



First Nations Tax Commission
Commission de la fiscalité des premières nations

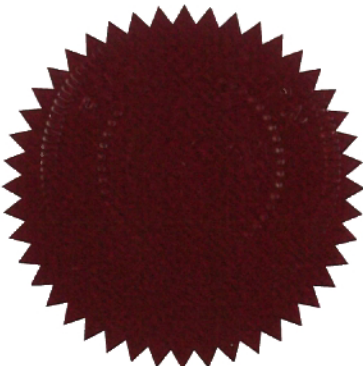
The First Nations Tax Commission, pursuant to the *First Nations Fiscal Management Act*, hereby approves the following law made by the
?Akisq̓nuk First Nation in the Province of British Columbia,

***Akisq̓nuk First Nation
Annual Expenditure Replacement Law, 2017***

Dated at Fredericton, New Brunswick this 28th day of June, 2017.

On behalf of the First Nations Tax Commission

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



**AKISQNUK FIRST NATION
ANNUAL EXPENDITURE REPLACEMENT LAW, 2017**

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. Subsection 10(2) of the *First Nations Fiscal Management Act* requires a first nation that has made a property taxation law or a law under paragraph 5(1)(a.1) to, at least once each year, make a law establishing a budget for the expenditure of revenues raised under those laws; and

D. The Council of the First Nation enacted the *Akisqnuq First Nation Annual Expenditure Law, 2017*, on February 24, 2017, which law was approved by the First Nations Tax Commission on March 22, 2017, and wishes to repeal that law and enact this replacement law, in order to establish an updated annual budget for the expenditure of revenues raised in the current taxation year, and to authorize expenditures made in accordance with section 13.1 of the Act;

NOW THEREFORE the Council of the Akisqnuq First Nation duly enacts as follows:

1. This Law may be cited as the *Akisqnuq First Nation Annual Expenditure Replacement Law, 2017*.

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, and setting out expenditures made in accordance with section 13.1 of the Act;

“annual expenditure law” means a law enacted under paragraph 5(1)(b) of the Act as required by subsection 10(2) of the Act;

“Assessment Law” means the *Akisqnuq First Nation Property Assessment Law, 2016*;

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

“First Nation” means the Akisqnuq First Nation, being a band named in the schedule to the Act;

“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 local revenue law and payments made to a First Nation in lieu of a tax imposed by a law made under paragraph 5(1)(a) of the Act;

“property taxation law” means a law enacted by the First Nation under paragraph 5(1)(a) of the Act; and

“Taxation Law” means the *Akisqnuq First Nation Property Taxation Law, 2016*.

3. The First Nation’s annual budget for the budget year beginning April 1, 2017 and ending March 31, 2018, is attached as a Schedule and the expenditures provided for in the Schedule are authorized.

4. Expenditures of local revenues must be made only in accordance with the annual budget or in accordance with section 13.1 of the Act.

5. The expenditures made in the current year before this Law is enacted are included in the annual budget and are authorized by this Law.

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. The IBE Water System Replacement Service Tax Debt Repayment Reserve Fund is hereby established for the purposes of ensuring all service tax revenues are segregated from other local revenues and are used to service the debt to the First Nations Finance Authority for the duration of that borrowing.

9. This Law authorizes the expenditure of contingency amounts as necessary within any of the categories of expenditures set out in the Schedule.

10. 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.

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

12. 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.

13.(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.

14. The *Akisqnuk First Nation Annual Expenditure Law, 2017*, is hereby repealed in its entirety.

15. 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 24th day of May, 2017, at Windermere, in the Province of British Columbia.

A quorum of Council consists of three (3) members of Council.



Chief Lorne Shovar

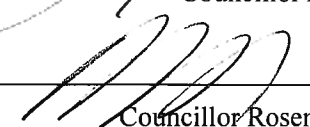
Councillor Donald Sam



Councillor Jason Nicholas



Councillor Darcy Fisher



Councillor Rosemary Phillips

SCHEDULE
ANNUAL BUDGET

PART 1: REVENUES

1. Local revenues to be collected in budget year:	
a. Property Tax Revenues	\$ 341,976
b. Service tax revenues	\$ 127,008
2. Proceeds from borrowing	
a. FNFA Long-term borrowing (IBE Water Replacement)	\$2,000,000
3. Moneys from Reserve Funds	
a. Recreation Centre Reserve Fund	\$ 595,980
 TOTAL REVENUES	 \$3,064,964

PART 2: EXPENDITURES

1. General Government Expenditures	
a. Executive and Legislative	\$ 50,000
b. General Administrative	\$ 25,000
c. Other General Government	\$ 10,000
2. Protection Services	
a. Comprehensive Service Agreement (RDEK)	\$ 72,500
b. Firefighting	\$ 500
3. Transportation	
a. Roads and Streets	\$ 25,000
b. Snow and Ice Removal	\$ 15,000
4. Recreation and Cultural Services	
a. Recreation building design and development	\$595,980
b. Culture	\$ 9,000
c. Heritage Protection	\$ 9,000
5. Community Development	
b. Planning and Zoning	\$ 7,000
c. Community Planning	\$ 10,000
g. Land Rehabilitation and Beautification	\$ 10,000
6. Environment Health Services	
a. Water Purification and Supply	\$ 60,000
b. Garbage Waste Collection and Disposal	\$ 5,000
7. Fiscal Services	
a. Interim Financing Payments to the First Nations Finance Authority	\$ 125,856
8. Other Services	
a. Health	\$ 15,000
e. Other Service – IBE Water Replacement	\$ 2,000,000
9. Grants:	
a. Home owner grant equivalents:	\$ 13,500
10. Contingency Amounts	\$ 5,476
11. Transfers into Reserve Funds	
a. IBE Water System Replacement Service Tax Debt Repayment Reserve Fund	\$ 1,152
b. Recreation Centre Reserve Fund	\$ 0
c. Capital Reserve Fund	\$ 0
TOTAL EXPENDITURES	\$3,064,964

PART 3: ACCUMULATED SURPLUS/DEFICIT

1. Accumulated Surplus – Local revenues carried forward from the previous budget year	\$ 0
2. Accumulated Deficit – Local revenue expenditures carried forward from the previous budget year	\$ 0
BALANCE	\$ 0.00

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

- a. Regional District of East Kootenay for: \$72,500
Fire and other protection, waste disposal, hospital and other

Note: This Budget includes the attached Appendix.

Appendix
Reserve Fund Balances

1. IBE Water System Replacement Service Tax Debt Repayment Reserve Fund	
Beginning balance as of April 1, 2017 :	\$ 0
Transfers in	
a. from local revenue account:	\$ 1,152
Interest earned in current year:	\$ 21
Ending balance as of March 31, 2018:	\$ 1,173
2. Recreation Centre Reserve Fund	
Beginning balance as of April 1, 2017 :	\$595,980
Transfers out	
a. to local revenue account:	\$595,980
Ending balance as of March 31, 2018:	\$ 0
3. Capital Reserve Fund	
Beginning balance as of April 1, 2017 :	\$395,008
Interest earned in current year:	\$ 7,100
Ending balance as of March 31, 2018:	\$ 402,108