the reduction will occur when it is ‘affordable and sustainable, within a balance budget.’

Status: The rate change in:

- British Columbia is substantively enacted for Canadian GAAP purposes as of June 27, 2013, but it is not enacted for US GAAP purposes as of June 30, 2013
- New Brunswick is substantively enacted for Canadian GAAP purposes as of May 22, 2013, and enacted for US GAAP purposes as of June 21, 2013

Quebec's mining tax regime

On May 6, 2013, Quebec's ministère des Finances et de l'Économie released Information Bulletin 2013-4 'Revision of the Mining Tax Regime.' For more details, see our *Tax Insights* 'Changes to Quebec's mining tax regime' at www.pwc.com/ca/taxinsights.

Status: As of June 30, 2013, the measures implemented by Information Bulletin 2013-4 had not been tabled in the Quebec parliament, and therefore are not substantively enacted or enacted.

Federal and provincial/territorial bills

Table 1 lists key bills that include income tax rate changes or other income tax changes (e.g. for research and development), and that were:

- tabled or received royal assent during 2013, or
- tabled before 2013, but did not receive royal assent before 2013

Table 1: Federal and provincial/territorial bills

	Legislation		Recognized for accounting purposes	
	Bill #	Bill name	Canada ¹	US GAAP
Federal	C-48 ²	An Act to amend the Income Tax Act, the Excise Tax Act, the Federal-Provincial Fiscal Arrangements Act, the First Nations Goods and Services Tax Act and related legislation	November 21/12	June 26/13
	C-60	An Act to implement certain provisions of the budget tabled in Parliament on March 21, 2013 and other measures	April 29/13	June 26/13
Alberta	23	Tax Statutes Amendment Act, 2013	May 6/13	May 27/13
British Columbia	2 ³	Budget Measures Implementation Act, 2013	June 27/13	Not as of June 30/13
Manitoba	47	The Budget Implementation and Tax Statutes Amendment Act, 2013	May 30/13	Not as of June 30/13
New Brunswick	51	An Act to Amend the New Brunswick Income Tax Act	May 22/13	June 21/13
Nova Scotia	51	Financial Measures (2013) Act	April 18/13	May 10/13
Prince Edward Island	47	An Act to Amend the Income Tax Act	April 23/13	May 8/13
Quebec	18	An Act to An Act to amend the Taxation Act and other legislative provisions	May 29/13	June 5/13
	34	An Act giving effect to the Budget Speech delivered on 20 November 2012 and amending various legislative provisions	Not as of June 30/13 ⁴	Not as of June 30/13

1. For information on when income tax changes are considered substantively enacted for accounting purposes for Canadian GAAP, see the **Appendix** in 'Q1 2013 Accounting status' at www.pwc.com/ca/tmas.
2. Bill C-48 (2012) includes the income tax technical proposals released by the Department of Finance on July 16, 2010. The July 16, 2010, proposals had reintroduced amendments included in Bill C-10 (2007), *An Act to amend the Income Tax Act, including amendments in relation to foreign investment entities and non-resident trusts, and to provide for the bilingual expression of the provisions of that Act*, and were largely identical to those in Bill C-10 (2007).

However, amendments included in Bill C-10 (2007) but absent from the July 16, 2010, proposals included those pertaining to:

- non-resident trusts and offshore investment fund rules
- the Canadian Film or Video Production Tax Credit

Shaded rows indicate a change in status from April 1 to June 30, 2013.

Bill C-10 (2007) had died on the parliamentary order paper on September 7, 2008, when the October 14, 2008, federal election was called.

Status: Measures in Bill C-48 (2012) that were previously in Bill C-10 (2007) continue to be substantively enacted for Canadian GAAP purposes as of June 15, 2007, the date that Bill C-10 (2007) is considered to be substantively enacted. However, the date of substantive enactment for measures in Bill C-10 (2007) that are modified by Bill C-48 must be evaluated to determine if the date of substantive enactment remains June 15, 2007.

3. British Columbia's Bill 2 implements measures in the province's June 27, 2013 budget. It replaces Bill 9, *Budget Measures Implementation Act, 2013*, which implemented measures in BC's February 19, 2013 budget. Bill 9 was tabled for first reading on February 19, 2013, but was not considered substantively enacted for IFRS on that date because the criteria in International Accounting Standards (IAS) 12 for the use of substantively enacted tax rates were not met. Bill 9 died on the parliamentary order paper when the BC legislature was dissolved for the May 14, 2013 election.
4. **Status:** Because Quebec has a minority government, Bill 34 must receive third reading to be considered substantively enacted for IFRS.

Corporate income tax rates—accounting status (January 1, 2010, to June 30, 2013)

The following information excludes Canadian-controlled private corporation small business rates and thresholds.

Table 2: Corporate income tax rates—accounting status

Shaded rows indicate a change in status from April 1 to June 30, 2013.

		Effective date	Rate	Recognized for accounting purposes		Bill #
				Canada	US GAAP	
Federal	General and manufacturing and processing (M&P)	January 1/10	18%	Before January 1/10		N/A
		January 1/11	16.5%			
		January 1/12	15%			
	Provincial SIFT tax factor/rate ¹	Before January 1/10	Varies ¹			
Alberta	General and M&P	Before January 1/10	10%	Before January 1/10		N/A
British Columbia	General and M&P	January 1/10	10.5%	Before January 1/10		N/A
		January 1/11	10%			
		April 1/13	11%	June 27/13	Not as of June 30/13	2 ²
Manitoba	General and M&P	Before January 1/10	12% ³	Before January 1/10		N/A
New Brunswick	General and M&P	Before July 1/10	12%	Before January 1/10		N/A
		July 1/10	11%			
		July 1/11	10%			
		July 1/12	8%			
			10%	June 7/11	June 10/11	53
		July 1/13	12%	May 22/13	June 21/13	51
Newfoundland and Labrador	General M&P	Before January 1/10	14%	Before January 1/10		N/A
			5%			
Northwest Territories	General and M&P	Before January 1/10	11.5%	Before January 1/10		N/A
Nova Scotia	General and M&P	Before January 1/10	16%	Before January 1/10		N/A
Nunavut	General and M&P	Before January 1/10	12%	Before January 1/10		N/A
Ontario	General	Before July 1/10	14%	Before January 1/10		N/A
		July 1/10	12%			
		July 1/11	11.5%			
		July 1/12	11%			
			11.5%	June 20/12		114
		July 1/13	10%	Before January 1/10		N/A
			11.5%	June 20/12		114
	M&P	Before July 1/10	12%	Before January 1/10		N/A
		July 1/10	10%			
	Corporate Minimum Tax (CMT) ⁴	Before July 1/10	4%			
		July 1/10	2.7% ⁴			
Prince Edward Island	General and M&P	Before January 1/10	16%	Before January 1/10		N/A
Quebec	General and M&P ⁵ SIFT Distribution Tax	Before January 1/10	11.9%	Before January 1/10		N/A
Saskatchewan	General	Before January 1/10	12%	Before January 1/10		N/A
		No date announced ⁶	10% ⁶	Not as of June 30/13		None
	M&P	Before January 1/10	10%	Before January 1/10		N/A
Yukon	General	Before January 1/10	15%	Before January 1/10		N/A
	M&P		2.5%			

1. Except for Quebec, the 'provincial Specified Investment Flow-Through (SIFT) tax rate' will be:
 - based on the general provincial corporate income tax rate for each province in which the SIFT has a permanent establishment
 - 10% for SIFTs that do not have a permanent establishment in a province
2. British Columbia's Bill 2 (June 27, 2013 budget bill) accelerates the general and M&P rate increase to 11% by one year (the 2012 budget had announced that the increase would occur on April 1, 2014, and would be triggered only if the province's fiscal situation worsened). Table 1 on page 3 provides more on the status of Bill 2 and the bill name.
3. Manitoba's general and M&P rate was scheduled to decrease from 12% to 11%, at a date to be determined, subject to balanced budget requirements. Manitoba is no longer considering this reduction.
4. For Ontario, the thresholds at which the Corporate Minimum Tax (CMT) applies (on an associated basis) are revised as follows:

		Taxation years ending	
		before July 1/10	after June 30/10
Thresholds for CMT to apply	Total assets	> \$5 million	≥ \$50 million
	Annual gross revenues	or > \$10 million	and ≥ \$100 million
Date recognized for accounting purposes	Canada	Before January 1/10	
	US GAAP		
Bill #		N/A	

5. For Quebec, exceptions to the accounting status of the general rate follow:

	Effective date	Rate	Recognized for accounting purposes		Bill #
			Canada	US GAAP	
Deposit insurance companies	Before January 1/10	11.9%	Before January 1/10	April 20/10	64

6. Saskatchewan's 2013 budget defers the province's general income tax rate decrease from 12% to 10% until it is 'affordable and sustainable, within a balanced budget.' The province is no longer committed to reducing the rate by 2015, as had been announced in its October 25, 2012, throne speech.

Let's talk

For a deeper discussion of how the accounting status of tax rates and legislation might affect your business, please contact:

John Gotts, *Greater Toronto Area*
Tax Management and Accounting
Services (TMAS) Leader
+1 (905) 972 4125
john.gotts@ca.pwc.com

Christine Girouard, *Montreal*
+1 (514) 205 5284
christine.girouard@ca.pwc.com

Spence McDonnell, *Greater Toronto Area*
+1 (416) 869 2328
spence.n.mcdonnell@ca.pwc.com

Nicole Inglis, *Vancouver*
+1 (604) 806 7781
nicole.f.inglis@ca.pwc.com

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