



GST/HST REPORTING ENTITY, CONSOLIDATED FILING AND TAX ADJUSTMENT TRANSFER ELECTIONS AND REVOCATIONS FOR A SELECTED LISTED FINANCIAL INSTITUTION

This form has three elections which are in "Part D – Reporting entity election," "Part G – Consolidated filing election" and "Part J – Tax adjustment transfer election under consolidated filing."

These elections may be made between an investment plan that is a selected listed financial institution (SLFI) and the investment plan manager and must be filed with the Minister before the first day of the fiscal year of the investment plan.

Refer to the definition of "investment plan" and "investment plan manager" at the top of page 3 for the expanded meaning of these two terms as they relate to this form.

The investment plan manager and the investment plan must jointly complete Parts D, F, G, and I to elect to have the investment plan manager file single consolidated GST/HST returns for the group of investment plans who have made these elections. Complete Form RC4602, Request for a Group GST/HST Registration Number for Selected Listed Financial Institutions with Consolidated Filing to request a group GST/HST registration number where a reporting entity election and a consolidated filing election is being made.

Where a reporting entity election and a consolidated filing election are made, Part J may be completed to also make a joint tax adjustment transfer election.

Complete Form RC4601, GST/HST Reporting Entity and Tax Adjustment Transfer Elections and Revocations for a Selected Listed Financial Institution, if a consolidated filing election is not being made but you want to make a reporting entity election and/or a tax adjustment transfer election.

Complete Form RC4603, GST/HST Tax Adjustment Transfer Election and Revocation for a Selected Listed Financial Institution, if you want to make only a tax adjustment transfer election.

These elections and revocations are based on the proposed draft Selected Listed Financial Institutions Attribution Method (GST/HST) Regulations issued on June 30, 2010.

Part A – Identification of the investment plan

Form section for Part A: Identification of the investment plan. Includes fields for Name of investment plan, Business Number, Business address, Postal code, Contact person, Contact person title, and Telephone number for contact person.

Part B – Identification of the investment plan manager

Form section for Part B: Identification of the investment plan manager. Includes fields for Name of investment plan manager, Business Number, Contact person, Contact person title, and Telephone number for contact person.

Part C – Identification of the consolidated SLFI group

Form section for Part C: Identification of the consolidated SLFI group. Includes instructions and fields for Consolidated SLFI group, Legal name of the investment plan manager, and Unique name to identify the group.

Part D – Reporting entity election

Form section for Part D: Reporting entity election. Includes instructions and a checkbox for reporting entity election, with fields for effective date of election (Year, Month, Day).

Part E – Notice of revocation of reporting entity election

Form section for Part E: Notice of revocation of reporting entity election. Includes instructions and a checkbox for revocation, with fields for effective date of revocation (Year, Month, Day) and a note regarding the effect of the election.

Part F – Certification for reporting entity election or revocation

Form section for Part F: Certification for reporting entity election or revocation. Includes certification by the investment plan and certification by the investment plan manager, with signature and title fields.

**Part G – Consolidated filing election**

Complete this part to jointly elect to have the investment plan manager file GST/HST returns for the investment plans with which the investment plan manager has made a reporting entity election, on a consolidated basis. In order to make this election, the reporting entity election under Part D must also be made.

- We, the investment plan and the investment plan manager identified in Parts A and B jointly make the consolidated filing election under section 55 of the draft *Selected Listed Financial Institutions Attribution Method (GST/HST) Regulations* to have the investment plan manager file a single consolidated GST/HST return for two or more investment plans with whom the investment plan manager has made a reporting entity election (i.e., the group identified in Part C).

Effective date of election

Year	Month	Day

**Part H – Notice of revocation of consolidated filing election**

Complete this part to revoke a previously made consolidated filing election.

- The group of investment plans identified in Part C jointly revoke the consolidated filing election previously made under section 55 of the draft *Selected Listed Financial Institutions Attribution Method (GST/HST) Regulations*.

Effective date of revocation

Year	Month	Day

**Part I – Certification for consolidated filing election or revocation****Certification by the investment plan**

I, \_\_\_\_\_, (print name), certify that the information given on this form and on any attached document is, to the best of my knowledge, true, correct, and complete in every respect, and that I am authorized to sign on behalf of the investment plan.

Signature of authorized person that represents the investment plan	Title	Year	Month	Day

**Certification by the investment plan manager**

I, \_\_\_\_\_, (print name), certify that the information given on this form and on any attached document is, to the best of my knowledge, true, correct, and complete in every respect, and that I am authorized to sign on behalf of the investment plan manager.

Signature of authorized person that represents the investment plan manager	Title	Year	Month	Day

**Part J – Tax adjustment transfer election under consolidated filing**

Complete this part to jointly elect to transfer the investment plan's adjustments to net tax determined under subsection 225.2 (2) of the ETA and the draft *Selected Listed Financial Institutions Attribution Method (GST/HST) Regulations* to the investment plan manager.

- We, the investment plan and the investment plan manager identified in Parts A and B have made a reporting entity election in Part D and a consolidated filing election in Part G, and jointly elect under section 56 of the draft *Selected Listed Financial Institutions Attribution Method (GST/HST) Regulations* to make a tax adjustment transfer election under consolidated filing.

Effective date of election

Year	Month	Day

**Part K – Notice of revocation of tax adjustment transfer election under consolidated filing**

Complete this part to revoke a previously made tax adjustment transfer election under consolidated filing.

- The investment plan identified in Part A revokes the tax adjustment transfer election under consolidated filing previously made under section 56 of the draft *Selected Listed Financial Institutions Attribution Method (GST/HST) Regulations*.
- The investment plan manager identified in Part B revokes the tax adjustment transfer election under consolidated filing previously made under section 56 of the draft *Selected Listed Financial Institutions Attribution Method (GST/HST) Regulations*.

Effective date of revocation

Year	Month	Day

**Part L – Certification for tax adjustment transfer election under consolidated filing or revocation****Certification by the investment plan**

I, \_\_\_\_\_, (print name), certify that the information given on this form and on any attached document is, to the best of my knowledge, true, correct, and complete in every respect, and that I am authorized to sign on behalf of the investment plan.

Signature of authorized person that represents the investment plan	Title	Year	Month	Day

**Certification by the investment plan manager**

I, \_\_\_\_\_, (print name), certify that the information given on this form and on any attached document is, to the best of my knowledge, true, correct, and complete in every respect, and that I am authorized to sign on behalf of the investment plan manager.

Signature of authorized person that represents the investment plan manager	Title	Year	Month	Day

## General information

### Who should complete this form?

Use this form if you are an investment plan that is a selected listed financial institution (SLFI) and you want to make a reporting entity election and a consolidated filing election with your investment plan manager. Where you are making these two elections, you may also use this form to jointly make a tax adjustment transfer election under consolidated filing with your investment plan manager.

In this context, the term "investment plan" means a listed financial institution described in subparagraph 149(1)(a)(vi) (i.e., a segregated fund of an insurer) or (ix) (i.e., an investment plan) of the *Excise Tax Act* (ETA), other than a trust governed by a registered retirement savings plan, a registered retirement income fund or a registered education savings plan.

In addition, the term "investment plan manager" means:

- (a) in the case of a pension entity of a pension plan, the administrator (as defined in subsection 147.1(1) of the *Income Tax Act*) of the pension plan; and
- (b) in any other case, the person that has ultimate responsibility for the management and administration of the assets and liabilities of the investment plan.

In order to request a group GST/HST registration number, the investment plan and the investment plan manager is required to jointly make a reporting entity election and a consolidated filing election.

When a reporting entity election is in effect, all the parties are jointly and severally liable for net tax and any interest or penalties in respect of the net tax for the reporting period and for the GST/HST return for the reporting period.

This form can also be used to revoke previous elections.

### Who is eligible to make the elections and what is the effect of the elections?

#### Reporting entity election

An investment plan that is an SLFI and the investment plan manager as described above may jointly elect to have the investment plan manager file the GST/HST returns of the investment plan under Division V of Part IX of the ETA (GST/HST returns) by making a reporting entity election. This election is effective from the first day of the fiscal year of the investment plan.

#### Consolidated filing election

An investment plan manager and any two or more investment plans that are SLFIs with which the investment plan manager has made a reporting entity election may jointly elect to allow the investment plan manager to file consolidated GST/HST returns for the investment plans by making a consolidated filing election. This election is effective from the first day of the fiscal year of those investment plans. This election can only be made if the beginning and ending of the respective fiscal years of those investment plans coincide, and the beginning and ending of the respective reporting periods of those investment plans in those fiscal years of those investment plans coincide.

#### Tax adjustment transfer election under consolidated filing

Where an investment plan that is an SLFI and the investment plan manager have made a reporting entity election and a consolidated filing election, they can also make a joint tax adjustment transfer election to transfer the investment plan's adjustments to net tax under subsection 225.2(2) of the ETA and the proposed draft *Selected Listed Financial Institutions Attribution Method (GST/HST) Regulations* to the investment plan manager. Where these three elections are in effect, the net tax adjustment amount of the investment plan would be transferred to the investment plan manager on an aggregated basis.

If there is a positive net tax adjustment (i.e., an amount owed by the investment plan), the investment plan manager would be required to remit the liability with respect to the provincial part of the HST of the investment plan upon filing its GST/HST return, and this liability would be reflected as an adjustment to be added when determining the net tax of the investment plan manager.

If there is a negative net tax adjustment (i.e., the investment plan would be eligible for a refund), the investment plan manager would be permitted to credit/refund that amount of the provincial part of the HST to the investment plan, and this credit/refund would be reflected as an adjustment to be deducted when determining the net tax of the investment plan manager. The tax adjustment transfers would also be reflected on a consolidated basis on consolidated Form GST494, *Goods and Services Tax /Harmonized Sales Tax Final Return for Selected Listed Financial Institutions*.

The reporting periods of the investment plan manager and the investment plan would not have to coincide for purposes of a tax adjustment transfer election in these circumstances.

#### Note

An investment plan must be registered for GST/HST purposes to make a reporting entity election, a consolidated filing election, or a tax adjustment transfer election. Where a consolidated filing election is made and a group GST/HST registration number is requested, an investment plan is not required to register separately for GST/HST purposes.

An investment plan that is an SLFI is required to have a calendar year as its fiscal year. However, investment plans that are already GST/HST registrants and do not have the calendar year as their fiscal year are required to file two separate Form GST494 returns during the transitional year (i.e., the fiscal year that ends December 31, 2010). For the transitional year, an investment plan that is an SLFI and is already a GST/HST registrant and has a fiscal year ending after June 2010 but before December 2010 would be required to file one Form GST494 return for the fiscal year that includes July 1, 2010 and one for the rest of the transitional year up to and including December 31, 2010. (The requirement discussed above for an investment plan to be registered and to have a calendar year as its fiscal year is based on proposed changes announced by the Department of Finance on May 19 and June 30, 2010.)

### How are the elections made?

An investment plan and the investment plan manager can jointly make the reporting entity election and the consolidated filing election by completing Parts A, B, C, D, F, G, and I of this form.

The investment plan and the investment plan manager can jointly make the tax adjustment transfer election under consolidated filing by completing Parts A, B, C, D, F, G, I, J, and L of this form.

The elections must be filed with the Minister before the first day of the fiscal year of the investment plans during which the election is to be in effect.

The elections cease to have effect on the earliest of:

- (a) the first day of the fiscal year of the investment plan in which the investment plan manager with whom an election has been made, ceases to be the manager of the investment plan;
- (b) the first day of the fiscal year of the investment plan in which the investment plan ceases to be an investment plan or an SLFI;
- (c) in the case where a consolidated filing election is made, the first day of the fiscal year of the manager or investment plan in which an investment plan that made the election, ceases to have the same reporting periods as any of the other investment plans that made the election; and
- (d) in any case, the day on which a revocation of the election becomes effective.

### How are revocations made?

An investment plan that has made a reporting entity election may revoke the election, effective on the first day of the fiscal year of the investment plan, by completing Parts A, B, C, E, and F of this form.

The investment plans that have jointly made the consolidated filing election may jointly revoke the election effective on the first day of the fiscal year of the investment plans, by completing Parts A, B, C, H, and I of this form.

If an investment plan manager and an investment plan have jointly made a tax adjustment transfer election under consolidated filing, either the investment plan manager or the investment plan may revoke the election effective on the first day of the fiscal year of the investment plan, by completing Parts A, B, C, K, and L of this form.

A notice of revocation of any of these elections must be filed with the Minister no later than the day on which the revocation becomes effective.

A revocation will only be effective if the person making the revocation notifies, before the day on which the revocation is to come into effect, all the persons who are party to the election.

#### Note

The consolidated filing election will cease to be in effect the same day as the effective date of revocation of the reporting entity election and the effect of the tax adjustment transfer election will change. Contact us for more information about the effect of revoking these elections at **1-800-959-8287**.

## Definitions

**Investment plan** – means, for purposes of section 149 of the ETA:

- (a) a trust governed by
  - (i) a registered pension plan,
  - (ii) an employees profit sharing plan,
  - (iii) a registered supplementary unemployment benefit plan,
  - (iv) a registered retirement savings plan,
  - (v) a deferred profit sharing plan,
  - (vi) a registered education savings plan,
  - (vii) a registered retirement income fund,
  - (viii) an employee benefit plan,
  - (ix) an employee trust,
  - (x) a mutual fund trust,
  - (xi) a pooled fund trust,
  - (xii) a unit trust, or
  - (xiii) a retirement compensation arrangement,as each of those terms is defined for the purposes of the *Income Tax Act* or the *Income Tax Regulations*;
- (b) an investment corporation, as that term is defined for the purposes of that Act;
- (c) a mortgage investment corporation, as that term is defined for the purposes of that Act;
- (d) a mutual fund corporation, as that term is defined for the purposes of that Act;
- (e) a non-resident owned investment corporation, as that term is defined for the purposes of that Act;
- (f) a corporation exempt from tax under that Act by reason of paragraph 149(1)(o.1) or (o.2) of that Act; and
- (g) a prescribed person, or a person of a prescribed class, but only where the person would be a selected listed financial institution for a reporting period in a fiscal year that ends in a tax year of the person if the person were a listed financial institution included in subparagraph 149(1)a)(ix) during the tax year and the preceding tax year of the person. An employee life and health trust is proposed to be a prescribed person.

**Manager of an investment plan** – means:

- (a) in the case of a pension entity of a pension plan, the administrator (as defined in subsection 147.1(1) of the *Income Tax Act*) of the pension plan; and
- (b) in any other case, the person that has ultimate responsibility for the management and administration of the assets and liabilities of the investment plan.

**Non-participating province** – means a province, territory, or any other area in Canada that is outside the participating provinces.

**Participating province** – means the province of British Columbia, New Brunswick, Newfoundland and Labrador, Nova Scotia, or Ontario, but does not include the Nova Scotia offshore area or the Newfoundland offshore area except to the extent that offshore activities are carried on in that area.

**Segregated fund of an insurer** – means a specified group of properties that is held in respect of insurance policies, all or part of the reserves for which vary in amount depending on the fair market value of the properties.

**Selected listed financial institution (SLFI)** – a financial institution would generally be considered to be an SLFI throughout a reporting period in a fiscal year that ends in a particular tax year of the financial institution if it is a listed financial institution described in any of subparagraphs 149(1)(a)(i) to (x) of the ETA at any time during the particular tax year, and the financial institution has a permanent establishment in a participating province and a permanent establishment in any other province, at any time during the tax year.

### Note

It is proposed that the definition of what constitutes a permanent establishment be expanded.

### Filing instructions

Where the reporting entity and consolidated filing elections are made, a request for a group GST/HST registration number can be made using Form RC4602, *Request for a Group GST/HST Registration Number for Selected Listed Financial Institutions with Consolidated Filing*. Send all the completed RC4604 forms along with the completed Form RC4602 to the Minister at the address below.

Canada Revenue Agency  
Summerside Tax Centre  
275 Pope Road  
Summerside PE C1N 6A2

### What if you need help?

For more information about this form, call **1-800-959-8287**.