

## Exemptions to Minors for Transfers to and from the Public Guardian and Trustee

### *Property Transfer Tax Act*

Latest Revision: *The revision bar ( | ) identifies changes to the previous version of this bulletin dated September 2005. For a summary of the changes, see Latest Revision at the end of this document.*

This bulletin explains the requirements that must be met to transfer property to and from the public guardian and trustee (PGT) exempt from the property transfer tax when the transfer is for a minor. The types of property that can be transferred exempt include family farms, as well as principal and recreational residences.

The PGT is an independent and impartial public official who performs the same role as a trust company. The PGT may be appointed to look after the financial affairs of children and adults who are in need of support when there is no one else to look after their affairs.

For information on exemptions that may apply to transfers to and from the PGT and trust companies for non-minors, refer to [Bulletin PTT 010](#), *Exemption for Transfers to and from Trust Companies or the Public Trustee*.

### Table of Contents

Definitions.....	2
Which Transfers are Exempt .....	3
How Do I Claim the Exemption? .....	3

## Definitions

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### Family Farm

A family farm is farm land that is used, owned and farmed by any of the following:

- An individual
- Family members
- A family farm corporation

The land must meet specific requirements under the [Assessment Act](#), and must be classified as farm land by [BC Assessment](#).

For more information, see [Bulletin PTT 008](#), *Exemptions for Transferring a Family Farm*, and [Bulletin PTT 009](#), *Exemptions for Transfers to and from a Family Farm Corporation*.

### Principal Residence

A property is considered to be a principal residence if it meets the following four criteria:

1. The property is half a hectare or smaller
2. The property is where the person usually resides and uses the land as his or her home
3. The improvements on the land are designed and used only to accommodate three or fewer families
4. All the improvements on the land are classified as residential property under the [Assessment Act](#)

For more information, see [Bulletin PTT 005](#), *Exemptions for the Transfer of a Principal Residence*.

### Recreational Residence

A property is considered to be a recreational residence if it meets the following four criteria:

1. The property is five hectares or smaller
2. The fair market value of the property is \$275,000 or less
3. The property is where the person or settlor lives, or where the deceased lived, on a seasonal basis for recreational purposes
4. The property is classified as residential land under the [Assessment Act](#)

For more information, see [Bulletin PTT 007](#), *Exemptions for the Transfer of a Recreational Residence*.

## **Related Individual**

A related individual includes:

- Your child, grandchild, great-grandchild and their spouse
- Your parent, grandparent and great-grandparent
- Your spouse and their child, parent, grandparent and great-grandparent

Related individuals must be Canadian citizens or permanent residents as defined in the *Immigration and Refugee Protection Act* (Canada).

## **Which Transfers are Exempt?**

### **Transfers to the PGT**

Transfers of a family farm, principal residence or recreational residence to the PGT on behalf of a minor are exempt of tax if they meet the following conditions:

- The property is held in trust for the sole benefit of the minor
- The person transferring the property, or the deceased if the property is part of an estate, and the minor are related individuals

### **Transfers from the PGT**

All transfers from the PGT, including property purchased by the PGT on behalf of a minor, are exempt from tax if they meet the following conditions:

- The property was held in trust for the sole benefit of the minor
- The minor is a beneficiary under the trust

## **How Do I Claim the Exemption?**

To claim the exemption described in this bulletin, select or enter exemption code 25 on the [property transfer tax return](#).

## Need more info?

Online: [gov.bc.ca/propertytransfertax](http://gov.bc.ca/propertytransfertax)

Email: [pttenq@gov.bc.ca](mailto:pttenq@gov.bc.ca)

Telephone: 236-478-1593 (Victoria)

Toll free: 1-888-841-0090

**Subscribe** to receive email notifications when B.C. tax information is updated.

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

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### Latest Revision

November 2017

- Removed references to the previous paper property transfer tax returns
  - Other minor revisions
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References: *Property Transfer Tax Act*, Sections 14(1) and 14(4)(p).