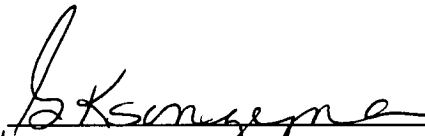


CERTIFICATION

Pursuant to Section 86, *Indian Act RSC 1985 C.I-5* and amendments thereto, I certify that the attached copy of the Deputy Minister's Approval Order, dated the 30th day of June, 1994, and the **ADAMS LAKE INDIAN BAND "TAXATION EXPENDITURE BY-LAW 1993/94 T04"** dated the 25th day of January, 1994, are true copies of the said Order and Bylaw.


A/ Richard Frizell, Director,
Lands & Trust Services, B.C. Region;
a Superintendent as defined in Sec.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 Adams Lake Indian Band, in the Province
of British Columbia, at a meeting held on the 25th day of January, 1994.

**ADAMS LAKE INDIAN BAND
TAXATION EXPENDITURE BY-LAW 1993/94 T04**

Dated at Hull, Quebec

this 30th day of June 1994.


Dan E. Goodleaf
Deputy Minister

ORIGINAL

**ADAMS LAKE INDIAN BAND
TAXATION EXPENDITURE BY-LAW
1993/94-T04**

**ADAMS LAKE INDIAN BAND
TAXATION EXPENDITURE BY-LAW**

WHEREAS:

- A. The Adams Lake Indian Band Taxation Expenditure By-law, 1994 is a by-law in accordance with section 83(2) of the *Indian Act* for the purposes of the expenditure of monies collected by the Adams Lake Indian Band pursuant to enabling by-laws made in accordance with section 83(1) of the *Indian Act*; and
- B. It is desirable and in the best interest of the members of the Adams Lake Indian Band to enact the following Adams Lake Indian Band Taxation Expenditure By-Law, 1993/94-T04.

NOW BE IT HEREBY RESOLVED THAT:

- 1. The following Adams Lake Indian Band Taxation Expenditure By-law, 1993/94-T04 is hereby enacted pursuant to section 83(2) of the *Indian Act* for the purposes of the expenditure of monies collected by the Adams Lake Band pursuant to enabling by-laws of the Adams Lake Indian Band made in accordance with section 83(1) of the *Indian Act*;
- 2. The Adams Lake Indian Band Taxation Expenditure By-law may be cited in short as the "Expenditure By-law".

1. DEFINITIONS

In this Expenditure By-law,

- "Annual Budget"** means the budget for a Fiscal Year projecting all revenues and expenditures anticipated to be required for the provision of Local Services on Reserve during that Fiscal Year.
- "Band"** means the Adams Lake Indian Band and any successor thereto.
- "Band Council"** means the Chief and Council of the Band as elected by the eligible members of the Band pursuant to the *Indian Act*.
- "Band Council Resolution"** means a motion as recorded in the minutes of the meeting, passed and approved at a duly convened meeting of the Band Council pursuant to the consent of a majority of the Band council present at the meeting.
- "Fiscal year"** means April 1 of any calendar year to March 31 of the succeeding year.
- "Indian Act"** means the *Indian Act*, R.S.C. 1985, c. I-5, and any amendments thereto and regulations authorized thereunder.
- "Local Services"** includes Local Improvements, utility services, capital works and the provision of any services required on Reserve.

"Local Improvements"

includes the following works and any combination of them:

- (a) opening, widening, straightening, extending, grading, levelling, diverting or paving a road;
- (b) constructing a sidewalk, foot crossing, curbing, bridge, culvert or embankment forming part of a street or constructing a system of storm drainage;
- (c) making, deepening, enlarging, or lengthening a common sewer or water system;
- (d) making sewer or water service connections to the road line on land abutting the main;
- (e) constructing a conduit for wires or pipes along or under a road;
- (f) public work services as they apply to the Reserve;
- (g) reconstructing, replacing or repairing of the above.

"Minister"

means the Minister of Indian Affairs and Northern Development and any of the Minister's duly authorized delegates.

"Provisional Budget"

means an interim or preliminary budget projecting revenues and expenditures anticipated to be required for the provision of Local Services on Reserve during all or part of that Fiscal Year but not an Annual Budget.

"Reserve"

means Land in a reserve of the Band, as the term "reserve" is defined in the *Indian Act*, and any additions to Reserve subsequent to the enactment of this Expenditure By-law.

"Surveyor of Taxes"

means the Surveyor of Taxes appointed in accordance with the Adams Lake Indian Band Taxation By-law in force and effect from time to time.

"Taxation Fund"

is defined in and established pursuant to the Adams Lake Indian Band Taxation By-law in force and effect from time to time.

2. BUDGETS

- 2.1 On or before February 1 of each Fiscal Year, the Band Council will by Band Council Resolution direct the preparation of a Provisional Budget by the Band's employee(s) or agent(s).
- 2.2 On or before April 15 of each Fiscal Year, the Band Council will prepare the Annual Budget and will by by-law add the Annual Budgets as a schedule to this Expenditure By-law.

3. AUTHORIZED EXPENDITURES

- 3.1 All expenditures, including all costs of collections, realization of security, complaints, legal and consultant services, education, training and honorariums from the Taxation Fund will be made in accordance with the Annual Budget and when made are authorized expenditures from the Taxation Fund provided section 2.2, above has been complied with.
- 3.2 All funds received pursuant to the Adams Lake Indian Band Taxation By-law will be deposited in the Taxation Fund.
- 3.3 All monies deposited in the Taxation Fund and any interest earned thereon will be expended solely for the purposes of providing Local Services on Reserve in accordance with the Annual Budget.

4. EXTENSION OF TIME

- 4.1 Provided that there has been substantial compliance with the provisions of this Expenditure By-law, a procedural irregularity, technical failure to carry out a provision of this Expenditure By-law or an insubstantial failure to comply with a requirement of this Expenditure By-law by the Band Council, the Surveyor of Taxes or any other person appointed to carry out the administration or enforcement of this Expenditure By-law does not in itself constitute a failure to comply with this Expenditure By-law by such person.
- 4.2 The Chief and Council may by Band Council Resolution extend for a maximum of ninety (90) days the time by or within which anything is required to be done pursuant to this Expenditure By-law and anything done by or within such extended time is as valid as if it had been done by or within the time other wise provided for in this Expenditure By-law by such person.

5. BY-LAW REMEDIAL

- 5.1 This Expenditure By-law is to be construed as being remedial and is to be given such fair, large and liberal construction and interpretation as best ensures the attainment of its objects.

6. TENSE

- 6.1 Where a provision or Schedule of this Expenditure By-law is expressed in the present tense, future tense or in the past tense, the provision applies to the circumstances as they may from time to time arise without reference to the present, future or past tenses.

7. HEAD NOTES

- 7.1 Head notes, marginal notes and headings from no part of this Expenditure By-law and are to be construed as being inserted for convenience of reference only.

8. SEVERANCE OF SECTIONS

- 8.1 A finding by a court of competent jurisdiction that a section or provision of this Expenditure By-law is void does not affect or bear upon the validity of any other section or provision of this Expenditure By-law or this Expenditure By-law as a whole, same remaining in full force and effect, subject to section 11.1 below, notwithstanding the severance of such void section nor provision.

9. USE OF FORMS AND WORDS

- 9.1 In this Expenditure By-law,
- i) words signifying the masculine gender include the feminine gender and the neuter gender and, where necessary or the context permits, a person as defined in this Expenditure By-law;
 - ii) words in the singular include the plural, and words in the plural include the singular; and
 - iii) where a word or expression is defined, other parts of speech and grammatical forms of the same word or expression have corresponding meanings.

10. AMENDMENTS

10.1 Any section of this Expenditure By-law may be amended by the Band Council by a by-law passed and approved in accordance with appropriate section or sections of the *Indian Act* or constitution of the Band as the Case may be.

11. FORCE AND EFFECT

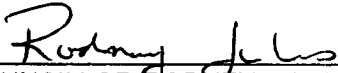
11.1 This Expenditure By-law is in force and effect as of January 1, 1994, provided so approved by the Minister.

APPROVED AND PASSED at a duly convened meeting of the Chief and Council of the Adams Lake Indian Band, held at the Adams Lake Indian Band Administration Office, Hillcrest Road, Box 588, Chase, British Columbia, V0E 1M0, this twenty fifth (25th) day of January, 1994;



CHIEF RONNIE JULES


COUNCILLOR NELSON LEON


COUNCILLOR DOUGLAS ARROUSE


COUNCILLOR RODNEY JULES


COUNCILLOR LAWRENCE C. MICHEL


COUNCILLOR GEORGINA JOHNNY

Comprising the majority of those members of the Band Council of the Adams Lake Indian Band present at the aforesaid meeting of the Band Council, a quorum of the Band Council being four (4) members of the Band Council present at the aforesaid meeting of Council being six (6).