

Timing of Arrears Interest in GAAR Assessments - Sas Ansari

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Quinco Financial Inc v The Queen, [2016 TCC 190](#)

This was a Rule 58 Application under the *Tax Court of Canada Rules (General Procedure)*. The question to be determined was whether, where the Minister relies on a GAAR assessment to deny capital losses, does arrears interest payable under subsection 161(1) of the *Income Tax Act* accrue in respect to any period after the taxpayer's balance due date and before the issuance of the reassessment?

In other words, the Court was asked to determine when arrears interest would start to accrue where GAAR is used to recharacterize the transaction.

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