



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 Songhees First Nation in the Province of British Columbia,

Songhees First Nation Annual Expenditure Law, 2016

Dated at Kamloops, British Columbia this 27th day of May, 2016.

On behalf of the First Nations Tax Commission

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



**SONGHEES 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 Songhees First Nation duly enacts as follows:

1. This Law may be cited as the *Songhees 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 that 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 paragraph 5(1)(b) of the Act as required by subsection 10(2) of the Act;

“Assessment Law” means the *Songhees First Nation Property Assessment Law, 2008*;

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

“First Nation” means the Songhees 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 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; and

“Taxation Law” means the *Songhees First Nation Property Taxation Law, 2008*.

3. The First Nation’s annual budget for the budget year beginning April 1, 2016, and ending March 31, 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 1, 2017, and ending March 31, 2018 is comprised of

(a) section 1 of Part 1 of the Schedule; and

(b) all of Part 2 of the Schedule except sections 7 and 9.

(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. The grant amounts set out in the annual budget are hereby approved as expenditures in accordance with the Taxation Law.
8. This Law authorizes the expenditure of contingency amounts as necessary within any of the categories of expenditures set out in the Schedule.
9. 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.
10. Where a provision in this Law is expressed in the present tense, the provision applies to the circumstances as they arise.
11. 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.
- 12.(1) The Schedule attached to this Law forms part of and is an integral part of this Law.
(2) A reference to the Schedule is a reference to the Schedule to this Law.
13. 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 20th day of May, 2016, at Victoria, in the Province of British Columbia

A quorum of Council consists of four (4) members of Council.

Chief Ron Sam


Councillor Frank George Sr


Councillor Karen Tunkara

Councillor Garry Albany


Councillor Jacqueline Albany


Councillor John Rice Jr

SCHEDULE
ANNUAL BUDGET AND INTERIM BUDGET

PART 1: REVENUES

1. Local revenues for current fiscal year:

a. Property Tax 1,131,246

2. Other Revenue

b. BC HOG Benefits 80,000

c. Pet Licensing 1,000

d. Permits and Fees 1,500

e. Payment in Lieu of Taxes PWGSC 45,000

Total: \$1,258,746

PART 2: EXPENDITURES

1. General Government Expenditures

a. Administrative 150,000

b. Governance 121,984

c. BC Assessment 10,000

2. Protection Services

a. Bylaw Enforcement 75,000

b. Fire Protection 130,000

c. Emergency Measures 25,000

d. Emergency Equipment 5,000

3. Transportation

a. Road Repairs / Grounds keeping 40,000

4. Recreation and Cultural Services

a. Community Events 40,000

5. Environment Health Services

a. CRD Sewer and Water 80,000

b. Annual refuse collection and disposal 30,000

6. Other Services

a. CRD Regional District Hospital 50,000

7. Grants

a. Homeowner Grants	125,000
b. Additional Grants	245,000
8. Contingency Amounts	
a. Contingency Amounts	11,762
9. Transfers into reserve funds	
a. Capital Projects Reserve Fund	120,000
	Total: \$1,258,746
	Balance: 0

Note: The First Nation has the following service agreements with third-party service providers, and the amounts indicated are the amounts payable by the First Nation under each agreement during the budget period:

- a. BC Assessment Authority, Assessment Services \$10,000
- b. Capital Regional District, Comprehensive Services \$80,000
- c. View Royal Fire Dept, Fire Protection and Emergency Management Services \$155,000

Note: This Budget includes one Appendix.

Appendix
Reserve Fund Balances

1. Income Stabilization Fund

Beginning balance as of April 1, 2016 :	\$478,700
Interest earned in current year:	\$2,000
Ending balance as of March 31, 2017:	\$480,700

2. Capital Reserve Fund

Beginning balance as of April 1, 2016 :	\$902,906
Transfers in	
a. from local revenue account:	\$120,000
Interest earned in current year:	\$10,000
Ending balance as of March 31, 2017:	\$1,032,906

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