



Application of GST/HST to Indian Individuals

This information sheet provides guidance for simple, everyday situations and does not replace the law. For more information, see GST/HST Technical Information Bulletin B-039, *GST/HST Administrative Policy – Application of the GST/HST to Indians*.

Indian individuals are usually required to pay the GST/HST when acquiring taxable goods or services on or off a reserve from businesses that are GST/HST registrants unless the conditions for tax relief in B-039 are met. One requirement to obtain relief from paying the GST/HST is that you must show your Certificate of Indian Status (status card) issued by Indian and Northern Affairs Canada to the vendor. Only individuals who are registered as an Indian are eligible for tax relief at the time of acquiring goods and services from a vendor. This does not include Métis, Inuit, or Indian individuals from the United States. The other requirements are summarized below.

Goods acquired by Indian individuals

Indian individuals may buy goods on a reserve without paying the GST/HST if the appropriate documentation is provided to the vendor. As well, if goods are purchased off a reserve, no GST/HST is payable if the goods are delivered to a reserve by the vendor or an agent of the vendor (e.g., a common carrier). Goods acquired off a reserve are not relieved of the GST/HST when Indian individuals choose to deliver the goods to a reserve themselves. Also, a carrier under contract with the purchaser is not regarded as a carrier of the vendor for delivery purposes.

Services provided to Indian individuals

Indian individuals do not have to pay the GST/HST on services performed totally on a reserve. The service provider will need to document some of the information from your status card to be able to provide tax relief.

For Ontario only: off-reserve purchases

When full relief of the GST/HST is not available on off-reserve purchases, relief equal to the provincial part of the HST may apply to status Indians, Indian bands, and councils of Indian bands, as the Government of Ontario has announced that effective September 1, 2010, there is relief equal to the 8% Ontario part of the HST on qualifying off-reserve property or services at the point of sale. For information on qualifying property and services, who is eligible for relief, and the documentary requirements to support amounts credited to status Indian purchasers, contact the Government of Ontario at 1-866-668-8297, or read the Government of Ontario guide, *Ontario First Nations Point-of-Sale Exemptions*, at www.rev.gov.on.ca/en/taxchange/firstnations.html

For further information

For additional information please see GST/HST Technical Information Bulletin B-039, *GST/HST Administrative Policy – Application of the GST/HST to Indians*, which summarizes the CRA's administrative policy respecting GST/HST relief for Indians, Indian bands and band-empowered entities.

Please note that the tax relief described in this info sheet does not apply to First Nation taxes imposed by Aboriginal governments and administered by the CRA as the *Indian Act* tax exemption does not apply to such taxes. As well, this info sheet does not apply to Aboriginal governments and their citizens that

have signed final or self-government agreements that end *Indian Act* tax relief (see GST/HST Notice238, *First Nations Having a Self-Government Agreement Ending Indian Act Tax Relief – Determining Tax Relief for Indian Members Who Are Not Citizens*).

This info sheet does not replace the law found in the *Excise Tax Act* (the Act) and its regulations. It is provided for your reference. As it may not completely address your particular operation, you may wish to refer to the Act or appropriate regulation, or contact any CRA GST/HST rulings office for additional information. A ruling should be requested for certainty in respect of any particular GST/HST matter. Pamphlet RC4405, *GST/HST Rulings – Experts in GST/HST Legislation*, explains how to obtain a ruling and lists the GST/HST rulings offices. If you wish to make a technical enquiry on the GST/HST by telephone, please call 1-800-959-8287.

If you are located in Quebec and wish to make a technical enquiry or request a ruling related to the GST/HST, please contact Revenu Québec by calling 1-800-567-4692. You may also visit their Web site at www.revenu.gouv.qc.ca to obtain general information.

All technical publications related to GST/HST are available on the CRA Web site at www.cra.gc.ca/gsthstech.