


PROVINCE OF BRITISH COLUMBIA
ORDER OF THE LIEUTENANT GOVERNOR IN COUNCIL


Order in Council No. **289** , Approved and Ordered **MAY - 8 2008**




Lieutenant Governor

Executive Council Chambers, Victoria

On the recommendation of the undersigned, the Lieutenant Governor, by and with the advice and consent of the Executive Council, orders that, effective January 1, 2008, the Home Owner Grant Regulation, B.C. Reg. 100/2002, is amended as set out in the attached Appendix.



Minister of Finance



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:- Home Owner Grant Act, R.S.B.C. 1996, c. 194, ss. 18 and 18.1

Other (specify):- OIC 363/2002

February 20, 2008

APPENDIX

1 Section 6 (1) (a) of the Home Owner Grant Regulation, B.C. Reg. 100/2002, is amended

(a) by repealing subparagraph (ii) and substituting the following:

(ii) has required either of the following to meet the disability needs of the person with disabilities, in respect of which the owner has incurred costs that exceed \$2 000:

(A) in the case of an existing principal residence, structural modifications to the principal residence;

(B) in the case of a principal residence that is newly constructed or being constructed, structural features that have been incorporated into the principal residence, or, *and*

(b) in subparagraph (iii) by adding “, or the owner has purchased,” after “has purchased” and by striking out “the owner’s disability needs” and substituting “the disability needs of the person with disabilities”.

2 Section 8 is amended by striking out “\$950 000” and substituting “\$1 050 000”.

3 Section 9 is amended

(a) in paragraph (b) and (c) of the definition of “dependent child” by striking out “shared-income spouse” and substituting “shared-income partner”, and

(b) by repealing the definition of “shared-income spouse” and substituting the following:

“shared-income partner”, in relation to an eligible individual for a relevant tax year, means an individual who

(a) is the eligible individual’s spouse at the time the application is made, and

(b) was the eligible individual’s spouse at some time during the relevant tax year; .

4 Section 11 (2) and (3) is amended by striking out “shared-income spouse” wherever it appears and substituting “shared-income partner”.

5 Section 13 is amended

(a) by repealing subsection (2),

(b) by repealing subsection (3) (c) and substituting the following:

(c) be a Canadian citizen or a permanent resident,

(c.1) be ordinarily resident in British Columbia, and, *and*

(c) by repealing subsection (4) (b) (i) and substituting the following:

- (i) the individual must be a Canadian citizen or a permanent resident,*
- (i.1) the individual must be ordinarily resident in British Columbia, .*

6 *Section 15 (b) is amended by striking out “shared-income spouse” and substituting “shared-income partner”.*

7 *Form A in Schedule 2 is amended*

(a) in paragraph A, “ELIGIBILITY REQUIREMENTS”, by striking out “permanently resident” and substituting “Canadian citizens or permanent residents, who are ordinarily resident”,

(b) in the definition of “eligible occupant” by striking out “permanently resident” and substituting “a Canadian citizen or a permanent resident who is ordinarily resident”, and

(c) in the definition of “spouse or relative of a deceased eligible occupant” by striking out “permanently resident” and substituting “a Canadian citizen or a permanent resident who was ordinarily resident”.