

2016 Bill 10

---

Second Session, 29th Legislature, 65 Elizabeth II

---

THE LEGISLATIVE ASSEMBLY OF ALBERTA

# **BILL 10**

**FISCAL STATUTES  
AMENDMENT ACT, 2016**

---

---

THE PRESIDENT OF TREASURY BOARD, MINISTER OF FINANCE

---

---

First Reading . . . . .

Second Reading . . . . .

Committee of the Whole . . . . .

Third Reading . . . . .

Royal Assent . . . . .

---

---

## BILL 10

2016

### FISCAL STATUTES AMENDMENT ACT, 2016

(Assented to \_\_\_\_\_, 2016)

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

#### Alberta Centennial Education Savings Plan Act

**Amends SA 2004 cA-14.7**

**1(1) The *Alberta Centennial Education Savings Plan Act* is  
amended by this section.**

**(2) Section 1(1)(a) is amended**

- (a) in subclause (i) by striking out** “in 2005 or any  
subsequent year” **and substituting** “in the period January 1,  
2005 to March 31, 2015”;
- (b) in subclause (ii) by striking out** “in 2005 or any  
subsequent year” **and substituting** “in the period January 1,  
2005 to March 31, 2015”.

**(3) Section 3(1) is amended**

- (a) in clause (a) by striking out** “has attained the age of 8  
years” **and substituting** “attained the age of 8 years on or  
before March 31, 2015”;

## Explanatory Notes

### Alberta Centennial Education Savings Plan Act

1(1) Amends chapter A-14.7 of the Statutes of Alberta, 2004.

(2) Section 1(1)(a) presently reads:

*1(1) In this Act,*

*(a) “eligible child” means*

*(i) a child born to a resident of Alberta in 2005 or any subsequent year,*

*(ii) a child under the age of one year adopted by a resident of Alberta in 2005 or any subsequent year, or*

*(iii) any other child defined in the regulations as an eligible child;*

(3) Section 3(1) presently reads:

*3(1) Subject to subsection (2) and the regulations, on application to the Minister, the Minister shall, out of the General Revenue Fund,*

**(b) in clause (b) by striking out** “has attained the age of 11 years” **and substituting** “attained the age of 11 years on or before March 31, 2015”;

**(c) in clause (c) by striking out** “has attained the age of 14 years” **and substituting** “attained the age of 14 years on or before March 31, 2015”.

**(4) Section 4 is repealed and the following is substituted:**

**Application for grant**

**4** An application for a grant under section 2 or 3 must be made on or before July 31, 2015 and must be made in the form and manner provided for in the regulations.

**(5) The *Alberta Centennial Education Savings Plan Act*, SA 2004 cA-14.7, is repealed on July 1, 2016.**

**(6) The *Education Act* is amended in section 288 by striking out the following:**

Alberta Centennial Education Savings Plan Act            1(1)(f)

**(7) Subsections (1) to (4) are deemed to have come into force on March 31, 2015.**

**Alberta Corporate Tax Act**

**Amends RSA 2000 cA-15**

**2(1) The *Alberta Corporate Tax Act* is amended by this section.**

**(2) Section 4.02(1)(a) is amended by adding** “or is deemed to have made an election” **after** “an election”.

*pay a grant of \$100 into a registered education savings plan*

- (a) in respect of every eligible student who has attained the age of 8 years and is a beneficiary under such a plan;*
- (b) in respect of every eligible student who has attained the age of 11 years and is a beneficiary under such a plan;*
- (c) in respect of every eligible student who has attained the age of 14 years and is a beneficiary under such a plan.*

(4) Section 4 presently reads:

*4 An application for a grant must be made in the form and manner provided for in the regulations.*

(5) Repeals chapter A-14.7 of the Statutes of Alberta, 2004 on July 1, 2016.

(6) Amends chapter E-0.3 of the Statutes of Alberta, 2012. Section 288 lists the Acts that require references to “School Act” to be changed to “Education Act”.

(7) Coming into force.

### **Alberta Corporate Tax Act**

**2**(1) Amends chapter A-15 of the Revised Statutes of Alberta 2000.

(2) Section 4.02(1) presently reads:

*4.02(1) A corporation that*

- (a) makes an election in accordance with subsection 261(3) of the federal Act for the purposes of the federal Act is deemed to have made the same election for the purposes of this Act,*  
*or*

**(3) Section 36(2) is amended by striking out** “served personally or by registered letter from” **and substituting** “sent by”.

**(4) Section 92(2)(a.1) is amended by striking out** “subsections (1)(d)(ii) and” **and substituting** “subsection”.

*(b) revokes an election in accordance with subsection 261(4) of the federal Act for the purposes of the federal Act is deemed to have made the same revocation of that election for the purposes of this Act.*

(3) Section 36(2) presently reads:

*(2) Whether or not a corporation is liable to pay tax under this Act for a taxation year and whether or not a return has been filed or is required to be filed under subsection (1) or (4), a corporation or a director or officer of the corporation shall, on receipt of a demand served personally or by registered letter from the Provincial Minister, file with the Provincial Minister within any reasonable time stipulated by the Provincial Minister in the demand a return for the taxation year designated in the demand in the prescribed form and containing the prescribed information.*

(4) Section 92(2) presently reads:

*(2) In the application to this Part of the sections referred to in subsection (1.1),*

*(a) section 39(6) shall be read as if clause (a) read as follows:*

*(a) in the case of a penalty payable by reason of section 90, from the day on or before which the insurer's return under section 89 was required to be filed to the day of payment,*

*(a.1) section 43 shall be read as if subsections (1)(d)(ii) and (1.2) of that section were struck out,*

*(b) a liability of an insurer that may be reduced by the application of an amount to the liability by the Provincial Minister pursuant to the application of section 47 includes any liability under this Act, and*

*(c) section 47(4) shall be read as if clause (a.1) read as follows:*

*(a.1) the 75th day after the end of the taxation year,*

## **Alberta Personal Income Tax Act**

**Amends RSA 2000 cA-30**

**3(1) The *Alberta Personal Income Tax Act* is amended by this section.**

**(2) Section 21 is amended**

- (a) in clause (j)(i) by striking out “187/870” and substituting “64/417”;**
- (b) in clause (k)(i) by striking out “9/40” and substituting “4/25”;**
- (c) in clause (l)(i) by striking out “13/55” and substituting “149/890”.**

## **Financial Administration Act**

**Amends RSA 2000 cF-12**

**4(1) The *Financial Administration Act* is amended by this section.**



## **Alberta Personal Income Tax Act**

**3(1)** Amends chapter A-30 of the Revised Statutes of Alberta 2000.

(2) Section 21 presently reads in part:

*21 Section 121 of the federal Act applies for the purposes of this Act except that*

*(j) for the 2017 taxation year*

*(i) the reference in paragraph (a) to “20/29” is to be read as “187/870”, and*

*(ii) the reference in paragraph (b) to “6/11” is to be read as “69/190”,*

*(k) for the 2018 taxation year*

*(i) the reference in paragraph (a) to “20/29” is to be read as “9/40”, and*

*(ii) the reference in paragraph (b) to “6/11” is to be read as “69/190”,*

*and*

*(l) for the 2019 taxation year and subsequent taxation years*

*(i) the reference in paragraph (a) to “9/13” is to be read as “13/55”, and*

*(ii) the reference in paragraph (b) to “6/11” is to be read as “69/190”.*

## **Financial Administration Act**

**4(1)** Amends chapter F-12 of the Revised Statutes of Alberta 2000.

**(2) Section 42.1 is amended by renumbering it as section 42.1(1) and by adding the following after subsection (1):**

**(2) The requirement under subsection (1) to lay a loan agreement before the Legislative Assembly does not apply to a loan to an individual of less than \$500 000.**

### **Fiscal Planning and Transparency Act**

**Amends SA 2015 cF-14.7**

**5(1) The *Fiscal Planning and Transparency Act* is amended by this section.**

**(2) Section 3 is repealed.**

(2) Section 42.1 presently reads:

*42.1 If the Crown, pursuant to an Act passed on or after May 24, 1996, makes a loan or acquires shares of capital stock in a corporation, the head of the department that administers that enabling Act shall lay the loan agreement, the agreement under which the share is acquired and any material amendment to either agreement before the Legislative Assembly not later than 45 days after the end of the fiscal year in which the agreement or amendment, as the case may be, is made or, if the Legislative Assembly is not then sitting, not more than 15 days after the beginning of the next sitting.*

### **Fiscal Planning and Transparency Act**

**5(1)** Amends chapter F-14.7 of the Statutes of Alberta, 2015.

(2) Section 3 presently reads:

*3(1) For a fiscal year, Crown debt shall not exceed 15% of GDP for Alberta.*

*(2) For the purposes of subsection (1),*

- (a) "Crown debt" means, with respect to a fiscal year, the aggregate of the following outstanding liabilities of the Province, as reported in the annual report for that fiscal year:*
  - (i) liabilities for capital projects, including direct borrowing and alternative financing;*
  - (ii) debt issued to reduce the pre-1992 Teachers Pension Plan unfunded liability;*
  - (iii) direct borrowing for the consolidated fiscal plan;*
- (b) "GDP for Alberta" means the estimated nominal gross domestic product for Alberta, as most recently published by Statistics Canada under the Statistics Act (Canada).*

## Fuel Tax Act

Amends SA 2006 cF-28.1

**6(1)** The *Fuel Tax Act* is amended by this section.

**(2)** Section 1(k) is amended by adding “in Alberta” after “resale”.

**(3)** Section 35(8) is amended by adding “and Deputy Solicitor General” after “Deputy Minister of Justice”.

## Fuel Tax Act

6(1) Amends chapter F-28.1 of the Statutes of Alberta, 2006.

(2) Section 1(k) presently reads:

*1 In this Act,*

*(k) “distributor of liquefied petroleum gas” means a person who sells liquefied petroleum gas to another person for resale;*

(3) Section 35(8) presently reads:

*(8) Where a judge has granted an authorization under this section in respect of a person, the person may, on 6 clear days’ notice to the Deputy Minister of Justice, apply to a judge to review the authorization.*





**RECORD OF DEBATE**

Stage	Date	Member	From	To
		<b>Questions and Comments</b>	<b>From</b>	<b>To</b>
Stage	Date	Member	From	To
		<b>Questions and Comments</b>	<b>From</b>	<b>To</b>
Stage	Date	Member	From	To
		<b>Questions and Comments</b>	<b>From</b>	<b>To</b>
Stage	Date	Member	From	To
		<b>Questions and Comments</b>	<b>From</b>	<b>To</b>