

Income Splitting With Children

The tax implications of income splitting with children depend on whether the child is a minor or adult child. For these purposes, an adult child is any child that is over the age of 18.

Adult Children

Gifted Funds

Funds that are gifted to an adult child do not result in income attribution back to the parent.

The only tax consequences that would occur for the parent would be a deemed disposition if they were gifting any asset other than cash. Note that there is no limit as to how much the gift can be, and there can not be any strings attached. Once the funds are gifted, they are the adult child's to do with what they want.

Education Funding—gifting funds to adult children can be an effective way to fund education expenses. Using an example where it costs a parent \$5,000 to send their child to school, it takes \$100,000 of capital to fund the income stream required to pay for school (assuming a 10% rate of return and a 50% marginal tax bracket). If funds were gifted, only \$50,000 would be required assuming the same 10% rate of return. The difference lies in the tax treatment of the income. With personal, education and tuition credits, the adult child is at a lower (or nil) tax rate and would therefore pay no tax.

Loaned Funds

The above rules change when funds are loaned to an adult child at a low, or no rate of interest. Any interest or dividend income received will be taxed in the hands of the parent, however capital gains will be taxed in the hands of the child.

Note that one way around the attribution rules in this case is to use a loan to an adult child at Revenue Canada prescribed rates (the current rate is 4%). The interest paid on the loan is taxable to the parent, however all of the investment income would be taxed in the hands of the child. This strategy would effectively tax any investment returns over 4% in the hands of the child.

Minor Children

The tax implication of funds gifted or loaned to minor children are the same. In both cases, interest and dividends are taxed back to the parents, however capital gains would be taxed in the hands of the minor.

It is also important to note that the Income on Income strategy described in the last Big Picture Update is equally applicable to minor children as it is to a spouse.

Grandparents

Grandparents are in the same situation as parents are when it comes to the above attribution rules. So if a grandparent were to gift or loan funds instead of the parent, the tax implications to the grandparent would be the same as those describes above for parents.

Summary

While income splitting with family members has been made more difficult over the last number of years, there are still opportunities. The chart below summarizes the tax implications of both gifting and loaning money to various individuals. Also, remember that, as with any strategy, income splitting should be done in the context of your overall goals and objectives to ensure the desired results.

Note: This article is for information purposes only and should not be substituted for appropriate professional advice. Before acting on anything contained in this article, please consult your tax advisor.

	Funds Transferred as a Gift	Funds Transferred as a Loan
Spouse	All income, loss and capital gains are attributable	Same as Gift
Minor Child	Income and losses are attributable; capital gains are not	Same as Gift
Adult Child (1)	No attribution	Income and losses are attributable; capital gains are not

(1) includes other non-arms length individuals such as grandchildren, siblings, sibling-in-law, nieces and nephews