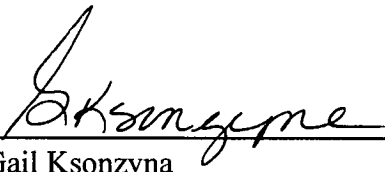


CERTIFICATION

Pursuant to Section 86, Indian Act RSC 1985 C.I-5 and amendments thereto, I certify that the attached copy of the Ashcroft Indian Band Taxation and Assessment Amending By-law No. 1995-3 dated August 16, 1996 is a true copy of the said by-law.



Gail Ksonzyna
Lands and Trust Services,
a superintendent as defined in
Section 2(1) Indian Act RSC 1985

Minister of Indian Affairs
and Northern Development



Ministre des Affaires
indiennes et du Nord canadien

Ottawa, Canada K1A 0H4

I, the Minister of Indian Affairs and Northern Development, HEREBY
APPROVE, pursuant to section 83 of the *Indian Act*, the following bylaw
made by the Ashcroft Indian Band, in the Province of British Columbia, at
a meeting held on the 16th day of August 1996.

- **Taxation and Assessment Amending Bylaw No. 1995-3**

A handwritten signature in black ink, consisting of several loops and a long horizontal stroke at the end.

Dated at Ottawa, Ontario this 25th day of October, 1996.

Canada

**ASHCROFT INDIAN BAND
TAXATION AND ASSESSMENT AMENDING BYLAW NO. 1995-3**

WHEREAS the Ashcroft Indian Band Taxation and Assessment Bylaws were approved by the Minister pursuant to Section 83 of the Indian Act on June 23, 1993.

AND WHEREAS it is necessary for the efficient operation and administration of the taxation system to make certain amendments to the aforesaid Bylaws.

BE IT HEREBY RESOLVED that the Chief and Council of the Ashcroft Indian Band enacts the following bylaw pursuant to Section 83 of the Indian Act.

1. The "Ashcroft Indian Band Assessment By-law No. 1995-2 Being a By-law to Amend By-law 1992-1", approved by the Minister on April 26, 1995, is hereby repealed.
2. This Bylaw may be cited as the Ashcroft Indian Band Assessment and Taxation Amending Bylaw No. 1995-3
3. Section 40 of the Assessment Bylaw is hereby amended by repealing it and replacing it with the following :

40.(1) The Chief and Council shall by Band Council Resolution establish a Board of Review which shall consist of

- (a) one person who is or was duly qualified to practice law in the Province of British Columbia, or who is or was a Judge of a Provincial, County or Supreme Court in the Province of British Columbia;
- (b) one person who has sat as a member of an appeal board to review assessments in and for the Province of British Columbia;
- (c) one person who may be a member of the Ashcroft Indian Band who does not have any direct or indirect financial interest in any real property assessment to which an appeal relates.

(2) Each member of the Board of Review shall hold office for a period of three years unless the member resigns or is otherwise removed from office in accordance with the terms of this Bylaw.

(3) The members of the Board of Review shall be paid their reasonable and necessary traveling and out of pocket expenses incurred in carrying out their duties on the Board of Review and in addition shall be paid the remuneration established from time to time by the Lieutenant Governor in Council with respect to the remuneration of members of the Assessment Appeal Board pursuant to sub-section 48(5) of the *British Columbia Assessment Act*, R.S.B.C. 1979 c.21 as amended from time to time.

(4) A member of the Board of Review shall be removed from office by Chief and Council if he or she

- (a) is convicted of an offense under the *Criminal Code*;

- (b) fails to attend three consecutive appeal hearings;
- (c) fails to perform any of his or her duties under this Bylaw in good faith, or
- (d) hears an appeal while disqualified by virtue of section 40.1 of this Bylaw.

4. The following is added as section 40.1 of the Assessment Bylaw:

40.1 No person may sit as a member of the Board of Review to hear an appeal if that person .

- (a) has a direct or indirect financial interest in any real property assessment to which the appeal relates;
- (b) is the Chief or a member of the Council of the Band,
- (c) is an employee of the Band or the Council of the Band; or
- (d) has financial dealings with the Band or the Council of the Band which might reasonably give rise to a conflict of interest and impair that person's ability to deal fairly and impartially with the appeal as required under the terms of this Bylaw

APPROVED AND PASSED at a duly convened meeting of the Band Council of the Ashcroft Indian Band held at the Ashcroft Indian Band Administration Office, this 16 day of August, 1996

MOVED BY George Kirkpatrick, SECONDED BY Cliff Kirkpatrick

A QUORUM OF BAND COUNCIL CONSISTS OF 2 COUNCILLORS.

George Kirkpatrick
CHIEF

COUNCILLOR

Cliff Kirkpatrick
COUNCILLOR

COUNCILLOR

COUNCILLOR