



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 Akisq'nuk First Nation in the Province of British Columbia,

Akisq'nuk First Nation Annual Expenditure Law, 2016

Dated at Kamloops, British Columbia this 3rd day of June, 2016.

On behalf of the First Nations Tax Commission

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



**AKISQNUK FIRST NATION
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 Akisqnuq First Nation duly enacts as follows:

1. This Law may be cited as the *Akisqnuq First Nation 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 *Akisqnuq First Nation Property Assessment Law, 2008*;

“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;

“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 *Akisqnuq First Nation Property Taxation Law, 2008*.

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 April 1, 2017, and ending March 31, 2018 is comprised of

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

(b) sections 1 to 7, and section 9, of Part 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. 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 27 day of May, 2016, at Windermere, in the Province of British Columbia.

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



Chief Lorne Shovar



Councillor Lucille Shovar

Councillor Donald Sam



Councillor Allan Nicholas



Councillor Rosemary Phillips

SCHEDULE
ANNUAL BUDGET AND INTERIM BUDGET

PART 1: REVENUES

1. Local revenues for current fiscal year:

| | |
|-----------------|--------------|
| a. Property Tax | \$344,828.71 |
|-----------------|--------------|

| | |
|------------------------|---------------------|
| TOTAL REVENUES: | \$344,828.71 |
|------------------------|---------------------|

PART 2: EXPENDITURES

1. General Government Expenditures

- a. Executive and Legislative \$55,000.00
- b. General Administrative \$80,000.00
- c. Other General Government \$10,000.00

2. Protection Services

- a. Comprehensive Service Agreement (RDEK) \$70,445.00
- b. Firefighting \$500.00

3. Transportation

- a. Roads and Streets \$15,000.00
- b. Snow and Ice Removal \$18,000.00

4. Recreation and Cultural Services

- a. Culture \$8,000.00
- b. Heritage Protection \$8,000.00

5. Community Development

- a. Planning and Zoning \$6,000.00
- b. Community Planning \$10,000.00
- c. Land Rehabilitation and Beautification \$10,000.00

6. Environment Health Services

- a. Water Purification and Supply \$15,000.00
- b. Garbage Waste Collection and Disposal \$5,000.00

7. Other Services

- a. Health \$15,000.00

8. Grants

a. Homeowner Grants \$13,500.00

9. Contingency Amounts

a. Contingency Amounts \$5,651.71

TOTAL EXPENDITURES: \$344,962.71

PART 3: ACCUMULATED SURPLUS/DEFICIT

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1. Accumulated Surplus – Local revenues carried forward from
the previous budget year \$ 134.00

2. Accumulated Deficit – Local revenue expenditures carried forward
from the previous budget year \$ 0

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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: \$70,445
Fire and other protection, waste disposal, hospital and other

Note: This Budget includes the attached Appendix.

Appendix

Reserve Fund Balances

1. Recreation Centre Reserve Fund

| | |
|--|-----------|
| Beginning balance as of April 1, 2016: | \$585,580 |
| Interest earned in current year: | \$ 10,400 |
| Ending balance as of March 31, 2017: | \$595,980 |

2. Capital Reserve Fund

| | |
|---|-----------|
| Beginning balance as of April 1, 2016 : | \$388,008 |
| Interest earned in current year: | \$ 7,000 |
| Ending balance as of March 31, 2017: | \$395,008 |