

BILL

No. 82

An Act to amend *The Income Tax Act, 2000*

(Assented to)

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, 2022*.

SS 2000, c I-2.01 amended

2 *The Income Tax Act, 2000* is amended in the manner set forth in this Act.

Section 3 amended

3 Clause 3(14)(a) is amended by adding “, unless otherwise provided” after “Saskatchewan”.

Section 23 amended

4 Subsection 23(2) is amended in clause (b) of the description of the variable C by striking out “section 63, 64” and substituting “section 63, 64, 64.01”.

Section 35 amended

5 Subsection 35(4) is amended in the description of the variable D by striking out “paragraph 110(1)(d), (d.1), (d.2), (d.3), (f) or (j)” and substituting “any of paragraphs 110(1)(d) to (g)”.

Section 48 amended

6(1) Subsection 48(1) is amended by striking out “subsections (2)” and substituting “subsections (2), (2.1)”.

(2) The following subsection is added after subsection 48(2):

“(2.1) In applying section 120.4 of the federal Act for the purposes of this Act, in the definitions of ‘source individual’ and ‘specified individual’ in subsection 120.4(1), a reference to Canada is to be read as a reference to Canada”.

Section 64.7 amended**7(1) Subsection 64.7(5) is repealed and the following substituted:**

“(5) The total amount of an eligible corporation’s SVAI tax credit with respect to an SVAI eligibility certificate is, subject to subsection (7), equal to the SVAI tax credit amount TC determined in accordance with the following formula:

$$TC = (CI_1 \times P_1) + (CI_2 \times P_2) + (CI_3 \times P_3)$$

where:

CI₁ is the portion of the eligible capital investment amount set out on the SVAI eligibility certificate that is equal to or less than \$400,000,000;

CI₂ is the portion, if any, of the eligible capital investment amount set out on the SVAI eligibility certificate that is greater than \$400,000,000 and equal to or less than \$600,000,000;

CI₃ is the portion, if any, of the eligible capital investment amount set out on the SVAI eligibility certificate that is greater than \$600,000,000;

P₁ is 0.15;

P₂ is 0.3; and

P₃ is 0.4”.

(2) Clause 64.7(6)(b) is amended in the description of the variable PD by adding “deducted” after “section.”.

(3) The following clause is added after clause 64.7(7)(d):

“(d.1) the total SVAI tax credit that may be granted to an eligible corporation with respect to an SVAI eligibility certificate shall not exceed \$250,000,000”.

New section 121

8 Section 121 is repealed and the following substituted:

“Investigations, time periods

121 Sections 231, 231.1, 231.2, 231.3, 231.4, 231.5, 231.7 and 231.8 of the federal Act apply for the purposes of this Act”.

Section 134 amended

9 Section 134 is amended by striking out “Subsections 244(1) to (5), (6.1), (7) to (11)” and substituting “Subsections 244(1) to (11)”.

Coming into force

10(1) Subject to subsections (2) to (5), this Act comes into force on assent.

(2) Sections 3 and 6 come into force on assent, but are retroactive and are deemed to have been in force on and from January 1, 2022.

(3) Section 4 comes into force on assent, but is retroactive and is deemed to have been in force on and from January 1, 2020.

(4) Section 5 comes into force on assent, but is retroactive and is deemed to have been in force on and from July 1, 2021.

(5) Section 7 comes into force on assent, but is retroactive and is deemed to have been in force on and from January 1, 2018.

SECOND SESSION

Twenty-ninth Legislature

SASKATCHEWAN

B I L L

No. 82

An Act to amend *The Income Tax Act, 2000*

Received and read the

First time

Second time

Third time

And passed

Honourable Donna Harpauer
