



APPLICATION FOR REGISTRATION AS AN EXEMPT SALE RETAIL DEALER (ESRD)

AND/OR EXEMPT FUEL RETAILER (EFR)

under the Tobacco Tax Act, and/or Motor Fuel Tax Act and the Carbon Tax Act

General Instructions

Complete this form if you are:

- a retail dealer (including an unmanned card lock fuel pump location) that is physically located on a reserve and sells fuel to status Indians or Indian bands and you wish to purchase fuel in British Columbia (BC) from a collector or deputy collector exempt of security under the Motor Fuel Tax Act or Carbon Tax Act, and/or
• a retail dealer that intends to purchase blackstock tobacco and/or unmarked tobacco from a wholesale dealer in British Columbia and sell tobacco to status Indians or Indian bands under the Tobacco Tax Act.

A separate permit application is required for each physical location at which you intend to sell tobacco or fuel. A separate permit application is required for each unmanned fuel cardlock location. You may use this permit application to apply to sell both fuel and tobacco from the same physical location.

Do not use this form if you intend to sell only propane or marketable natural gas on a reserve.

Note: Separate authority is required if you intend to sell either clear fuel or coloured fuel.

Please complete and attach the form Application for Authorization to Sell Coloured Fuel (FIN 461) available on our website at: www.sbr.gov.bc.ca/individuals/Consumer_Taxes/Motor_Fuel_Tax/register/sell_colour_fuel.htm

For additional information regarding the registration process for these businesses, refer to the following:

- www.sbr.gov.bc.ca/individuals/Consumer_Taxes/Tobacco_Tax/tobacco_tax.htm
• www.sbr.gov.bc.ca/business/Consumer_Taxes/Motor_Fuel_Tax/mft.htm
• www.sbr.gov.bc.ca/business/Consumer_Taxes/Carbon_Tax/carbon_tax.htm

Detailed instructions for completing this application are below. However, if you need further assistance, please call our general information line:

- Toll-free in Canada: 1 877 388-4440, or
• E-mail us at tobaccotax@gov.bc.ca

Step 1

Answer all questions on the attached application form. Your application will be delayed or returned if you do not provide all the required information.

Step 2

You may submit your application using one of the following methods:

- By fax: 250 387-1852
By mail: PO Box 9442 Stn Prov Govt
Victoria BC V8W 9V4

Please remember to include the attachments required as set out in Item 7 on Page 4 and a signed copy of the form, Authorization or Cancellation of a Representative (FIN 151), if you wish to appoint any additional business contacts. The FIN 151 is available on our website at: www.sbr.gov.bc.ca/documents_library/forms/0151FILL.pdf

Step 3

The ministry will, on receiving a complete application;

- review the application to determine if you meet the requirements for a permit(s),
• contact you to clarify the application or request additional information, and/or
• contact you by mail, if you are not eligible or your application is not approved.

Step 4

If you are only applying to be appointed an Exempt Sale Retail Dealer under the Tobacco Tax Act, please skip to Step 6.

If you are applying to be appointed an Exempt Fuel Retailer under the Motor Fuel Tax Act and Carbon Tax Act and your application is conditionally approved:

- two copies of a draft agreement outlining the duties and conditions of the Exempt Fuel Retailer under the Motor Fuel Tax Act and the Carbon Tax Act will be sent to you, and
• if you agree with the duties and conditions, you must sign and return both copies of the agreement to the ministry. The Director, Motor Fuel Tax Act and Carbon Tax Act, will sign and return one copy to you along with the forms and information necessary for reporting and remitting taxes.

Step 5

You will receive your signed agreement back from the ministry.

Step 6

If approved, you will receive your Exempt Fuel Retailer Permit or Exempt Sale Retail Dealer Permit back from the ministry.

Detailed Instructions for Completing the Application for Registration as an Exempt Sale Retail Dealer (ESRD) and/or Exempt Fuel Retailer (EFR)

Item 1

Select the type of permit(s) that you want to receive (you must select at least one).

- **Exempt Fuel Retailer Permit**

A retail dealer (including an unmanned card lock fuel pump location) that operates on a reserve and that intends to purchase fuel in BC from a collector or deputy collector exempt of security under the *Motor Fuel Tax Act* and *Carbon Tax Act*.

and/or

- **Exempt Sale Retail Dealer Permit**

A retail dealer located on reserve land that intends to purchase or possess blackstock tobacco and/or unmarked tobacco exempt of security and sell to status Indians on reserve under the *Tobacco Tax Act*.

Item 2

Indicate the type of ownership and legal name.

If your business is incorporated under the *British Columbia Business Corporations Act* or other similar legislation, enter the name as it appears on the incorporation certificate and include your incorporation certificate number. If your business is not incorporated in BC, please provide a copy of your certification of incorporation.

If the business is a partnership, list the full legal name of all partners. If there are more than two partners, attach an additional page.

If the business is not a corporation or partnership, please describe the nature of the business (e.g. Indian band, sole proprietorship). If the business is a proprietorship, please provide your driver's licence or British Columbia Identification (BCID) number.

Please include your federal business number, which is a unique 9-digit number provided by the Canada Revenue Agency (CRA), to identify your business to various government agencies.

Item 3

Indicate the name under which the business will operate (if different than Item 2 above).

Item 4

The physical location of the business may be different than the mailing address. A separate permit application is required for each physical location at which you intend to sell tobacco or fuel. A separate permit application is required for each unmanned fuel cardlock location. You may use this permit application to apply to sell both fuel and tobacco from the same physical location.

Item 5

Indicate the mailing address where tax returns and any correspondence will be sent (if different than Item 4 above).

Item 6

The name of the primary business contact, including telephone number(s), fax number and e-mail address. This may be your bookkeeper, accountant or an employee. If you wish to appoint a second business contact or change a business contact, please complete and attach the form, *Authorization or Cancellation of a Representative (FIN 151)*. Provide the location of the books and records.

Item 7

Attachments are required as part of the application. See the list of attachments on [Page 3](#) for more information. Incomplete applications will be delayed and if the information is not provided, your application may be returned to you without processing.

All applicants must submit a copy of their business plan. If Item 2 – Type of Ownership is a partnership, then attach the partnership agreement. Reserve information package is listed on [Page 3](#).

Item 8

All applications must be certified by an authorized signing authority.

Item 9

If you intend to sell fuel to exempt consumers and are applying for an *Exempt Fuel Retailer* permit, complete Item 9, Exempt Fuel Retailer – Exempt Fuel Table.

Attachments

All applicants must attach a Business Plan that includes the following.

- a) A description of how you will provide secure storage and inventory control for your fuel and/or tobacco inventory, and secure storage for the personal information collected by your business.
- b) Photographs of the business premises and tobacco and/or fuel storage facilities.
- c) A description of the accounting and inventory control procedures or system(s) to be used to record exempt sales and monitor inventory of tobacco and/or fuel products.
- d) The days of the week and times of day you intend to be open to the public to conduct business.
- e) The name(s) of the fuel collector(s) or deputy collector(s) who will be supplying your business and the types of fuel that you will be selling.
- f) The name of the tobacco wholesaler who will be supplying your proposed business.
- g) A description of the market your business intends to sell to and what products you intend to sell.

Specific Instructions (if applicable)

If you indicated in Item 2 on [Page 4](#) that the type of ownership is a partnership, the following is required.

- a) The partnership agreement that describes how revenues, expenses, assets or liabilities are divided between partners, and provisions for dissolution of the partnership.

Reserve Information

- a) The band name and number of the specific reserve where you intend to locate your business.
- b) A Band Council Resolution (BCR) approving the sale of exempt fuel and/or exempt tobacco on that reserve by the applicant's proposed business. The BCR must reference the legal name of the applicant and the name of the business as indicated on this application form.
- c) For tobacco permit applicants – An explanation of how the proposed business will provide convenience to band members compared to the service and/or supply currently provided by local exempt sale retail dealers.
- d) A map of the reserve showing the physical location of the proposed business and any other exempt tobacco or fuel dealers (including unmanned card locks) operating on the reserve.



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under the Tobacco Tax Act and/or Motor Fuel Tax Act and the Carbon Tax Act

General Inquiries

Toll-free in Canada: 1 877 388-4440

Instructions

Please type or print clearly and complete the form IN FULL. Incomplete forms will be returned. Attach additional sheets if more space is required.

Freedom of Information and Protection of Privacy Act (FOIPPA)

The personal information on this form is collected for the purpose of administering the above tax Acts under the authority of these Acts and section 26 of the FOIPPA. Questions about the collection or use of this information can be directed to the Manager, Program Services, PO Box 9442 Stn Prov Govt, Victoria, BC V8W 9V4. (Telephone: toll-free at 1 877 388-4440)

1 Indicate which permit(s) you are applying for - You must select at least one

- Exempt Fuel Retailer Permit - A retail dealer (including an unmanned card lock fuel pump location) that operates on a reserve and that intends to purchase fuel in British Columbia from a collector or deputy collector exempt of security under the Motor Fuel Tax Act and Carbon Tax Act.
Exempt Sale Retail Dealer Permit - A retail dealer located on reserve land that intends to purchase or possess blackstock tobacco and/or unmarked tobacco exempt of security and sell to status Indians or Indian bands on reserve under the Tobacco Tax Act.

2 Type of Ownership and Name (Choose One Only)

Legal Name of Applicant

Incorporation No. (If not a BC Corporation, provide copy of certificate of incorporation)

CORPORATION

List All Partners

Federal Business Number (A unique 9-digit number provided by CRA)

PARTNERSHIP

Please Specify

Driver's Licence or British Columbia Identification (BCID) Number

OTHER

3 Name Under Which Business is Conducted (Trade or Firm name)

4 Physical Location of Business

City Province/State Country Postal/Zip Code

5 Business Mailing Address (If different from Item 3 above)

C/O City Province/State Country Postal/Zip Code

6 Business Contact Name

Title

Business Phone Number Business Fax Number Cell Phone Number E-mail Address

Location of Books and Records

7 Required Attachments (Check (✓) box when attached)

Attachments form part of the application. See the attachment section on Page 3 for more information. Incomplete applications will be delayed and if the information is not provided, your application may be returned to you without processing.

- A copy of your business plan.
If Item 2 - Type of Ownership is partnership, then attach the partnership agreement.
Reserve information package is listed on Page 3.

8 Certification - By completing this document, you are certifying that all the information is true and complete, and that you are an authorized signing authority. You are advised that false information may result in penalties and/or prosecution.

Signature of Authorized Signing Authority Name of Authorized Signing Authority Title/Position Date Signed YYYY / MM / DD

X

9 Exempt Fuel Retailer – Exempt Fuel Table

Product Types for Exempt Sales (Note that product names vary under the <i>Motor Fuel Tax Act</i> versus the <i>Carbon Tax Act</i>)		Application for Exempt Fuel Retailer Permit under the <i>Motor Fuel Tax Act</i> (1)	Application for Exempt Fuel Retailer Permit under the <i>Carbon Tax Act</i> (1)	Estimated Percentage of Sales Volume By Product Type (2)		Total	Storage Tank Capacity (3)
Motor Fuel Tax Types of Fuel	Carbon Tax Types of Fuel	Indicate (✓) the fuel types you intend to sell to exempt consumers		Exempt Consumers (%)	Taxable Consumers (%)	100%	Litres
Clear Gasoline and Coloured Gasoline	Gasoline					100%	
Clear Diesel and Coloured Diesel	Light Fuel Oil – Diesel					100%	

Describe the type of retail station you plan to operate, or the combination of pump service you plan to provide (e.g. self service retail for gasoline, unmanned cardlock/keylock for diesel).

Notes:

- 1 Place a check mark in (✓) each row of the column for the types of fuel that you would like to purchase exempt of security in order to sell to exempt consumers.
- 2 Provide an estimate of the percentage of sales volume that you expect to sell to status Indians or Indian bands and the percentage you expect to sell to other consumers. For example, if the previous operator of the retail location sold 75% of their gasoline exempt to Status Indians and the remainder to consumers who were not status Indians, then indicate 75% exempt consumers and 25% taxable consumers.
- 3 Indicate the volume of the fuel storage tank(s) you intend to use to store each fuel type.