



**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, 2015***

Dated at Edmonton, Alberta this 24th day of June, 2015.

On behalf of the First Nations Tax Commission

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



**PENTICTON INDIAN BAND  
ANNUAL EXPENDITURE LAW, 2015**

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. Section 10 of the *First Nations Fiscal Management Act* requires a first nation that has made a property taxation law to, at least once each year, make a law establishing a budget for the expenditure of revenues raised under its property taxation 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, 2015*.

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 paragraph 10(b) of the Act;

“Assessment Law” means the *Penticton Indian Band Property Assessment By-Law, 07-TX-01*;

“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;

“taxable property” means property in a reserve that is subject to taxation under a property taxation law; and

“Taxation Law” means the *Penticton Indian Band Property Taxation By-Law, 07-TX-01*.

3. The First Nation’s annual budget for the budget year beginning January 1, 2015, and ending December 31, 2015, 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 January 1, 2016, and ending December 31, 2016 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 16th day of June, 2015, 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 Clint Gabriel

  
Councillor Inez Pierre

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Councillor Dolly Kruger

  
Councillor Travis Kruger

  
Councillor Timmothy Lezard

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Councillor Clint George

  
Councillor Joseph Pierre

\_\_\_\_\_  
Councillor Kevin Gabriel

ANNUAL BUDGET AND INTERIM BUDGET

**PART 1: REVENUES**

**1. Local revenues for current fiscal year:**

a. Property Tax \$1,112,896.53

**Total: \$1,112,896.53**

**PART 2: EXPENDITURES**

**1. General Government Expenditures**

a. Board of Review	\$5,125.00
b. Local Government Services Administration	\$207,826.00
c. Allowance for Taxes in Dispute	\$2,000.00
d. Intergovernmental Affairs	\$30,500.00
e. Community Services	\$2,065.00
f. BC Assessment	\$16,300.00

**2. Protection Services**

a. City of Penticton Fire Protection	\$185,000.00
b. PIB Fire Protection	\$20,000.00

**3. Transportation**

**4. Recreation and Cultural Services**

a. Parks and Recreation	\$2,065.00
b. Library Services	\$58,200.00

**5. Community Development**

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

a. Environmental Assessment	\$2,065.00
b. PIB Waste Management	\$12,300.00
c. City of Penticton Sewer Agreement	\$30,986.00

**7. Other Services**

b. Municipal Agreement RDOS	\$46,676.00
d. Hospital District	\$65,092.00

**8. Grants**

a. Homeowner Grants	\$295,000.00
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**9. Contingency Amounts**

a. Contingency Amount	\$11,696.53
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**10. Transfers into Reserve Fund**

a. Penticton Indian Band Capital Reserve Fund	\$110,000.00
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**Total:** **\$1,112,896.53**  
**Balance**

Note: The Penticton Indian Band 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 period:

BC Assessment	\$16,300.00
Municipal Agreement RDOS	\$46,676.00
PIB Waste Management	\$12,300.00
Hospital District	\$65,092.00
City of Penticton Sewer agreement	\$30,986.00
Library Services	\$58,200.00
City of Penticton Fire Protection	\$185,000.00

Note: This Budget includes the one attached appendix

**Appendix A**  
**Reserve Fund Balances**

1. PIB Capital Reserve

Beginning balance as of January 1, 2015 : \$522,786.72

Transfers out

i. to local revenue account: \$

ii. to \_\_\_\_\_ reserve fund: \$

Moneys borrowed \$

Transfers in

i. from local revenue account: \$110,000.00

ii. from \_\_\_\_\_ reserve fund: \$

Moneys repaid \$

Interest earned in current year: \$5300.00

Ending balance as of December 31, 2015, : \$638,086.72