

Title:

HST Extinguishment Act

Preamble:

Whereas a Harmonized Sales Tax (HST) combining the Provincial Sales Tax (PST) with the federal Goods and Services Tax (GST) as contemplated by the Governments of British Columbia and Canada contravenes Section 92, Article 2, of the Constitution Act 1867, which states:

92. In each Province the Legislature may exclusively make Laws in relation to Matters coming within the Classes of Subjects next hereinafter enumerated; that is to say,

2. Direct Taxation within the Province in order to the raising of a Revenue for Provincial Purposes.

And whereas the people of British Columbia, as expressed in the Citizen Initiative Petition against the Harmonized Sales Tax (HST) in British Columbia, wish to extinguish the tax, therefore;

Part I

(1) The Agreement titled “*The Comprehensive Integrated Tax Coordination Agreement*” between The Government of British Columbia and The Government of Canada establishing an HST in British Columbia is hereby extinguished and of no force or effect whatsoever.

(2) For greater clarity, the HST is hereby extinguished in British Columbia.

Part II

(1) A Provincial Sales Tax (PST) of 7% with the same applications and exemptions as at June 30th 2010 shall be reinstated as the only sales tax in British Columbia for the raising of a Revenue for Provincial Purposes.

Part III

(1) This Act shall be effective retroactively as of June 30th 2010.

(2) Any HST revenues owing to or received by the Provincial Government between the retroactive effective date of this Act and the actual date of Royal Assent, which are over and above the original PST amount as it would previously have been applied, shall be reimbursed to all British Columbians on a per capita basis.