



**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 Osoyoos Indian Band in the Province of British Columbia,

***Osoyoos Indian Band Annual Expenditure Law, 2015***

Dated at Kamloops, British Columbia this 28th day of May, 2015.

On behalf of the First Nations Tax Commission

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



**OSOYOOS INDIAN 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 Osoyoos Indian Band duly enacts as follows:

1. This Law may be cited as the *Osoyoos Indian 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 *Osoyoos Indian Band Property Assessment Law, 2009*;

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

“First Nation” means the Osoyoos Indian 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 *Osoyoos Indian Band Property Taxation Law, 2012*.

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 sections 8 and 10.

(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 19<sup>th</sup> day of May, 2015, at Oliver, in the Province of British Columbia.

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

Chief Clarence Louie	Councillor Yvonne Weinert
Councillor Leona Baptiste	Councillor Sammy Jo Louie
Councillor Veronica McGinnis	Councillor Theresa Gabriel

**SCHEDULE**  
**ANNUAL BUDGET AND INTERIM BUDGET**

**2015 ANNUAL  
BUDGET**

**PART 1: REVENUES**

<b>1</b>	<b>Local revenues for current fiscal year:</b>		
	a. Property Tax	\$	2,091,593
	i) Interest and Penalties (projected)	\$	16,000
	ii) Tax Searches	\$	700
<b>2</b>	<b>Moneys from Reserve Fund</b>		
	i. OIB Capital Development Fund	\$	700,000
<b>3</b>	<b>Accumulated Surplus</b>	\$	89,059
	<b>TOTAL REVENUES</b>	\$	2,897,352

**PART 2: EXPENDITURES**

<b>1</b>	<b>General Government Expenditures</b>		
	a. Executive and Legislative	\$	36,000
	b. General Administrative	\$	210,150
	c. BC Assessment	\$	36,000
	d. Other General Government	\$	34,600
<b>2</b>	<b>Protection Services</b>		
	a. Policing		
	b. Firefighting	\$	172,000
	c. Regulatory Measures		
	d. Other Protective Services (Security Patrol)	\$	75,000
<b>3</b>	<b>Transportation</b>		
	a. Roads and Streets	\$	225,000
	b. Snow and Ice Removal	\$	25,000
	c. Truck (Snow Plow)	\$	125,000
<b>4</b>	<b>Recreation and Cultural Services</b>	\$	
	a. Recreation	\$	70,000
	b. Culture	\$	110,000
	c. Heritage Protection	\$	75,000
	d. Other Recreation and Culture	\$	50,000
<b>5</b>	<b>Community Development</b>		
	a. Community Planning	\$	130,000
	b. Economic Development Program	\$	75,000
	c. Tourism	\$	75,000
	d. Administration Building – Capital Construction	\$	700,000

<b>6</b>	<b>Environment Health Services</b>		
	a. Water Purification and Supply	\$	150,000
	b. Sewage Collection and Disposal		
	c. Garbage Waste Collection and Disposal		
	d. Irrigation System S. Okanagan Lands Irrigation District	\$	64,000
	e. Other Environmental Services	\$	30,000
<b>7</b>	<b>Other Services</b>		
	a. Health	\$	15,000
<b>8</b>	<b>Grants:</b>		
	a. Home owner grant equivalents:	\$	100,980
<b>9</b>	<b>Contingency Amounts</b>		
	a.	\$	24,563
<b>10</b>	<b>Transfers into reserve funds</b>		
	a. OIB Contingency Reserve Fund	\$	89,059
	b. OIB Capital Development Fund	\$	200,000
	<b>TOTAL EXPENDITURES</b>	\$	2,897,352
	<b>BALANCE:</b>	\$	-

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

a)	Town of Oliver, (water, sewer, fire protection)	\$112,000
b)	Town of Osoyoos (water, sewer, fire protection)	\$ 60,000

## Appendix "A"

### Reserve Funds Balance

#### OIB Capital Development Fund

Beginning balance as of April 1, 2015 :	\$	728,373.72
Transfers out		
i. Local Revenue Account	\$ -	700,000.00
Moneys borrowed		
Transfers in		
i. Local Revenue Account	\$	200,000.00
Moneys repaid	\$	-
Ending balance as of March 31, 2016:	\$	228,373.72

#### OIB Contingency Reserve Fund

Beginning balance as of April 1, 2015 :	\$	85,906.33
Transfers out		
i		-
Moneys borrowed		
Transfers in		
i. Local Revenue Account	\$	89,059.00
Moneys repaid	\$	-
Ending balance as of March 31, 2016:	\$	174,965.33