



First Nations Tax Commission
Commission de la fiscalité des premières nations

The First Nations Tax Commission, pursuant to the *First Nations Fiscal and Statistical Management Act*, hereby approves the following law made by the Lower Nicola Indian Band in the Province of British Columbia,

Lower Nicola Indian Band Annual Rates Law, 2009

Dated at Kamloops, British Columbia this 25th day of June, 2009.

On behalf of the First Nations Tax Commission

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



**LOWER NICOLA INDIAN BAND
ANNUAL RATES LAW, 2009**

WHEREAS:

A. Pursuant to section 5 of the *First Nations Fiscal and Statistical 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 to establish tax rates and apply them to the assessed value of lands, interests and rights in the reserve;

B. The Council of the Lower Nicola Indian Band has enacted the *Lower Nicola Indian Band Property Assessment Law, 2009*, the *Lower Nicola Indian Band Property Taxation Law, 2009*, and the *Lower Nicola Indian Band Property Taxation Law Amending Law, 2009* respecting taxation for local purposes on reserve; and

C. Section 10 of the *First Nations Fiscal and Statistical Management Act* requires a first nation that has made a property taxation law to, at least once each year, make a law setting the rate of tax to be applied to the assessed value of each class of lands, interests or rights in the reserve;

NOW THEREFORE the Council of the Lower Nicola Indian Band duly enacts as follows:

1. This Law may be cited as the *Lower Nicola Indian Band Annual Rates Law, 2009*.
2. In this Law:

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

"Assessment Law" means the *Lower Nicola Indian Band Property Assessment Law, 2009*;

"First Nation" means the Lower Nicola Indian Band, being a band named in the schedule to the Act;

"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 *Lower Nicola Indian Band Property Taxation Law, 2009*, as amended by the *Lower Nicola Indian Band Property Taxation Law Amending Law, 2009*.

3. Taxes levied pursuant to the Taxation Law for the taxation year 2009 shall be determined by imposing the rates set out in the Schedule upon the assessed value of all taxable property in each property class.

4. Notwithstanding any other provision of this Law, if the First Nations Financial Management Board gives notice to Council pursuant to the Act that third-party management of the revenues raised under this Law is required, Council authorizes the First Nations Financial Management Board to act as agent of the First Nation to fulfill any of the powers and obligations of the Council under this Law and the Act.

5. 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.

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

7. 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.

8. The Schedule attached to this Law forms part of and is an integral part of this Law.

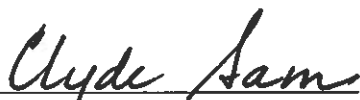
9. This Law comes into force and effect on the day after it is approved by the First Nations Tax Commission.

THIS LAW IS HEREBY DULY ENACTED by Council on the 17 day of June, 2009, at Merritt, in the Province of British Columbia.

A quorum of Council consists of five (5) members of Council.



Don Moses, Chief



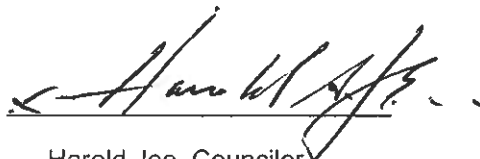
Clyde Sam, Councilor



Connie Joe, Councilor



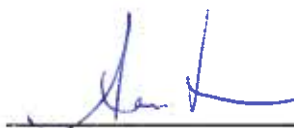
Yvonne Basil, Councilor



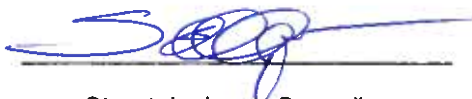
Harold Joe, Councilor



Mary June Coutlee, Councilor



Aaron Sam, Councilor



Stuart Jackson, Councilor

**SCHEDULE
TAX RATES**

1 Residential	13.36180
2 Utilities	72.61870
4 Major Industry	57.59736
5 Light Industry	37.41166
6 Business / Other	30.73076
7 Managed Forest Land	7.08176
8 Recreational Properties / Non-Profit Organizations	14.29714
9 Farm Land	21.37889