



January 10, 2023

Proposed Amendments to the Standards for First Nation Service Tax Laws, 2022

Standards established by the First Nations Tax Commission (FNTC) reflect best practices in property taxation, and are designed to support First Nation economic growth, First Nation jurisdiction, harmonization, and the interests of all stakeholders in the First Nation property tax system.

Under the *First Nations Fiscal Management Act* (the “Act”), the FNTC reviews and approves laws. Section 35(1) of the Act gives the FNTC the authority to establish standards, not inconsistent with the regulations. The standards established by the FNTC are additional requirements and, together with the Act and its associated regulations, form the regulatory framework supporting First Nation taxation under the Act.

As a matter of policy, the FNTC seeks public input prior to introducing or significantly amending its Standards. This input is critical in developing standards that are acceptable and effective for participating First Nations and their taxpayers.

The FNTC established *Standards for First Nation Service Tax Laws, 2016* to support First Nations wishing to enact service tax laws under subparagraph 5(1)(a)(iii) of the Act. These laws enable First Nations to recover all or a portion of the cost of infrastructure used for the provision of local services. In 2022, the Commission adopted the *Standards for First Nation Service Tax Laws, 2022* which contained substantial updates and revisions to original Standards.

The proposed amendments to the Standards include:

- A revised section 14.1 which would provide for the ability to appeal an error in the application of a tax rate where there is more than one tax rate.
- A change to section 14.1 which would remove the provision that enables the ability to appeal a change in a tax rate in subsequent years.

The FNTC is seeking public input in respect of these proposed Standards. If you wish to learn more about the proposed changes, please contact the FNTC at mail@fntc.ca or by telephone toll free at 1 (855) 682-3682. Electronic versions of the proposed Standards (changes are highlighted in red) are available at www.fntc.ca or by clicking the link below:

[*Proposed Standards for First Nation Service Tax Laws, 2022*](#)

Please direct your written comments on or before February 10, 2023, to:

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