

COMMENT BACKGROUND

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JOINT AND SEVERAL LIABILITY

Tax Court of Canada decision:

- *Bélanger v. The Queen*, 2007 TCC 502
www.canlii.org/en/ca/tcc/doc/2007/2007tcc502/2007tcc502.html

Income Tax Act references:

- subsection 160.2(2): joint and several liability in respect of amounts received out of or under RRIF
- subsection 160.2(3): Minister may assess recipient

CAPITAL GAINS DEDUCTION

Federal Court of Appeal decision:

La Survivance v. The Queen, 2007 DTC 5096 (FCA)

Income Tax Act references:

- subsection 110.6(1): definition of qualified small business corporation share
- subsection 110.6(2.1): capital gains deduction — qualified small business corporation shares
- subsection 256(9): date of acquisition of control