

BINCHE WHUT'EN
ANNUAL EXPENDITURE BY-LAW, 2021

WHEREAS:

A. Pursuant to section 83 of the *Indian Act*, the Council of a First Nation may make by-laws respecting taxation for local purposes of reserve lands, interests in reserve lands or rights to occupy, possess or use reserve lands, including by-laws authorizing the expenditure of local revenues;

B. The Council of the Binche Whut'en has enacted the *Binche Whut'en Property Taxation By-law, 2020*, respecting taxation for local purposes on reserve; and

C. The Council of the Binche Whut'en wishes to enact this expenditure by-law to establish a budget for the expenditure of revenues raised under its property taxation by-law in the current taxation year;

NOW THEREFORE, the Council of the Binche Whut'en duly enacts as follows:

1. This By-law may be cited as the *Binche Whut'en Annual Expenditure By-law, 2021*.

2. In this By-law:

“Act” means the *Indian Act*, R.S.C. 1985, c. I-5, 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 the budget year;

“annual expenditure by-law” means a by-law enacted under subsection 83(2) of the Act;

“Assessment By-law” means the *Binche Whut'en Property Assessment By-law, 2020*;

“Council” has the same meaning as “council of the band” in subsection 2(1) of the Act;

“First Nation” means the Binche Whut'en, being a band in the Act;

“local revenues” means money raised by the First Nation under a property taxation by-law and payments made to a in lieu of a tax imposed under a by-law enacted under subsection 83(1) of the Act;

“property taxation by-law” means a by-law enacted under subsection 83(1) of the Act, and

“Taxation By-law” means the *Binche Whut'en Property Taxation By-law, 2020*.

3. The annual budget for the fiscal year beginning April 1, 2021 and ending March 31, 2022, is attached as a Schedule to this By-law 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.

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

6. Except where otherwise defined, words and expressions used in this By-law have the meanings given to them in the Assessment By-law and Taxation By-law.

7. The grants amounts set out in the annual budget are hereby approved as expenditures in accordance with the Taxation By-law.

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

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

10. This By-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. The Schedule attached to this By-law forms part of and is an integral part of this By-law.

12. This By-law comes into force and effect upon the approval of the Minister of Indigenous Services.
THIS BY-LAW IS HEREBY DULY ENACTED by Council on the 16th day of November, 2021, at
Binche Reserve Number 2, in the Province of British Columbia.

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

Chief Dwayne Martin

Councillor Theresa Morris

Councillor Josh Hallman

Councillor Jarrod Tom

**SCHEDULE
ANNUAL BUDGET**

PART 1: REVENUES

- 1. Local revenues to be collected in budget year:
 - a. Property Tax Revenues **\$ 35,369.87**

TOTAL REVENUES **\$ 35,369.87**

PART 2: EXPENDITURES

- 1. General Government Expenditures
 - a. General Administrative \$ 28,208.12
- 2. Grants:
 - a. Homeowner grant equivalents: \$ 3,624.88
- 3. Contingency Amounts \$ 3,536.87

TOTAL EXPENDITURES **\$ 35,369.87**

PART 3: ACCUMULATED SURPLUS/DEFICIT

- 1. Accumulated Surplus – Local revenues carried forward from the previous budget year \$ 0.00
- 2. Accumulated Deficit – Local revenue expenditures carried forward from the previous budget year \$ 0.00

BALANCE **\$ 0.00**