



First Nations Tax Commission
Commission de la fiscalité des premières nations

The First Nations Tax Commission, pursuant to the *First Nations Fiscal Management Act*, hereby approves the following law made by the Whitecap Dakota First Nation in the Province of Saskatchewan,

Whitecap Dakota First Nation Annual Expenditure Law, 2016

Dated at Kamloops, British Columbia this 14th day of September, 2016.

On behalf of the First Nations Tax Commission

C.T. (Manny) Jules – Chief Commissioner
First Nations Tax Commission



WHITECAP DAKOTA FIRST NATION ANNUAL EXPENDITURE LAW, 2016

WHEREAS:

A. Pursuant to Section 5 of the *First Nations Fiscal Management Act*, the council of a first nation may make laws respecting taxation for local purposes of reserve lands, interests in reserve lands or rights to occupy, possess or use reserve lands, including laws authorizing the expenditure of local revenues;

B. The Council of the First Nation has made a property assessment law and a property taxation law;

C. Subsection 10(2) of the *First Nations Fiscal Management Act* requires a first nation that has made a property taxation law or a law under paragraph 5(1)(a.1) to, at least once each year, make a law establishing a budget for the expenditure of revenues raised under those laws; and

D. The Council of the First Nation wishes to establish an annual budget for the expenditure of revenues raised in the current taxation year, and an interim budget for the next taxation year;

NOW THEREFORE the Council of the Whitecap Dakota First Nation duly enacts as follows:

1. This Law may be cited as the *Whitecap Dakota First Nation Annual Expenditure Law, 2016*.

2. In this Law:

“Act” means the *First Nations Fiscal Management Act*, S.C. 2005, c.9, and the regulations made under the Act;

“Annual budget” means a budget setting out the projected local revenues and projected expenditures of those local revenues during a budget year;

“Annual expenditure law” means a law enacted under the paragraph 5(1)(b) of the Act as required by subsection 10(2) of the Act;

“Assessment Law” means the *Whitecap Dakota First Nation Property Assessment Law, 2012*;

“Council” has the meaning given to that term in the Act;

“First Nation” means the Whitecap Dakota First Nation, being a band named in the schedule to the Act;

“Interim budget” means a budget setting out the projected local revenues and projected expenditures of those local revenues during a budget year, that is intended to have effect only until replaced with an annual budget for that budget year;

“Law” means this annual expenditure law enacted under the paragraph 5(1)(b) of the Act;

“Local revenues” means money raised by the First Nation under a property taxation law;

“Property taxation law” means a law enacted by the First Nation under paragraph 5(1)(a) of the Act;

“Taxation Law” means the *Whitecap Dakota First Nation Property Taxation Law, 2012*.

3. The First Nation’s annual budget for the budget year beginning April 1st, 2016 and ending March 31st, 2017 is attached as a Schedule and the expenditures provided for in the Schedule are authorized.

4.(1) The First Nation's interim budget for the budget year beginning April 1st, 2017 and ending March 31st, 2018 is comprised of

- (a) section 1 of part 1 of the Schedule; and
- (b) all of Part 2 of the Schedule, except for section 8.

(2) The expenditures provided for in subsection (1) are authorized until the First Nation's annual expenditure law for the budget year referenced in subsection (1) comes into force and effect, at which time the interim budget ceases to have force and effect.

5. Expenditures of local revenues must be made only in accordance with the annual budget.

6. Where the First Nation wishes to authorize an expenditure not authorized in this Law, or change the amount of an expenditure authorized, Council must amend this Law in accordance with Council procedure and the requirements of the Act.

7. This Law authorizes the expenditure of contingency amounts as necessary within any of the categories of expenditures set out in the Schedule.

8. Except where otherwise defined, words and expressions used in this Law have the meanings given to them in the Assessment Law and the taxation Law.

9. Where a provision in this Law is expressed in the present tense, the provision applies to the circumstances as they arise.

10. This Law must be construed as being remedial and must be given such fair, large and liberal construction and interpretation as best ensures the attainment of its objectives.

11.(1) The Schedule attached is a reference to this Law forms part of and is an integral part of this Law.

(2) A reference to the Schedule attached is a reference to the Schedule of this Law.

12. This Law comes into force and effect on the day after it is approved by the First Nations Tax Commission.

THIS LAW IS HEREBY DULY ENACTED by Council on the 27th day of July, 2016 at Whitecap, in the Province of Saskatchewan.

A quorum of Council consists of two (2) members of Council



Chief Darcy Bear



Councillor Dwayne Eagle

Councillor Frank Royal

Schedule

ANNUAL BUDGET AND INTERIM BUDGET

Part 1: REVENUES

1. Local revenues for the current fiscal year:	
a. Property Tax	\$ 182,369
b. Grant in lieu of taxes	\$ 1,100,000
Total Revenues	\$ 1,282,369

Part 2: EXPENDITURES

1. General Government Expenditures	
General Administrative	\$ 160,000
SAMA	\$ 5,000
2. Protection Services	
Firefighting	\$ 55,000
Police	\$ 35,000
Regulatory Measures	\$ 5,000
3. Transportation	
Roads and Streets	\$ 250,000
4. Recreation and Cultural Services	
Recreation	\$ 65,000
Culture	\$ 50,000
5. Community Development	
Education	\$ 100,000
Housing	\$ 200,000
Multi-Unit Housing	\$ 30,000
6. Environmental Health Services	
Water Purification and Supply	\$ 100,000
Sewage Collection/Disposal	\$ 50,000
Garbage Waste Disposal	\$ 90,000
7. Other Services	
Health	\$ 50,000
8. Transfers into reserve funds	
Infrastructure Reserve	\$ 25,650
9. Contingency Amount	\$ 11,719
Total Expenditures	\$ 1,282,369

PART 3: ACCUMULATED SURPLUS/DEFICIT

1. Accumulated Surplus – Local revenues carried forward from the previous budget year	\$ 0
2. Accumulated Deficit – Local revenue expenditures carried forward from the previous budget year	\$ 0
BALANCE	\$ 0

This budget includes the attached Appendix

APPENDIX A
Reserve Fund Balance

1. Infrastructure Reserve Fund	
Beginning Balance at March April 1, 2016	\$ 159,000
Transfers Out	\$ 0
Transfers In (2% of revenue)	\$ 25,650
Interest current year (estimated)	\$ 350
Ending Balance at March 31, 2017	\$ 185,000