

Table of Contents

<i>Chapter 1</i>	CANADIAN RESIDENT	1
	General Comments	1
	Factual Residence	1
	Establishing Non-Resident Status	2
	INCOME TAX FOLIO S5-F1-C1: Determining an Individual's Residence Status	3
	Income tax folios (ITF) - a new income tax technical publication	3
	Phase-out of income tax interpretation bulletins and ITTNs	3
	Permanence of Stay Abroad	3
	Residential Ties with Canada	4
	Primary Ties with Canada	4
	Dwelling	4
	Spouse and Dependents	5
	Secondary Residential Ties	5
	Establishing Ties in Your New Country	7
	Visits to Canada	7
	When Does Non-Residency Begin?	7
	Tax Avoidance	8
	NR73, Determination of Residency Status	8
	Listed Factual Residents	9
	Students	9
	Teachers	9
	Missionaries	9
	Vacationers	10
	Commuters	10
	Other Employees	10
	Tax Relief?	11
	Deemed Residence	11
	Sojourners	12
	Other Deemed Residents	12
	Residency — Questions and Answers	14

<i>Chapter 2</i>	EMIGRATION	25
	COVID-19 Important Update	25
	Final Tax Return	25
	Deemed Dispositions	26
	Taxable Canadian Property (TCP).....	27
	Providing Security in Lieu of Tax.....	28
	Valuations — TCP.....	29
	Non-TCP	29
	Non-TCP — Deferral of Payment of Tax	29
	Security — TCP and Non-TCP	30
	Acceptable Security	30
	Election to Dispose of Taxable Canadian Property	33
	Exception	33
	Tax Relief — Deemed Dispositions	34
	Reduction of Canadian Tax.....	34
	Application of Losses from TCP	35
	March 4, 2010 — Amendment TCP.....	36
	Reduction of Double Taxation.....	36
	Elect to Undo Deemed Disposition	36
	Employment Stock Option — TCP.....	37
	Declared Unpaid Dividend	37
	A Word of Caution.....	38
	Principal Residence Rules	38
	Important Notice	38
	Principal Residence — Change of Use	39
	Change of Use — Deemed Disposition	40
	Change of Use Election	40
	Deferred Capital Gains.....	43
	Deductions: RRSP	43
	RRSP: Home Buyers' Plan	45
	RRSP Withdrawal for Education	45
	TFSA Tax-Free Savings Account	45
	Deductions: Moving Expenses.....	46
	Capital Gains Deduction	46
	Tax Credits.....	46

	Tax Rate	47
	Other Types of Income	48
	Rental Income	48
	Other Income.....	52
	Reporting Requirement — T1161	53
	Planning	54
	RRSP/RRIF/TFSA Planning — Emigration	55
	Other Considerations	56
<i>Chapter 3</i>	TAXATION OF A NON-RESIDENT	57
	Income Tax — Non-Resident Tax Return	58
	Income from Employment	58
	Non-resident Employed as an Aircraft Pilot	58
	Income from Business.....	59
	Disposition of Taxable Canadian Property (TCP).....	60
	Transfer of Taxable Canadian Property	63
	Principal Residence	66
	Exemption	66
	Change of Use and Election Options	68
	Capital Losses.....	70
	Other Canadian Source Income.....	70
	Persons Deemed to be Employed in Canada.....	71
	Reduction of Canadian Tax	73
	Deductions	73
	Support Payments	73
	RRSP Contribution.....	74
	Canadian Exploration and Development Expenses	74
	Employee Stock Options.....	74
	Amounts Exempt by Treaty or Agreement	75
	Losses	75
	Tax Credits.....	75
	Donations	76
	Disability.....	76
	Student Loan Interest and Tuition.....	76
	Canada Pension and Employment Insurance	76

	Medical	76
	Personal Non-Refundable Tax Credits	77
	Non-Resident Withholding Tax	77
	Non-Resident Form	77
	Limitation of Treaty Benefits	78
	Management or Administration Fees or Charges	79
	Interest	79
	Estate or Trust Income	80
	Rent	80
	Timber Royalties	80
	Support Payments	80
	Pensions	81
	Death Benefits	81
	Retiring Allowances	81
	Registered Supplementary Unemployment Benefit Plan ...	81
	Payments — RRSP, RRIF, RDSP, DPSP, LIF	81
	Registered Education Savings Plans	82
	TFASs, ETFs, Income Trust, Segregated Funds et al.	82
	Tax Relief	84
	Canadian Tax Relief	84
	Reduction of Tax on Rental Income	84
	Section 217 Election	84
	Tax Treaties	87
	Foreign Tax Relief	87
	Estate Tax	87
	Offshore Trusts	88
	Non-Resident — RRSP/RRIF Planning	88
	Non-Resident — Locked-in RRSP Planning	89
	Non-Resident — RCA Planning	90
<i>Chapter 4</i>	TAX TREATIES	91
	Overview	91
	Dual Residence Status	92
	Tie-Breaker Rules	92
	Tie-Breaker Rules Application	93
	Types of Income	97

	Business Income.....	97
	Rental Income	98
	Dividends	98
	Interest.....	99
	Royalties	99
	Capital Gains	99
	Independent Personal Services (Self-Employed).....	100
	Income From Employment	100
	Pensions	100
	Miscellaneous	102
	Double Taxation	102
	Special Provisions	102
	Multilateral Instrument (MLI)	104
	Treaty Withholding Tax Rates	105
<i>Chapter 5</i>	IMMIGRATION	113
	Timing	113
	Date of Arrival	113
	Capital Property	115
	Taxable Canadian Property	117
	Tax Return — Year of Immigration	118
	Timing	118
	Returning Former Residents	119
	RRSP	120
	Over-Contribution.....	120
	Withdrawal.....	120
	RRIF Withdrawal	121
	Offshore Investments	121
	Offshore Trusts.....	121
	Immigration Trusts for Individuals.....	122
	Granny Trusts	122
	Testamentary Offshore Trust.....	122
	Exempt Foreign Trust	123
	Former Canadian Residents.....	123
	Other Trusts	124
	Foreign Accrual Property Income (FAPI)	124

	Offshore Investment Funds	124
	Foreign Asset Reporting Requirements	125
	T1135-Foreign Income Verification Statement	125
	What Property do you have to Report?	126
	Penalties for Non-Reporting	127
	Voluntary Disclosures.....	127
	Foreign Affiliates	127
	Transfer and Loans to Foreign Trusts	127
	Distributions from Foreign Trusts	128
	Dual Resident Status.....	128
	What if the Returns Aren't Filed?	128
	Addition of a Due Diligence Test	129
	March 21st, 2013 Federal Budget	129
	February 11, 2014 Federal Budget.....	130
	New Canada USA Border Crossing Rules.....	130
	The Panama Papers.....	130
	The Financial Transactions and Reports	
	Analysis Centre of Canada (FINTRAC)	130
	Tax Information Exchange Agreements (TIEA)...	131
	Foreign Account Tax Compliance Act (FATCA).....	132
<i>Chapter 6</i>	MISCELLANEOUS TAX RELIEF, RESIDENTS	
	OF CANADA	135
	Treaties	135
	Employment Income — Prescribed International	
	Organizations.....	135
	International Non-Governmental Organizations	136
	Foreign Tax Credits/Deductions.....	137
	Relocation	138
	Moving Expenses and Relocation Benefits	138
	Eligible Housing Loss.....	139
	Home Relocation Loans	140
	Non-Accountable Allowances.....	140
	Benefits	140
	Counselling Services	140
	Educational Allowances For Children.....	141

	Group Term Life Insurance Policies:	
	Employer-Paid Premiums.....	141
	Housing, Board and Lodging.....	141
	Housing	141
	Special Circumstances that Reduce the	
	Value of a Housing Benefit	142
	Free or Subsidized Board and Lodging	142
	Subsidized Meals.....	142
	Exception to the Rules	143
	Interest-Free and Low-Interest Loans	143
	Loans Received because of Employment	143
	Medical Expenses.....	144
	Premiums under a Private Health	
	Service Plan	144
	Premiums under Provincial	
	Hospitalization, Medical Care	
	Insurance and Certain Government	
	of Canada Plans.....	144
	Professional Membership Dues.....	144
	Recreational Facilities	144
	Registered Retirement Savings Plans.....	145
	Stock Options.....	145
	Tax Equalization and Protection.....	145
<i>Chapter 7</i>	SAFEGUARDING YOUR HEALTH	147
	Health Insurance.....	148
	Leaving Canada	148
	Provincial/Territorial Insurance.....	148
	Contacts	149
	Private Health Plans.....	150
	Private Health Insurance While Living Abroad	150
	Returning to Canada.....	151
	Safeguarding Your Health	151
	IAMAT.....	152
	Canadian Medic Alert Foundation	152
	Canadian Consular Assistance.....	153
	Healthy Travel Web Sites	154

<i>Chapter 8</i>	CANADIAN DRIVER'S LICENCES	155
<i>Chapter 9</i>	GOODS AND SERVICES TAX (GST)/HARMONIZED SALES TAX (HST)	157
	What is the GST/HST?	157
	Who Pays the GST/HST?	158
	Taxable Supplies	158
	Taxable Supplies	158
	Zero-Rated Supplies	159
	Exempt Supplies	159
	Should You Register?	160
	Small Supplier	160
<i>Chapter 10</i>	CANADA PENSION PLAN AND OLD AGE SECURITY	161
	Canada Pension Plan (CPP)	161
	Canada Pension Plan enhancement	162
	Effects on CPP retirement pension and post-retirement benefit	162
	Old Age Security (OAS)	163
	Guaranteed Income Supplement	163
	Allowance	163
	Allowance for the Survivor	163
	Canadians working outside Canada for Canadian employers	163
	Eligibility	164
	Deferring your Old Age Security pension	164
	OAS Recovery Tax	165
	Proactive Enrolment for OAS Benefits	165
	Lived or Living Outside Canada — Pensions and Benefits	166
	If you have lived or worked in Canada and in another country	166
	What is a social security agreement?	166
	How can a social security agreement help me qualify for benefits?	166
	Canadian benefits	166
	Foreign benefits	167

	Applying for benefits.....	167
	Canada's Social Security Agreements with other Countries.....	168
<i>Chapter 11</i>	CUSTOMS AND EXCISE	171
	Residents Returning to Canada	171
	COVID-19 update: May 1, 2021.....	171
	Before leaving for Canada	172
	Who are considered Former Residents?.....	172
	Items you can import duty- and tax-free	172
	Value limitation (CAN \$10,000)	173
	Additional personal exemption.....	173
	Wedding gifts	174
	Ownership, possession and use requirements	174
	Exceptions to ownership, possession and use requirements	174
	Replacement goods	174
	Declaring your goods	175
	Disposing of goods you imported duty- and tax-free.....	175
	Public health.....	175
	Alcoholic beverages.....	176
	Tobacco products.....	176
	Travelling with CAN\$10,000 or more	177
	Restrictions	178
	Firearms and weapons.....	178
	Explosives, fireworks and ammunition	178
	Vehicles.....	178
	Restrictions on temporary importing	179
	Goods subject to import controls	180
	Prohibited consumer products.....	180
	Food, plants, animals and related products	180
	Prohibited goods.....	182
	Health products (prescription drugs).....	182
	Cultural property	182
	Items you import for commercial use.....	182
	Additional information	183

<i>Chapter 12</i>	DEATH AND TAXATION	185
	Wills	185
	Death of a Non-Resident	185
	Powers of Attorney	187
	APPENDIX	189
	INDEX	447
	DIRECTORY	473
	Addresses, Phone/Fax Numbers	473
	World Map of Time Zones	475
	Foreign Currency	476
	Metric/U.S. & Imperial Conversion	479
	Important Contacts	481
	Notes	483