

**MALAHAT FIRST NATION
ANNUAL RATES LAW, 2018**

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, 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 First Nation has made a property assessment law and a property taxation law; and

C. Subsection 10(1) of the *First Nations Fiscal 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 Malahat First Nation duly enacts as follows:

1. This Law may be cited as the *Malahat First Nation Annual Rates Law, 2018*.

2. In this Law:

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

“Assessment Law” means the *Malahat First Nation Property Assessment Law, 2015*;

“First Nation” means the Malahat 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 *Malahat First Nation Property Taxation Law, 2015*.

3. Taxes levied pursuant to the Taxation Law for the taxation year 2018 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. 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.

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

6. 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.

7. The Schedule attached to this Law forms part of and is an integral part of this Law.

8. 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 31st day of May, 2018, at Malahat First Nation, in the Province of British Columbia.

A quorum of Council consists of three (3) members of Council.

Chief Caroline Harry

Councillor Vince Harry

Councillor George Harry

Councillor Matthew Harry

**SCHEDULE
TAX RATES**

PROPERTY CLASS	of	RATE PER \$1000 assessed value
Class 1 – Residential		6.38710
Class 2 – Utilities 32.01960		
Class 4 - Major Industry		24.68423
Class 5 - Light Industry		20.94463
Class 6 - Business and Other		17.09417
Class 8 - Recreational Property/Non-Profit Organization		7.50340
Class 9 - Farm		11.63340