



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 Penticton Indian Band in the Province of British Columbia,

Penticton Indian Band Annual Expenditure Law, 2016

Dated at Kamloops, British Columbia this 7th day of July, 2016.

On behalf of the First Nations Tax Commission

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



**PENTICTON INDIAN BAND
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 Penticton Indian Band duly enacts as follows:

1. This Law may be cited as the *Penticton Indian Band 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 Law” means the *Penticton Indian Band Property Assessment Law, 2015*;

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

“First Nation” means the Penticton Indian Band, 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;

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

“Taxation Law” means the *Penticton Indian Band Property Taxation Law, 2015*.

3. The First Nation’s annual budget for the budget year beginning January 1, 2016, and ending December 31, 2016, 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 January 1, 2017, and ending December 31, 2017 is comprised of

(a) section 1 of Part 1 of the Schedule; and

(b) all of Part 2, excluding section 10.

(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. The grant amounts set out in the annual budget are hereby approved as expenditures in accordance with the Taxation Law.

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

9. 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.

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

11. 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.

12.(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.

13. 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 5th day of July, 2016, at IR No. 1 Penticton Indian Band Admin Office, in the Province of British Columbia.

A quorum of Council consists of five (5) members of Council.


Chief Jonathan Kruger


Councillor Inez Pierre


Councillor Travis Kruger


Councillor Clint George

Councillor Kevin Gabriel

Councillor Clint Gabriel


Councillor Dolly Kruger


Councillor Timmothy Lezard

Councillor Joseph Pierre

Councillor «CouncillorName9»

SCHEDULE
ANNUAL BUDGET AND INTERIM BUDGET

PART 1: REVENUES

1. Local revenues for current fiscal year:

a. Property Tax	\$1,203,601.33
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TOTAL REVENUES:	\$1,203,601.33
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PART 2: EXPENDITURES

All Expenditures

1. General Government Expenditures

a. Board of Review	\$5,522.80
b. Local Government Service Admin.	\$20,100.89
c. Local Government Services Administration	\$180,000.00
d. Allowance for Taxes in Dispute	\$4,200.00
e. Intergovernmental Affairs	\$3,850.00
f. Intergovernmental Affairs	\$32,000.00
g. Community Services	\$3,159.68

2. Protection Services

a. City of Penticton Fire Protection	\$205,125.30
b. PIB Fire Protection	\$25,000.00

3. Transportation

a. Channel Lands	\$1,000.00
b. Public Works PIB	\$10,000.00

4. Recreation and Cultural Services

a. Parks and Recreation	\$5,000.00
b. Recreation	\$1,000.00
c. Channel Lands	\$5,000.00

5. Community Development

a. Home Owners Representation	\$10,000.00
b. Home Owner Representation	\$1,000.00

6. Environment Health Services

a. Environmental Assessment	\$2,700.00
7. Fiscal Services	
a. Capital Reserve Fund	\$0
8. Other Services	
a. BC Assessment	\$19,176.50
b. Municipal Agreement RDOS	\$48,325.08
c. PIB Waste Management	\$15,230.00
d. Hospital District	\$76,639.40
e. City of Penticton Sewage Agreement	\$3,098.60
f. Library Agreement	\$4,528.90
g. City of Penticton Sewer agreement	\$32,000.00
h. Library Services	\$43,011.10
9. Taxes Collected for Other Governments	
10. Grants	
a. Homeowner Grants	\$319,900.00
11. Contingency Amounts	
a. Contingency Amounts	\$17,282.08
12. Transfers into reserve funds	\$109,751.00
13. Repayment of moneys borrowed from reserve funds	
14. Collection for Other Governments	
Total:	\$1,203,601.33
Balance:	-
 <u>PART 3: ACCUMULATED SURPLUS/DEFICIT</u>	
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1. Accumulated Surplus – Local revenues carried forward from the previous budget year	\$

2. Accumulated Deficit – Local revenue expenditures carried forward
from the previous budget year

\$
\$

BALANCE

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. BC Assessment	\$19,176.50
b. Municipal Agreement RDOS	\$48,325.08
c. PIB Waste Management	\$15,230.00
d. Hospital District	\$76,639.40
e. City of Penticton Sewage Agreement	\$3,098.60
f. Library Agreement	\$4,528.90
g. City of Penticton Sewer agreement	\$32,000.00
h. Library Services	\$43,011.10

Note: This Budget includes the attached Appendix.

DISTRICT 1 REVENUE: \$108,458.15

DISTRICT 1 EXPENDITURES:

1. General Government Expenditures

a. Board of Review	\$522.80
b. Local Government Service Admin.	\$20,100.89
c. Allowance for taxes in Dispute	\$200.00
d. Intergovernmental Affairs	\$3,850.00
e. Community Services	\$1,059.68

2. Protection Services

a. City of Penticton Fire Protection	\$30,125.30
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3. Transportation

a. Channel Lands	\$1,000.00
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4. Recreation and Cultural Services

a. Recreation	\$1,000.00
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5. Community Development

a. Home Owner Representation	\$1,000.00
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6. Environment Health Services

a. Environmental Assessment	\$200.00
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7. Fiscal Services

a.	0.00
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8. Other Services

a. BC Assessment	\$2,176.50
b. Municipal Agreement RDOS	\$1,325.08
c. PIB Waste Management	\$1,230.00
d. Hospital District	\$6,639.40
e. City of Penticton Sewage Agreement	\$3,098.60
f. Library Agreement	\$4,528.90

9. Taxes Collected for Other Governments

10. Grants

a. Homeowner Grants	\$19,000.00
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11. Contingency Amounts

a. Contingency Amounts	\$1,650.00
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12. Transfers into Capital reserve funds

\$9,751.00

13. Repayment of moneys borrowed from reserve funds

TOTAL EXPENDITURES: \$108,458.15

DISTRICT 2 REVENUE: 1,095,143.18

DISTRICT 2 EXPENDITURES:

1. General Government Expenditures

a. Board of Review	\$5,000.00
b. Local Government Services Administration	\$180,000.00
c. Allowance for Taxes in Dispute	\$4,000.00
d. Intergovernmental Affairs	\$32,000.00
e. Community Services	\$2,100.00

2. Protection Services

a. City of Penticton Fire Protection	\$175,000.00
b. PIB Fire Protection	\$25,000.00

3. Transportation

a. Public Works PIB	\$10,000.00
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4. Recreation and Cultural Services

a. Parks and Recreation	\$5,000.00
b. Channel Lands	\$5,000.00

5. Community Development

a. Home Owners Representation	\$10,000.00
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6. Environment Health Services

a. Environmental Assessment	\$2,500.00
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7. Fiscal Services

a.

8. Other Services

a. BC Assessment	\$17,000.00
b. Municipal Agreement RDOS	\$47,000.00
c. PIB Waste Management	\$14,000.00
d. Hospital District	\$70,000.00
e. City of Penticton Sewer agreement	\$32,000.00
f. Library Services	\$43,011.10

9. Taxes Collected for Other Governments

10. Grants

a. Homeowner Grants	\$300,900.00
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11. Contingency Amounts

a. Contingency Amounts	\$15,632.08
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12. Transfers into Capital reserve funds

\$100,000.00

13. Repayment of moneys borrowed from reserve funds

TOTAL EXPENDITURES:	\$1,095,143.18
BALANCE:	\$ 0.00

Appendix

Reserve Fund Balances

1. Capital Reserve Fund

Beginning balance as of January 1, 2016 :	\$630,238.00
Transfers out	
a. to local revenue account:	\$
b. to Capital reserve fund as a transfer:	\$
c. moneys borrowed for another purpose:	\$
Transfers in	
a. from local revenue account:	\$ 109,751.00
b. from Capital reserve fund as a transfer to fund:	\$
c. borrowed moneys repaid to fund:	\$ 12,949.81
Interest earned in current year:	\$
Ending balance as of December 31, 2016:	\$ 752,938.81