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Legislative Summary

BILL C-8:
AN ACT TO IMPLEMENT CERTAIN PROVISIONS OF THE ECONOMIC AND FISCAL UPDATE TABLED IN PARLIAMENT ON DECEMBER 14, 2021 AND OTHER MEASURES

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For clarity of exposition, the legislative proposals set out in the bill described in this Legislative Summary are stated as if they had already been adopted or were in force. It is important to note, however, that bills may be amended during their consideration by the House of Commons and Senate, and have no force or effect unless and until they are passed by both houses of Parliament, receive Royal Assent, and come into force.

Any substantive changes in this Library of Parliament Legislative Summary that have been made since the preceding issue are indicated in **bold print**.

Legislative Summary of Bill C-8
(Legislative Summary)

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LEGISLATIVE SUMMARY OF BILL C-8: AN ACT TO IMPLEMENT CERTAIN PROVISIONS OF THE ECONOMIC AND FISCAL UPDATE TABLED IN PARLIAMENT ON DECEMBER 14, 2021 AND OTHER MEASURES

1 BACKGROUND

Bill C-8, An Act to implement certain provisions of the economic and fiscal update tabled in Parliament on December 14, 2021 and other measures (short title: Economic and Fiscal Update Implementation Act, 2021),[1] was introduced in the House of Commons on 15 December 2021 by the Honourable Chrystia Freeland, Deputy Prime Minister and Minister of Finance. **The bill was passed by both chambers of Parliament with amendments by the House of Commons Standing Committee on Finance, and it received Royal Assent on 9 June 2022.**

Bill C-8 implements some of the measures that were announced in the federal government's Economic and Fiscal Update 2021, which was released on 14 December 2021.[2]

The bill consists of the following seven parts:

- Part 1 amends the *Income Tax Act* (ITA)[3] and the *Income Tax Regulations* (ITR)[4] to: introduce a refundable tax credit for eligible businesses on qualifying ventilation expenses made to improve air quality; expand the travel component of the northern residents deduction; raise the rate of the School Supplies Tax Credit from 15% to 25% and expand the eligibility criteria; and introduce a new refundable tax credit to return fuel charge proceeds to farming businesses in backstop jurisdictions.
- Part 2 enacts the Underused Housing Tax Act (UHTA), which implements an annual tax of 1% on the value of vacant or underused residential property that is directly or indirectly owned by non-resident non-Canadians.
- Part 3 provides for a six-year limitation or prescription period for the recovery of amounts owing with respect to a loan provided under the Canada Emergency Business Account program established by Export Development Canada.
- Part 4 authorizes the minister of Finance to make payments of up to $100 million out of the Consolidated Revenue Fund for the purpose of supporting ventilation improvement projects in schools.
- Part 5 authorizes the minister of Health to make payments of up to $300 million out of the Consolidated Revenue Fund for the purpose of supporting COVID-19–related proof-of-vaccination initiatives.

- Part 6 authorizes the minister of Health to make payments of up to $1.72 billion out of the Consolidated Revenue Fund in relation to COVID-19 tests.
- Part 7 amends the *Employment Insurance Act* (EIA)[5] to specify the maximum number of weeks for which benefits may be paid in a benefit period to certain seasonal workers.

2 DESCRIPTION AND ANALYSIS

2.1 PART 1: AMENDMENTS TO THE *INCOME TAX ACT* (CLAUSES 2 TO 9)

2.1.1 COVID-19 – Air Quality Improvement Tax Credit (Clauses 2, 6 and 9)

Clause 6(1) adds new section 127.43 to the ITA to introduce a new temporary tax credit for businesses, the COVID-19 Air Quality Improvement Tax Credit for taxation years ending after 2021. This credit is meant to make it more affordable for businesses to invest in better ventilation and air filtration.[6] It is available to businesses that are eligible entities that have incurred ventilation expenses with regard to a qualifying location in the course of their ordinary commercial activities.

An eligible entity includes an individual who is an unincorporated sole proprietor, a corporation, a cooperative and a partnership, but it excludes a trust.[7] Additional rules apply to corporations and partnerships.

For a cooperative or a corporation to be considered an eligible entity, the two conditions of a "qualifying corporation" must be met, namely:

- it must be a Canadian-controlled private corporation;[8] and
- its taxable capital employed in Canada[9] and that of associated corporations[10] must be "less than $15 million in the taxation year immediately preceding the taxation year in which the [ventilation expense] is incurred."[11]

"Ventilation expenses" means outlays or expenses incurred during the period that begins on 1 September 2021 and ends on 31 December 2022 and that are either

- directly attributable to the purchase, installation, conversion or upgrade of a new or retrofitted heating, ventilation and air conditioning (HVAC) system that meets certain conditions; or
- directly attributable to the purchase of a device that is designed to filter air using a high efficiency particulate air (HEPA) filter

and that

- are reasonable and intended primarily to increase outdoor air intake or to improve air cleaning; and
- are not otherwise excluded by the regulations introduced by clause 9(1) of Bill C-8.[12]

The terms "HVAC" and "HEPA" are both defined, among other technical terms, in the regulations introduced into new section 9700 of the ITR by clause 9(1).

As well, if an eligible entity received "any government assistance"[13] (other than under this new section) with respect to its ventilation expenses, such assistance must be deducted.

A "qualifying location" means real or immovable property in Canada used by the eligible entity primarily in the course of its ordinary commercial activities. It thus excludes a self-contained domestic establishment, such as a place of residence,[14] and the land subjacent to it.

Because ventilation expenses are capped at $10,000 per qualifying location and at $50,000 cumulatively for all qualifying locations of an eligible entity (the limits),[15] the maximum amount that an eligible entity can use to calculate the credit for a taxation year is the lesser of its ventilation expenses for that taxation year and the amount left with regard to the limits, once ventilation expenses in respect of which an amount was claimed under this credit for a prior taxation year have been deducted.

For all eligible entities excluding partnerships, the credit is equal to 25% of the maximum amount.

As for partnerships, only the members of a partnership may claim the credit provided they are an eligible entity themselves, other than a partnership.[16] Each member may claim a credit equal to 25% of the maximum amount multiplied by their "specified proportion" in the partnership.[17]

In cases of multi-tiered partnership structures, an eligible entity is deemed to have a specified proportion in the second partnership that is equal to their specified proportion in the first partnership, multiplied by the first partnership's specified proportion in the second partnership.

To claim the credit, eligible entities (other than partnerships), and members of a partnership, if applicable, must file a prescribed form with a return of income for the taxation year. Partnerships must also file an information return in a prescribed form.

Additionally, any amount claimed under this credit is considered assistance received from a government immediately before the end of the taxation year to which it relates, thus making it taxable for the eligible entity or the member of a partnership claiming it.

The credit is treated as an amount paid on account of the tax payable by the eligible entity (other than a partnership) or member of a partnership for the taxation year for the purposes of the ITA, which has the effect of making it a refundable tax credit.

Clause 2(1) amends section 87(2) of the ITA, which sets out rules in cases of an amalgamation, to provide that an amalgamated corporation is deemed to be the same corporation as, and a continuation of, each predecessor corporation for the purposes of the credit. This prevents an amalgamated corporation from reinitializing the limits as a result of the amalgamation.

All these changes are deemed to have come into force on 1 September 2021, pursuant to clauses 2(2), 6(2) and 9(2).

2.1.2 Northern Residents Deduction (Clauses 3 and 7)

The northern residents deduction is divided into two components: the residency component and the travel component. The travel component is meant "[t]o reduce travel costs for northerners"[18] by allowing certain individuals living in prescribed northern areas of Canada to deduct, in the computation of their income for the year, certain amounts in relation certain trips taken for personal and medical reasons.

The changes proposed by Bill C-8 address the travel component by extending it with a view to "giving all northern residents the option to claim up to $1,200 in eligible travel expenses,"[19] even in the absence of travel assistance from their employer.

Clause 3(1) replaces section 110.7(1)(a) of the ITA and introduces a new formula to calculate the travel component of the northern residents deduction (the deduction), based on the taxpayer's total trip cost multiplied by the specified percentage for the northern area where the taxpayer resided, which remains the same as in the previous version of this section.

The term "trip cost" is introduced into the ITA by clause 3(3), which also introduces three other definitions through new section 110.7(6).

"Trip cost" has the meaning prescribed by regulation. Clause 7(1) amends the definition of trip cost by replacing paragraphs (a) and (b) of section 7304(2) of the ITR, namely to introduce the term "employer-provided travel benefits." Trip cost can be summarized as the lesser of:

- the amount of employer-provided travel benefits claimed by the taxpayer;
- the value of travel assistance received by the taxpayer as part of the employer-provided travel benefits, plus the travel expenses incurred by the taxpayer, or their spouse or common-law partner for the trip; and
- the lowest return airfare ordinarily available (this item is listed in section 7304(2)(c) of the ITR, and as such, remains unchanged)

in respect of a trip made by an individual who is the taxpayer or an "eligible family member" (an individual).[20] Clause 3(2) amends section 110.7(3) of the ITA, namely, to prevent taxpayers living in the same household from collectively claiming deductions in relation to more than two non-medical personal trips taken by the same individual.[21]

The term "employer-provided travel benefits" means the total of all amounts representing

- the value of travel assistance provided to the taxpayer (this includes travel expenses incurred by the employer on the taxpayer's behalf);[22] and
- the amount received by the taxpayer (for example, a reimbursement or allowance for travel expenses incurred by the taxpayer)[23]

in respect of the taxpayer's employment and in respect of travel expenses for a trip made by the taxpayer or their eligible family member.

The term "eligible family member" includes the following members of the taxpayer's household:

- the taxpayer's spouse or common-law partner;
- the child of the taxpayer[24] under the age of 18; and
- another person related to the taxpayer,[25] who is wholly dependent for support on the taxpayer[26] by reason of mental or physical infirmity (except in the case of a parent or grandparent of the taxpayer).

The expansion of the travel component is brought about by clause 7(2), which replaces section 7304(3) of the ITR. It introduces a deeming provision that allows a taxpayer to calculate their trip cost using only the travel assistance received by the taxpayer as part of the employer-provided travel benefits and their travel expenses or those of their spouse or common-law partner when they do not claim an amount of employer-provided travel benefits for the trip. In this case, by introducing new section 110.7(3.2) into the ITA, clause 3(2) limits the total deduction, for all taxpayers in relation to the same individual, to an amount equal to the "standard amount," which is $1,200 for the year (clause 3(3)).

Another deeming provision is introduced by clause 3(2), which adds section 110.7(3.3) to the ITA to ensure that when a "taxpayer claims a deduction in respect of an employer-provided benefit for travel … in a year, no other taxpayer [is] allowed to also claim all or part of the $1,200 standard amount in respect"[27] of travel by the same individual, as in this case, the standard amount is deemed to be zero for that individual.

Additionally, clause 3(2) introduces section 110.7(3.1) to the ITA, namely to restrict amounts that would otherwise qualify as a trip cost to amounts that have not been deducted in computing the income for any taxation year of any individual, except by an employer. This prevents multiple taxpayers from claiming the same deduction. Other restrictions provided under new section 110.7(3.1) of the ITA existed under former section 110.7(1)(a) of the ITA and have been adjusted to reflect the changes made by Bill C-8.

Clause 7(2) replaces section 7304(4) of the ITR to introduce a deeming provision that has the effect of preventing a taxpayer from claiming an amount of employer-provided travel benefits received from an employer with whom they are not dealing at arm's length.[28] In this case, a taxpayer may be able to claim their travel expenses, subject to the other conditions discussed.

Under clauses 3(4) and 7(3) of the bill, these changes apply to the 2021 and subsequent taxation years.

2.1.3 School Supplies Tax Credit (Clauses 4 and 8)

Clauses 4(1) and 8(1) expand the definition of "eligible supplies expense" provided under section 122.9(1) of the ITA, by removing the requirement that the teaching supplies purchased by the eligible educator be "directly consumed or used in an elementary or secondary school or in a regulated child care facility" and by adding electronic devices, such as web cams, microphones, headphones, electronic educational toys, speakers, video streaming devices and certain laptops, desktops and tablet computers, to the list of teaching supplies that are "prescribed durable goods" provided under section 9600 of the ITR.

These changes are meant "to ensure that purchased supplies may be eligible no matter where they are used,"[29] including in an online classroom, even "outside the context of the COVID-19 pandemic"[30]and "[i]n recognition of evolving approaches and increasing use of technologies in education."[31]

Clause 4(2) amends section 122.9(2) of the ITA by increasing the tax credit rate from 15% to 25%.

Under clauses 4(3) and 8(2), these amendments apply to the 2021 and subsequent taxation years.

2.1.4 Tax Credit to Return Fuel Charge Proceeds to Farming Businesses in Backstop Jurisdictions (Clause 5)

Clause 5(1) adds new section 127.42 to the ITA to introduce a new tax credit which aims "to return fuel charge proceeds directly to farming businesses in backstop jurisdictions via a refundable tax credit, starting for the 2021–22 fuel charge year,"[32] recognizing that "many farmers use natural gas and propane in their operations."[33] Eligible taxpayers include corporations, individuals, trusts and partnerships.

The credit is available to taxpayers who have incurred eligible farming expenses in a designated province for a taxation year.

The term "eligible farming expenses" means an amount equal to the proportion, represented by a taxpayer's income for the taxation year from farming activities deemed to have been earned in a designated province,[34] of their total income from farming activities for that year, multiplied by the taxpayer's expenses for the taxation year related to farming activities which must be equal to or exceed $25,000. Some expenses are excluded.[35]

A special rule applies when income for the taxation year from farming activities of an individual or partnership, or of a corporation, is zero. In these cases, the portion of the taxpayer's income for the taxation year from farming activities deemed to have been earned in the designated province is computed as if the individual or partnership earned, or the corporation had taxable income in the amount of $1 million from farming activities.

"Farming activities" means a farming business.[36]

"Designated province" means a province specified by the minister of Finance for a calendar year.

For all taxpayers excluding partnerships, the credit is equal to the "payment rate," which is defined as the rate specified by the minister of Finance for the calendar year for the designated province, multiplied by the taxpayer's eligible farming expenses for the taxation year. The credit applies on a prorated basis "[w]here taxation years do not align with the calendar year."[37]

The payment rates are $1.47 and $1.73 per $1,000 in eligible farming expenses incurred in the 2021 and 2022 calendar years, respectively.[38] For calendar years after 2022, the payment rate is deemed to be zero if none is specified by the minister of Finance.

As for partnerships, only the members of a partnership may claim the credit, provided they are not themselves a partnership. Each member may claim a credit equal to the payment rate, multiplied by the partnership's eligible farming expenses for the taxation year, the product of which is multiplied by the specified proportion of the member in the partnership. The credit may also apply on a prorated basis, if applicable.

In cases of multi-tiered partnership structures, a taxpayer is deemed to have a specified proportion in the second partnership that is equal to their specified proportion in the first partnership, multiplied by the first partnership's specified proportion in the second partnership.

A taxpayer, as well as a member of a partnership, if applicable, must file a prescribed form to claim the credit and a return, if applicable, for the taxation year.

Additionally, any amount claimed under this credit is considered assistance received from a government immediately before the end of the taxation year to which it relates, thus making it taxable for the taxpayer or the member of a partnership.

The credit is treated as an amount paid on account of the tax payable by the taxpayer (other than a partnership) or member of a partnership for the taxation year for the purposes of the ITA, which has the effect of making it a refundable credit.

Under clause 5(2), this credit applies to the 2021 and subsequent taxation years.

2.2 PART 2: ENACTMENT OF THE UNDERUSED HOUSING TAX ACT

2.2.1 Introduction

In the Fall Economic Statement 2020, the government announced its intention to implement "a national, tax-based measure targeting the unproductive use of domestic housing that is owned by non-resident, non-Canadians, which removes these assets from the domestic housing supply."[39] Additional details were provided in the 2021 federal budget,[40] which proposed a national annual 1% tax on the value of non-resident, non-Canadian owned residential real estate considered to be vacant or underused. Budget 2021 also announced a consultation process to be led by the Department of Finance Canada in order to provide stakeholders with an opportunity to comment on the parameters of the proposed tax. The consultation ran from 6 August 2021 to 2 December 2021.[41]

Clause 10(1) enacts the Underused Housing Tax Act (UHTA), which contains 40 sections and falls under the responsibility of the minister of National Revenue. Clause 10(2) deems the UHTA to have come into force on 1 January 2022.

In general, the underused housing tax (UHT) applies to the legal owner or owners – who are neither permanent residents of Canada nor Canadian citizens – of residential property located in Canada, and it is payable proportionately to the owners' legal interest in the property. Under section 6(3) of the UHTA, the tax is equal to 1% of the greater of either the value assigned to the property for property tax purposes, or the property's most recent sale price. Alternatively, under section 6(4) of the UHTA, an owner is permitted to elect to use the fair market value of the property, as determined by an appraisal conducted that calendar year. Division 7 of the UHTA chiefly addresses the collection of the UHT.

2.2.2 Excluded Owners

Individuals subject to the tax are defined by exclusion in Part 1 of the UHTA, as those not belonging to any of the following groups (excluded owners):

- His Majesty in right of Canada or a province, or an agent of His Majesty in right of Canada or a province;
- an individual who is a citizen or permanent resident, except to the extent that the individual is an owner of the residential property in their capacity as a trustee of a trust (other than a personal representative in respect of a deceased individual) or as a partner of a partnership;
- a corporation incorporated under the laws of Canada or a province and the shares of which are listed on a Canadian stock exchange;
- a person who is an owner of the residential property in their capacity as a trustee of a mutual fund trust, a real estate investment trust or a specified investment flow-through trust;[42]
- a registered charity;
- a cooperative housing corporation, hospital authority, municipality, public college, school authority, university or para-municipal organization;
- an Indigenous governing body or a corporation owned by one; or
- a prescribed person.

Under section 7(1) of the UHTA, those who do not fall under any category of excluded owner are required to file a return by 30 April of each calendar year, or by a later date that the minister may allow. They must also pay any UHT amounts applicable under section 6(6). Under section 8 of the UHTA, the form and content of the return is to be prescribed by the minister.

2.2.3 Exemptions

Those subject to the UHT declaration may nevertheless be exempt from paying the tax in a given year, if they, their occupant(s) or the property in question falls under one of the following exemptions, found in sections 6(7) to 6(9) of the UHTA:

- Qualifying occupancy exemption: Where a property is occupied in periods of at least one month that total at least 180 days of the year by any individual who is a qualifying occupant. A qualifying occupant is an individual who either:
  - deals at arm's length with the owner or their spouse or common-law partner and who is given continuous occupancy of the dwelling unit under a written agreement;
  - does not deal at arm's length with the owner or their spouse or common-law partner and who is given continuous occupancy of the dwelling unit under a written agreement for consideration that is not below the fair rent for the residential property;

    - is the owner or the owner's spouse or common-law partner, who is in Canada for the purpose of pursuing authorized work under a Canadian work permit and who occupies the dwelling unit in relation to that purpose;
    - is a spouse, common-law partner, parent or child of the owner and who is a citizen or permanent resident; or
    - is a prescribed individual.[43]
- Specified Canadian corporation exemption: Where the owner is a corporation incorporated under the laws of Canada or a province and is not at least 10% owned (by share value or voting rights) by foreign entities and does not have 10% or more of its directors who are neither Canadian residents nor citizens, where there is no share capital, or is otherwise a prescribed corporation.
- Property held by a partner of specified Canadian partnership: Where all owners/ members of the partnership are excluded owners, a specified Canadian corporation, or is otherwise a prescribed partnership.
- Property held by a trustee of a specified Canadian trust: Where an owner's interest in a residential property is that of a trustee of a specified Canadian trust, wherein every person with a beneficial interest in that trust is an excluded owner or a specified Canadian corporation, or is otherwise a prescribed trust.
- Property not suitable for year-round use: Where the property is uninhabitable or inaccessible for a portion of the year.
- Property uninhabitable due to a disaster or hazardous conditions: If, due to a disaster or hazardous conditions, the property is uninhabitable for at least 60 consecutive days in the calendar year.
- Property undergoing major renovations: If, due to a renovation, the residence is uninhabitable for at least 120 consecutive days in the calendar year. This exemption could be claimed by an owner in respect of a property for a calendar year only once every 10 years.
- New ownership: An owner's interest in a residential property would be exempt for the calendar year in which the owner first acquires an interest in the property, so long as they were not an owner of the residential property in the prior nine calendar years.
- A personal or other legal representative of a deceased individual: Where an owner of residential property dies, the owner and their legal representative (e.g., an estate trustee) are exempt for the calendar year in which the death occurred and for the following calendar year.
- The death of another owner: Where an owner with at least a 25% interest in the property dies, any other owner's interest in the property would be exempt for the calendar year in which the death occurred and for the subsequent calendar year.

- A newly constructed property: An owner's interest in a residential property is exempt for a calendar year, if the property was not substantially completed before 1 April of the applicable calendar year.
- A new property held by a developer as inventory for sale: Where an owner is a developer, their interest in a residential property is exempt for the first calendar year the property first becomes capable of being occupied.
- The property is primary place of residence: Where the owner, the owner's spouse or common-law partner, or their child declares the residence to be their primary residence, or where such child uses the property for the purposes of authorized study and the occupancy relates to that purpose.
- Other prescribed persons, locations or conditions.

2.2.4 General Operations of the Act

Section 11 of the UHTA details the filing and payment obligations of a bankruptcy trustee, receiver and any other representative who is administering, winding up, controlling or otherwise dealing with any property, business, estate or succession of another person.

Sections 12 and 13 of the UHTA (Part 6) contain anti–tax-avoidance rules that would require the UHT to be paid if a transaction or series of transactions were undertaken primarily to circumvent the UHT. Section 80 further addresses the tax liability of non-arm's length transactions with respect to the residential property.

Sections 14 to 18 of the UHTA (Part 7, Division 1) address the making of certain payments under the Act and the effects of the minister extending the statutory return deadline, namely, any interest or penalties become calculable as of the extended deadline.

Sections 19 to 22 of the UHTA (Division 2) address the administration of the Act. In particular, it sets out the minister's powers to delegate responsibility under the Act and to authorize any person to make inquiries. They cover the associated appointment of a hearing officer from the Tax Court of Canada, as well as the rights of the owners and witnesses related to such an inquiry to be represented by counsel and/or to be present during the inquiry.

Sections 23 to 28 of the UHTA (Division 3) chiefly concern the interest on outstanding UHT payments, such as the minister's powers to waive, cancel or reduce any interest payable.

Sections 29 to 32 of the UHTA (Division 4) address the records that owners must keep to establish their liabilities and obligations under the Act and to determine whether they have complied with them. As well, the minister has powers to demand information from owners and third parties where the owners' names are not ascertainable. Additional provisions in Division 10 generally address the use of inspections, search warrants, seizures and the retention of information related to the administration or enforcement of the Act. Division 4 also addresses the handling of confidential information and the disclosure of information gathered under the Act to law enforcement in the case of serious offences or threats to national security, as well as the rights of individuals to appeal decisions made in that regard. Section 55 (Division 9) defines "confidential information" and creates corresponding summary offences for the mishandling of confidential information.

Sections 33 to 46 of the UHTA (Divisions 5 to 7) address the minister's power to assess amounts owing under the Act, an individual's ability to object to those assessments and their ability to appeal a minister's decision in regard to such an assessment.

Sections 81 to 83 (Division 12) concern the general rules for the transmission of documents related to the Act.

Section 84 (Part 8) empowers the Governor in Council to make regulations to carry out the purposes and provisions of the Act.

2.2.5 Penalties and Offences (Divisions 8 and 9)

Under section 47(1) of the UHTA, failing to file the required return under the UHTA carries a penalty equal to the greater of $5,000 for an individual ($10,000 if the person is not an individual) or 5% of the UHT applicable for that calendar year plus 3% of the UHT applicable to the property in the calendar year for each calendar month the return is past due.

Sections 49 to 51 detail a general penalty of $250 levied against an individual for failing to comply with any provision of the Act, a $500 penalty for failing to file a return as and when required under a demand issued by the minister and a $250 penalty for every failure of an owner to provide any information or record as and when required under the Act, respectively. Sections 56 and 57 also create summary offences for failing to pay the UHT when required, and generally failing to comply with any provision of the Act for which no other offence is specified.

In addition, section 52 provides a penalty for any person who knowingly – or by gross negligence – makes or participates in, assents to or acquiesces in the making of a false statement or omission in the provision of information required by the Act.[44]

Section 53 creates a summary offence for failing to file or make a return as and when required under the Act, and for failing to comply with an order or notice of the minister. The punishment for these offences, upon summary conviction, is a fine ranging from $2,000 to $40,000 and/or imprisonment for a term not exceeding 12 months.

Section 54 creates an offence for making false or deceptive statements when providing any information required under the Act, and for altering or destroying records, evading or attempting to evade compliance with the Act or payment of an amount payable under the Act, attempting to obtain payment of an amount under the Act to which the person is not entitled, or conspiring with any person to undertake such actions.

The punishment for these offences, upon summary conviction, is a fine of between 50% and 200% of the UHT amount payable or sought to be evaded – or between $2,000 and $40,000 if the amount that was sought to be evaded cannot be ascertained – and/or imprisonment for a term not exceeding two years.

The Attorney General of Canada may instead choose to prosecute the offence on indictment, wherein the applicable fines described above are increased to between 100% and 200% of the UHT amount payable or sought, between $5,000 and $100,000, and/or imprisonment for a term not exceeding five years.

Section 61 sets a time limit for the prosecution of these offences at no more than five years after the day on which the subject matter of the proceedings arose, unless the prosecutor and the defendant agree otherwise.

Under section 47(2) of the UHTA, failing to file the required return by 31 December of the applicable calendar year renders an owner ineligible for the following exemptions (as described above): qualifying occupancy; not suitable for year-round use; uninhabitable due to a disaster or hazardous conditions; major renovations; and primary place of residence.

2.2.6 Consequential Amendments Stemming from the Enactment of the Underused Housing Tax Act

Clauses 11 to 40 make consequential amendments to various Acts, each coming into force on 1 January 2022. In particular, clauses 11 to 13, 20, 30 and 31 add a reference to the UHTA in Schedule II of the *Access to Information Act*,[45] section 149(3) of the *Bankruptcy and Insolvency Act*,[46] section 462.48(2)(c) of the *Criminal Code*,[47] section 155.2(6)(c) of the *Financial Administration Act*,[48] section 2(a) (definition of "program legislation") of the *Canada Revenue Agency Act*[49] and section 40(4) of the *Air Travellers Security Charge Act*,[50] respectively.

Clauses 13 to 16, 18 and 19 amend the *Excise Tax Act* (ETA)[51] to add returns filed under the UHTA to the list of returns that must be filed prior to the taxpayer being issued certain rebates or refunds under the Act. In particular, these clauses amend sections 77, 229(2), 230(2), 263.02 and 296(7) of the ETA, respectively. Clause 17 amends section 238.1(2)(c)(iii) of the ETA to add amounts owing under the UHTA to the list of those that must be paid in order to be excused from filing GST/HST returns until a $1,000 threshold is reached.

Clauses 21 to 24 add a reference to the UHTA to sections 12, 18.29(3)(a), 18.31(2) and 18.32(2) of the *Tax Court of Canada Act*,[52] respectively. Clauses 25 and 26 add a reference to the UHTA to sections 97.29(1)(a) and 107(5)(g.1) of the *Customs Act*,[53] respectively. Clauses 27 to 29 add a reference to the UHTA to sections 18(1)(t), 164(2.01) and 221.2(2) of the ITA, respectively. Finally, clauses 36 to 40 add reference to the UHTA to sections 51, 54, 108(7), 109(5), and the description of the amount represented by "B" in section 161(1)(d) of the *Greenhouse Gas Pollution Pricing Act*,[54] respectively.

2.3 PART 3: CANADA EMERGENCY BUSINESS ACCOUNT

The Canada Emergency Business Account (CEBA) is a loan program put in place during the pandemic. These loans were paid out by Export Development Canada under section 23(1) of the *Export Development Act*.[55]

Eligible businesses that applied before 30 June 2021 were offered loans of up to $60,000 (in the early days of the program, the maximum amount was $40,000). These loans are interest free until 31 December 2023, and an annual interest rate of 5% will take effect on 1 January 2024. If at least 75% of the loan amount (for loans of $40,000 or less) is repaid by 31 December 2023, the remaining balance will be forgiven. For loan amounts over $40,000, at least 50% of any loan expansion received must also be repaid for loan forgiveness to apply.

As of 2 December 2021, $49.2 billion had been paid out in CEBA loans.[56] In 2020–2021, a total of $13.1 billion was paid out in loan incentives (debt write-offs).[57] **The 2022 federal budget outlined $2.1 billion in additional incentives for 2021–2022;[58] in fact, the latter amount turned out to be nil.[59]**

Clauses 41 to 43 of Bill C-8 establish the limitation or prescription period to recover money owing under a CEBA loan, namely, six years from the date of default. The date of default is the day on which the person making the claim first knew, or ought reasonably to have known, that the default had occurred. The six-year period resets every time the borrower acknowledges their debt, for example, by promising to pay the outstanding balance or by making a payment. Money owing on the loan may be recovered by way of deduction from, set-off against or compensation against any sum of money that may be payable by the Government of Canada to the person, other than an amount associated with a Canada Child Benefit overpayment.

The length of the limitation or prescription period (six years) is similar to other loan and repayment periods, such as those established under the *Canada Student Financial Assistance Act* or the EIA[60]. However, the limitation period under the ITA is 10 years.

2.4 PART 4: SCHOOL VENTILATION IMPROVEMENT

Clause 44 authorizes the minister of Finance to make payments of up to $100 million to the provinces and territories out of the Consolidated Revenue Fund for the purpose of supporting ventilation improvement projects in schools. The maximum payments per province or territory are:

- $36,226,000 for Ontario;
- $21,023,000 for Quebec;
- $2,674,000 for Nova Scotia;
- $2,294,000 for New Brunswick;
- $4,465,000 for Manitoba;
- $11,906,000 for British Columbia;
- $898,000 for Prince Edward Island;
- $3,979,000 for Saskatchewan;
- $12,983,000 for Alberta;
- $1,631,000 for Newfoundland and Labrador;
- $607,000 for Yukon;
- $635,000 for the Northwest Territories; and
- $679,000 for Nunavut.

2.5 PART 5: PROOF OF VACCINATION

Clause 45 authorizes the minister of Health to make payments of up to $300 million to the provinces and territories out of the Consolidated Revenue Fund for the purpose of supporting their COVID-19 proof-of-vaccination initiatives. The amount each province or territory receives is to be determined by the minister of Health.

2.6 PART 6: COVID-19 TESTS

Clause 46(1) authorizes the minister of Health to make payments of up to $1.72 billion out of the Consolidated Revenue Fund for the purpose of covering any expenses incurred on or after 1 April 2021 in relation to COVID-19 tests.

Clause 46(2) requires the Minister of Health to prepare and table in each house of Parliament a report setting out the number of payments made and the total amount paid under clause 46(1), if any, along with the number of tests purchased and how they were distributed. This report must be prepared within three months after clause 46 comes into force and every three months thereafter.

2.7 PART 7: *EMPLOYMENT INSURANCE ACT*

Clauses 47 and 48 of Bill C-8 amend section 12 and Schedule VI of the EIA[61] to specify the maximum number of weeks for which employment insurance (EI) regular benefits may be paid to certain seasonal workers in regions with very seasonal economies. Under the EI program, regular benefits are available to eligible persons who lose their jobs through no fault of their own and are able and available to work.[62]

Section 12(2.3) of the EIA sets out the maximum number of weeks for which certain seasonal workers may receive regular benefits. Under a pilot project introduced in 2018, the Pilot Project Relating to Increased Weeks of Benefits for Seasonal Workers,[63] seasonal workers in certain regions are eligible for up to five additional weeks of benefits.[64] The pilot project was developed in light of the challenge many seasonal workers face with seasonal income gaps. The Canada Employment Insurance Commission explains:

> If the number of weeks of EI benefits for which a seasonal worker qualifies is not sufficient to bridge the period between the seasonal layoff and the return to their seasonal work, and the seasonal worker is unable to find other work, they are said to be experiencing an income gap or "trou noir." The frequency and duration of income gaps can be impacted by the cyclical nature of seasonal jobs and weather patterns as well as by the EI economic region's rate of unemployment, which affects the duration of EI benefits.[65]

While the pilot project was initially scheduled to end on 30 May 2020, it was extended by amendments to the *Employment Insurance Regulations* (EIR).[66] The *Budget Implementation Act, 2021* replicated the parameters of the pilot project in the EIA and extended the measures to 29 October 2022, with these changes coming into force on 26 September 2021.[67] Employment and Social Development Canada indicated that extending the pilot project's parameters would allow the government time to "[examine] the effectiveness of the approach used in the pilot project."[68]

Currently, sections 12(2.3)(a) to 12(2.3)(d) of the EIA require that, to be eligible for the additional weeks of benefits provided through the pilot project (as specified in Schedule V of the EIA, based on hours of insurable employment and regional unemployment rate), claimants must be ordinarily resident[69] of one of the regions covered by the pilot project (listed in Schedule VI of the EIA) and have benefit periods established between 26 September 2021 and 29 October 2022. In the five years (260 weeks) before this benefit period, claimants must have been seasonal workers. Claimants demonstrate that they were seasonal workers if they had at least three benefit periods established in the last five years during which regular benefits were paid or payable, and at least two of these benefit periods must have begun around the same time of year[70] as their benefit period starting between 26 September 2021 and 29 October 2022. Note that the Canada Emergency Response Benefit and the Canada Recovery Benefit are not considered EI benefits, and periods for which these benefits were received do not qualify as EI benefit periods.[71]

The amendments in clause 47 of Bill C-8 move the contents of sections 12(2.3)(a) to 12(2.3)(d) of the EIA to sections 12(2.3)(a)(i) to 12(2.3)(iv) of the same Act and add new section 12(2.3)(b). Section 12(2.3)(b) allows EI benefit periods that fall within the period beginning 5 August 2018 and ending 25 September 2021 to be counted towards eligibility for the pilot project, provided that three conditions are met:

1. the claimant met the requirements laid out in the EIR for participation in the pilot during that time;
2. the claimant also has an established benefit period that begins between 26 September 2021 and 29 October 2022; and
3. the claimant is ordinarily resident of one of the regions covered by the pilot at the beginning of the benefit period.

When presenting the federal government's Economic and Fiscal Update 2021 in the House of Commons on 14 December 2021, the Honourable Chrystia Freeland, Deputy Prime Minister and Minister of Finance, stated that the government intended to "bring forward legislation … to ensure that seasonal workers who received pandemic benefits[72] can still qualify for the EI seasonal workers pilot project."[73]

Indeed, the addition of new section 12(2.3)(b) to the EIA allows seasonal workers who qualified for the pilot project between 5 August 2018 and 25 September 2021 to qualify again for the period starting 26 September 2021 and ending 29 October 2022, without needing to demonstrate that they had at least three eligible benefit periods in the past five years. This facilitates participation in the pilot project (and the receipt of additional weeks of benefits) for seasonal workers whose employment was disrupted by the pandemic.

Since the addition of new section 12(2.3)(b) of the EIA changes the numbering used in section 12(2.3)(a), Bill C-8 makes corresponding changes to sections 12(2.4) and 12(2.5) and to Schedule VI of the EIA.

3 COMMENTARY

The government indicated in the Economic and Fiscal Update 2021 that, in addition to the UHT exemptions listed in Bill C-8, it plans to bring forward an exemption for vacation/recreational properties, which would apply to an owner's interest in a residential property for a calendar year, if the property is located in an area of Canada that is not an urban area within either a census metropolitan area or a census agglomeration having 30,000 or more residents, and is personally used by the owner – or the owner's spouse or common-law partner – for at least four weeks in the calendar year.[74]

NOTES

1. Bill C-8, An Act to implement certain provisions of the economic and fiscal update tabled in Parliament on December 14, 2021 and other measures, 44th Parliament, 1st Session.
2. Department of Finance Canada, *Economic and Fiscal Update 2021*.
3. *Income Tax Act* (ITA), R.S.C. 1985, c. 1 (5th Supp.).
4. *Income Tax Regulations* (ITR), C.R.C., c. 945.
5. *Employment Insurance Act*, S.C. 1996, c. 23.
6. Department of Finance Canada, *Economic and Fiscal Update 2021*, pp. 15 and 80.
7. Ibid., p. 80.
8. Or, in the case of a cooperative it would be considered as such absent the application of section 136(1) of the ITA. The term "Canadian-controlled private corporation" is defined in section 125(7) of the ITA (which also refers to the definitions of "private corporation" and "Canadian corporation" provided in section 89(1) of the ITA). It can be generally summarized as a private corporation that is a Canadian corporation other than a corporation controlled by one or more non-resident persons, one or more public corporations, one or more corporations a class of the shares of the capital stock of which is listed on a designated stock exchange or any combination of these. For more information, see Canada Revenue Agency (CRA), *IT-458R2 Canadian-Controlled Private Corporation*.
9. For more information on the meaning of "taxable capital employed in Canada," see *Income Tax Act*, R.S.C. 1985, c. 1 (5th Supp.), ss. 181.2 and 181.3; and CRA, *IT-532 Part I.3 – Tax on Large Corporations*.
10. The term "associated corporations" is defined in section 256(1) of the ITA. According to the CRA, in summary, "[t]he essential test in determining whether a corporation is associated with another relies on the control of the corporation." For example, corporations are associated with each other when a corporation controls the other or when they are both controlled by the same person. See CRA, *IT-64R4 (Consolidated) Corporations: Association and Control*.
11. Department of Finance Canada, *Economic and Fiscal Update 2021*, p. 80.
12. For example, outlays and expenses do not include an outlay or expense of an eligible entity: made or incurred under the terms of an agreement entered into before 1 September 2021; that is the cost of recurring or routine repair or maintenance; or that is a financing cost.
13. Department of Finance Canada, *Economic and Fiscal Update 2021*, p. 81. The term "assistance" is defined in clause 6(1) of Bill C-8.
14. Department of Finance Canada, *Economic and Fiscal Update 2021*, p. 81.
15. The limits must be shared between affiliated eligible entities. The term "affiliated persons" is defined in section 251.1 of the ITA. Of note, "[c]ontrol for the purposes of determining whether persons are affiliated persons means 'controlled directly or indirectly in any manner whatever' which, pursuant to subsection 256(5.1) [of the ITA], expands the concept of control to include what is often considered to be *de facto* control." See CRA, *IT-291R3 Transfer of Property to a Corporation under Subsection 85(1)*, par. 22(c). Clause 6(1) also extends the definition of "affiliated entities," for the purposes of new section 127.43 of the ITA, to include two eligible entities affiliated with the same eligible entity.

16. Partnerships are not liable to tax under the ITA, only their members are. See *Income Tax Act*, R.S.C. 1985, c. 1 (5th Supp.), s. 96.Consequently, a partnership cannot claim the credit; only its members can, and as such, they bear the tax consequences.

17. The term "specified proportion" is defined in section 248(1) of the ITA and can be summarized as the proportion that the eligible entity's share of the total income or loss of the partnership for the partnership's fiscal period is of the partnership's total income or loss for that period.

18. Department of Finance Canada, *A Recovery Plan for Jobs, Growth, and Resilience*, Budget 2021, p. 217.

19. As explained in the "Summary" of Bill C-8.

20. The preamble of section 7304(2) of the ITR remains largely unchanged; it provides that the trip must be made by a "member of the taxpayer's household," which as defined in section 7304(1) of the ITR, includes the taxpayer. Clause 3(2), by introducing section 110.7(3.1) to the ITA, namely provides that an amount may be included as a trip cost only if it is in relation to a trip made by an "eligible family member" of the taxpayer. According to the Department of Finance Canada, "[r]eferences to eligible family member are intended to remain consistent with references to 'members of the taxpayer's household' in … section 110.7" of the ITA as it existed before Bill C-8. See Government of Canada, *Amendments to the Income Tax Act and the Income Tax Regulations proposed by Bill C-8*.

21. This restriction existed under the previous version of section 110.7(3) of the ITA, but it applied to taxpayers individually. Bill C-8 extends the restriction to all taxpayers on a collective basis. Department of Finance Canada, *A Recovery Plan for Jobs, Growth, and Resilience*, Budget 2021, p. 93.

22. Government of Canada, *Amendments to the Income Tax Act and the Income Tax Regulations proposed by Bill C-8*.

23. Ibid.

24. Or the child younger than 18 years old of the taxpayer's spouse or common-law partner.

25. The term "related persons" is defined in section 251(2) of the ITA; sections 251(6) and 252 of the ITA clarify and expand this definition. It includes "individuals connected by blood relationship, marriage or common-law partnership or adoption." For more information, see Government of Canada, "Discussion and interpretation: 1.2 Related individuals," *Income Tax Folio S1-F5-C1, Related Persons and Dealing at Arm's Length*.

26. Or who is wholly dependent for support on the taxpayer's spouse or common-law partner, or both of them.

27. Department of Finance Canada, *A Recovery Plan for Jobs, Growth, and Resilience*, Budget 2021, p. 594.

28. The term "arm's length" is explained in section 251(1) of the ITA. Related persons, among others, are deemed not to deal with each other at arm's length. For more information, see Government of Canada, *Income Tax Folio S1-F5-C1, Related Persons and Dealing at Arm's Length*.

29. Department of Finance Canada, *Economic and Fiscal Update 2021*, p. 11.

30. Ibid., p. 79.

31. Government of Canada, *Amendments to the Income Tax Act and the Income Tax Regulations proposed by Bill C-8*.

32. Department of Finance Canada, *Economic and Fiscal Update 2021*, p. 81. In the context of the current legislation, a "backstop jurisdiction" is an informal term that is understood to be a jurisdiction where the federal carbon pollution pricing backstop system applies, either because the jurisdiction does not meet the federal benchmark standards or because it requested the federal backstop system. See Government of Canada, "1.3. Where the Act applies," *Greenhouse Gas Pollution Pricing Act: Annual report for 2019*. These jurisdictions are referred to as a "listed province" for the purposes of "Part 1 – Fuel Charge" of the *Greenhouse Gas Pollution Pricing Act* (GGPPA), S.C. 2018, c. 12, s. 186, and appear in Part 1 of Schedule 1 to the GGPPA. In its Economic and Fiscal Update 2021, the government confirmed that the "designated provinces," under new section 127.42(1) of the ITA are Ontario, Manitoba, Saskatchewan and Alberta, namely all the "listed provinces" provided in Schedule 1 that do not meet the federal benchmark, excluding the territories that requested the federal backstop system (Yukon and Nunavut). See Department of Finance Canada, *Economic and Fiscal Update 2021*, p. 14. The term "designated province" is defined as a province specified by the minister of Finance and "[i]t is expected that the designated provinces for a calendar year will be any provinces that are involuntary backstop jurisdictions." See Government of Canada, *Amendments to the Income Tax Act and the Income Tax Regulations proposed by Bill C-8*.

33. Department of Finance Canada, *Economic and Fiscal Update 2021*, p. 81.

34. Parts XXVI and IV of the ITR provide the rules to compute a taxpayer's income earned in the year in a province when the taxpayer is an individual (including a trust and a partnership for the purposes of new section 127.42(1) of the ITA) and a corporation, respectively.

35. These are provided in the definition of "eligible farming expenses" and can be summarized as "any deductions arising from mandatory and optional inventory adjustments [under section 28 of the ITA] and transactions with non-arm's length parties." See Department of Finance Canada, *Economic and Fiscal Update 2021*, p. 81.

36. Activities may be included or excluded by regulation pursuant to new section 127.42(1) of the ITA introduced by clause 5(1). Bill C-8 does not amend or introduce regulations to the ITR in this regard. In its Economic and Fiscal Update 2021, the government mentions that these activities include "the raising of animals and harvesting of plants in a controlled environment." See Department of Finance Canada, *Economic and Fiscal Update 2021*, p. 81. Additionally, section 248(1) of the ITA defines the term "farming" and may help provide guidance on the meaning of "farming activities" under new section 127.42 of the ITA.

37. Department of Finance Canada, *Economic and Fiscal Update 2021*, p. 82.

38. These payment rates were announced by the government in its Economic and Fiscal Update 2021; the rates "correspond to returns of fuel charge proceeds from the 2021–2022 and 2022–2023 fuel charge years respectively." See Department of Finance Canada, *Economic and Fiscal Update 2021*, p. 83.

39. Department of Finance Canada, "4.8.2.2 Taxing Unproductive Use of Canadian Housing by Foreign Non-resident Owners," *Fall Economic Statement 2020: Supporting Canadians and Fighting COVID-19*.

40. Department of Finance Canada, *A Recovery Plan for Jobs, Growth, and Resilience*, Budget 2021, p. 305.

41. Government of Canada, *Consultation on the Underused Housing Tax*.

42. A specified investment flow-through (SIFT) trust is one that meets all of the following conditions at any time during a tax year: the trust is resident in Canada, investments in the trust are listed or traded on a stock exchange or other public market, and the trust holds one or more non-portfolio properties. See Government of Canada, *What is a SIFT trust*.

43. Under section 6(2) of the Underused Housing Tax Act, a qualifying occupancy period does not include a period that is a calendar month during which the only individuals who have continuous occupancy of a dwelling unit are the owner or a spouse, common-law partner, parent or child of the owner, if each of those individuals resides or lodges at a place other than the residential property for an equal or greater number of days than the number of days that they reside or lodge at the residential property.

44. The penalty for making a false statement or an omission is equal to the greater of $500 and 25% of the total of: (a) if the false statement or omission is relevant to the determination of an amount payable under this Act by the person, the amount, if any, by which the amount payable exceeds the amount that would be payable by the person if the amount payable were determined on the basis of the information provided in the return, and (b) if the false statement or omission is relevant to the determination of an amount that may be obtained under this Act, the amount, if any, by which the amount that would be the amount payable to the person if the amount were determined on the basis of the information provided in the return exceeds the amount payable to the person.

45. *Access to Information Act*, R.S.C. 1985, c. A-1.

46. *Bankruptcy and Insolvency Act*, R.S.C. 1985, c. B-3.

47. *Criminal Code*, R.S.C. 1985, c. C-46.

48. *Financial Administration Act*, R.S.C. 1985, c. F-11.

49. *Canada Revenue Agency Act*, S.C. 1999, c. 17.

50. *Air Travellers Security Charge Act*, S.C. 2002, c. 9, s. 5.

51. *Excise Tax Act*, R.S.C. 1985, c. E-15.

52. *Tax Court of Canada Act*, R.S.C. 1985, c. T-2.

53. *Customs Act*, R.S.C. 1985, c. 1 (2nd Supp.).

54. *Greenhouse Gas Pollution Pricing Act*, S.C. 2018, c. 12, s. 186.

55. *Export Development Act*, R.S.C. 1985, c. E-20.

56. Government of Canada, *Canada Emergency Business Account (CEBA)*.

57. Receiver General for Canada, *Public Accounts of Canada 2021: Volume I*, p. 112.

58. **Department of Finance Canada, *A Plan to Grow Our Economy and Make Life More Affordable*, Budget 2022, p. 255.**

59. **Receiver General for Canada, *Public Accounts of Canada 2022: Volume I*, p. 108.**

60. *Canada Student Financial Assistance Act*, S.C. 1994, c. 28, s. 16.1(1); and *Employment Insurance Act*, S.C. 1996, c. 23, s. 46.1(4).

61. *Employment Insurance Act*, S.C. 1996, c. 23.

62. Employment and Social Development Canada (ESDC), *EI regular benefits: What these benefits offer*.

63. *Regulations Amending the Employment Insurance Regulations (Pilot Project No. 21)*, SOR/2018-228, 2 November 2018, in *Canada Gazette*, Part II, 14 November 2018, p. 4168.

64. Government of Canada, *Additional Employment Insurance regular benefits for seasonal workers in targeted regions*. See also *Employment Insurance Act*, S.C. 1996, c. 23, Schedule V.

65. *Regulations Amending the Employment Insurance Regulations (Pilot Project No. 21)*, SOR/2018-228, 2 November 2018, in *Canada Gazette*, Part II, 14 November 2018, p. 4177.

66. See *Regulations Amending the Employment Insurance Regulations*, SOR/2020-111, 20 May 2020, in *Canada Gazette*, Part II, 10 June 2020, p. 961; and *Employment Insurance Regulations*, SOR/96-332.

67. *Budget Implementation Act, 2021, No. 1*, S.C. 2021, c. 23, ss. 308(1), 331, 340(1), 351 and 352(1).

68. ESDC, "Improving access to EI and simplifying the rules for workers and employers: EI seasonal pilot project," *Reforming Canada's Employment Insurance program*.

69. The concept of ordinary residence for the purposes of employment insurance is explained in the Digest of Benefit Entitlement Principles. See Government of Canada, "1.2.5 Ordinary residence," *Digest of Benefit Entitlement Principles Chapter 1 – Section 2*:

> The term "ordinarily resident" is not defined in the legislation. Taking the meaning of the word "resident," it refers to the place in which a claimant has settled (EI Regulations 17(1) and 17(2)). The modifier "ordinarily" clearly excludes from the definition, any location in a place in which a person has no permanent residence, or places where a person only occasionally or periodically stays.

70. Specifically, a benefit period is considered to have begun around the same time of year as another benefit period, if it began within eight weeks of the beginning or end of that period during a different year. See *Employment Insurance Act*, S.C. 1996, c. 23, s. 12(2.5).

71. Government of Canada, *Additional Employment Insurance regular benefits for seasonal workers in targeted regions*.

72. See, for example, Government of Canada, *Canada Emergency Response Benefit (CERB): Closed*; Government of Canada, *Canada Recovery Benefit (CRB) – Closed*; Government of Canada, *Canada Recovery Sickness Benefit (CRSB)*; and Government of Canada, *Canada Recovery Caregiving Benefit (CRCB)*.

73. House of Commons, *Debates*, 14 December 2021, 1620 (Chrystia Freeland).

74. Department of Finance Canada, *Economic and Fiscal Update 2021*, p. 83.