



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 Shxw'ōwhámel First Nation in the Province of British Columbia,

Shxw'ōwhámel First Nation Annual Rates Law, 2012

Dated at Kamloops, British Columbia this 16th day of August, 2012.

On behalf of the First Nations Tax Commission

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



SHXW'ŌWHÁMEL 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 Shxw'ōwhámel First Nation has enacted the *Shxw'ōwhámel First Nation Property Assessment By-Law* made on October 2, 2003, and the *Shxw'ōwhámel First Nation Property Taxation By-Law* made on October 2, 2003, respecting taxation for local purposes on reserve, which laws have been deemed to be property taxation laws made under 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 Shxw'ōwhámel First Nation duly enacts as follows:

1. This Law may be cited as the *Shxw'ōwhámel 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 Law” means the *Shxw'ōwhámel First Nation Property Assessment By-law*;

“First Nation” means the Shxw'ōwhámel 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;

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

“Taxation Law” means the *Shxw'ōwhámel First Nation Property Taxation By-law*.

3. Taxes levied pursuant to the 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 Law and the 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 Si:yam Council on the 2nd day of August, 2012, at Shxw'ōwhámel First Nation Administration Office, in Hope, in the Province of British Columbia.

A quorum of Council consists of four (4) members of Council.

Siy:am Councillor – Roger Andrews

Siy:am Councillor - Lenora Fraser

Siy:am Councillor – Kenneth Jones



Siy:am Councillor – Louise Mussell



Siy:am Councillor – Leona Kelly



Siy:am Councillor – Brenda Peters



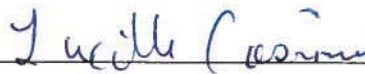
Siy:am Councillor – Irene Smith



Siy:am Councillor – Alfred James



Siy:am Councillor – Dean Jones




Siy:am Councillor – Lucille Casimir

Siy:am Councillor – Michael Fraser



Siy:am Councillor – Dennis George



Siy:am Councillor – Shawna Peters

**SCHEDULE
TAX RATES**

OHAMIL IR NO. 1 PROPERTY CLASS	RATE PER \$1,000 OF ASSESSED VALUE
Class 1 – Residential	9.956800
Class 2 – Utilities	60.114000
Class 4 - Major Industry	00.0000
Class 5 - Light Industry	36.967800
Class 6 - Business and Other	25.625700
Class 7 - Forest Land	00.00000
Class 8 - Recreational Property/Non-Profit Organization	11.217900
Class 9 - Farm	20.950300

WAHLEACH ISLAND IR NO. 2 PROPERTY CLASS	RATE PER \$1,000 OF ASSESSED VALUE
Class 1 – Residential	6.63219
Class 2 – Utilities	73.45216
Class 4 - Major Industry	22.00991
Class 5 - Light Industry	21.68291
Class 6 - Business and Other	17.56339
Class 7 - Forest Land	14.75692
Class 8 - Recreational Property/Non-Profit Organization	10.22281
Class 9 - Farm	20.54545

KUTHLALTH NO. 1 PROPERTY CLASS	RATE PER \$1,000 OF ASSESSED VALUE
Class 1 – Residential	9.956800
Class 2 – Utilities	60.114000
Class 4 - Major Industry	00.0000
Class 5 - Light Industry	36.967800
Class 6 - Business and Other	25.625700
Class 7 - Forest Land	00.00000
Class 8 - Recreational Property/Non-Profit Organization	11.217900
Class 9 - Farm	20.950300