


PROVINCE OF BRITISH COLUMBIA

ORDER OF THE LIEUTENANT GOVERNOR IN COUNCIL

Order in Council No. 443, Approved and Ordered

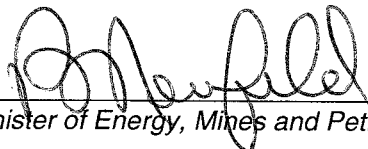
JUN 21 2007

  
Lieutenant Governor  
Administrator

Executive Council Chambers, Victoria

On the recommendation of the undersigned, the ~~Lieutenant Governor~~ <sup>Administrator</sup>, by and with the advice and consent of the Executive Council, orders that, effective September 1, 2007,

- (a) the *Finance Statutes (Innovative Clean Energy Fund) Amendment Act, 2007*, S.B.C. 2007, c. 17, is brought into force, and
- (b) the amendments to the Social Service Tax Act Regulations, B.C. Reg 84/58, in the attached schedule are made.

  
Minister of Energy, Mines and Petroleum Resources

  
Presiding Member of the Executive Council

(This part is for administrative purposes only and is not part of the Order.)

Authority under which Order is made:

Act and section:- *Finance Statutes (Innovative Clean Energy Fund) Amendment Act, 2007*, S.B.C. 2007, c. 17, section 7  
*Social Service Tax Act*, R.S.B.C. 1996, c. 431, sections 68.01 and 135.1

Other (specify):- O.I.C. 1388/48

June 13, 2007

RES48

R/666/2007/34

## SCHEDULE

**1** *Section 2 (1) of the Social Service Tax Act Regulations, B.C. Reg 84/58, is repealed and the following substituted:*

- (1) In sections 2.24, 3.4, 5.1 (1), 5.4, 5.6 to 5.13, 5.17 and 5.19 of this regulation, “**tax**” or “**taxes**” includes a levy or levies under section 67, 68 or 68.01 of the Act.

**2** *The following Division is added:*

### DIVISION 17 – INNOVATIVE CLEAN ENERGY FUND LEVY

#### Energy products

**17.1** For the purposes of section 68.01 of the Act, “**energy product**” does not include the following:

- (a) fuel oil used for purposes other than heating, cooling or raising steam;
- (b) propane, other than propane in a vaporized form delivered
  - (i) by a public utility within the meaning of the *Utilities Commission Act*,
  - (ii) by pipe, and
  - (iii) to purchasers at the place at which the propane will be used;
- (c) kerosene.

#### Rate of levy

**17.2** For the purposes of section 68.01 (3) and (4) (c) of the Act, the applicable rate is 0.4 percent.

#### Maximum amount

**17.3** For the purposes of section 68.01 (9) (a) of the Act,

- (a) the maximum amount of the levy is \$100 000, and
- (b) the prescribed period of time is the 12 month period beginning September 1, 2007, and each successive 12 month period beginning September 1 in every year.

#### Exemptions

**17.4** (1) In this section, “**spouse**”, in relation to a person referred to in subsection (2) (a) to (d), means a person who

- (a) is married to another person, or
- (b) is living and cohabiting with another person in a marriage-like relationship, including a marriage-like relationship between persons of the same gender.

(2) Subject to subsection (3), the following persons, in their capacity as purchasers of energy products, are exempt from levies under section 68.01 of the Act:

- (a) diplomatic agents of a diplomatic mission situated in Canada who are citizens of the country operating the diplomatic mission;
  - (b) senior officials of United Nations' agencies situated in Canada who have been accorded diplomatic privileges by the Department of External Affairs of the government of Canada;
  - (c) career consular officers of a consular post situated in British Columbia, or of a consular post situated elsewhere in Canada but accredited in British Columbia, who are citizens of the country operating the consular post;
  - (d) administrative and support staff of consular posts situated in British Columbia who are citizens of the country operating the consular post;
  - (e) spouses of the persons referred to in paragraphs (a) to (d).
- (3) The exemption under subsection (2) does not apply to Canadian citizens or landed immigrants.