



First Nations Tax Commission
Commission de la fiscalité des premières nations

The First Nations Tax Commission, pursuant to the *First Nations Fiscal Management Act*, hereby approves the following law made by the Coldwater Indian Band in the Province of British Columbia,

Coldwater Indian Band Annual Expenditure Law, 2020

Dated at Kamloops, British Columbia this 13th day of August, 2020

On behalf of the First Nations Tax Commission

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



**COLDWATER INDIAN BAND
ANNUAL EXPENDITURE LAW, 2020**

WHEREAS:

A. Pursuant to section 5 of the *First Nations Fiscal Management Act*, the council of a first nation may make laws respecting taxation for local purposes of reserve lands and, interests or rights in reserve lands, including laws authorizing the expenditure of local revenues;

B. The Council of the Coldwater Indian Band has enacted the *Coldwater Indian Band Property Assessment Law, 2012* and *Coldwater Indian Band Property Taxation Law, 2012*;

C. Subsection 10(2) of the *First Nations Fiscal Management Act* requires a first nation that has made a property taxation law or a law under paragraph 5(1)(a.1) to make, at least once each year, a law establishing a budget for the expenditure of revenues raised under those laws; and

D. The Council of the First Nation wishes to establish an annual budget for the expenditure of revenues raised in the current taxation year, and wishes to authorize expenditures made in accordance with section 13.1 of the Act;

NOW THEREFORE the Council of the Coldwater Indian Band duly enacts as follows:

1. This Law may be cited as the *Coldwater Indian Band Annual Expenditure Law, 2020*.
2. In this Law:

“Act” means the *First Nations Fiscal Management Act*, S.C. 2005, c.9, and the regulations made under that Act;

“annual budget” means the budget, attached as a Schedule to this Law, setting out the projected local revenues and projected expenditures of those local revenues during the budget year, and setting out expenditures made in accordance with section 13.1 of the Act;

“Assessment Law” means the *Coldwater Indian Band Property Assessment Law, 2012*;

“Council” has the meaning given to that term in the Act;

“First Nation” means the Coldwater Indian Band, being a band named in the schedule to the Act;

“Law” means this annual expenditure law enacted under paragraph 5(1)(b) of the Act as required by subsection 10(2) of the Act;

“local revenues” means money raised by the First Nation under a local revenue law and payments made to a First Nation in lieu of a tax imposed by a law made under paragraph 5(1)(a) of the Act;

“property taxation law” means a law enacted by the First Nation under paragraph 5(1)(a) of the Act;
and

“Taxation Law” means the *Coldwater Indian Band Property Taxation Law, 2012*;

3. The First Nation’s annual budget for the budget year beginning April 1, 2020 and ending March 31, 2021, is attached as a Schedule and the expenditures provided for in the Schedule are authorized.

4. Expenditures of local revenues must be made only in accordance with the annual budget or in accordance with section 13.1 of the Act.

5. The expenditures made in the current year before this Law is enacted are included in the annual budget and are authorized by this Law.

6. Where the First Nation wishes to authorize an expenditure not authorized in this Law, or change the amount of an expenditure authorized, Council must amend this Law in accordance with Council procedure and the requirements of the Act.

7. This Law authorizes the expenditure of contingency amounts as necessary within any of the

categories of expenditures set out in the Schedule.

8. 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.

9. Where a provision in this Law is expressed in the present tense, the provision applies to the circumstances as they arise.

10. 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.

11. (1) The Schedule attached to this Law, including any Appendices, forms part of, and is an integral part of this Law.

(2) A reference to the Schedule is a reference to the Schedule to this Law.

12. 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 28th day of July, 2020, at Coldwater IR#1, in the Province of British Columbia.

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



Chief Lee Spahan



Councillor Annie Major

Councillor Tracey Aljam

Councillor Corrina Manuel



Councillor Wendy Hall




Councillor W. Gerome Garcia

Councillor Leah Collins



Councillor Mike Smithers



Councillor Larry Antoine

**SCHEDULE
ANNUAL BUDGET**

PART 1: REVENUES

1. Local revenues for current fiscal year:	
a. Property Tax	\$263,497
TOTAL REVENUES	\$263,497

PART 2: EXPENDITURES

1. General Government Expenditures	
a. Executive and Legislative	\$1,600
b. General Administrative	\$55,686
c. Tax Appeals	
d. Other General Government	\$2085
2. Protection Services	
a. Policing	
b. Fire Protection	\$8,000
c. Regulatory Measures	
d. Animal / Pest Control	\$2,000
3. Transportation	
a. Roads and Streets	\$10,000
b. Snow and Ice Removal	\$12,000
c. Parking	
d. Public Transit	
e. Other Transportation	
4. Recreation and Cultural Services	
a. Recreation	\$13,000
b. Culture	\$5,000
c. Other Recreation and Culture	\$5,000
5. Community Development	
a. Housing	\$12,000
b. Planning and Zoning	
c. Community Planning	\$5,000
d. Economic Development Program	
e. Heritage Protection	
f. Agricultural Development	\$5,000

g. Urban Renewal	
h. Beautification	\$3,000
i. Land Rehabilitation	
j. Other Community Development	
6. Environment Health Services	
a. Water Purification and Supply	
b. Sewage Collection and Disposal	\$40,000
c. Garbage Waste Collection and Disposal	\$13,000
d. Other Environmental Services	
7. Other Services	
a. Health	\$10,000
b. Social Programs and Assistance	\$10,000
c. Agriculture	
d. Tourism	
e. Trade and Industry	
f. Education	\$ 5,000
8. Contingency Amounts	\$21,126
9. Transfers into reserve funds	
a. CIB Capital Reserve Fund	\$15,000
b. CIB Income Stabilization Fund	\$10,000
10. Repayment of moneys borrowed from reserve funds	
a.	
b.	
TOTAL EXPENDITURES	\$263,497

PART 3: ACCUMULATED SURPLUS/DEFICIT

1. Accumulated Surplus –

Local revenues carried forward from the the previous budget year **\$0**

BALANCE

\$0

Note: This Budget includes the attached Appendix.

Appendix A
Reserve Fund Balances

1. CIB Capital Reserve Fund

Beginning balance as of April 1, 2020: \$585,403.31

Transfers out

i. to local revenue account: \$

ii. to _____ reserve fund: \$

Moneys borrowed \$

Transfers in

i. from local revenue account: \$ 15,000

ii. from CIB Income Stabilization Fund: \$

Interest earned in current year \$ 2,915.30

Moneys repaid \$

Ending balance as of March 31, 2021 \$603,318.61

2. CIB Income Stabilization Fund

Beginning balance as of April 1, 2020: \$115,298.49

Transfers out

i. to local revenue account: \$

ii. to CIB Capital Reserve Fund: \$

Moneys borrowed \$

Transfers in

i. from local revenue account: \$10,000

Interest earned in current year \$ 1,737.63

Moneys repaid \$

Ending balance as of March 31, 2021 \$127,036.12