


**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 Assessment By-law No 1995-2 Being a By-law to Amend By-law 1992-1, dated March 24, 1995 is a true copy of the said by-law

  
Richard Frizell  
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

On behalf of the Minister of Indian Affairs and Northern Development,  
I HEREBY APPROVE, pursuant to section 83 of the *Indian Act*, the  
following by-law made by the Ashcroft Indian Band, in the Province of  
British Columbia, at a meeting held on the 24<sup>th</sup> day of March 1995.

**ASHCROFT INDIAN BAND ASSESSMENT BY-LAW NO. 1995-2  
BEING A BY-LAW TO AMEND BY-LAW 1992-1**

Dated at Hull, Quebec

this 26<sup>th</sup> day of April 1995.

  
Dan E. Goodleaf  
Deputy Minister

**ASHCROFT INDIAN BAND**

**ASSESSMENT BY-LAW**

**BY-LAW NO. 1995-2**

BEING A BY-LAW TO AMEND BY-LAW 1992-1

WHEREAS the Council of the Ashcroft Indian Band is amending its Assessment By-Law in accordance with directions from the Supreme Court of Canada decision rendered on January 26, 1995 and in particular the reasons for judgment written by The Right Honourable Antonio Lamer, P.C., Chief Justice, in

Matsqui Indian Band and Matsqui Indian Band Council

- v. -

Canadian Pacific Limited and Unitel Communications Inc

- and -

Indian Taxation Advisory Board

- and between -

Siska Indian Band and Siska Indian Band Council

Kanaka Bar Indian Band and Kanaka Bar Indian Band Council

Nicomén Indian Band and Nicomén Indian Band Council

Shuswap Indian Band and Shuswap Indian Band Council

Skuppah Indian Band and Skuppah Indian Band Council

Spuzzum Indian Band and Spuzzum Indian Band Council

- v. -

Canadian Pacific Limited

- and -

Indian Taxation Advisory Board

(the "Matsqui Decision")

NOW THEREFORE BE IT RESOLVED that the Council of the Ashcroft Indian Band, at a meeting duly called and held, makes as a By-law the following:

By-law No. 1992-1 approved and passed at a duly convened meeting of the Council of the Ashcroft Indian Band held at Ashcroft Indian Band Office, Ashcroft, British Columbia on the 1st day of October, 1992, where the Ashcroft Indian Band deemed it advisable and in the best interests of the members of the Ashcroft Indian Band to establish, by by-law, a system for the assessment and taxation of land, or interests in land, including rights to occupy, possess or use land in the reserve, such assessment being ancillary to and necessary for the establishment of an equitable system of levying taxes for local purposes on land, or interests in land, including rights to occupy, possess or use land in the reserve, and the same is hereby amended by:

- (a) in sub-section 40(3) of the said By-Law, striking out "in addition may be paid the remuneration as may be ordered by the chief and council" and substituting:

"in addition shall be paid the remuneration as shall be established by the Lieutenant Governor in Council 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 with respect to the remuneration of the members of an Assessment Appeal Board (as that term is defined in that *British Columbia Assessment Act*) during the term of the office of the member of a Board of Review."

- (b) in section 40 of the said By-law, adding sub-section (5) as follows:

"(5) Unless the member of a Board of Review sooner dies, resigns or is removed from office for just cause by band council resolution or otherwise, a Member of a Board of Review shall hold office during good behaviour for a term of not less than three years, commencing on the date of the appointment under sub-section (1) of this section."

APPROVED AND PASSED at a duly convened meeting of the Ashcroft Indian Band held at Ashcroft, British Columbia this 24 day of ~~February~~<sup>MARCH</sup>, 1995, as witnessed by our signatures given below being a majority of the Councillors of the Band.

  
 \_\_\_\_\_  
 (Member of the Council)

\_\_\_\_\_  
 (Member of the Council)

  
 \_\_\_\_\_  
 (Member of the Council)

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 (Member of the Council)

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 (Member of the Council)

\_\_\_\_\_  
 (Member of the Council)

\_\_\_\_\_  
 (Member of the Council)

\_\_\_\_\_  
 (Member of the Council)

A quorum of chief and council consists of two (2).