



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 Nadleh Whut'en Band in the Province of British Columbia,

Nadleh Whut'en Band Annual Expenditure Law, 2015

Dated at Kamloops, British Columbia this 11th day of June, 2015.

On behalf of the First Nations Tax Commission

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



NADLEH WHUT'EN BAND
ANNUAL EXPENDITURE LAW, 2015

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. Section 10 of the *First Nations Fiscal Management Act* requires a first nation that has made a property taxation law to, at least once each year, make a law establishing a budget for the expenditure of revenues raised under its property taxation 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 Nadleh Whut'en Band duly enacts as follows:

1. This Law may be cited as the *Nadleh Whut'en Band Annual Expenditure Law, 2015*.

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 paragraph 10(b) of the Act;

“Assessment Law” means the *Nadleh Whut'en Band Property Assessment Law, 2013*;

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

“First Nation” means the Nadleh Whut'en Band, 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;

“taxable property” means property in a reserve that is subject to taxation under a property taxation law; and

“Taxation Law” means the *Nadleh Whut'en Band Property Taxation Law, 2013*.

3. The First Nation's annual budget for the budget year beginning April 1, 2015, and ending March 31, 2016, 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, 2016, and ending March 31, 2017, is comprised of

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

(b) all of Part 2 of the Schedule except for subsections 4(a) and 5(b)

(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 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 2nd day of June, 2015, at Nadleh Whut'en, in the Province of British Columbia.

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

Chief Martin Louie



Councillor George George Sr.



Councillor Mark Lacerte

 

Councillor Cindy Salonas

Councillor Eleanor Lowe

Councillor Cheryl Barnetson

SCHEDULE

ANNUAL BUDGET AND INTERIM BUDGET

REVENUES

1. Local revenues for current fiscal year:	
a. Property Tax	\$ 55,482.52
2. Accumulated Surplus - Local revenues carried over from the previous fiscal year	\$ 60,000.00
TOTAL REVENUES	\$ 115,482.52

EXPENDITURES

1. General Government Expenditures	\$ 28,282.52
a. Executive and Legislative	\$ 4,000.00
b. General Administrative	\$ 17,282.52
c. Other Gen. Government (BCAA and appeals)	\$ 7,000.00
2. Protection Services	\$ 2,200.00
a. Firefighting (service fee/fire hydrants)	\$ 2,200.00
3. Transportation	\$ 26,000.00
a. Roads and Streets	\$ 13,000.00
b. Snow and Ice Removal	\$ 6,000.00
c. Other Transportation (dust control)	\$ 7,000.00
4. Community Development	\$ 28,000.00
a. Beautification Project	\$ 24,000.00
b. Weed Control	\$ 2,000.00
c. 9-1-1 Emergency Telephone Response	\$ 1,000.00
d. Fraser Lake Library	\$ 1,000.00
5. Environmental Health Services	\$ 26,000.00
a. Garbage Waste Collection and Disposal	\$ 1,000.00
b. Sewer System Maintenance	\$ 25,000.00
6. Contingency	\$ 5,000.00
TOTAL EXPENDITURES	\$ 115,482.52
BALANCE	\$ 0

Note: We have a service agreement with the Regional District of Bulkley Nechako in the amount of \$8,500.00 for the provision of Fire, Garbage and 9-1-1 services.