

HST Extinguishment Act a valid matter for Province to deal with

Aug.20, 2010. **Vancouver** - BC Supreme Court Chief Justice, Robert Bauman, ruled today that the Initiative petition to end the HST in British Columbia is a valid matter for the legislature, and gave the go ahead to the Chief Electoral Officer to hand over the petition and draft Bill, "The HST Extinguishment Act", to the legislative Standing Committee.

Initiative proponent, Fight HST leader and former Premier, Bill Vander Zalm, said lawyers for the business lobby tried to argue that the HST Extinguishment Act was beyond provincial authority. "They said the HST was an exclusively federal tax that could not be extinguished by the BC government once implemented. Justice Bauman's decision has essentially nullified that argument by allowing the legislature to 'undo' the HST by whatever means is necessary."

Vander Zalm explained, "The HST Extinguishment Act's purpose is to get rid of the HST by terminating the CITA Agreement that gave rise to it. We have said all along that may involve negotiations or discussions with the federal government to give effect to our intentions. Now all of that can happen."

"This decision allows for the provincial legislature to deal with the matter irrespective of whether the HST is considered a federal tax or not. We now have the means to undo the severe damage caused by both the HST, and the premier and finance minister's unilateral actions to give away BC's sovereign authority over provincial sales taxes. This is huge."

Vander Zalm says the BC government can now formally request the federal government to agree to remove BC from the "harmonization" scheme in the Excise Tax Act while at the same time passing the HST Extinguishment Act, freeing BC from the HST and restoring BC's sovereignty over provincial sales taxes.

Vander Zalm says the judge rejected all of the business lobby's arguments, essentially confirming Fight HST's suspicions that the lawsuit brought by big business was in essence a nuisance action that had little legitimacy or foundation in the first place.

"The magnitude of today's decision cannot be overstated. The business lobby, as we said before, was running blocker for the government. They filed their suit a day before we submitted the petition. It was a 100% political challenge, and not one shred legal. They and their clients should be ashamed today for their attempts to thwart the democratic will of the people in exchange for money. It was pathetic."

Vander Zalm says his timetable for repealing the HST has not changed, and that the government has until November 15th to get rid of the hated tax, or he will begin Recalls.

"The people of BC have spoken. The Chief Justice of the Supreme Court has spoken. There is no more room for delays, political tactics or legal games anymore. It's time now for MLAs to stand up for their constituents, and end the HST in BC by voting to get rid of it in a fall sitting of the legislature," Vander Zalm concluded.