CHAPTER 76

An Act to amend The Income Tax Act

Assented to November 30th, 1978

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

1. Paragraph 22 of subsection 1 of section 1 of The Income Tax Act, being chapter 217 of the Revised Statutes of Ontario, 1970, is amended by striking out "the Northwest Territories or" in the first and second lines.

2. (1) Clause a of subsection 4 of section 3 of the said Act, as re-enacted by the Statutes of Ontario, 1972, chapter 100, section 2, is amended by inserting after "section" in the seventh line "122.1,"

(2) Clause b of subsection 7 of the said section 3, as re-enacted by the Statutes of Ontario, 1972, chapter 146, section 1 and amended by 1975, chapter 16, section 1, is further amended by striking out "tax" in the third line and inserting in lieu thereof "tax, other than any tax payable pursuant to subsection 2a,"

3. Subsection 1 of section 10 of the said Act, as amended by the Statutes of Ontario, 1971 (2nd Session), chapter 1, section 10 and 1977, chapter 6, section 4, is further amended,

(a) by striking out "or" at the end of clause j;

(b) by adding "or" at the end of clause k; and

(c) by adding thereto the following clause:

(l) a payment out of or under a registered retirement income fund,

4. The said Act is amended by adding thereto the following section:

...
20a. Where, pursuant to the Financial Administration Act (Canada), remission is granted of any tax, interest or penalty paid under the Federal Act by or for an individual, and where any tax, interest or penalty was paid by that individual under this Act in respect of the same circumstances that gave rise to the remission granted under the Financial Administration Act (Canada), the Provincial Minister may, if he considers that the circumstances are sufficiently similar and that a remission of any money paid under this Act should be granted either in the public interest or for the relief of hardship, grant remission of all or any part of any tax, interest or penalty paid under this Act in such circumstances, and may authorize the repayment to the person entitled thereto of any amount remitted by him in accordance with this section.

5. Subsection 4 of section 47 of the said Act is amended by striking out "that he has charge of the appropriate records," in the fifth line.

6. — (1) This Act, except sections 1 and 5, comes into force on the day it receives Royal Assent.

(2) Section 1 shall be deemed to have come into force on the 1st day of January, 1978.

(3) Section 5 comes into force on the 1st day of January, 1979.

7. The short title of this Act is The Income Tax Amendment Act, 1978 (No. 3).