

FINANCIAL ADMINISTRATION ACT

**CONSOLIDATION OF
AVIATION TURBINE FUEL REMISSION ORDER**
R.R.N.W.T. 1990,c.F-2

(Current to: September 1, 2012)

AS AMENDED BY:

This consolidation is not an official statement of the law. It is an office consolidation prepared for convenience only. The authoritative text of regulations can be ascertained from the *Revised Regulations of the Northwest Territories, 1990* and the monthly publication of Part II of the *Northwest Territories Gazette* (for regulations made before April 1, 1999) and Part II of the *Nunavut Gazette* (for regulations made on or after April 1, 1999).

A copy of a regulation of Nunavut can be obtained from the Territorial Printer at the address below. The *Nunavut Gazette* and this consolidation are also available online at <http://www.justice.gov.nu.ca> but are not official statements of the law.

Any registered regulations not yet published in the *Nunavut Gazette* can be obtained through the Registrar of Regulations at the address below.

Territorial Printer
Legislation Division
Department of Justice
Government of Nunavut
P.O. Box 1000, Station 550
Iqaluit, NU X0A 0H0

Tel.: (867) 975-6305
Fax: (867) 975-6189
Email: Territorial.Printer@gov.nu.ca

GLOSSARY OF TERMS USED IN CONSOLIDATIONS

Miscellaneous

c.	means "chapter".
CIF	means "comes into force".
NIF	means "not in force".
s.	means "section" or "sections", "subsection" or "subsections", "paragraph" or "paragraphs".
Sch.	means "schedule".

Citation of Acts

R.S.N.W.T. 1988,c.D-22	means Chapter D-22 of the <i>Revised Statutes of the Northwest Territories, 1988</i> .
R.S.N.W.T. 1988,c.10(Supp.)	means Chapter 10 of the Supplement to the <i>Revised Statutes of the Northwest Territories, 1988</i> . (Note: The Supplement is in three volumes.)
S.N.W.T. 1996,c.26	means Chapter 26 of the 1996 Annual Volume of the Statutes of the Northwest Territories.
S.Nu. 2002,c.14	means Chapter 14 of the 2002 Annual Volume of the Statutes of Nunavut.

Citation of Regulations and other Statutory Instruments

R.R.N.W.T. 1990,c.A-1	means Chapter A-1 of the <i>Revised Regulations of the Northwest Territories, 1990</i> .
R-005-98	means the regulation registered as R-005-98 in 1998. (Note: This is a Northwest Territories regulation if it is made before April 1, 1999, and a Nunavut regulation if it is made on or after April 1, 1999 and before January 1, 2000.)
R-012-2003	means the regulation registered as R-012-2003 in 2003. (Note: This is a Nunavut regulation made on or after January 1, 2000.)
SI-005-98	means the instrument registered as SI-005-98 in 1998. (Note: This is a Northwest Territories statutory instrument if it is made before April 1, 1999, and a Nunavut statutory instrument if it is made on or after April 1, 1999 and before January 1, 2000.)
SI-012-2003	means the instrument registered as SI-012-2003 in 2003. (Note: This is a Nunavut statutory instrument made on or after January 1, 2000.)

AVIATION TURBINE FUEL REMISSION ORDER**1.** (1) In this Order,

"export price" means the price charged under the authority of and in accordance with a licence by a licensee for the aviation turbine fuel covered by the licence;
(*prix d'exportation*)

"licence" means a licence issued by the *National Energy Board* under Part VI of the *National Energy Board Act* (Canada) for the exportation of aviation turbine fuel;
(*licence*)

"licensee" means a person authorized under a licence to export aviation turbine fuel;
(*titulaire d'une licence*)

"normal price" means

- (a) the price that would have been charged at any particular time by a licensee, having regard to the price that was actually charged at the time by the licensee for aviation turbine fuel used on flights within Canada, for aviation turbine fuel covered by a licence if the licence had not contained a condition as to the price for such fuel, or
- (b) with respect to aviation turbine fuel purchased by a person from a licensee, such amount as may be agreed on by the person and the licensee. (*prix normal*)

(2) All words and expressions used in this Order and not otherwise defined in this section have the same meaning as in the *Income Tax Act*.

2. (1) Subject to section 3, a remission is granted to any taxpayer in respect of a taxation year of an amount equal to the amount by which

(a) the taxes, interest and penalties payable by the taxpayer under the *Income Tax Act* for the year,
exceed

- (b) the taxes, interest and penalties that would have been payable by the taxpayer for the year under the *Income Tax Act* if the *Income Tax Act* (Canada) had been read for the year without reference to subsection 69(7.1).

(2) This section applies to the 1982 and 1983 taxation years.

- 3.** The remission under section 2 is conditional on, with respect to aviation turbine fuel for which the taxpayer was deemed to have received proceeds of disposition by virtue of subsection 69(7.1) of the *Income Tax Act* (Canada), the taxpayer
- (a) reimbursing to the purchaser of the fuel the amount, if any, by which the export price for the fuel exceeds the normal price for the fuel; or
 - (b) eliminating any account receivable in respect of the excess.