

Minister of Indian Affairs
and Northern Development



Ministre des Affaires
indiennes et du Nord canadien

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 St. Mary's Indian Band, in the Province of British Columbia,
at a meeting held on the 4th day of May 1995.

**ST. MARY'S INDIAN BAND
ASSESSMENT BYLAW No. 1995 – s.40(3) and s.40(5)
BEING A BYLAW TO AMEND BYLAW 1992 – s.40**

Dated at Ottawa, Ontario

this 19th day of May, 1995.

A handwritten signature in black ink, consisting of a large, stylized 'S' or 'M' shape with a horizontal line extending to the right.

**THE ST. MARY'S INDIAN BAND
ASSESSMENT BYLAW
BYLAW NO. 1995 - s.40(3) and s.40(5)
BEING A BYLAW TO AMEND BYLAW 1992 - s.40**

WHEREAS the Council of the St. Mary's Indian Band is amending its Assessment Bylaw in accordance with directions from the Supreme Court of Canada decision rendered on January 28, 1995 and in particular the reasons for judgment written by The Right Honourable Antonio Lamer, P.C., Chief Justice; in

Matsqui Indian Band and Matsqui Indian Band Council

-V.-

Canadian Pacific Limited and Unifon Communications Inc.

-and-

Indian Taxation Advisory Board

-and between

Stake Indian Band and Stake Indian Band Council

Kenaka Bar Indian Band and Kenaka Bar Indian Band Council

Nicomex Indian Band and Nicomex Indian Band Council

Shuswap Indian Band and Shuswap Indian Band Council

Stappah Indian Band and Stappah Indian Band Council

Spuzzum Indian Band and Spuzzum Indian Band Council

-V.-

Canadian Pacific Limited

-and-

Indian Taxation Advisory Board

(the "Matsqui Decision")

NOW THEREFORE BE IT RESOLVED that the Council of the St. Mary's Indian Band, at a meeting duly called and held, makes as a Bylaw the following:

Bylaw No. 1992- s.40 approved and passed at a duly convened meeting of the Council of the St. Mary's Indian Band held at St. Mary's Indian Band Office, Cranbrook, British Columbia on March 9, 1992 where the Councilors of the St. Mary's Indian Band deemed it advisable and in the best interests of the members of the St. Mary's Indian Band to establish, by bylaw, a system for the assessment and taxation of land, or interests in land, including rights to occupy, possess or use land in the reserve, such assessment being ancillary to and necessary for the establishment of an equitable system of levying taxes for local purposes on land, or interests in land, including rights to occupy, possess or use land in the reserve; and the same is here amended by:

- (a)** In subsection 40(3) of the said Bylaw, striking out "in addition may be paid the remuneration as may be ordered by the chief and council" and substituting:

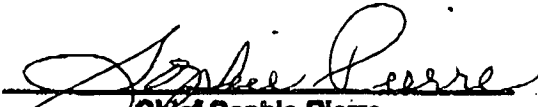
"In addition shall be paid the remuneration as shall be established by the Lieutenant Governor in Council pursuant to subsection 48(5) of the British Columbia Assessment Act, R.S.B.C. 1979 C.21 as amended from time to time"

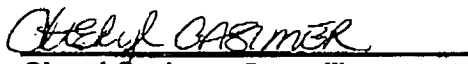
with respect to the remuneration of the members of an Assessment Appeal Board (as that term is defined in that *British Columbia Assessment Act*) during the term of the office of the member of a Board of Review."

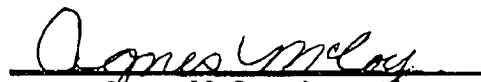
(b) In section 40 of the said Bylaw, adding subsection (5) as follows:

"(5) Unless the member of a Board of Review sooner dies, resigns or is removed from office for just cause by band council resolution or otherwise, a Member of a Board of Review shall hold office during good behaviour for a term of not less than three years, commencing on the date of the appointment under subsection (1) of this section."

APPROVED AND PASSED at a duly convened meeting of the St Mary's Indian Band Council held at the St Mary's Indian Band Office at Cranbrook, British Columbia this 4th day of May 1995 as witnessed by our signatures below being a majority of the Councillors of the Band.


Chief Sophie Pierre


Cheryl Casimer, Councillor


Agnes McCoy, Councillor


Gordon Sebastian, Councillor


Jim Whitehead, Councillor

A quorum for this Band consists of (03) Council members