



APPLICATION FOR CLEARANCE

GENERAL INQUIRIES

Toll-free: 1 877 388-4440

Email: CTBTaxQuestions@gov.bc.ca

Freedom of Information and Protection of Privacy Act (FOIPPA) - The personal information on this form is collected for the purpose of administering the statutes below under the authority of these Acts and section 26(a) of the FOIPPA.

INSTRUCTIONS

- For more information, refer to the Information and Instructions on Page 2. Incomplete applications may be delayed. Attach additional sheets if required.

SECTION 1 - APPLICATION CLEARANCE REQUESTED BY

Form fields for Section 1: APPLICANT NAME, CONTACT NAME AND TITLE, YOUR FILE NUMBER, MAILING ADDRESS, EMAIL ADDRESS, TELEPHONE NUMBER, ACTING ON BEHALF OF (PURCHASER, SELLER, LENDER, OTHER).

SECTION 2 - SEARCH REQUIRED ON

Form fields for Section 2: LEGAL NAME OF ENTITY BEING SEARCHED, BUSINESS NUMBER (9 digits), INCORPORATION NUMBER ORIGINAL JURISDICTION.

CLEARANCE UNDER THE PROVISIONS OF - check (✓) boxes and provide registration number of entity being searched, if applicable

Checkboxes for Provincial Sales Tax Act, Tobacco Tax Act, Carbon Tax Act, Motor Fuel Tax Act.

TYPE OF OWNERSHIP - check (✓) one only

Checkboxes for CORPORATION, ASSOCIATION, PARTNERSHIP, SOLE PROPRIETOR, OTHER.

LOCATIONS - Provide the following information for each location, branch and/or division owned by the legal entity that is being searched. Attach additional sheets, if more space is required.

Form fields for Section 2: DOING BUSINESS AS, LOCATION (include street address and city).

SECTION 3 - ISSUE CLEARANCE FOR THE PURPOSE OF (choose at least one)

Checkboxes for Section 3: SALE OF ASSETS/INVENTORY, SALE OF REAL PROPERTY, SALE OF AN INTEREST IN A BUSINESS, SALE OF SHARES, FINANCING, REFINANCING, OTHER.

DATE OF TRANSACTION YYYY / MM / DD

If the potential sale involves tangible personal property or software, which may be taxable under the provisions of the Provincial Sales Tax Act, provide

Form fields for Section 3: PROPOSED PURCHASER'S NAME, PROPOSED PURCHASER'S MAILING ADDRESS.

DESCRIPTION OF TANGIBLE PERSONAL PROPERTY OR SOFTWARE INVOLVED IN THE TRANSACTION AND VALUE, IF KNOWN

SECTION 4 - AUTHORIZATION TO RELEASE INFORMATION (from the entity on which the search is to be conducted)

I, \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_

authorize the release of information and a copy of the certificate as outlined in Section 4 on Page 2, to the applicant named in Section 1 (or designate), pertinent to this application for clearance.

Form fields for Section 4: SIGNATURE, DATE SIGNED.

SECTION 5 - CERTIFICATION OF APPLICANT

I declare that all information provided on this form, and on all attached documents, is true and correct to the best of my knowledge and belief.

Form fields for Section 5: SIGNATURE, DATE SIGNED.

## INFORMATION AND INSTRUCTIONS

If you intend to purchase goods (including inventory), software or an interest in a business through a bulk transaction, you may obtain a clearance certificate. The certificate confirms the seller has paid all amounts owing under the relevant legislation including penalties and interest (up to the date the certificate was issued).

If you do not obtain a clearance certificate, you must pay an amount equal to all amounts owing under the relevant legislation at the time of purchase. Amounts owing may include tax, security equal to tax, penalties and interest.

You may obtain a duplicate copy of a clearance certificate from the seller or apply to us using this form.

Upon application, we may issue the following clearance certificates, once we verify we have no knowledge of any outstanding amounts owing under the relevant legislation:

- *Certificate of Clearance of Provincial Sales Tax*
- *Certificate of Clearance of Tobacco Tax*
- *Certificate of Clearance of Motor Fuel Tax*
- *Certificate of Clearance of Carbon Tax*

We no longer issue clearance certificates or letters under the *Social Service Tax Act* or *Hotel Room Tax Act*.

We may issue a clearance letter instead of a certificate if there is **not** a sale of goods, software or an interest in a business through a bulk transaction (e.g. purchase of shares, confirmation for financing purposes, an up-to-date status of the seller's account or an update to a previous confirmation).

If there are any amounts owing, outstanding tax returns or ongoing audits, we will identify the analyst, collector or auditor assigned to the file.

**Note:** A clearance certificate or letter confirms that no outstanding amounts owing under the relevant legislation are known to us at the time the certificate or letter is issued. Additional tax liabilities may be discovered at a future date through audit or other means. In general, tax liabilities predating the clearance will remain with the seller where a sale is occurring between separate legal entities.

Where the clearance is with respect to a **sale of shares, financing or other non-sale** situation, all tax liabilities will remain with the legal entity on which the clearance is requested. There may be exceptions if circumstances warrant.

If an **amalgamation** occurred within the last six years, a *Certificate of Amalgamation* (and underlying articles that lists the amalgamating companies) must be provided, including all prior name changes. A clearance certificate or letter will be issued in the current amalgamated name only.

### COMPLETING THE APPLICATION

Complete all sections of the application. Missing information may cause a delay in processing the application.

**Section 2 – Legal Name** of the entity on which clearance is requested. Documentation may be required (e.g. incorporation documents, trust agreements, partnership agreements, amalgamation documents, etc.).

**Note:** There must be a separate application for each legal entity.

**Section 4 – Authorization** by the entity on which the clearance is requested. Authorization may be provided either by completing this section or by providing a letter authorizing us to release the information and a copy of the certificate or letter to the applicant. The letter of authorization must list all Acts for which a search is required. The authorization is valid for **90 days** from the date the application or letter was signed by the entity on which clearance is requested.

The authorized signatory must be:

- the proprietor of a sole proprietorship,
- at least one partner of a partnership,
- a director or officer of a corporation or other corporate entity, or
- someone authorized to sign on behalf of the legal entity. Documentation will be required as proof of authorization.

### SENDING IN THE APPLICATION

You may fax, email, mail or courier the application to us.

**Note:** do not fax or email multiple applications as this may cause delays in processing.

**Fax:** 250 356-2195

**Email:** [REVLIQCL@Victoria1.gov.bc.ca](mailto:REVLIQCL@Victoria1.gov.bc.ca)

#### Mailing Address:

Ministry of Finance  
Consumer Taxation Programs Branch  
PO Box 9435 Stn Prov Govt  
Victoria BC V8W 9V3

#### Location/Courier Address:

Ministry of Finance  
Consumer Taxation Programs Branch  
1802 Douglas Street  
Victoria BC V8T 4K6

Keep a copy of this application for your records.

**Note:** Clearance applications are processed in order of the date they are received, without exception. Additional processing time is required for applications made for multiple Acts.

In the interest of confidentiality, confirmations will be mailed to the authorized recipient only.