



Ministry of  
Finance

Office of the  
Deputy Minister

## MEMORANDUM

To: Honourable Michael de Jong, Q.C.  
Minister of Finance

Date: April 19, 2016  
Cliff# 350549

Re: **Budget 2016 Property Transfer Tax Data Collection**

This Order in Council (OIC):

- Brings section 56 of the *Budget Measures Implementation Act, 2016*, into force.
- Section 56 amends the *Property Transfer Tax Act* to require that transferees provide the following citizenship information when registering ownership of property:
  - Individuals who are not Canadian citizens or permanent residents must provide the country or state that they are a citizen of.
  - Corporations must provide the name, address and citizenship of directors who are not Canadian citizens or permanent residents.
  - Defines a bare trustee and in subsection (5) requires that bare trustees provide information concerning the names, addresses and citizenship of the settlors and beneficiaries of a bare trust.

s.12,s.14

If you agree with the proposed OIC, please return the signed OIC package to the Office of the Deputy Minister for the appropriate distribution and processing for the next available Cabinet Meeting.

  
Athana Mentzelopoulos  
Deputy Minister

Attachments

**Ministry of Finance**

**BRIEFING DOCUMENT**

**To:** Honourable Michael de Jong, Q.C.  
Minister of Finance

**Initiated by:** Steve Hawkshaw  
Policy Analyst  
Tax Policy Branch

**Date Prepared:** April 8 2016

**Ministry Contact:** Stephen Hawkshaw  
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Tax Policy Branch

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**Cliff #:** 350549

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**TITLE:** *Budget 2016 – Property Transfer Tax Act* amendments to require the collection of citizenship information.

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**PURPOSE:**  
**(X) DECISION REQUIRED**

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**DATE PREPARED:** April 8 2016

**TITLE:** *Budget 2016 – Property Transfer Tax Act* amendments to require the collection of citizenship information.

**ISSUE:** This Order in Council is required to bring the citizenship information collection provision in *Budget 2016* into force.

**BACKGROUND:**

*Budget 2016* introduced a requirement that transferees provide the following citizenship information when registering ownership of property.

- Individuals who are not Canadian citizens or permanent residents must provide the country or state that they are a citizen of.
- Corporations must provide the name, address and citizenship of directors who are not Canadian citizens or permanent residents.
- Bare trustees must provide information concerning the names, addresses and citizenship of the settlors and beneficiaries of a bare trust.

This Order in Council (OIC) completes the implementation of the above Budget measure.

**DISCUSSION:**

s.13

s.13

s.12,s.14

**Regulatory Count**

This regulation does not increase the regulatory count.

**OPTIONS:**

s.13

**RECOMMENDATION:**

s.13

**APPROVED / NOT APPROVED**

\_\_\_\_\_  
Michael de Jong, Q.C.  
Minister

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Date



## Legislation Privacy & Access Consultation Summary

Privacy, Compliance and Training Branch (PCT)

Name of Legislation:	Budget Measures Implementation Act		
Draft Date:	N/A (see comments)	Draft Number:	N/A (see comments)
LRC Date:	N/A (see comments)		
Name of Ministry:	Finance		
Ministry Contact:	Steve Hawkshaw	Phone:	250 387 7364
Email:	Steve.hawkshaw@gov.bc.ca		
Brief Summary of Legislative Proposal:			
<p>The Budget Measures Implementation Act amends a number of statutes including the <i>Property Transfer Tax Act</i> (the Act). The amendments to the Act will authorize the collection of citizenship data from transferees who register a taxable transaction with the Land Title Office. The Act will also be amended to require transferees to disclose whether or not they are taking an interest in land as a bare trustee. The amendments also allow a transferee to apply to switch between the existing First Time Home Buyers' exemption and the new housing exemption.</p>			

Summary of Privacy and Legislation Branch Review							
The draft legislative proposal includes provisions that relate to:							
X	Privacy		Access		Statutory Override		Other impacts to FOIPPA or PIPA
PLB Branch Assessment				OIPC Assessment			
Green - no concerns				Green - no concerns			

**Comments:**

The Privacy, Compliance and Training branch (PCT) has no privacy concerns. s.13  
s.13  
s.13 . Once these amendments have come into force and operations to bring these changes about have commenced, PCT would encourage the program area to complete a Privacy Impact Assessment, to ensure that any unforeseen privacy/access elements are properly addressed.

Reviewed by:	David Padgett Senior Privacy and Policy Advisor	Signature:		Date:	29 February, 2016
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Withheld pursuant to/removed as

s.12;s.13