

Bulletin PST 108

Issued: August 2013 Revised: October 2023

# Boats

**Provincial Sales Tax Act** 

Latest Revision: The revision bar (|) identifies changes to the previous version of this bulletin dated November 2022. For a summary of the changes, see Latest Revision at the end of this document.

This bulletin explains how PST applies to boats.

This bulletin does not provide information on how PST applies to vessels used interjurisdictionally in interprovincial or international trade for the commercial carriage of passengers or goods. For more information, see sections 59-67 of the Provincial Sales Tax Act or contact us.

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### **Overview**

You must pay PST on boats you purchase, lease or receive as a gift in B.C., and boats you purchase, lease or receive as a gift outside B.C. and bring or send into B.C., unless a specific exemption applies (see Exemptions below). You must pay PST, regardless of whether the boat is for personal or business use. You must pay PST at the rate of 7% or 12%, depending on how the boat is acquired. You must also pay PST on goods that, at the time the boat is purchased or leased, are or will be attached to, stored in, or used in connection with the operation of the boat (e.g. motors, water sport equipment and fishing gear), unless a specific exemption applies. The PST rate for these goods is the same PST rate applicable to the boat, even if the goods are billed separately.

To ensure PST has been paid on all sales of boats, we routinely review the records of Transport Canada and match changes in registered ownership with PST payments. Therefore, when you purchase a boat, you may be contacted by us to confirm you paid PST.

#### Definitions

In this bulletin:

- An **applicable tax** means any of the following:
  - PST,
  - social service tax (SST) the former B.C. provincial sales tax that was in effect before July 1, 2010,
  - tax on designated property (TDP) the former 12% B.C. tax on private sales of vehicles, boats or aircraft that was in effect from July 1, 2010 to March 31, 2013,
  - the provincial portion of the harmonized sales tax (HST) for any HSTparticipating province (Ontario, PEI, Nova Scotia, New Brunswick, Newfoundland and Labrador, and B.C. from July 1, 2010 to March 31, 2013).
- A **B.C. resident** is a person who resides, ordinarily resides or carries on business in B.C., or a person who enters B.C. with the intention of residing or carrying on business in B.C.
- A boat means any type of new or used vessel or other craft. Boats include personal watercraft and recreational watercraft, including those propelled by oars, paddles, sails, engines, water jets or other engines, and those with no means of self-propulsion, such as barges. Boats do not include portable floating structures (e.g. float homes) as described in <u>Bulletin PST 133</u>, Manufactured Buildings.
- Obtain means:
  - purchase or lease in B.C.,
  - bring or send into B.C.,
  - receive in B.C., or
  - receive as a gift.

• A **private sale** is a sale in Canada where the seller is not a GST registrant, or the seller is a GST registrant but the sale is not a taxable supply under the Excise Tax Act (Canada).

## <u>PST on Boats</u>

#### Boats Purchased at a Private Sale in B.C.

If you purchase a boat at a private sale in B.C., you must pay PST at the rate of 12% on the purchase price of the boat, including accessories, unless a specific exemption applies. For information on how to pay the PST, see Paying the PST below.

### **Boats Purchased in B.C. from GST Registrants**

If you purchase a boat in B.C. from a GST registrant (e.g. a boat dealer), you must pay PST at the rate of 7% on the purchase price of the boat, including accessories, unless a specific exemption applies.

The purchase price does not include the GST or the federal luxury tax. For GST and federal luxury tax information, see <u>canada.ca/en/revenue-agency</u>.

### **Leased Boats**

If you lease a boat in B.C., you must pay PST at the rate of 7% on the lease price of the boat, including accessories, unless a specific exemption applies.

The lease price does not include the GST or the federal luxury tax. For GST and federal luxury tax information, see <u>canada.ca/en/revenue-agency</u>.

If you lease a boat outside B.C. and bring or send the boat into B.C. for use during a rental period, you must self-assess (pay directly to us) 7% PST based on the number of hours the boat is in B.C. during the rental period. This requirement only applies if you are a B.C. resident or use a boat in B.C. in the course of your business. For more information, including how to calculate the amount of PST you must self-assess, see <u>Bulletin PST 315</u>, Rentals and Leases of Goods.

If you lease a boat with an operator, such as an on-board skipper, guide, crew or instructor, you do not pay PST.

### Boats Acquired Outside B.C. and Brought Into B.C.

If you are a B.C. resident, you must pay PST on boats you acquired outside B.C. and brought, sent or received in B.C., unless a specific exemption applies. You also pay PST if you have a person who is not a B.C. resident bring, send or receive a boat in B.C. for your use or for another person's use at your expense.

You pay PST (see PST Rates below) on the total amount you pay to receive title to the boat, including the purchase price and charges for transportation, brokerage fees, customs, excise and any other costs, except the GST and the federal luxury tax.

If you received the boat as a gift, see Boats Received as a Gift below.

#### **PST Rates**

If you purchase a boat at a private sale outside B.C. but within Canada and bring it into B.C., you must pay PST at the rate of 12% on the depreciated purchase price of the boat (see Depreciated Purchase Price below), including accessories.

If you purchase a boat outside B.C. but within Canada as a taxable supply from a GST registrant (e.g. a boat dealer) and bring it into B.C., you must pay PST at the rate of 7% on the depreciated purchase price of the boat, including accessories.

If you bring a boat into B.C. from outside Canada, you must pay PST at the rate of 7% on the taxable value of the boat. The taxable value is the value of the boat as determined under the Excise Tax Act (Canada). The Canada Border Services Agency may collect the PST due when you bring the boat into Canada. If not, you must self-assess the PST due (see Paying PST below).

#### **Depreciated Purchase Price**

The **depreciated purchase price** of a boat is the greater of:

- the depreciated value (as calculated below), and
- 50% of the purchase price.

The **depreciated value** is determined as follows:

Depreciated value = Purchase price – [purchase price x depreciation rate]

The depreciation rate for a boat, and equipment mounted on the boat, is the total of the following:

- 15% per year, plus
- 1.25% per 30-day period for partial years.

To calculate the deprecation rate, follow these steps.

- 1. Calculate the number of whole years between the date you acquired the boat and the date you brought the boat into B.C.
- 2. After calculating #1 above, calculate the number of days remaining in the partial year (if any) between the date you acquired the boat and the date you brought the boat into B.C. Both the first and last days should be counted.
- 3. Divide the number of days calculated under #2 by 30 and round to the nearest whole number (0.5 and above is rounded up to 1). This is the number of 30-day periods.
- 4. Calculate the depreciation rate by multiplying the applicable rates above by the number of years and 30-day periods.

For example, you purchased a boat at a private sale in Alberta on May 12, 2020 and brought it into B.C. for business use on June 30, 2021:

- 1. May 12, 2020 to May 11, 2021 is one whole year
- 2. May 12, 2021 to June 30, 2021 is 50 days
- 3. The number of 30-day periods is  $50 \div 30 = 1.667$  rounded up to 2
- 4. The depreciation rate is [(1 x 15%) + (2 x 1.25%)] = 17.5%

### Boat Parts Acquired Outside B.C. and Brought Into B.C.

If you purchase boat parts outside B.C. and bring them into B.C. before being installed, you must pay PST on the total amount paid for the parts, including customs and excise charges.

### **Boats Received as a Gift**

If you receive a boat as a gift in B.C., or you receive a boat as a gift outside B.C. but within Canada and bring or send the boat into B.C., you must pay PST at the rate of 12% on the value of the boat as outlined below, unless a specific exemption applies (see Exemptions below).

- For boats received as a gift in B.C., PST applies on the fair market value of the boat on the date the boat is received as a gift.
- For boats received as a gift outside B.C. but within Canada, that are brought or sent into B.C., PST applies on the fair market value of the boat on the date the boat is brought or sent into B.C.

However, you are only required to pay PST at the rate of 7% if any of the following apply:

- The gift is received from a GST registrant (e.g. a boat dealer) as a taxable supply
- The gift was received as an exempt supply from a GST registrant who is a charity
- The gift was received outside of Canada and brought or sent into B.C.

### Trade-Ins

If you purchase a boat in B.C. and the seller accepts goods as a trade-in as part of the consideration, for the purposes of calculating the PST, the value of the trade-in may reduce the purchase price of the boat. The reduction applies if you paid (or were exempt from) PST, TDP, SST or the B.C. portion of the HST on the goods traded in.

For the purposes of calculating the PST, there is no purchase price reduction for boats purchased outside B.C., or lease price reductions for trade-ins on leased boats. For example, you take your B.C. boat to Alberta to trade it in on a new boat you plan to purchase in Alberta and bring back to B.C. In this case, you cannot use your trade-in credit to reduce the PST payable on the new boat when it is brought or sent into B.C.

### **Paying PST**

If you purchase or lease a boat from a collector (i.e. a person who is registered to collect PST), the collector will collect any PST payable on the boat. In all other cases, you must self-assess the PST due.

If you have a PST number, you must self-assess the PST due on your next PST return. If you do not have a PST number, you must self-assess the PST due by using a Casual Remittance Return (<u>FIN 405</u>) on or before the last day of the month following the month in which you obtained the boat.

#### **Boat Trailers**

Boats and trailers are often purchased together. If you did not pay PST on the trailer at the time of purchase, the Insurance Corporation of British Columbia (ICBC) will charge you PST on the trailer when you register it. Keep your receipt and the Transfer/Tax Form (APV9T) from ICBC as proof you paid PST on the trailer.

Trailers are subject to the PST rates for vehicles. Therefore, how you acquired the trailer can affect the rate of PST you must pay on the trailer. For more information on paying PST on trailers and other vehicles, see <u>Bulletin PST 308</u>, PST on Vehicles.

## **Boat Sellers and Lessors**

This section applies to your business if you are a collector and a GST registrant, and you sell or lease boats.

#### Sales and Leases in B.C.

You must charge 7% PST on the purchase price or lease price of new or used boats you sell or lease in B.C., unless a specific exemption applies (see Exemptions below). This includes when you sell or lease boats:

- to persons who are not B.C. residents if the sale or lease takes place in B.C., or
- on consignment.

The GST and the federal luxury tax are not included in the purchase price for the purposes of calculating PST.

You also charge PST on any accessories you sell or lease, including goods that are, or are intended to be, attached to, stored in or used in conjunction with a boat, such as a motor or water sports equipment, unless a specific exemption applies.

#### **Trade-Ins on Boat Purchases**

If you sell a boat in B.C. and accept goods as a trade-in as part of the consideration, for the purposes of calculating the PST, the value of the trade-in may reduce the purchase price of the boat. The reduction applies if your customer paid (or was exempt from) an applicable tax on the goods traded in.

The purchaser must provide you with documentation proving they are eligible for the PST reduction (e.g. original bill of sale, invoice, self-assessment voucher from us).

For the purposes of calculating the PST, there is no purchase price reduction for boats purchased outside B.C., or lease price reductions for trade-ins on leased boats. Therefore, a trade-in accepted as a down payment on a lease or as a partial payment against future lease payments does not reduce the amount of PST payable by the lessee. PST is payable on the down payment and on the unreduced lease price.

#### **Exempt Sales and Leases**

Some of your customers may be eligible for an exemption on the sale or lease of a boat (e.g. qualifying commercial fishers). For information on exempt sales and leases of boats, including what information or documentation you must collect to provide an exemption, see Exemptions below.

If your customer has paid PST and would not have been required to pay PST if they had provided the required information or document to support an exemption at the time of the sale or lease, you may refund or credit your customer the PST paid if they provide the required information or document within 180 days of the date the PST was charged. Alternatively, your customer may apply to us for a refund at any time within 4 years of the date the PST was paid. For more information on refunds, see Refunds below.

### **Documenting Sales**

You must record all boat sales on either a Provincial Sales Tax (PST) Schedule – Boats and Aircraft or alternative document (see below), and include it when you file your PST return. This includes taxable and exempt boat sales, including boats you deliver outside of B.C.

You can file the schedule and pay your tax returns:

- Online using <u>eTaxBC</u>
- By mail, courier or in person using the paper Provincial Sales Tax (PST)
  Schedule Boats and Aircraft (<u>FIN 407</u>) available on our website

If you choose to develop your own document or spreadsheet as an alternative to the **FIN 407**, please ensure the information requested in each field on the form is included in your document or spreadsheet.

#### **Boat Brokers**

Brokers must register to collect PST if they sell boats from their resale inventory or they sell boats on consignment.

However, a broker who only provides services to market a boat and find a purchaser for the boat in exchange for a fee is not required to collect and remit PST either on those services or on the boat owner's sale of the boat. The broker is providing a non-taxable service to the boat owner. If the boat owner is a PST collector, the boat owner must collect and remit the PST payable on the sale. If the boat owner is not a PST collector, the purchaser of the boat must self-assess and pay the PST.

## **Exemptions**

This section applies to persons who purchase or lease boats.

If you are claiming an exemption on the purchase or lease of a boat, you may be required to provide information or documentation to support your claim. You need to keep the information and documentation that supports your claim for an exemption because we regularly contact boat owners and lessors to ensure they have either paid PST as required or claimed a valid exemption.

If you do not provide the required information or documentation at the time of sale or lease, the seller or lessor may refund or credit you the PST paid if you provide the required information or document within 180 days of the date the PST was charged. Alternatively, you may apply to us for a refund of the PST at any time within 4 years of the date the PST was paid (see Refunds below).

### **Boats for Resale or Lease**

You are exempt from paying PST on boats and other goods you obtain solely for resale or for leasing to other persons. To support the exemption, you must provide your PST number or, if you have not yet registered, a Certificate of Exemption – General (<u>FIN 490</u>).

If you purchase or lease a boat for leasing to other persons and occasionally use the boat for chartering, see Boats Obtained for Leasing that are Occasionally Used for Chartering below.

### **Boats Shipped Outside B.C.**

If you purchase a boat in B.C. through a private sale or from a boat dealer, you are exempt from paying PST if:

- the boat is to be shipped by the seller for delivery outside B.C., and
- no use is to be made of the boat by you while the boat is in B.C. except storage of the boat with the seller.

The exemption does not apply if:

- you personally haul or pilot the boat out of B.C.,
- you have a friend, family member or other agent haul or pilot the boat out of B.C. on your behalf, or
- you enter into a contract or arrangement to have a third-party haul or pilot the boat out of B.C. on your behalf.

**Note**: If you later bring, send or receive delivery of the boat in B.C., you must self-assess PST unless a specific exemption applies (see Boats Acquired Outside of B.C. and Brought into B.C. above).

#### Documentation

If you purchase a boat through a private sale, we may ask you to provide documentation to show the boat was shipped outside B.C. by the seller (e.g. bill of lading, shipping documentation).

If you purchase a boat from a boat dealer, to support the exemption the boat dealer must keep documentation that shows they delivered the boat outside of B.C. (e.g. bill of lading, third-party delivery documents, shipping invoices). If third-party deliverers are used, the contract must be with the seller for the exemption to apply (if the contract is between the deliverer and the purchaser, the exemption does not apply).

Sellers may also use the Out-of-Province Delivery Exemption form (<u>FIN 462</u>) to record the boats they delivered to a location outside B.C. The **FIN 462** is an optional form that may be used in addition to the required documentation described above.

#### Boats Brought Into B.C. by Non-Resident Individuals

For the purposes of this exemption, a **non-resident** is a person who does not reside, ordinarily reside or carry on business in B.C. and who:

- owns real property in B.C., or
- leases, as lessee, real property in B.C. if the term of the lease, including the cumulative total of all options and rights to extend or renew that lease, is at least five years.

Non-residents generally must pay PST on all goods they bring, send or receive delivery of in B.C. However, if you are a non-resident individual and bring a boat into B.C. solely for non-business purposes, you are exempt from paying PST on the boat. We may ask you to provide documentation proving you are a non-resident of B.C. (e.g. a medical plan card from another province).

If you later use the boat for a business purpose in B.C. at any time, you must selfassess PST. For more information on self-assessing PST on change in use, see Change in Use below.

#### **Parts and Services**

The exemption for non-resident individuals explained above for boats does not extend to boat parts brought into B.C. for use or to parts purchased in B.C. by non-residents.

PST also applies to services provided to boats in B.C., even if the boat was brought into B.C. exempt from PST as described in this section. For information on how PST applies to parts when boats are sent into B.C. solely for related services, see Related Services below.

For more information on how PST applies to goods brought into B.C. by non-residents, see <u>Bulletin PST 309</u>, PST and Non-Residents.

### **Commercial Fishers**

If you are a qualifying commercial fisher, you are exempt from paying PST on boats you obtain solely for a commercial fishing purpose. You are also exempt from paying PST on parts designed for those boats or on related services provided to those boats. The exemption does not include generic parts and materials you use to repair those boats.

To support the exemption, you must provide a completed Certificate of Exemption – Commercial Fisher (<u>FIN 455</u>). We may contact you to confirm you meet the criteria as a qualifying commercial fisher.

For more information, see **Bulletin PST 102**, Commercial Fishers.

### Aquaculturists

If you are a qualifying aquaculturist, you are exempt from paying PST on boats not exceeding 20 metres in length, and on motors for those boats, if you obtain them solely for an aquaculture purpose. You are also exempt from paying PST on parts designed for those boats and motors, or on related services provided to those boats and motors. The exemption does not include generic parts and materials you use to repair those boats and motors.

To support the exemption, you must provide a completed Certificate of Exemption – Aquaculturist (<u>FIN 456</u>). We may contact you to confirm you meet the criteria as a qualifying aquaculturist.

For more information, see **<u>Bulletin PST 103</u>**, Aquaculturists.

### Vessels of More Than 500 Tons

You are exempt from paying PST on purchases or leases of self-propelled vessels of more than 500 tons gross.

You are also exempt from paying PST on ships' stores, except liquor, delivered to commercial vessels of more than 500 tons gross that normally operate in extraterritorial waters.

### **New Residents**

If you are a new resident to B.C. and you bring a boat into B.C. solely for non-business use, you are exempt from paying PST if:

- the boat arrives in B.C. within 1 year of you becoming a resident of B.C., and
- you owned the boat for at least 30 days before you became a resident of B.C.

**Note:** Different rules apply if a boat was brought into B.C. before February 19, 2014. For more information, contact us.

#### Documentation

We may ask you to provide proof you owned the boat for at least 30 days before you became a resident of B.C. (e.g. a bill of sale) and documentation proving the date you became a resident of B.C. (e.g. medical services plan enrolment). We may also ask for additional documentation that supports your claim.

For more information, see <u>Bulletin PST 306</u>, Goods Brought Into B.C. by New Residents.

### **Gifts to Related Individuals**

If you receive a boat as a gift from a related individual, you are exempt from paying PST if the related individual who gave you the boat (the donor):

- paid an applicable tax or another province's sales tax on the purchase of the boat and has not received and is not eligible for a refund, credit or rebate of that tax, including input tax credits,
- was exempt from PST, TDP or SST that would have otherwise been payable, or
- received the boat as a gift in B.C. before April 1, 2013.

**Note:** Only one gift of a specific boat between related individuals is eligible for exemption in a 12-month period. PST will apply to any future gifts of that boat within 12 months. The only exception to the 12-month rule is if a gift boat is gifted back from the recipient to the donor.

A related individual is:

- a person's spouse (legally married or living for a continuous period of at least 2 years with another person in a marriage-like relationship), child, grandchild, great grandchild, parent, grandparent, great grandparent, or sibling,
- the spouse of a person's child, grandchild or great grandchild, or
- the child, parent, grandparent or great grandparent of a person's spouse.

#### Documentation

We may ask you to provide a copy of a gift letter from the donor that includes the donor's full name, address, telephone number, their relationship to you and information about the tax that was paid on the boat. You may also be asked to provide proof the donor paid, or was exempt from, tax or received the boat as a gift before April 1, 2013.

If a trailer is also gifted, you and the donor must complete the Gift of a Vehicle form (<u>FIN 319</u>) for the trailer and, in the case of trailers brought into B.C. from outside B.C., provide proof of payment of the tax. If the donor was exempt from the tax, they will be required to provide specific information on the gift form or letter.

### **Gifts to Registered Charities**

If you are a registered charity and you received a boat as a gift, you are exempt from paying PST on the boat if the person who gave you the boat (the donor):

- paid an applicable tax or another province's sales tax on the boat and has not received and is not eligible for a refund, credit or rebate of that tax, including input tax credits,
- was exempt from PST, TDP or SST that would have otherwise been payable, or
- received the boat as a gift in B.C. before April 1, 2013.

A registered charity has the same meaning as under the Income Tax Act (Canada).

#### Documentation

We may ask you to provide a copy of a gift letter from the donor that includes the donor's full name, address, telephone number and information about the tax that was paid on the boat. You may also be asked to provide proof the donor paid, or was exempt from, tax or received the boat as a gift before April 1, 2013.

#### Prizes, Draws and Awards

You are exempt from paying PST on a boat if you won the boat in a lawful lottery (such as a B.C. Lottery Corporation lottery), contest, draw, game of chance or skill,

or you received the boat as an award for an achievement in a field of endeavor, including an athletic or sporting event, and the person who provided the boat:

- paid an applicable tax or another province's sales tax on the boat and has not received and is not eligible for a refund, credit or rebate of that tax, including input tax credits,
- was exempt from PST, TDP or SST that would have otherwise been payable, or
- received the boat as a gift in B.C. before April 1, 2013.

**Note:** The only consideration that can be provided by the winner to be entered into the draw is an entrance or admission fee, ticket fee or similar charge. The exemption does not apply if the person received the boat in a private arrangement, including a wager, between two or more persons.

#### Documentation

We may ask you to provide a copy of a letter from the sponsor of the draw, lottery or award indicating you are the winner and the prize won, and proof the provider of the boat paid, or was exempt from, tax or received the boat as a gift before April 1, 2013.

### Inheritance

You are exempt from paying PST on a boat if you receive the boat as part of the distribution of a deceased's estate. We may ask you to provide a copy of the death certificate and will.

## Transfers Due to Dissolution of Marriage or Relationship

You are exempt from paying PST on the transfer of a boat from your spouse or former spouse if the transfer is done under:

- an agreement dividing property under Part 5 or 6 of the Family Law Act,
- a written separation agreement or marriage agreement, or
- a court order on the dissolution of a marriage or marriage-like relationship.

We may ask you to provide a copy of the relevant agreement or court order.

### **Related Party Asset Transfers**

If a corporation acquires a boat on or before the day the corporation starts to carry on business from a person (the transferor) that wholly owns and controls the corporation, the corporation may qualify for an exemption from PST on the acquisition if certain conditions are met. Alternatively, if a corporation transfers a boat to a related corporation, the corporation may qualify for an exemption from PST if certain conditions are met.

For more information, see <u>Bulletin PST 210</u>, Related Party Asset Transfers.

### **Other Exemptions**

Other exemptions may also apply to boats obtained by a specific person in specific situations, including boats obtained by:

- Members of the diplomatic or consular corps (see <u>Bulletin CTB 007</u>, Exemption for Members of the Diplomatic and Consular Corps)
- First Nations individuals or bands (see <u>Bulletin PST 314</u>, Exemptions for First Nations)
- The federal government (see <u>Bulletin CTB 002</u>, Sales and Leases to Governments)

## Change in Use

If you qualified for a PST exemption when you obtained a boat, and you later use the boat for a taxable purpose, you must self-assess PST.

You must also self-assess PST if you were not subject to the 12% TDP between July 1, 2010 and March 31, 2013 for a specific reason (e.g., the boat was acquired for resale or was exempt for commercial fishing purposes) and, on or after April 1, 2013, you use the boat for a taxable purpose.

Generally, if you purchased the boat you calculate the PST due on the depreciated value of the boat or 50% of the purchase price, whichever is greater. For more information on calculating the depreciated value, see Depreciated Purchase Price above.

If you purchased the boat for resale but then use the boat, you must pay PST on the full purchase price of the boat.

If you leased the boat, PST applies to a prorated portion of the lease payment for the rental period in which the change in use occurs, and to the full amount of all remaining lease payments. To calculate PST on the prorated portion of the lease payment for the rental period in which the change in use occurs, use the following formula:

PST = Lease payment x (Taxable days ÷ Total days) x 7%

**Lease payment** is the amount of the monthly lease payment.

**Taxable days** is the number of days remaining in the rental period (e.g. the month), including the day of the change in use.

**Total days** is the total number of days in the rental period (e.g. the month) during which the change in use occurs.

For example, you lease a boat for \$1,000 per month. During the rental period of April 1 to April 30, you used the boat for a taxable purpose on April 28. You pay PST as follows:

For the April rental period:  $PST = $1,000 \times (3 \div 30) \times 7\% = $7.00$ 

For all remaining rental periods: PST = \$1,000 x 7% = \$70.00

#### Paying PST After a Change in Use

If you have a PST number, you must self-assess the PST due on your next PST return. For leased boats, you must continue to self-assess the PST due on each lease payment.

If you do not have a PST number, you must self-assess the PST due using a Casual Remittance Return (<u>FIN 405</u>) on or before the last day of the month following the month in which the change in use occurred. For leased boats, you must continue to file this type of return on or before the last day of the month following the end of each rental period.

## **Chartering and Leasing**

### **Boats Obtained for Chartering**

You must pay PST on boats you obtain for use in chartering. You must also pay PST on services and replacement parts for these boats.

### **Boats Obtained Solely for Leasing to Other Persons**

You are exempt from paying PST on boats you obtain solely for leasing to other persons. You are also exempt from paying PST on services and parts for these boats. To claim these exemptions, give the supplier or service provider your PST number or, if you are not yet registered, a Certificate of Exemption – General (FIN 490).

For information on how PST applies to leased goods, see <u>Bulletin PST 315</u>, Rentals and Leases of Goods.

#### Change in Use

PST applies when you take a boat you obtained solely for leasing purposes and later use the boat yourself, allow someone to use the boat for free (e.g. an employee or family member), or use the boat for chartering. For more information on self-assessing PST on change in use, see Change in Use above.

#### Boats Obtained for Leasing that are Occasionally Used for Chartering

If you occasionally supply an operator with a boat you purchased PST exempt for leasing purposes, and the boat remains part of your lease inventory in your company books or accounting records, you do not need to self-assess PST on the boat as explained in Change in Use above.

However, in this situation, you must self-assess the PST due on the normal lease price of the boat. The normal lease price is the price usually charged to your customers for the lease of the boat without an operator.

For example, you normally lease a boat from your regular lease inventory for \$2,000 a day. You also occasionally provide an operator with the lease for \$3,000 a day (i.e. chartering). The boat remains part of the lease inventory in your accounting records. In this case, your customer does not pay PST. However, you must self-assess the PST due on the normal \$2,000 a day lease price.

If you have a PST number, you must self-assess the PST due on your next PST return.

If you do not have a PST number, you must self-assess the PST due using a Casual Remittance Return (<u>FIN 405</u>) on or before the last day of the month following the month you entered into an agreement to lease the boat with an operator. For example, if you entered into an agreement in June, you must file the return and pay the PST no later than July 31.

## **Related Services**

Related services are services provided to tangible personal property (goods), or services provided to install goods. PST applies to related services provided to boats, unless a specific exemption applies.

PST does not apply to related services (e.g. repairs) to a boat brought or sent into B.C. solely for the purpose of receiving related services if, immediately after the related services are provided, the boat is transported outside B.C. for use outside B.C.

PST applies to parts installed during related services provided to a boat that was brought or sent into B.C. solely for related services unless the seller also ships the boat for delivery to the owner outside B.C. For this exemption to apply, there must be no use of the boat in B.C. by the owner, or someone contracted by the owner, following the related services, including using the boat to transport it out of B.C.

For more information, see <u>Bulletin PST 301</u>, Related Services.

## <u>Refunds</u>

If you paid PST on a boat, you may be eligible for one of the following PST refunds:

- PST paid in error (e.g. you paid PST you were not required to pay)
- Boats returned to collectors (e.g. boat dealers)
- Boats returned within 30 days to sellers not registered to collect the PST
- PST paid on boats purchased or leased within the 12-month period prior to meeting the criteria as a qualifying commercial fisher
- PST paid on boats not exceeding 20 metres in length, and on motors for those boats, purchased or leased within the six-month period prior to meeting the criteria as a qualifying aquaculturist
- Boats where the required information to obtain an exemption was not provided at the time of sale or lease (the seller or lessor may refund or credit you the PST paid if you provide the required information within 180 days of the date the PST was charged; alternatively, you may apply to us for a refund within 4 years of the date the PST was paid)

To apply for a refund from us, complete:

- an Application for Refund General (<u>FIN 355</u>), or
- if you are a qualifying commercial fisher or qualifying aquaculturist and are applying for refund of PST paid on boats prior to meeting the qualifying criteria, an Application for Refund of Provincial Sales Tax (PST) for Farmers, Aquaculturists or Fishers (<u>FIN 355/FAF</u>).

You must also provide the supporting documentation listed in the instructions to the form. We must receive your refund claim within 4 years of the date you paid the PST. For example, if you paid PST on August 12, 2021, we must receive your refund claim by August 12, 2022.

For more information on these refunds, see <u>Bulletin PST 400</u>, PST Refunds.



Online: <u>gov.bc.ca/pst</u> Toll free: 1-877-388-4440 E-mail: <u>CTBTaxQuestions@gov.bc.ca</u>

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The information in this bulletin is for your convenience and guidance and is not a replacement for the legislation.

#### Latest Revision October 2023

- Clarified that if you are a B.C. resident and you have a person who is not a B.C. resident bring, send or receive a boat in B.C. for your use or for another person's use at your expense, you must pay PST on the boat
- Clarified that if you initially purchased a boat for resale but you then use the boat, PST applies to the purchase price of the boat, not the depreciated price
- Clarified that for boats brought or sent into B.C. solely for the purpose of receiving related services, PST does not apply to parts installed during the related services if the seller then delivers the boat to the owner outside B.C.
- Other minor revisions

References: Provincial Sales Tax Act, sections 1 "B.C. resident", "band", "boat", "fair market value", "First Nation individual", "non-resident", "portable floating structure", "registered charity", "related individual", "related service", 5, 9, 10, 12, 13, 24, 25, 28, 29, 31, 34-37, 39, 41, 49, 52, 81, 82, 82.3, 83, 100, 102, 119, 120, 142, 145, 147, 152, 153 and 192; Provincial Sales Tax Exemption and Refund Regulation, sections 1 "obtain", qualifying aquaculturist", "qualifying commercial fisher", 18-23, 26, 48-50, 55, 57, 73, 125, 126, 130, 131 and 149-152 and Schedule 4; Provincial Sales Tax Regulation, sections 10, 33, 48, 51, 52, 63, 72, 79, 82.01 and 91; Consular Tax Exemption Regulation.