



Oil and Gas Industry – Service Providers

Provincial Sales Tax Act

This bulletin provides information to help service providers in the oil and gas industry understand how the PST applies to their businesses.

You will also find information for the oil and gas industry in [Bulletin PST 113, Oil and Gas Industry - Producers and Processors](#) and [Bulletin PST 114, Oil and Gas Industry - Exploration, Discovery and Development](#).

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Definitions and Overview

Definitions

In this bulletin:

- **goods** mean tangible personal property as defined in the *Provincial Sales Tax Act*. Tangible personal property is personal property that can be seen, weighed, measured, felt or touched, or that is in any other way perceptible to the senses, and includes:
 - natural or manufactured gas,
 - electricity,
 - heat,

- affixed machinery, and
 - an improvement to real property or part of an improvement to real property that is removed from the site at which it is affixed or installed, while it is removed from that site.
- **obtain** means:
 - purchase or lease in BC,
 - bring or send into BC,
 - receive in BC, or
 - receive as a gift.
 - **substantially** means more than 90%.

Overview

You must pay PST when you purchase or lease goods in BC, unless a specific exemption applies. This applies even if you are a service provider or contractor who does not ordinarily conduct business in BC.

You must also pay PST when you bring or send taxable goods into BC, or receive delivery of goods in BC, for use in the course of your business, whether or not your business is located in BC. For information on how to calculate and self-assess the PST due, see [Bulletin PST 310, Goods Brought Into BC](#).

Production Machinery and Equipment Exemption

If you qualify for the PM&E exemption, you may obtain certain machinery and equipment (PM&E) exempt from PST.

The PM&E exemption includes replacement parts, materials and services for qualifying PM&E, parts and materials to assemble qualifying PM&E, and certain PM&E used by service providers.

PM&E Exemption

As a service provider to the oil and gas industry, the PM&E exemption can apply to you in two different ways.

1. If you are eligible for the PM&E exemption, you are exempt from PST on qualifying machinery and equipment.
2. If your customer is eligible for the PM&E exemption, you do not charge PST for services you perform on qualifying machinery and equipment (see *Providing Services to Your Customers* below).

When You are Eligible for the PM&E Exemption

Machinery and equipment you use to provide a service to an oil and gas producer qualify for the PM&E exemption if:

- the service consists of:
 - manufacturing goods for the oil and gas producer in BC and is provided to, or results in the creation of, goods that will be, or will become part of, the oil and gas producer's qualifying petroleum or natural gas, or

- extracting or processing petroleum or natural gas for the oil and gas producer in BC that will be, or will become part of, the oil and gas producer's qualifying petroleum or natural gas,
- the machinery and equipment are obtained for use primarily and directly in providing the service,
- the service is provided substantially at either:
 - the well site or the qualifying part of the oil and gas producer's processing plant or refinery, or
 - the qualifying part of the service provider's manufacturing site, processing plant or refinery, and
- there is a reasonable expectation that the total value of sales of the service will exceed \$30,000 per year.

Primarily means used over 50%. How you make the measurement of primarily depends on the nature of the PM&E. You may measure it in terms of time, volume, production value or some other measurement that is appropriate for that particular type of PM&E.

In some cases, you may use the PM&E seasonally or during specific production phases. When this happens, the time when the PM&E is idle or in storage is not considered use. You calculate primarily based on the actual usage.

Directly means PM&E must be a part of, or an integral component of, the process that transforms the raw material into the finished product.

For more information on who qualifies as an oil and gas producer, what is qualifying petroleum or natural gas, and what is the qualifying part of a processing plant or refinery, see [Bulletin PST 113](#), *Oil and Gas Industry – Processors and Producers*. For information on what is the qualifying part of a manufacturing site, see [Bulletin PST 110](#), *Production Machinery and Equipment Exemption*.

Exploration, Discovery or Development of Petroleum or Natural Gas

If you are a service provider who, for commercial purposes, regularly engages in the exploration, discovery or development of petroleum or natural gas, you may be eligible for exemption when you obtain qualifying PM&E for use substantially in such activities. For example, if you provide drilling services to an owner of an exploratory well, you may qualify for the exemption on the purchase or lease of your drilling rig.

For more information, see [Bulletin PST 114](#), *Oil and Gas Industry - Exploration, Discovery and Development*.

Providing Services to Your Customers

Related services are services provided to goods or services provided to install goods.

You charge PST on related services you provide in BC, unless a specific exemption applies.

Generally, if a good is taxable when purchased, related services provided to that item are also taxable, unless a specific exemption applies.

For more information, see [Bulletin PST 301](#), *Related Services*.

Related Services Provided to Customers Eligible for the PM&E Exemption

If your customer is eligible for the PM&E exemption, your customer is exempt from PST on related services you perform to their qualifying PM&E.

Your customer may be eligible for the PM&E exemption if:

- for commercial purposes, they regularly engage in the exploration, discovery or development of petroleum and natural gas, or
- they qualify as an oil and gas producer.

For examples of qualifying PM&E for persons who qualify for these exemptions, and information on the criteria for these exemptions, see [Bulletin PST 113](#), *Oil and Gas Industry - Producers and Processors* and [Bulletin PST 114](#), *Oil and Gas Industry - Exploration, Discovery and Development*.

Determining eligibility for PM&E

You may not always know if your customer is eligible for the PM&E exemption, or if they use PM&E for a qualifying use.

Therefore, if we determine later that your customer should have paid PST, you will not be liable for not charging PST if:

- you keep a completed certification from the purchaser/lessor on file (i.e. a *Certificate of Exemption—Production Machinery and Equipment* ([FIN 492](#)) or an alternative certification; see Alternative to the Exemption Certificate below),
- the PM&E that you serviced is clearly identified on the certification document, and
- the PM&E you serviced could be eligible for the PM&E exemption. For example, PM&E used to manufacture goods or process natural gas or petroleum could be eligible for the PM&E exemption. However, cell phones and office furniture could never be eligible for the exemption.

Exemptions for Parts, Materials and Other Goods

Goods Used by Service Providers

If you provide related services to your customer's exempt PM&E, you are exempt from PST on parts, materials and other goods that you use in the course of providing the service as long as those goods remain part of, or attached to, the exempt PM&E after the service is provided.

To obtain the exemption, you must provide your PST number to your supplier or, if you do not have a PST number, a *Certificate of Exemption – General* ([FIN 490](#)).

Please note: This exemption does not apply to:

- goods obtained for use to produce energy, or as a source of energy, other than electricity used in an electrolytic process, or
- goods that you (the service provider) retain an interest in after they have become part of, or attached to, the exempt PM&E.

Parts and Materials Sold to Your Customers

If your customer is eligible for the PM&E exemption, they are exempt from PST on:

- parts they obtain for use on exempt PM&E, or to assemble exempt parts or exempt PM&E, and
- materials they obtain for use to repair, maintain or modify exempt PM&E, or to assemble exempt parts or exempt PM&E, provided that the materials remain part of, or attached to, the exempt parts or exempt PM&E. Materials eligible for exemption include sheet metal and bulk wire.

Even if your customer is eligible for the PM&E exemption, they are not eligible to purchase the following parts and materials exempt from PST:

- parts and materials that remain part of, or attached to, taxable goods (e.g. goods not eligible for the PM&E exemption),
- parts and materials used to self-manufacture qualifying PM&E for their own use,
- gases, liquids or consumable solids (e.g. sealants, lubricants such as grease), or
- parts and materials obtained for use primarily for repairing, maintaining, modifying or assembling:
 - scaffolding, walkways, catwalks and similar structures, unless these items are an integral part of exempt PM&E and were obtained as part of the exempt PM&E, and
 - bases and foundations that are, or become a part of, real property, for exempt PM&E.

Goods Supplied With an Operator

If you supply taxable goods with a person to operate the goods, you are not considered to be leasing the goods. In this situation, you are providing a non-taxable service to your customer and you do not charge your customer PST. However, you must pay PST when you obtain taxable goods that you will supply with an operator unless you qualify for the exemption for goods **occasionally** supplied with an operator, or another exemption applies.

For more information, see [Bulletin PST 315](#), *Rentals and Leases of Goods*.

PM&E and Software Used to Operate, Control or Monitor Exempt PM&E

If you are eligible for the PM&E exemption, you do not pay PST on:

- PM&E and software obtained for use primarily to operate, control or monitor exempt PM&E, or
- software obtained for use to operate PM&E for use primarily to operate, control or monitor other exempt PM&E, if the PM&E is for use substantially at a well site or the qualifying part of a processing plant or refinery.

Please note: Software is not PM&E and does not qualify for the PM&E exemption unless it is obtained for use as described in this section. This includes word processing, spreadsheet, email, photo editing and anti-virus software.

However, you may be eligible for other software exemptions, such as exemptions for custom software or software incorporated into other software. For more information, see [Bulletin PST 105](#), *Software*.

Parts, Materials and Services for PM&E

Parts for PM&E

If you are eligible for the PM&E exemption, you do not pay PST on parts you obtain for use on exempt PM&E, or to assemble exempt parts or exempt PM&E.

Materials for PM&E

If you are eligible for the PM&E exemption, you do not pay PST on materials you obtain, provided they:

- are used to repair, maintain or modify exempt PM&E, or to assemble exempt parts or exempt PM&E, and
- remain part of, or attached to, the exempt parts or exempt PM&E.

Materials eligible for exemption include sheet metal and bulk wire.

Taxable Items

The following are not exempt parts or materials for PM&E:

- parts and materials used to self-manufacture qualifying PM&E for own use,
- gases, liquids or consumable solids (e.g. sealants, lubricants such as grease), or
- parts and materials obtained for use primarily for repairing, maintaining, modifying or assembling:
 - scaffolding, walkways, catwalks and similar structures, unless these items are an integral part of exempt PM&E and were obtained as part of the exempt PM&E, and
 - bases and foundations that are, or become a part of, real property, for exempt PM&E.

Inventory of Parts and Materials

If you use the same parts and materials for both taxable and exempt purposes, you **must not** purchase all the parts and materials exempt from PST (unless you have a tax payment agreement – see Tax Payment Agreements below).

However, you may make a reasonable estimate of the portion used on exempt PM&E and obtain that portion exempt from PST. Reconcile this estimate to your actual usage. If the reconciliation shows you used more parts and/or materials for taxable purposes than estimated, you self-assess the PST owing on the portion obtained exempt but used for taxable purposes.

If you have a PST number, you must self-assess the PST due on your next PST return. If you do not have a PST number, you must self-assess the PST due using a *Casual Remittance Return* ([FIN 405](#)) on or before the last day of the month following the month in which you used the parts and/or materials for a taxable purpose.

If the reconciliation shows you used more parts and/or materials for exempt purposes than estimated, you can claim a refund from the ministry for the PST paid on the portion used for exempt purposes. For more information, see [Bulletin PST 400](#), *PST Refunds*.

Related Services for Exempt PM&E

If you are eligible for the PM&E exemption, you are exempt from PST when you purchase related services provided to exempt PM&E. For details on how to claim the exemption, see Claiming the PM&E Exemption below.

For more information, see [Bulletin PST 301](#), *Related Services*.

Claiming the PM&E Exemption

You must, at or before the time of sale or lease, provide your supplier with a completed *Certificate of Exemption - Production Machinery and Equipment* ([FIN 492](#)) when claiming the following exemptions:

- purchases or leases of exempt PM&E,
- purchases or leases of exempt parts or materials for exempt PM&E, or
- purchases of related services for exempt PM&E.

This requirement applies whether or not you have a PST number (i.e. you cannot use your PST number instead of the *Certificate of Exemption - Production Machinery and Equipment* ([FIN 492](#))). However, you do have the option of using an alternative certification (see below in this section).

You must complete all parts of the certificate. Where a description of the items purchased or leased is required, you list each type of machinery, equipment, parts and/or materials. It is not enough to simply state “production machinery and equipment”. For example, if you are purchasing drill bits, regulators or coiled tubing, you list each as a specific item on the form.

If you are purchasing related services for PM&E, specify what PM&E the related service will be provided to. For example, state “repair services for a separator” and not just “repairs”.

When you purchase or lease a large quantity of PM&E, you may attach an itemized list or a copy of the purchase order to the completed certificate.

The purchase order must clearly describe the PM&E being purchased or leased and it must indicate which is exempt.

You are generally required to provide a completed certificate to the supplier for each purchase or lease. However, when you are making frequent purchases or leases of the same item(s) from the same supplier, you may provide one completed certificate to the supplier along with a list of item(s) you are claiming an exemption for. You can make future exempt purchases or leases of the same item(s) from that supplier based on the one certificate, provided the information on the certificate is still correct. You must complete a new exemption certificate if the information has changed.

You only use the *Certificate of Exemption - Production Machinery and Equipment* ([FIN 492](#)) for claiming an exemption under the PM&E exemption (i.e. for PM&E and related parts, materials and related services). This certificate does not replace the *Certificate of Exemption – General* ([FIN 490](#)).

Suppliers

If you do not obtain a completed *Certificate of Exemption - Production Machinery and Equipment* ([FIN 492](#)) or an alternative to the exemption certificate (see below) at or before the time of the sale or lease, you must charge and collect the PST on that sale or lease and remit it to the ministry with your return for the reporting period. If your customer provides the required information after the sale or lease but within 180 days of the sale or lease, you may refund or credit the PST you charged. For more information on providing refunds and credits to your customers, see [Bulletin PST 002, Charging, Collecting and Remitting PST](#).

Please note: If your customer claims this exemption with an exemption certificate and it is later found they did not qualify for the exemption, your customer is liable for any tax, interest and penalties associated with the purchase or lease. However, if you had reason to believe your customer was not entitled to the exemption (e.g. the item purchased was not eligible for the PM&E exemption or your customer mentioned the equipment was actually for personal use) and you provided the exemption, you may also be subject to an assessment.

Alternative to the Exemption Certificate

As an alternative to using the *Certificate of Exemption - Production Machinery and Equipment* ([FIN 492](#)), you may develop your own certification, provided all the required information and the declaration statement from the exemption certificate are included.

Providing the required information and the declaration statement in an electronic format is acceptable if the format includes an electronic signature. An electronic signature may include an electronic acceptance or agreement of the declaration statement, or a statement indicating that transmitting the information and declaration electronically by the purchaser or lessee is agreement of the declaration.

Other Exemptions

Goods for Resale or Lease

You are exempt from PST when you obtain goods solely for resale or leasing to other persons. To support the exemption, you must provide your PST number or, if you are not registered, a *Certificate of Exemption – General* ([FIN 490](#)).

Goods Incorporated into Other Goods for Resale

You are exempt from PST when you obtain goods that will be processed, fabricated, or manufactured into, attached to, or incorporated into other goods for resale or lease. To purchase these items exempt from PST, give the supplier your PST number. If you do not have a PST number and you qualify, give the supplier a completed *Certificate of Exemption – General* ([FIN 490](#)).

Containers and Packaging Materials

You are exempt from PST on containers and packaging materials (except reusable containers) if you use them to package goods for sale or lease, or if you provide them to your customers with their purchases of goods. However, you must pay PST on containers and packaging materials if you use them for other purposes, such as storing, handling or shipping goods, or you use them to provide a service.

Generally, you are not required to charge PST on the containers and packaging materials you provide with goods and services, unless you separately charge your customers for them.

However, in limited circumstances, you may be required to charge PST on the fair market value of the containers and packaging materials.

For more information, see [Bulletin PST 305](#), *Containers and Packaging Materials*.

Safety Equipment and Protective Clothing

The following safety equipment and protective clothing are exempt from PST:

- work-related safety equipment and protective clothing designed to be worn by, or attached to, a worker if required under specified provincial work safety legislation when purchased or leased by an employer, self-employed person or educational institution,
- specifically listed work-related safety equipment and protective clothing designed to be worn by a worker, including safety goggles and steel-toed boots, and
- specifically listed general safety equipment and protective clothing.

For more information, see [Bulletin PST 100](#), *Safety Equipment and Protective Clothing*.

Taxable Goods

Unless an exemption applies, you must pay PST when you purchase or lease machinery, equipment or other goods in BC. You pay PST on the full purchase price at the time of purchase. If the goods are leased, you pay PST on each lease payment either when the lease payment is paid or when the lease payment becomes due under the terms of the lease agreement, whichever is earlier.

What is Included in the Purchase Price

PST must be calculated on the total purchase price paid by the purchaser to receive title to goods that are subject to PST. This includes the value of services accepted by the seller on account of the purchase price and any charges for financing, interest, customs and excise, as well as any delivery or other transportation charges (including shipping and handling) incurred at or before the time that title to the goods passes to the purchaser. This applies whether or not the charges are shown separately on the sales invoice.

PST does not apply to delivery or transportation charges if title to the goods passes to the purchaser at the seller's premises because the delivery charge does not form part of the purchase price of the taxable goods. If the seller charges the customer for delivery of the goods to another location and this charge is separately stated on the sales invoice, PST applies only to the purchase price of the goods.

For more information on what is included in the purchase price, see [Bulletin PST 302](#), *Delivery Charges*.

Change of Use

If you obtain PM&E, parts, materials or other goods exempt and later use them for a taxable purpose, PST applies as of the date you use the item for a taxable purpose.

You calculate and self-assess PST on the greater of the **depreciated value** or 50% of the original purchase price. This calculation must be done separately for each item.

You must self-assess the PST due on your next PST return. If you do not have a PST number, you must self-assess the PST due using a *Casual Remittance Return* ([FIN 405](#)) on or before the

last day of the month following the month in which you used the PM&E, parts, materials or other goods for a taxable purpose.

Calculating Depreciation

The **depreciated value** is determined on a straight-line basis as follows:

$$\text{Depreciated value} = \text{Purchase price} - [\text{purchase price} \times \text{depreciation rate}]$$

You may only calculate the depreciated value on the following types of equipment using the depreciation rates listed below. Goods not listed below **cannot** be depreciated.

| Type of Equipment | Depreciation Rate |
|---------------------------------------------------------------------------------------------------|----------------------------------------------------------------|
| Vehicles, including all trailers and self-propelled equipment, and equipment mounted on a vehicle | 30% per year, plus 2.5% per 30-day period for partial years |
| Aircraft | 25% per year, plus 2.0833% per 30-day period for partial years |
| Vessels, and equipment mounted on a vessel | 15% per year, plus 1.25% per 30-day period for partial years |
| Railway rolling stock | 10% per year, plus 0.8333% per 30-day period for partial years |
| Other equipment, furnishings and affixed machinery | 20% per year, plus 1.667% per 30-day period for partial years |

To calculate the depreciation rate, follow these steps:

1. Calculate the number of whole years between the date you acquired the goods and the date you used them for a taxable purpose.
2. After calculating #1 above, calculate the number of days remaining in the partial year (if any) between the date you acquired the goods and the date you used them for a taxable purpose. Both the first and last days should be counted.
3. Divide the number of days calculated under #2 by 30 and round to the nearest whole number (0.5 and above is rounded up to 1). This is the number of 30-day periods.
4. Calculate the depreciation rate by multiplying the applicable rates in the table above by the number of years and 30-day periods.

Examples of Taxable Goods

The following are taxable machinery, equipment or other goods used in the oil and gas industry.

- Boats, trains and non-turbine aircraft.
- Buildings, furnishings, camp equipment or machinery and equipment related to the use of a building as a building (except shelters that are exempt under the PM&E exemption for PM&E obtained for use in the exploration, discovery or development of petroleum or natural gas).
- Cleaning supplies, such as cleaning solution and rags.

- Gases, such as oxygen and acetylene.
- General, administrative and office machinery or equipment and supplies, such as desks, phones, computers, photocopiers and fax machines.
- Machinery and equipment obtained for use in:
 - the construction of buildings,
 - the construction or maintenance of roads, or
 - site preparation (except machinery and equipment exempt as PM&E obtained for use in the exploration, discovery or development of petroleum or natural gas).
- Machinery and equipment used to generate heat, such as a boiler.
- Machinery and equipment used to repair, maintain or service exempt PM&E.
- Portable or mobile generators and alternators (except specified exempt generators located at a well site). This includes stand-by and electric generators and alternators and drive motors for them.
- Scaffolding, walkways, catwalks and similar structures, unless these items are an integral part of exempt PM&E, and are sold or leased as part of exempt PM&E.
- Software, except software used primarily to operate, control or monitor certain PM&E (see PM&E and Software Used to Operate, Control or Monitor Exempt PM&E above).
- Storage tanks, including terminal or refinery storage tanks, and fuel storage tanks.
- Telecommunication equipment, such as satellite equipment, cell phones and radio antennas.
- Vehicles designed for public highway use, such as:
 - transport trucks and ATVs, and
 - automotive units on which well servicing equipment or cementing and fracturing equipment (e.g. mobile welders) is mounted, but not a truck-mounted service rig.

See Appendix 2 in [Bulletin PST 113](#), *Oil and Gas Industry – Producers and Processors* for additional examples of taxable machinery, equipment or other goods used in the oil and gas industry.

Goods from Out-of-Province Suppliers

If you purchase or lease taxable goods from an out-of-province supplier, you pay PST on the total amount you pay to bring the goods into BC, including charges for transportation, customs, excise and any other costs, except the goods and services tax (GST).

If the supplier does not charge you PST and you have a PST number, you must self-assess the PST due on your next PST return. If you do not have a PST number, you must self-assess the PST due using a *Casual Remittance Return* ([FIN 405](#)) on or before the last day of the month following the month you received the goods in BC.

Goods Brought Into BC

Generally, PST applies if you bring or send goods into BC, or receive delivery of goods in BC, for use, unless a specific exemption applies.

If you own the goods and you brought or sent the goods into BC, or received delivery of the goods in BC for **temporary use** in BC, see [Bulletin PST 307](#), *Goods Brought Into BC for Temporary Use*.

If you own the goods and they are not for temporary use in BC, see [Bulletin PST 310](#), *Goods Brought Into BC*.

If you lease the goods, see [Bulletin PST 315](#), *Rentals and Leases of Goods*.

Real Property Contracts and Affixed Machinery

Real property is land and anything that is attached to the land in such a way that it becomes part of real property upon installation (i.e. ceases to be personal property at common law). This would normally include buildings, structures and things, such as machinery or equipment, that are attached to the land (or to buildings or structures) by some means other than their own weight.

Real property contractors must pay PST on the goods they obtain to fulfil a contract to supply and affix, or install, goods to real property, unless a specific exemption applies. When a contractor pays PST, they do not charge their customers PST on the charge for the contract.

However, contractors are exempt from PST on goods they use to fulfil a contract to improve real property in BC if they have an agreement with their customer that specifically states the customer pays the PST on the goods (provided the agreement states the purchase price of the goods). In this case, the contractor must be registered for PST and must charge PST.

Contractors may also be exempt from PST on goods they obtain to fulfil a **written** contract if the contract is with certain persons who are exempt from PST.

For detailed information on how PST applies to contractors, and an explanation of what is real property, see [Bulletin PST 501](#), *Real Property Contractors*.

Affixed Machinery

Affixed machinery is machinery, equipment or apparatus that is:

- used directly in the manufacture, production, processing, storage, handling, packaging, display, transportation, transmission or distribution of goods, or in the provision of software or a service, and
- is affixed to, or installed in, a building, a structure or land so that it becomes part of real property.

Certain machinery, equipment and apparatus are excluded from the definition of affixed machinery. For more information on what is excluded, see [Bulletin PST 503](#), *Affixed Machinery*.

For the purpose of the PST, affixed machinery that is already installed is tangible personal property (goods). This means if you purchase or lease real property in which affixed machinery is already installed, you are purchasing or leasing goods (the affixed machinery) and must pay PST on the purchase price or lease price of that affixed machinery, unless a specific exemption applies.

Generally, compressors installed in a pipeline are affixed machinery.

For more information, see [Bulletin PST 503](#), *Affixed Machinery*.

Tax Payment Agreements

Eligible businesses may apply to enter into a voluntary tax payment agreement (TPA) with the Ministry of Finance.

A TPA allows eligible businesses to defer paying PST when they purchase or lease certain items for business use, and to self-assess and remit the PST due on any items later used for a taxable purpose.

For more information, see [Bulletin PST 317](#), *Tax Payment Agreements*.



Need more info?

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The information in this bulletin is for your convenience and guidance and is not a replacement for the legislation.

References: *Provincial Sales Tax Act*, sections 1 “affixed machinery”, “lease”, “related service”, “software”, “substantially”, “use”, 10, 25, 41, 49, 51, 79, 80.1, 82, 82.1, 141, 142, 145, 147, 148 and 153; Provincial Sales Tax Exemption and Refund Regulation, sections 1 “mineral”, “obtain”, 32-35 and 90-120; Provincial Sales Tax Regulation, section 10.