



I, the Minister of Indian Affairs and Northern Development, HEREBY
APPROVE, pursuant to section 83 of the Indian Act, the following bylaw
made by the Lower Nicola Indian Band, in the Province of British
Columbia, at a meeting held on the 31st day of May 1995.

- **Lower Nicola Indian Band
Property Assessment Bylaw Amendment No. 1995-1**

A handwritten signature in black ink, consisting of a large, stylized 'D' followed by a horizontal line.

Dated at Ottawa, Ontario this 24th day of July, 1995

LOWER NICOLA BAND

PROPERTY ASSESSMENT BYLAW

AMENDMENT NO. 1995, 1

MAY, 1995

LOWER NICOLA INDIAN BAND

PROPERTY ASSESSMENT BYLAW AMENDMENT NO. 1995,1

WHEREAS the Band of the Lower Nicola Indian Band approved a Property Assessment Bylaw at a duly convened meeting of the Band Council on October 27, 1993 (the "Property Assessment Bylaw") to establish by bylaw a system for the taxation for local purposes of land, or interest in land, in the reserve, including rights to occupy, possess, or use land in the reserve;

AND WHEREAS it is considered to be expedient and necessary that the following Amending Bylaw be enacted for the purposes of updating and correcting the Property Assessment Bylaw as more particularly described below;

NOW BE IT HEREBY RESOLVED that the Band Council of the Lower Nicola Indian Band hereby makes the following Amending Bylaw to the Property Assessment Bylaw;

Short Title

1. This Amending Bylaw of the Property Assessment Bylaw may be cited as the Lower Nicola Indian Band Property Assessment Bylaw Amendment No. 1995, 1.

Establishment of Boards of Review

2. Subsection 40 (1), (2), (3), and (4) of the Property Assessment Bylaw are hereby deleted in its entirety and the following substituted in their place as subsection 40:

40.(1) Notwithstanding any other bylaw, the council will appoint a Board of Review to hear appeals in respect of taxation assessments.

(2) The Board of Review will consist of three members including a person:

- (a) who is or was qualified to practise law in the Province of British Columbia, or who is or was a Judge of a Provincial, County or Supreme Court in the Province of British Columbia;
- (b) who has sat as a member of an appeal board to review assessments in the Province of British Columbia; and,

(c) other than the Chief or member of Council, a member of the general public or a member of the Lower Nicola Indian Band who has no direct or indirect financial or other interest in the issue or outcome of the appeal.

(3) Chief and Council will appoint each member of the Board of Review for a term of one year commencing January 1st and ending December 31st of any given year.

(4) Chief and Council will maintain a list of substitute board members and where a member of the Board is unable to perform his or her required duties, Chief and Council will appoint a person from the list to replace the board member during his or her absence.

(5) Where a member of the Board of Review is unable to complete his or her term, Chief and Council will appoint a person from the list to replace the board member during his or her absence.

(6) Where a member of the Board of Review resigns or is unable to complete his or her term, Chief and Council will appoint a person to replace the member for the balance of the term.

(7) Chief and Council will dismiss a member of the Board where:

- (a) the member failed to declare a conflict of interest in a matter before the Board; or,
- (b) the member failed to attend 2 consecutive appeal hearings; or,
- (c) the member breached the duties set out in section 45 of this bylaw.

(8) Every member of the Board will be remunerated at a rate of One hundred and thirty-five dollars per hour or \$500.00 (or \$250.00 for half days) per day for time spent on board activities.

(9) Chief and Council will reimburse members of the Board of Review for reasonable and necessary expenses incurred in carrying out their duties.

(10) Every member of a Board of Review will, before entering on his duties, take and subscribe before a band manager or a notary public or a commissioner for taking oaths an oath or affirmation in the form provided in section 1 of Schedule "XII".

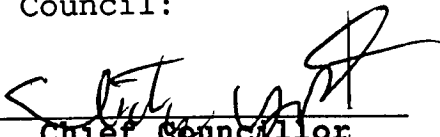




Coming Into Force of Amendment

3. This Property Assessment Bylaw Amendment will come into force and effect upon approval by the Minister.

APPROVED AND PASSED at a duly convened meeting of the Band Council of the Lower Nicola Indian Band held at the Community Health Centre, Nicola Mameet Indian Reserve No. 1, British Columbia, this 31st day of May, 1995.

THIS BY-LAW IS HEREBY approved and passed at a duly convened meeting of the Council this 31st day of May, 1995.

Voting in favour of the by-law are the following members of the Council:

 _____ Chief Councillor	_____ Councillor
 _____ Councillor	 _____ Councillor
 _____ Councillor	 _____ Councillor
_____ Councillor	_____ Councillor

being a majority of those members of the Council of the Lower Nicola Band present at the aforesaid meeting of the Council.

The quorum of the Council is 5 members.
Number of members of the Council present at the meeting: 6

I, Victor York Chief/Councillor of the Band, do hereby certify that a true copy of the foregoing by-law was **mailed** to the Minister of Indian Affairs and Northern Development at the Ottawa office pursuant to subsection 82(1) of the Indian Act, this 31st day of May, 1995.



(Witness)



CHIEF VICTOR YORK