

**SEABIRD ISLAND BAND
ANNUAL EXPENDITURE 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 authorizing the expenditure of local revenues;

B. The Council of the First Nation has made a property assessment law and a property taxation law;

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 Seabird Island Band duly enacts as follows:

1. This Law may be cited as the *Seabird Island Band Annual Expenditure 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;

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

“Assessment Law” means the *Seabird Island Band Property Assessment By-law (2004)*;

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

“First Nation” means the Seabird Island 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 *Seabird Island Band Property Taxation Bylaw (2004)*

3. The First Nation’s annual budget for the budget year beginning April 1, 2018, and ending March 31, 2019, 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. The grant amounts set out in the annual budget are hereby approved as expenditures in accordance with the Taxation Law.

8. This Law authorizes the expenditure of contingency amounts as necessary within any of the categories of expenditures set out in the Schedule.

9. 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.

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

11. 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.

12.(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.

13. 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 30th day of July, 2018, at Agassiz, in the Province of British Columbia.

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

Chief Clem Seymour

Councillor Janice Parsey

Councillor Rodney Peters

Councillor Alexis Grace

Councillor Paul Andrew

Councillor Stacy McNeil

Councillor Marcia Peters

Councillor Ronald Joe

Councillor Linda Kay-Peters

SCHEDULE
ANNUAL BUDGET

PART 1: REVENUES

1. Property tax revenues to be collected in budget year:	
a. Property Tax Revenues	\$1,197,279
TOTAL REVENUES	\$1,197,279

PART 2: EXPENDITURES

1. General Government Expenditures	
a. Executive and Legislative	278,770
b. General Administrative	122,728
c. Other General Government (appeals)	11,142
2. Protection Services	
a. Policing	
b. Firefighting	25,191
c. Regulatory Measures	
d. Other Protective Services	112,265
3. Transportation	
a. Roads and Streets	41,985
b. Snow and Ice Removal	
4. Recreation and Cultural Services	
a. Recreation	38,135
b. Culture	71,375
c. Heritage Protection	
d. Other Recreation and Culture (including Elders)	95,907
5. Community Development	
a. Housing	
b. Planning and Zoning	
c. Community Planning	119,728
d. Economic Development Program	
e. Tourism	13,393
6. Environment Health Services	
a. Water Purification and Supply	
b. Sewage Collection and Disposal	30,000
c. Garbage Waste Collection and Disposal	
d. Recycling	

e. Other Environmental Services	
7. Other Services	
a. Health	
b. Social Programs and Assistance	
c. Agriculture	
d. Education (including PAC)	67,177
e. Other Service	74,733
8. Grants:	
a. Home owner grant equivalents (regular)	1,140
b. Home owner grant equivalents (seniors)	\$ 275
9. Contingency Amount	\$119,728
TOTAL EXPENDITURES	\$1,223,671

PART 3: ACCUMULATED SURPLUS/DEFICIT

1. Accumulated Surplus – revenues carried forward from the previous budget year	\$26,392
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BALANCE **\$0**

Note: The following are the service agreements with third-party service providers, and the amounts indicated are the amounts payable by the First Nation under each agreement during the budget year:

- a. District of Kent – Road Maintenance \$ 14,750 per Annum
- b. District of Kent – Sewer Service \$ 1.15 per Cubic meter