



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 Tla-o-qui-aht First Nations in the Province of British Columbia,

Tla-o-qui-aht First Nations Annual Expenditure Law, 2016

Dated at Kamloops, British Columbia this 10th day of August, 2016.

On behalf of the First Nations Tax Commission

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



**TLA-O-QUI-AHT FIRST NATIONS
ANNUAL EXPENDITURE LAW, 2016**

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 wishes to establish an annual budget for the expenditure of revenues raised in the current taxation year, and an interim budget for the next taxation year;

NOW THEREFORE the Council of the Tla-o-qui-aht First Nations duly enacts as follows:

1. This Law may be cited as the *Tla-o-qui-aht First Nations Annual Expenditure Law, 2016*.

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;

“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 and Taxation Law” means the *Tla-o-qui-aht First Nations Property Assessment and Taxation By-Law*, 1995;

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

“First Nation” means the Tla-o-qui-aht First Nations, being a band named in the schedule to the Act;

“interim budget” means a budget setting out the projected local revenues and projected expenditures of those local revenues during a budget year, that is intended to have effect only until replaced with an annual budget for that budget year;

“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 property taxation law; and

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

3. The First Nation’s annual budget for the budget year beginning April 1, 2016, and ending March 31, 2017, is attached as a Schedule and the expenditures provided for in the Schedule are authorized.

4.(1) The First Nation’s interim budget for the budget year beginning April 1, 2017, and ending March 1, 2018 is comprised of Parts 1 and 2 of the Schedule.

(2) The expenditures provided for in subsection (1) are authorized until the First Nation's annual expenditure law for the budget year referenced in subsection (1) comes into force and effect, at which time the interim budget ceases to have force and effect.

5. Expenditures of local revenues must be made only in accordance with the annual budget.

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

8. Except where otherwise defined, words and expressions used in this Law have the meanings given to them in the Assessment and Taxation Law.

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

10. 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.

11.(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.

12. 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 28 day of JULY, 2016, at Tofino, in the Province of British Columbia.

A quorum of Council consists of six (6) members of Council.



Chief Elmer Frank



Councillor Anna Masso

Councillor Francis Frank



Councillor Joe David



Councillor Ivy Robinson Martin




Councillor Desmond Tom

Councillor Thomas George



Councillor Barney Williams



Councillor Tammy Dorward

SCHEDULE
ANNUAL BUDGET AND INTERIM BUDGET

PART 1: REVENUES

- | | |
|---|-----------|
| 1. Local revenues to be collected in budget year: | |
| a. Property Tax Revenues | \$177,000 |

TOTAL REVENUES	\$177,000
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PART 2: EXPENDITURES

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|------------------------------------|-----------|
| 1. General Government Expenditures | |
| b. General Administrative | \$ 21,240 |
| 2. Community Development | |
| d. Economic Development Program | \$153,990 |
| 3. Contingency amounts: | \$ 1,770 |

TOTAL EXPENDITURES	\$177,000
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PART 3: ACCUMULATED SURPLUS/DEFICIT

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

BALANCE	\$ 0
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