

**COWICHAN FIRST NATION
ANNUAL EXPENDITURE LAW, 2021**

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 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 Cowichan Tribes First Nation duly enacts as follows:

1. This Law may be cited as the *Cowichan Tribes First Nation Annual Expenditure Law, 2021*.

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 *Cowichan Tribes First Nation Property Assessment Law, 2019*;

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

“First Nation” means the Cowichan Tribes First Nation, 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 *Cowichan Tribes First Nation Property Taxation Law, 2019*.

3. The First Nation’s annual budget for the budget year beginning April 1, 2021, and ending March 31, 2022, 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 _____ day of _____, 2021, at 5760 Allenby Road, in the City of Duncan, in the Province of British Columbia.

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

Chief William C. Seymour

Councillor Debra Toporowski

Councillor Stephanie Atleo

Councillor Jen Charlie

Councillor Craig George

Councillor Dora Wilson

Councillor Calvin Swustus Sr.

Councillor Howard George

Councillor Stuart Pagaduan

Councillor Albie Joseph Charlie

Councillor Calvin Swustus Jr.

Councillor Cindy Daniels

Councillor Francine Alphonse

**SCHEDULE
ANNUAL BUDGET**

PART 1: REVENUES

1. Property tax revenues to be collected in budget year:	
a. Property Tax Revenues	\$2,846,936
b. Payments received in lieu of taxes	\$ 19,975
c. Business Licensing	\$ 9,000
d. Penalties and Interest	\$ 30,000
TOTAL REVENUES	\$2,905,911

PART 2: EXPENDITURES

1. General Government Expenditures	
a. Accounting and Audit	\$ 6,500
b. Licence and Fees	\$ 5,000
c. Assessment	\$ 30,000
d. Financial Administration	\$ 200,000
e. O&M Administration	\$ 453,335
f. Lands Management Administration	\$ 480,615
g. Land Code – CAPPRO	\$ 943,925
2. Protection Services	
a. Other Protective Services – Security Guards	\$ 273,612
b. Other Protective Services – Bylaw Enforcement	\$ 54,600
c. Other Protective Services – Emergency Response	\$ 105,190
3. Transportation	
a. Roads and Streets	\$ 92,426
4. Recreation and Cultural Services	
a. Gym	\$ 96,649
b. Recreation	\$ 62,976
c. Activity Fees	\$ 70,000

5. Environment Health Services	
a. Water Purification and Supply – Water Maintenance	\$ 40,815
b. Water Purification and Supply – Bylaw-Public Works	\$ 30,000
c. Sewage Collection and Disposal – Sewer Maintenance	\$ 199,209
d. Sewage Collection and Disposal – Septic Repair Clem Clem	\$ 192,000
e. Recycling Program	\$ 43,315
6. Contingency Amount	\$ 138,302
TOTAL EXPENDITURES	\$3,518,469

PART 3: ACCUMULATED SURPLUS/DEFICIT

1. Accumulated Surplus – revenues carried forward from the previous budget year	\$ 612,558
2. Accumulated Deficit – revenue expenditures carried forward from the previous budget year	\$ 0
BALANCE	\$ 0