

CERTIFICATION

Pursuant to Section 86, Indian Act RSC 1985 C.I-5 and amendments thereto, I certify that the attached copy of the Seabird Island Indian Band Assessment By-Law No. 1995-2 being a By-Law to amend By-Law 1992-1, dated February 23, 1995, is a true copy of the said by-law.



Richard Frizell
Lands and Trust Services,
a Superintendent as defined in
Section 2(1) Indian Act RSC 1985

Minister of Indian Affairs
and Northern Development



Ministre des Affaires
indiennes et du Nord canadien

On behalf of the Minister of Indian Affairs and Northern Development,
I HEREBY APPROVE, pursuant to section 83 of the *Indian Act*, the
following by-law made by the Seabird Island Indian Band, in the
Province of British Columbia, at a meeting held on the 23rd day of
February 1995.

**SEABIRD ISLAND INDIAN BAND ASSESSMENT BY-LAW
NO. 1995-2 BEING A BY-LAW TO AMEND BY-LAW 1992-1**

Dated at Hull, Quebec

this 30th day of March 1995.

A handwritten signature in black ink, appearing to read 'Dan E. Goodleaf'.

Dan E. Goodleaf
Deputy Minister

SEABIRD ISLAND INDIAN BAND

ASSESSMENT BY-LAW

BY-LAW NO. 1995-2

BEING A BY-LAW TO AMEND BY-LAW 1992-1

WHEREAS the Council of the Seabird Island Indian Band is amending its Assessment By-Law in accordance with directions from the Supreme Court of Canada decision rendered on January 26, 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 Unitel Communications Inc.

- and -

Indian Taxation Advisory Board

- and between -

Siska Indian Band and Siska Indian Band Council

Kanaka Bar Indian Band and Kanaka Bar Indian Band Council

Nicomen Indian Band and Nicomen Indian Band Council

Shuswap Indian Band and Shuswap Indian Band Council

Skuppah Indian Band and Skuppah 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 Seabird Island Indian Band, at a meeting duly called and held, makes as a By-law the following:

By-law No. 1992-1 approved and passed at a duly convened meeting of the Council of the Seabird Island Indian Band held at Seabird Island Indian Band Office, Seabird Island Indian Band Office, Agassiz, British Columbia on the 25th day of September, 1992, where the Seabird Island Indian Band deemed it advisable and in the best interests of the members of the Seabird Island Indian Band to establish, by by-law, 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 hereby amended by:

- (a) in sub-section 40(3) of the said By-Law, 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 sub-section 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 By-law, adding sub-section (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 sub-section (1) of this section."

APPROVED AND PASSED at a duly convened meeting of the Seabird Island Indian Band held at Seabird Island Indian Band Office, Agassiz, British Columbia this 23 day of February, 1995, as witnessed by our signatures given below being a majority of the Councillors of the Band.

MOVED BY: Archie Charles

SECONDED BY: Clement Seymour

Archie Charles
(Member of the Council)

Clement Seymour
(Member of the Council)

[Signature]
(Member of the Council)

[Signature]
(Member of the Council)

(Member of the Council)

A quorum of chief and council consists of four (4).