



First Nations Tax Commission
Commission de la fiscalité des premières nations

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

Cowichan Tribes First Nation Annual Rates Law, 2012

Dated at Kamloops, British Columbia this 31st day of May, 2012.

On behalf of the First Nations Tax Commission

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



**COWICHAN TRIBES FIRST NATION
ANNUAL RATES LAW, 2012**

WHEREAS:

A. Pursuant to section 5 of the *First Nations Fiscal and Statistical 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 to establish tax rates and apply them to the assessed value of lands, interests and rights in the reserve;

B. The council of the First Nation has made the *Cowichan Indian Band Property Assessment and Taxation Bylaw, 1994*, which by-law is deemed to be a law made under section 5 of the *First Nations Fiscal and Statistical Management Act*, pursuant to section 145 of that Act ; and

C. Section 10 of the *First Nations Fiscal and Statistical Management Act* requires a first nation that has made a property taxation law to, at least once each year, make a law setting the rate of tax to be applied to the assessed value of each class of lands, interests or rights in the reserve;

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

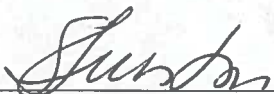
1. This Law may be cited as the *Cowichan Tribes First Nation Annual Rates Law, 2012*.
2. In this Law:
 - “Act” means the *First Nations Fiscal and Statistical Management Act*, S.C. 2005, c.9, and the regulations made under that Act;
 - “Assessment and Taxation Law” means the *Cowichan Indian Band Property Assessment and Taxation Bylaw, 1994*;
 - “First Nation” means the Cowichan Tribes First Nation, being a band named in the schedule to the Act;
 - “property taxation law” means a law enacted by the First Nation under paragraph 5(1)(a) of the Act; and
 - “taxable property” means property in a reserve that is subject to taxation under a property taxation law.
3. Taxes levied pursuant to the Assessment and Taxation Law for the taxation year 2012 shall be determined by imposing the rates set out in the Schedule upon the assessed value of all taxable property in each property class.
4. Notwithstanding any other provision of this Law, if the First Nations Financial Management Board gives notice to Council pursuant to the Act that third-party management of the revenues raised under this Law is required, Council authorizes the First Nations Financial Management Board to act as agent of the First Nation to fulfill any of the powers and obligations of the Council under this Law and the Act.
5. Except where otherwise defined, words and expressions used in this Law have the meanings given to them in the Assessment and Taxation Law.
6. Where a provision in this Law is expressed in the present tense, the provision applies to the circumstances as they arise.
7. 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.
8. The Schedule attached to this Law forms part of and is an integral part of this Law.

9. 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 22nd day of May, 2012, at 5760 Allenby Road in the City of Duncan, in the Province of British Columbia.

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

Chief R. Harvey Alphonse



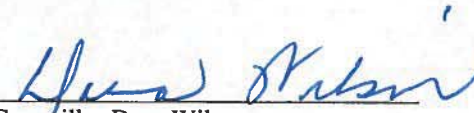
Councillor Calvin Swustus



Councillor Diane Daniels



Councillor William C Seymour



Councillor Dora Wilson



Councillor Darin George




Councillor Stephanie Charlie



Councillor Diane Modeste

Councillor Albie Joseph Charlie



Councillor Lester Joe



Councillor Cindy Daniels



Councillor C. Arvid Charlie



Councillor Charles Seymour

**SCHEDULE
TAX RATES**

| PROPERTY CLASS | RATE PER \$1000 OF ASSESSED VALUE |
|--------------------------------|--|
| <u>British Columbia</u> | |
| Class 1 – Residential | 10.00 |
| Class 2 – Utilities | 44.10 |
| Class 5 - Light Industry | 25.40 |
| Class 6 - Business and Other | 24.48 |
| Class 9 - Farm | 10.00 |