

OSOYOOS 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 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 Osoyoos Indian Band duly enacts as follows:

1. This Law may be cited as the *Osoyoos 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 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 *Osoyoos Indian Band Property Assessment Law, 2009*;

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

“First Nation” means the Osoyoos 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 *Osoyoos 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. 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 18 day of June, 2020, at Oliver, in the Province of British Columbia.

A quorum of Council consists of four (4) members of Council.

Chief Clarence Louie	Councilor Veronica McGinnis
Councilor Leona Baptiste	Councilor Sammy Louie
Councilor Justin Hall	Councilor Nathan McGinnis

SCHEDULE
ANNUAL BUDGET

PART 1: REVENUES

1 Local revenues for current fiscal year:

a. Property Tax Revenue \$3,073,865

TOTAL REVENUES \$3,073,865

PART 2: EXPENDITURES

1 General Government Expenditures

a. Executive and Legislative 150,000

b. General Administrative 863,124

c. Other General Government 70,000

2 Protection Services

a. Policing 7,000

b. Firefighting 350,000

c. Regulatory Measures 4,000

3 Transportation

a. Roads and Streets 198,600

b. Snow and Ice Removal 50,000

c. Parking 68,000

e. Other Transportation 24,500

4 Recreation and Cultural Services

a. Recreation 314,000

b. Culture 27,200

c. Heritage Protection 75,000

5 Community Development

c. Community Planning 90,000

d. Economic Development Program 25,000

g. Land Rehabilitation and Beautification 30,000

h. Other Regional Planning Development 200,000

6 Environment Health Services

a. Water Purification and Supply 150,000

d. Recycling 64,907

e. Other Environmental Services 35,000

8 Other Services

a. Health 27,000

9	Grants:	
	a. Home owner grant equivalents:	220,000
10	Contingency Amounts	30,766
	TOTAL EXPENDITURES	\$3,074,097

PART 3: ACCUMULATED SURPLUS/DEFICIT

Accumulated Surplus – revenues carried forward from the previous budget year 232

Accumulated Deficit – revenue expenditures carried forward from the previous budget year

BALANCE - 0

Note: The First Nation has the following 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.	BC Assessment	55,000
b.	Town of Oliver – Fire Protection	150,000
c.	Town of Osoyoos – Fire Protection	200,000
d.	Recreation – Oliver Parks & Rec	100,000
e.	RDOS - Library	7,200
f.	Recycling – SO Lands Irrigation District	64,907

Appendix “A”
Reserve Funds Balance

OIB Capital Development Fund

Beginning balance as of April 1, 2020:	186,433
Transfers out	
i. Local Revenue Account	
Moneys borrowed	
Transfers in	
i. Local Revenue Account	
ii. Interest Earned	3,500
Moneys repaid	
Ending balance as of March 31, 2021:	<hr/> 189,933

OIB Contingency Reserve Fund

Beginning balance as of April 1, 2020:	264,608
Transfers out	
i. Local Revenue (Bus)	
Moneys borrowed	
Transfers in	
i. Local Revenue Account	
ii. Interest Earned	5,000
Moneys repaid	
Ending balance as of March 31, 2021:	<hr/> 269,608