

Receiving a grant is usually considered a great event; an occasion to break out the champagne and reward yourself, a moment to reflect that a group of your peers deemed you worthy and part of the community. Grants keep art afloat in Canada, and *should* be a cause for celebration. Until it's time to do your taxes, and then the world seems to fall apart and you curse the day you received that \$7,000 from the Canada Council for the Arts.

There are many theories on how to deal with your grant when it comes to tax time, not all of which are helpful. The most important thing to remember is that grants awarded to **individual** artists are taxable income to the recipient. A T4A is issued to the recipient and reported to the Canada Revenue agency (CRA), who will expect that income to be reported.

## **How Taxes Work: A Primer**

At the end of the day, taxes are fairly straightforward. You pay taxes on your gross income, less any deductions (RRSPs, childcare, medical expenses, business expenses; the list is long and varied). This is your *net* income and is what is considered taxable.

An artist who files their taxes as a sole proprietor would use the <u>T2125</u>, <u>Statement of Business</u> Income (Appendix C) to report any sales of art, box office income, grant income and other revenue streams as well as to list all expenses related to your art practice. Artists are often loathe to consider themselves 'businesses', but it really is in their best interest to develop good business practices to aid their art practice. Your gross income from your art practice less the expenses is your net income. The net income is what is added to any other income (day jobs etc) to be taxed.

Basically your business looks like this:

### **REVENUE**

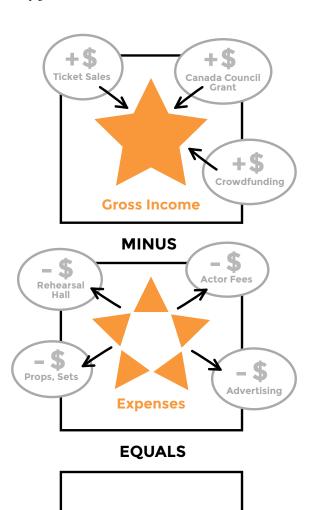
Gross Income:	\$10,000
Crowd Funding:	\$1,000
Canada Council Grant:	\$7,000
Ticket Sales:	\$2,000

#### **EXPENSES**

Total Expenses:	\$7,500
Advertising:	\$1,000
Props, Sets:	\$2,000
Actor Fees:	\$4,000
Rehearsal Hall:	\$500

**NET INCOME:** \$2.500

Your net income is the taxable income.



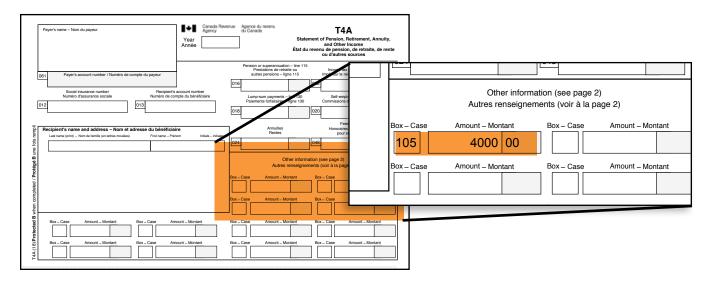
**Net Income** 



## **Grants And Their Drawbacks**

There are two major hazards when reporting income from grants to the CRA. The first is that the income on the T4A related to your grant falls into a misleading income box called "other income". The second is that the grant money can be received outside of the time line of your grant activity and thus skew your income versus expenses for the tax year.

All granting bodies are required to report your grant in box 105 of the T4A-"Scholarships, bursaries, fellowships, artist project grants and prizes".



When you report your income using this box the income turns up on your taxes at line 130 -"Other income".

Support payments received	Total 156	Taxab	le amount 128 +		
RRSP income (from all T4RSF	slips)		129 +		
Other income Speci	fy:		130 +	4000	00
Self-employment income					
Business income	Gross 162		Net 135 +		

While this income reporting works fine when reporting actual scholarship income, it's not a great fit for reporting artist grant income. Artist grants are related to an artists' body of work, and the

expenses tied to the work should be reported on the T2125 - Statement of **Business Income.** When income from the grant is not tied to related expenses because they are reported in different areas of the tax return, it can create an imbalance on your taxes. They will appear to show your artistic business losing money, with high expense and little to no income, and a large lump of other "income" which appears to be unrelated to the "failing" artistic business.

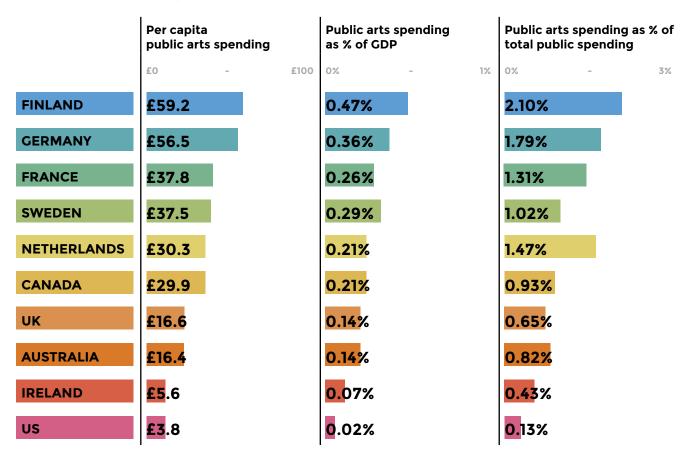
Canada Revenue Apence du revenu du Canada Apence du revenu du Canada Statement of Business or	r Professiona	al Acti	vitie	s		Prote	ecte	d B w	hen co	omplete
Use this form to calculate your self-employment business and professional inc.     For each business or profession, fill in a separate Form T2125.     Fill in this form and send it with your income tax and benefit return.     For more information on how to fill in this form, see Guide T4002, Self-employ.		ssional, Ci	ommis	sion, i	Farmin	g, and	Fish	ing In	come.	
Part 1 - Identification -										
Your name			Your:	social	insura	nce nu	mbe	r (SIN	)	
Business name	s name			Business number						
Business address	City	City			Prov.	/Terr.	Post	al cod	е	
Fiscal         Date (YYYYMMDD)         Date (YYYYMMDD)           period         From	Was 2017 your last year of business? Yes No									
Main product or service	Industry code (see the appendix in Guide T4002)				1.1					
Tax shelter identification number Partnership business number Your per of the pa					9					
Name and address of person or firm preparing this form										
— Part 2 – Internet business activities —										
If your webpages or websites generate business or professional income, fill in the										
How many Internet webpages and websites does your business earn income from	om? Enter "0" if non	e			_					
Provide up to five main webpage or website addresses, also known as uniform	resource locator (UF	RL):								
http://										
http://										
http://										



## **Grants In A Global Context**

While Canadian artists are fortunate to have a strong granting system in place, in a global context our per capita arts funding is quite average.

Table 1: Direct Public Expenditures on Arts and Museums, Selected Countries



Source: Arts Council of England, Policy Research and Planning Department, Research Report Number 13, International Data on Public Spending on the Arts in Eleven Countries, March 1998 / Comparisons of Arts Funding in Selected Countries: Preliminary Findings, Canada Council for the Arts 2005

Still, grants sustain thousands of artists annually. Theatre and dance companies rely on project grants when they are starting out and operating grants once they've become more established. Once established and running a non-profit or charity, there are fewer income tax complications related to grants. Acknowledging your grants when filing your taxes is therefore most complicated for independent artists and ad hoc collectives.

## Calendar Year or Creative Cycle?

Grant deadlines and fund dispersals don't follow calendar years or even the life of a proposed project. You get the money when you get the money and you may have to spend money before receiving the grant, or tuck away money received early until it is needed for the project. But the all-important T4A dictates when the CRA is expecting you to declare the income for taxes. That

time period is often not congruent with your creative cycle. As a sole proprietor your tax year is almost always the calendar year (January to December), regardless of the creative cycle. Please note that while you have until June 15 to file your tax return, if you owe money it is still due by April 30.

Your project, your granting bodies, and the CRA may be running on very different timelines. If you apply for a grant for a 2 year project starting in April 2018 and receive the money in December 2017, that income would seem to be taxable in the 2017 tax year if you fail to understand Generally Accepted Accounting Principles (GAAP - the "Accounting Rules"). If you file your taxes without applying GAAP it means you'll show the grant on your taxes at line 130 (Other Income), per CRA guidelines, or line 164 (Business income) and pay a bunch of tax on the grant in 2017, as you don't have the expenses to deduct. You are likely get a large chunk of it back when you claim the large expenses in the following two years. This may pose a significant problem for your personal cash flow.

In order to avoid this issue, when reporting income (from grants or otherwise) it is best practice to use the accrual method of accounting. This means that you match your income to the expenses related to that income. Accountants who don't regularly work with artists may automatically claim the grant income in 2017, and then have you keep track of the expenses going forward. You would then file an amendment to your 2017 taxes in 2018 or 2019, once all expenses have been captured and get a refund on 2017 taxes you've already paid.

This method seems inherently backwards, and yet is how some CRA representatives have determined grant income for sole proprietors and ad hoc collectives should be reported. For a charity/non profit/corporation/ad hoc you are able to utilize the GAAP method more easily as you will not receive a T4A for grant income. Since businesses work under the same rules as sole proprietors, it follows that sole proprietors can follow the same rules as bigger businesses who utilize GAAP.

There are those working with the CRA to push for deferrals to be commonly accepted, whereby the income is not earned until the project is being worked on. (Deferred revenue is another word for un-earned revenue, and if the income isn't earned yet it should wait till it is to be taxed). If you run into a situation where the CRA questions your grant deferral it is helpful to consult with an accountant who understands GAAP and has read **CRA's Bulletin IT-257R**.

## T4As and What to do With Them

The Canada Council included information on how to deal with part 1 of this issue (Box 105/Line 130, "other income") in a letter to all T4A recipients for the 2016 tax year (see Appendix A). Within that letter was a recommendation to read CRA bulletin IT-257R cited below (see Appendix B for full text)

#### **Income from Business**

When a taxpayer receives the assistance in the course of operating a business or practicing a profession, the amount is included in the calculation of income or loss under section 9. Examples of such assistance are Grants in Aid of Publication and Translation to the publishing industry, and project grants (other than education grants) to self-employed artists. In addition, payments made for the purchase of works of art from a self-employed artist under the Art Bank program of the Council are not grants but are considered to be ordinary business income to the artist; accordingly, such payments are included in the income or loss under section 9. The current versions of IT- 504, Visual Artists and Writers, and IT-525, Performing Artists, discuss factors that identify a self-employed artist earning business income.

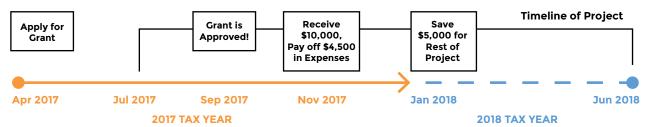
This bulletin allows the artist to claim the income within the Statement of Business or Professional Activities (T2125, as referred to previously), rather then as "other income" at line 130. This at least allows the income which would otherwise float unattached to your expenses in "other income" to now be attached to your art expenses and give a true and honest representation of your art practice's health.

## **Deferrals**

The second issue, the one of deferral, is a tricky one to deal with. Most good arts accountants will still try to do a deferral of income to the year in which it should be earned, applying the GAAP principles. This can be accomplished by using line 9 on the T2125 'WIP", or work in progress, and reclaiming the income the following year at line 14 "Work in Progress, Start of the Year".

#### For Example:

Jenny receives a Canada Council grant of \$10,000. She applies for the grant in April 2017, receives the acknowledgement letter in September 2017 and the funds in late November of the same year. As part of the application she itemized a time line showing the work beginning in July 2017 and ending in June 2018.



Upon receiving the funds in late November she is quickly able to pay for the first half of the project, which she has been carrying on her credit card since July. But she still has a lot of expenses to come in the spring of 2018. So she carefully tucks away half of the grant money – \$5,000.

Jenny meets with her accountant in March of 2018 and hands the accountant her T4A from Canada Council, which shows \$10,000 in box 105. She explains to her accountant that she still has half of the money tucked away, as the creation period for the artist project grant is not yet complete.

#### **SCENARIO 1**

- The accountant enters the T4A income on Jenny's tax return at line 130 where the T4A suggests it be put.
- The accountant enters Jenny's expenses (\$4,500) for the grant on the T2125.
- There is no other artistic income for the year

Line 130, Other Income	T2125 Business Income	T2125 Business Expenses	Gross Taxable Income
10,000 00	0 00	-4,500 00	10,000 00

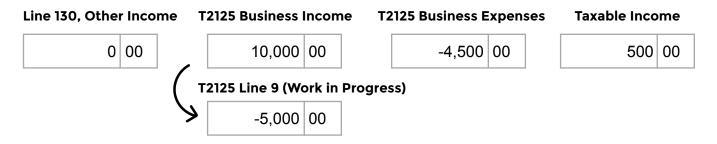
#### Result:

- Jenny's business takes a big loss, and shows a negative year end of -\$4,500
- This can suggest to the CRA that Jenny is not a 'real artist"
- The grant is fully taxable at \$10,000 as "other income" not related to the business losses.

#### **SCENARIO 2**

The accountant applies GAAP to this tax return and does the following:

- Income from the grant is entered so that it is claimed at line 164 of Jenny's tax return Gross Business Income
- \$5,000 is then tucked away, or deferred, on line 9 (Work in Progress) of the T2125, reducing Jenny's income by \$5,000
- The grant expenses are entered at various expense lines (supplies, rent etc) on the T2125
- Jenny's expenses totaled \$4,500
- Jenny is taxed on the net income \$10,000 less \$5,000 deferred and \$4,500 in expenses
- Jenny's taxable income is \$500



Scenario 1 makes Jenny look like she's a lousy business person. Scenario 2 paints a realistic picture of what Jenny's art practice looks like. If Jenny's accountant had used scenario 2 to prepare Jenny's taxes in 2017, then to complete the process further steps are taken on the 2018 tax return:

- The accountant 'claims' the deferred income from 2017 on the 2018 tax return. At line 14 ("Work In Progress, Start of the Year") on the T2125 the accountant enters \$5,000 of income, which is the remaining portion of the grant.
- The remaining grant expenses are entered as needed (supplies, travel, rent etc) on the T2125. These total \$4,000
- Jenny is taxed on the net profit \$5,000 less \$4,000 \$1,000 taxable income.

However the CRA has cracked down on this practice, sending out review letters to numerous artists in the last few years asking for proof of grant income and disallowing deferrals.

When grant deferrals (grants not yet earned, ie: not yet spent) started to be questioned more aggressively by the CRA about three years ago, the accountants at Artbooks, a tax office for sole proprietors and artists, did an informal survey of other artists' tax preparers and found that we were all applying the same rules: with grants that needed to be deferred we all continue to do the deferral, as it's an accurate reflection of the client's business. If the CRA questions the deferral we claim GAAP principles and note that all appropriate income was claimed at line 164.

Canada Council, as part of their new Portal roll out, is allowing artists to schedule their payments according to the time line of their project. The other granting bodies have not yet set this up but hopefully will follow Canada Council's example soon. This will hopefully be a huge help in filing taxes when you've received a grant, as you no longer will be required to defer as long as you plan your grant monies carefully. And that's the key: use a proper project/business budget and cash flow and understand when the money is needed in the bank, and then request payments during your peak expense period.

## Conclusion

Grants keep our country's artists afloat. They are a wonderful gift to the arts community and it's important that they show up on your tax returns as a reflection of your success as an artist running a real business.

Remember, while artists make art for a variety of reasons, both personal and financial, if the arts community wants to be treated with respect by the government, artists need to follow good business practices. Artists need to fight for the CRA to acknowledge that grants are a key part of a successful art practice (business), that they prove you are artists (judged by your peers to be seen as such) and that grants are business income and need to be treated as such.

## **Appendix A**

## Important Income Tax Information from the Canada Council for the Arts



#### **INCOME TAXES AND YOUR GRANT**

The reception of a grant from the Canada Council for the Arts has different tax implications for everyone. At Council, we cannot provide advice on the income tax implications of your grant. Council recommends that you consult with a fiscal advisor to determine how the grant you receive will impact your personal and/or business income taxes. It is important to note that the payment terms of a grant may have an impact on the calculation of the taxes payable.

#### **PAYEE NAME VERSUS RESPONSIBLE PARTY**

When you receive a grant, you have to fill out the Grant Acknowledgment Form (GAF) that allows the grant recipient (an individual or an organization) to select a payee for the grant as well as select to which bank account the grant payment must be issued. Although you may request to have the grant deposited in a bank account other than that of the grant recipient, the T4A at the end of the year will be made out in the name of the grant recipient for payments issued during the calendar year. The grant recipient – not the payee name on the cheque – is the party responsible for any tax filings based on funds received.

#### **EXPECTED EXPENSES VERSUS GRANT PAYMENT**

You may request that Council issue multiple payments for your grant instead of receiving one big lump sum. It is important to understand why. A T4A is prepared yearly for payments issued during the prior calendar year. Eligible grant expenses may be applied against the grant revenue received (see links below for more information). To reduce the fiscal impact of the grant received, it would be good practice to try to match revenues to the budgeted expenses so that the revenues in one year correspond to the expenses in that same year. Therefore, once the expected timing of expenses is determined, request the grant payments be paid in more than one installment, on different calendar years.

#### T4A - BOX 105: SCHOLARSHIPS, BURSARIES, FELLOWSHIPS, ARTISTS' PROJECT GRANTS, AND PRIZES

As requested by Canada Revenue Agency (CRA), we enter all grants in box 105 of the T4A slips. Box 105 is described as follows on the T4A: "Scholarships, bursaries, fellowships, artists' project grants, and prizes".

It should be recorded on line 130 of the Tax returns (less allowable expenses if it is for a project grant).

#### **LINKS**

IT-257R: Canada Council Grants: http://www.cra-arc.gc.ca/E/pub/tp/it257r/it257r-e.html

This archived bulletin deals with the tax treatment of grants and other payments from the Canada Council. It indicates how and when such amounts are included in income as business or employment income or as taxable grants, fellowships or prizes. It also explains the deductibility of expenses related to grants for the production of artistic works and discusses non-taxable prescribed prizes.

S1-F2-C3: Scholarships, Research Grants and Other Education Assistance: http://www.cra-arc.gc.ca/tx/ tchncl/ncmtx/fls/s1/f2/s1-f2-c3-eng.html

This Chapter discusses the taxation of scholarships, fellowships, bursaries, prizes, research grants, certain government financial assistance for education and training, forgivable loans and repayable awards. It examines the differences between the types of payments and benefits described above and explains how such amounts should be treated for income tax purposes. It provides the reader with an extensive review of the applicable legislation and is intended for readers who have a general understanding of the Act.

Example for artists' project grants: <a href="http://www.cra-arc.gc.ca/tx/ndvdls/tpcs/ncm-tx/rtrn/cmpltng/">http://www.cra-arc.gc.ca/tx/ndvdls/tpcs/ncm-tx/rtrn/cmpltng/</a> rprtng-ncm/lns101-170/130/schlrshp-eng.html

The link above refers the reader to S1-F2-C3 (see point 2 above) and also gives 2 examples. The second example relates to artists' project grants. It states:

I have a couple of T4A slips totaling \$5,000 for some artists' project grants I received. Do I have to claim the whole amount as income this year?

No. If the total of all the amounts you received in 2017 (box 105 of your T4A slips) is \$5,000, you can claim a \$500 exemption or you can claim expenses incurred to produce a literary, dramatic, musical, or artistic work against this income. Report on line 130 the amount that is more than \$500 or your expenses, whichever you prefer.

This means the client would put on line 130, \$5,000 of grant received LESS eligible expenses. If client had \$4,995 of expenses, the amount on line 130 would be \$5.

## **Appendix B**

## Canada Revenue Agency Information Re: Canada Council Grants

CONFIRMED AS IN FORCE PER CRA

NO: IT-257R

**DATE:** March 31, 1995

**SUBJECT: INCOME TAX ACT** 

**Canada Council Grants** 

REFERENCE: Paragraph 56(1)(n) (also subsections 5(1) and 9(1), paragraphs 8(1)(p) and (q) and 56(1)(o) of the Income Tax Act and section 7700 of the Income Tax Regulations

#### **Application**

This bulletin cancels and replaces Interpretation Bulletin IT-257, dated October 20, 1975 and the Special Release dated March 21, 1986.

#### **Summary**

This bulletin deals with the tax treatment of grants and other payments from the Canada Council. The bulletin indicates how and when such amounts are included in income as business or employment income or as taxable grants, fellowships or prizes. The bulletin explains the deductibility of expenses related to grants for the production of artistic works. It also discusses non-taxable prescribed prizes.

#### **Discussion and Interpretation**

- 1. The Canada Council and its subsidiary agencies ("the Council") offer various types of assistance, primarily grants, prizes and other assistance for the promotion of the arts, as well as some fellowships in the humanities and social sciences. This bulletin sets out general principles to be applied when considering the taxability of these amounts.
- 2. Depending on the nature of the assistance, the status of the recipient, and the arrangements or circumstances under which the assistance is provided, the amount received may be included in the recipient's income as:
  - (a) income from business (see 3 below);
  - (b) income from an office or employment (see 4 below);
  - (c) a scholarship, fellowship, bursary, prize or research grants (see 7 and 8 below), including a grant for the production of an artistic work (see 5 and 6 below).

#### **Income from Business**

3. When a taxpayer receives the assistance in the course of operating a business or practising a profession, the amount is included in the calculation of income or loss under section 9. Examples of such assistance are Grants in Aid of Publication and Translation to the publishing industry, and project grants (other than education grants) to self-employed artists. In addition, payments made for the purchase of works of art from a self-employed artist under the Art Bank program of the Council are not grants but are considered to be ordinary business income to the artist; accordingly, such payments are included in the income or loss under section 9. The current versions of IT-504, Visual Artists and Writers, and IT-525, Performing Artists, discuss factors that identify a self-employed artist earning business income.

When a grant for the production of a literary, dramatic, musical or artistic work does not constitute business income, it may qualify for the special treatment outlined in paragraphs 5 and 6 below.

#### **Income from Employment**

4. When a taxpayer receives an amount by virtue of or in connection with an office or employment, it is considered employment income under subsection 5(1). It is immaterial that the funds from which the remuneration is paid were obtained under Council assistance or from some other source. For example, a university professor may have been employed on the strength of a Council grant awarded to the university specifically for the purpose of engaging his or her services. In that situation, the professor's remuneration would be subject to tax as employment income under subsection 5(1). In another case when, for instance, an artist is selected by the Council for training or development through an arrangement under which the artist is placed under an employer for a small salary or no salary while the Council subsidizes the artist's employment income, the assistance from the Council to the artist, whether paid directly or through the employer, is considered to be received by virtue of the employment, and is therefore taxable in the artist's hands as income from employment. (Please refer to the current version of IT-525, for guidance in determining whether or not an artist is an employee or self-employed.) Paragraph 8(1)(p), applicable to the 1988 and subsequent taxation years, and paragraph 8(1)(q), applicable to amounts paid after 1990, allow a limited deduction of expenses paid for the purpose of earning employment income from certain musical and other artistic activities.

#### **Art Production Grants**

5. When an artist receives a project grant (referred to in this bulletin as an "art production grant") that is neither business nor employment income, the grant is included in the artist's income under paragraph 56(1)(n), but special rules apply. Specifically, an exception to the flat \$500 exemption mentioned in 8 below applies if an artist receives an amount that is included in income under paragraph 56(1)(n) and that amount is to be used by the artist in the production of a literary, dramatic, musical or artistic work. In such cases, when calculating income from an art production grant under paragraph 56(1)(n), the taxpayer may deduct whichever of the following amounts is greater:

- (a) \$500 and
- (b) the total amount of reasonable expenses incurred to fulfil the conditions of receiving the art production grant, but not exceeding the total amount of the grant included in income for the year under paragraph 56(1)(n). The amount in (b) above does not include:
- (c) personal or living expenses of the taxpayer (other than expenses for travel, meals and lodging incurred in the course of fulfilling the conditions of the grant and while absent from the taxpayer's usual place of residence for the period to which the grant relates). The taxpayer may not claim the travelling expenses of his or her spouse and children or other third parties,
- (d) expenses for which the taxpayer has been reimbursed, and
- (e) expenses that are otherwise deductible in computing the taxpayer's income.

In this context, the term "expenses" includes not only current expenses, but also expenses of a capital nature.

6. Subparagraph 56(1)(n)(iii) provides that eligible expenses must be incurred in the same year in which the art production grant is received in order to be deductible from the grant. In some cases, expenses related to the production of the artistic work may be incurred in the year immediately before or immediately after the year in which the grant is received. While those expenses are not deductible in the year in which they are incurred, they will be allowed as deductions in the year in which the grant is received. However, expenses incurred in the year immediately before the grant is received are only deductible from the grant if they are incurred after the artist has received notification that the grant will be paid. Expenses incurred more than one year before, or more than one year after, the year in which the grant is received are not deductible from that grant. For example, if notification of a grant is received in September of one year, but the grant is not received until February of the following year, production expenses incurred during the last three months of the first year will be allowed as deductions from the grant in the second year when it is received and included in income.

#### Scholarships, Fellowships, and Research Grants

7. Various grants, fellowships, awards and scholarships are provided by the Council. In each case, the facts must be examined in order to determine whether the assistance is included in income as a scholarship, fellowship, bursary or taxable prize under paragraph 56(1)(n) as described in 8 below, or whether it is a research grant included in income under paragraph 56(1)(o), after deducting allowable expenses. However, as discussed in 9 below, an award from the Council is not included in income if it qualifies as a "prescribed prize." The current version of IT-75, Scholarships, Fellowships, Bursaries, Prizes and Research Grants, discusses the differences between these types of amounts, as well as the manner in which they are taxed under various circumstances.

8. Subject to the qualifications explained below, paragraph 56(1)(n) includes in income all but the first \$500 of amounts received in the year as or on account of a scholarship, fellowship or bursary. Paragraph 56(1) (n) similarly includes in income all but the first \$500 of a prize for achievement in a field of endeavour ordinarily carried on by the taxpayer (other than a prescribed prize - see 9 below). Paragraph 56(1)(n) and the \$500 exemption above do not apply to amounts received in the course of business or to amounts received in respect of, in the course of, or by virtue of an office or employment. As explained in 5 above, different treatment may apply to grants for the production of literary, dramatic, musical or artistic works.

#### **Prescribed Prizes**

9. A prize meeting all of the criteria of a prescribed prize is not included in computing the income of the recipient, even if the prize relates to accomplishments in the recipient's ordinary field of endeavour. Section 7700 of the Regulations defines a prescribed prize as "any prize that is recognized by the general public and that is awarded for meritorious achievement in the arts, the sciences or service to the public but does not include any amount that can reasonably be regarded as having been received as compensation for services rendered or to be rendered." Certain prizes awarded by the Council qualify as prescribed prizes, for example, the Governor General's Literary Awards. However, other Council awards and prizes, such as the Joseph S. Stauffer Prize are only given to individuals who have successfully qualified to receive a Council grant. In such circumstances, these awards or prizes simply replace the grant that was otherwise payable and the recipients are still required to carry out their projects in accordance with the terms set out in their grant application. Such awards or prizes do not qualify as prescribed prizes.

10. Unless an award is a prescribed prize as described in section 7700 of the Regulations, the Council must file information returns under section 200 of the Regulations in respect of its grants and awards.

If you have any comments concerning the matters discussed in this bulletin, please send them to:

Director, Technical Publications Division Policy and Legislation Branch Revenue Canada 875 Heron Road Ottawa ON KIA OL8

#### Explanation of Changes for Interpretation Bulletin IT-257R Canada Council Grants

#### Introduction

The purpose of the Explanation of Changes is to give the reasons for the revisions to an interpretation bulletin. It outlines revisions that we have made as a result of changes to the law, as well as changes reflecting new or revised departmental interpretations.



#### Overview

IT-257R updates existing IT-257 and its March 21, 1986 Special Release, which deal with the tax treatment of grants and other assistance from the Canada Council. The current revision was undertaken to incorporate changes in law to paragraph 56(1)(n) and the addition of paragraph 8(1)(q) contained in S.C. 1994, C.7 Schedule 11 (1991 c.49-formerly Bill C-18); the addition of paragraph 8(1)(p), contained in S.C.1988, c.55 (formerly Bill C-139), as well as the introduction of tax-exempt "prescribed prizes", applicable to 1983 and following years, by section 7700 of the Regulations. General revisions have also been made to improve the readability of the bulletin and to reflect recent departmental interpretations.

#### Legislative and Other Changes

New No 1 replaces the introductory comments in former No 1 and reflects the Canada Council's mandate to provide grants to the arts and its lesser involvement with providing research fellowships in the humanities and social sciences.

New No 2 is a simplified version of former No 2. The details formerly found in this paragraph have been consolidated in later Nos.

New No 3 replaces the comments on business income found in former Nos 2(a) and 3. We have clarified that the assistance payments to a business or practicing professional form part of the computation of business income or loss under section 9.

Former No 4 has been deleted as the situation outlined there no longer occurs under any existing or contemplated Canada Council program.

New No 4 deals with the inclusion of assistance in income from employment and is substantially unchanged from former No 5. Reference has been added to the deductions under paragraphs 8(1)(p) and (q) for expenses laid out for the purpose of earning income from musical and certain other artistic activities.

New Nos 5 and 6 reflect the amendment to paragraph 56(1)(n). It allows expenses to be claimed against grant income received by artists in the form of what are here termed "art production grants." Applying a similar position from IT-75R3, new No 5 advises that travelling expenses of the artist's family or third parties are not allowable.

New No 6 discusses the deduction of expenses incurred in the immediately preceding or the immediately following taxation year. This position is consistent with comments in IT-75R3.

New No 7 on scholarships, fellowships, and research grants, is largely unchanged from former No 6.

New No 8 expands on and updates the comments on prizes found in former No 2(c).

New No 9 deals with tax-exempt prescribed prizes under section 7700 of the Regulations. Paragraph 56(1)(n) was amended in 1987 to refer to "prescribed prizes." It also provides an example of a prescribed prize.

New No 10 reflects the requirements for the Canada Council to file information returns pursuant to section 200 of the Regulations for most grants and awards.

## **Appendix C**

## T2125 Statement of Business Income (Pages 2 & 3)

Protected B when completed

#### Part 3A - Business income

Fill in this part **only** if you have business income. If you have professional income, leave this part blank and fill in Part 3B. If you have both business and professional income, you have to fill out a separate Form T2125 for each.

#### Part 3B - Professional income

Fill in this part only if you have professional income. If you have business income, leave this part blank and fill in Part 3A.

If you have both business and professional income, you have to fill out a separate Form T2125 for each.

Note: New proposed rules allow you to include your work in progress (WIP) progressively if you elected to use billed basis accounting for the last tax year that started before March 22, 2017. Generally, for the first tax year that starts after March 21, 2017, you must include 50% of the lesser of the cost and the fair market value of WIP. For more information, see chapter 2 of guide T4002.

market value of WIP. For more information, see chapter 2 of guide 14002.		
Part 3A – Business income		
Gross sales, commissions, or fees (include GST/HST collected or collectible)		11
GST/HST, provincial sales tax, returns, allowances, discounts, and GST/HST adjustments (included in amount 1)		2
Subtotal: Amount 1	I minus amount 2	3
If you are using the quick method for GST/HST – Government assistance calculated as follows:  GST/HST collected or collectible on sales, commissions and fees eligible for the quick method	4	
GST/HST remitted, calculated on (sales, commissions, and fees eligible for the quick method <b>plus</b> GST/HST collected or collectible) <b>multiplied</b> by the applicable quick method remittance rate	5	
Subtotal: Amount 4	4 minus amount 5	6
Adjusted gross sales: Amount 3 plus amount 6 (enter on line 8000 of Part 3C).		7
Doub OD Double advantage of the control of the cont		
— Part 3B – Professional income		. 0
Gross professional fees including work-in-progress (WIP) (include GST/HST collected or collectible)	d any WIP at the	
	3 <b>minus</b> amount 9	
If you are using the quick method for GST/HST - Government assistance calculated as follows:		
GST/HST collected or collectible on professional fees eligible for the quick method	11	
GST/HST remitted, calculated on (professional fees eligible for the quick method <b>plus</b> GST/HST collected or collectible) <b>multiplied</b> by the applicable quick method remittance rate	12	
Subtotal: Amount 11	minus amount 12	13
Work-in-progress (WIP), start of the year, per election to exclude WIP (see Guide T4002, Chapter 2)		14
Adjusted professional fees: Amount 10 plus amount 13 plus amount 14 (enter on line 8000 of Part 3C)		
Part 3C – Gross business or professional income		
Adjusted gross sales (amount 7 of Part 3A) or adjusted professional fees (amount 15 of Part 3B)	8000	
Reserves deducted last year		
Other income		
Subtotal: Line 8290 plus line 8230	<u> </u>	16
Gross business or professional income: Line 8000 plus amount 16	8299	
Report the gross business or professional income from line 8299 on the applicable line of your income tax and benef as indicated below:		
• business income on line 162		
• professional income on line 164		
• commission income on line 166		
For Parts 3D, 4, and 5, if GST/HST has been remitted or an input tax credit has been claimed, do not include GST/HS of goods sold, expenses, or net income (loss).	T when you calculate the cos	st
Part 3D – Cost of goods sold and gross profit		
If you have business income, fill in this part. Enter only the business part of the costs.		
Gross business income (line 8299 of Part 3C).		17
0000		
Opening inventory (include raw materials, goods in process, and imished goods)		
Furchases during the year (net of returns, allowances, and discounts)		
Direct wage costs         8840           Subcontracts         8360		
Other costs 8450		
Subtotal: Add the amounts above	18	
araa		
Minus: Closing inventory (include raw materials, goods in process, and finished goods)	<u> </u>	19

Gross profit (or loss): Amount 17 minus amount 19.

— Part 4 – Net income (loss) before adjustments ————————————————————————————————————		
Gross business or professional income (line 8299 of Part 3C) or Gross profit (line 8519 of Part 3D).	·····	a
Expenses (enter only the business part)	-	
Advertising		
Meals and entertainment		
Bad debts		
Insurance		
Interest and bank charges		
Business taxes, licences, and memberships		
Office expenses		
Office stationery and supplies		
Professional fees (includes legal and accounting fees)		
Management and administration fees		
Rent		
Repairs and maintenance		
Salaries, wages, and benefits (including employer's contributions)		
Property taxes918	0	
Travel expenses		
Utilities	0	
Fuel costs (except for motor vehicles)	4	
Delivery, freight, and express	5	
Motor vehicle expenses (not including CCA) (amount 15 of Chart A)	1	
Capital cost allowance (CCA). Enter amount i of Area A <b>minus</b> any personal part and any CCA for business-use-of-home expenses.	6	
Other expenses (specify):927	0	
Total expenses: Total of the above amounts	8	<sub>l</sub> b
Net income (loss) before adjustments: Amount a minus amount b		
Net income (loss) before adjustments: Amount a minus amount b		
— Part 5 – Your net income (loss)		
Your share of line 9369 or the amount from your T5013 slip, Statement of Partnership Income	c	
Plus: GST/HST rebate for partners that was received in the year	4	
<b>Total</b> : Amount c <b>plus</b> line 9974	<b>_</b>	d
Minus: Other amounts deductible from your share of the net partnership income (loss) (amount 6 of Par	9943	1
Net income (loss) after adjustments: Amount d minus line 9943		e
• •	0045	
Minus: Business-use-of-home expenses (amount 16 of Part 7)		
Your net income (loss): Amount e minus line 9945		
Report the net income amount from line 9946 on the applicable line of your income tax and benefit return	n as indicated below:	
• business income on line 135		
• professional income on line 137		
commission income on line 139		

## **Appendix D**

## **Suggested Further Reading**

Income Tax Folio S1-F2-C3, Scholarships, Research Grants and Other Education Assistance

The Canadian Arts Coalition has created a Committee on Taxation and the Artist in partnership with many NASO organizations including CARFAC, IMAA, and the Canadian Dance Assembly. April Britski of CARFAC National has been leading this committee, with support from Co-Chair Kate Cornell. The Committee is focused on the fair treatment of professional artists regarding taxation. The Committee is in regular communication with the Canada Council for the Arts and with senior officials at the Canada Revenue Agency. This significant file is moving quickly and the government is listening.

If you are an artist who has been reassessed and/or audited by the Canada Revenue Agency, please share your story with the Canadian Arts Coalition or your discipline-specific national arts service organization.

Contact: artscoalition@gmail.com

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## **About Generator**

# GENERATOR

Generator is a mentoring, teaching, and innovation incubator that expands the skills, tools, and competencies of independent artists, producers and leaders. From intensive programs to workshops, Generator is transforming the role of the artist producer one artist at a time.

#### **About Tova**

Tova Epp has been a tax preparer with Artbooks for 10 years, specializing in arts based practices. As well, she has been a freelance bookkeeper in the Canadian arts sector for 15 years. She holds a BFA with distinction from Concordia University. When not preparing books and tax she is an actor based in Toronto.

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