

First Nations Tax Commission

Commission de la fiscalité des premières nations

Corporate Plan 2016/2017



Mission

The mission of the First Nations Tax Commission is to assist First Nation governments to build and maintain fair and efficient property tax regimes, and to ensure those First Nation communities, and their taxpayers, receive the maximum benefit from those systems.



Mandate

The mandate of the FNTC is provided by s.29 of the *First Nations Fiscal Management Act* (FMA): "The purposes of the Commission are to:

- a. ensure the integrity of the system of first nations real property taxation and promote a common approach to first nations real property taxation nationwide, having regard to variations in provincial real property taxation systems;
- b. ensure that the real property taxation systems of first nations reconcile the interests of taxpayers with the responsibilities of chiefs and councils to govern the affairs of first nations;
- c. prevent, or provide for the timely resolution of, disputes in relation to the application of local revenue laws;
- d. assist first nations in the exercise of their jurisdiction over real property taxation on reserve lands and build capacity in first nations to administer their taxation systems;
- e. develop training programs for first nation real property tax administrators;
- f. assist first nations to achieve sustainable economic development through the generation of stable local revenues;
- g. promote a transparent first nations real property taxation regime that provides certainty to taxpayers;
- h. promote understanding of the real property taxation systems of first nations; and
- i. provide advice to the Minister regarding future development of the framework within which local revenue laws are made."

Section 83 of the Indian Act

Through an agreement with the Minister of Indigenous and Northern Affairs Canada, the FNTC will provide advice regarding the approval of s.83 by-laws and deliver services to First Nations exercising property tax jurisdiction under s.83 of the *Indian Act*.

FNTC Corporate Plan 2016/2017

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Abbreviations

ART Aboriginal Resource Tax

ATIP Access to Information and Privacy

FMA First Nations Fiscal Management Act

FMB First Nations Financial Management Board

FNFA First Nations Finance Authority

FNG First Nations Gazette

FNGST First Nations Goods and Services Tax

FNPO First Nations Property Ownership

FNTC First Nations Tax Commission

INAC Indigenous and Northern Affairs Canada

LAB Lands Advisory Board

NAEDB National Aboriginal Economic Development Board

OLA Official Languages Act

TAS Tax Administration System

TLE Treaty Land Entitlement

Tulo Centre Tulo Centre of Indigenous Economics

Executive Summary

The First Nations Tax Commission (FNTC) has been in operation since 2007. The FNTC seeks to optimize the benefits of First Nation property tax and local revenue systems to First Nation tax authorities, their taxpayers, and all Canadians. For the ninth consecutive year, the FNTC has met the goals established in the previous year's Corporate Plan.

In addition to an assessment of the FNTC's performance against its objectives for 2015/2016, this Corporate Plan contains an assessment of the policy environment, risks identified for 2016/2017, and a risk management strategy. Priorities and workplans established by the FNTC for 2016/2017 in response to these risks are as follows:

- operational support and regulatory framework for over 150 tax collecting First Nations maintained
- expand support for First Nations implementing tax jurisdiction and respond to increased demand in Saskatchewan, Manitoba, Ontario and Atlantic Canada
- expand FMA revenue options for the growing number of interested First Nations
- increase the number of First Nations using local revenue secured FNFA debentures
- support First Nations interested in resource development fiscal benefits
- respond to increased demand for capacity development and Tulo Centre certificate programs and workshops
- work with the other FMA institutions to develop legislative amendments that expand revenue options, support economic growth, and improve access to capital
- expand the scope and use of the First Nations Gazette (FNG) for s.81 and 85 bylaws
- continue to support First Nations interested in the First Nations Goods and Services Tax (FNGST)
- explore opportunities and partnerships that support First Nations interested in having title to their lands, a Torrens land registry system and improved access to capital and mortgages for housing, and
- improve FNTC services to First Nations and their taxpayers through better client contact records management and reliable and timely taxation statistics and assessment data.

In addition to these key initiatives, this Corporate Plan contains the planned activities and performance measures for each of the six FNTC business lines, a work plan for 2016/2017, and a comprehensive financial plan.

Based on the Corporate Plan priorities for 2016/2017 and the workplan outlined above, the FNTC is estimating its funding requirements from the Government of Canada in the fifth year of its 5-year funding agreement to be \$6,000,000.

Funding for Corporate Plan activities and special initiatives of the FNTC is provided by the Government of Canada through a funding arrangement. Below is a summary of the financial plan for 2016/2017 as well as a summary of the financial performance for the FNTC for 2015/2016 and 2014/2015.

Financial Summary	0040/0047 DI	0045	(0040 E		
	2016/2017 Plan	2015	/2016 Forecast	20	014/2015 Actua
Revenue					
Government of Canada	\$ 6,000,000	\$	5,995,160	\$	5,933,948
Government of Canada - Special Initiatives	-		729,116		814,860
Other	10,000		41,455		31,479
	\$ 6,010,000	\$	6,765,731	\$	6,780,287
Expenses					
Commission Costs	893,085		906,097		844,864
Corporate Services	1,277,130		1,306,476		1,235,08
Gazette Operations	145,238		154,465		178,847
Policy Development	783,911		788,494		803,914
Education	596,853		546,986		567,800
Dispute Management and Negotiations	248,585		190,893		197,15
Communications	734,777		719,350		716,927
Law/By-law Review and Regulations	1,330,421		1,423,854		1,420,725
Special Initiatives	-		729,116		814,392
	6,010,000		6,765,731		6,779,714
Annual Surplus (Deficit)	\$	\$	-	\$	573

This Corporate Plan also contains the planned activities and performance measures for the six FNTC business lines, a work plan for 2016/2017, and a comprehensive financial plan.

2016/2017 Overview

The FNTC is a national First Nation institution mandated by the *First Nations Fiscal Management Act* (FMA) to help First Nations implement local revenue jurisdiction and grow their revenues through economic development while reconciling the interests of First Nations and their taxpayers.

The FMA established the FNTC and expanded on the work of its predecessor, the Indian Taxation Advisory Board, by increasing First Nation fiscal powers, including expanded taxation, borrowing powers, taxpayer representation on the Commission, dispute prevention, resolution, and adjudication mechanisms.

First Nations can exercise their tax powers through either s.83 of the *Indian Act* or the FMA. The total number of First Nations exercising tax powers under these authorities has grown to over 150 with the majority of First Nations using the expanded tax powers available under the FMA.

The foundation of the FNTC is based on five key premises:

- 1. First Nations are governments within the Canadian federation.
- 2. Tax revenue and jurisdiction is the fiscal foundation of all governments to support quality public services and infrastructure.
- 3. First Nation tax jurisdiction is the basis for revenue-based fiscal relationships between First Nations, provincial and federal governments.
- 4. Economic growth increases tax revenues, which improves services and infrastructure.
- 5. Successful First Nation policy and jurisdictional changes are First Nation-led, optional and supported by (national) First Nation institutions.

These five FNTC premises align and support the federal government's commitment to "a renewed, nation-to-nation relationship with Indigenous peoples, based on recognition of rights, respect, co-operation, and partnership". The FNTC strongly supports the government's commitments. Similarly, the FNTC business lines, services, and initiatives are aligned with the following specific elements of the Prime Minister's mandate letter to the Minister of Indigenous and Northern Affairs:

- work with the Minister of Finance to establish a new fiscal relationship that creates predictable and sustainable First Nation revenues
- promote economic development and create jobs for Indigenous peoples
- improve essential physical infrastructure for First Nation communities including improved housing outcomes
- make significant investments in First Nation education, and,
- ensure that First Nations have capacity to participate, review, and monitor major resource projects.

The mandate of the FNTC is summarized in s.29 of the FMA. The FNTC operates six business lines to fulfill this mandate: corporate services, policy, law/by-law review and regulations, education, communications, and dispute management and negotiations. The FNTC also works with First Nations to advance new initiatives that fit within the mandate. The table below summarizes how FNTC business lines, services, and initiatives support these elements of the INAC Minister's mandate letter:

FNTC Support for INAC Minister's Mandate

Mandate	Supportive FNTC service or initiative
New Fiscal Relationship	 Support for over 150 (and growing) First Nation local revenue and FNGST tax systems Support for First Nation led expanded revenue jurisdictions 12 years of research on improved fiscal relationship Support for AFN's National Table on Fiscal Relations (1998-2004) FMA framework for tax and related expenditures Support for First Nation led aboriginal resource tax option
Economic Development	 20 years of research and policy to support First Nation economic growth Support to resolve service agreements and negotiations with other governments Support for integrating economic and FMA fiscal planning Tulo Centre of Indigenous Economics (research and capacity development) Support for First Nation led proposal for improved land tenure and registry system (Torrens registry regulation) Support for First Nation led ready to use land tenure legal framework (draft regulations)
Improve Infrastructure and Housing Outcomes	 Support for integrated economic and infrastructure planning FMA local revenues to support infrastructure Support for local revenue supported debentures Proposal for FMA infrastructure institution Support for First Nation led improved housing options and access to mortgage capital
Education	 Partnership with Tulo Centre of Indigenous Economics Bursaries for Tulo Centre students Expanded use of activity based learning for workshops, presentations and policy implementation
Major Project Review	Support for First Nation led initiatives associated with pipeline and resource taxation to provide stable funding

The Vision for the First Nations Tax Commission

In recent decades, the focus within First Nations has properly shifted away from the control and influence of the federal government and towards building capacity to allow an effective transition towards self-government.

This focus is compelled not only by the need to move beyond historical injustices, but also the entrenchment of s.35 of the Constitution, the recognition of the Aboriginal right to self-government and Aboriginal title, and the implementation of inherent right jurisdictions through the *Matsqui* and *Tsilhqot'in* Supreme Court decisions. Self-government includes Aboriginal design, control, and management of Aboriginal institutions. As such, the vision for the FNTC is to:

- a) promote, expand, implement and protect all First Nation tax jurisdictions
- b) support the growth of First Nation tax bases through economic development
- c) continue to be a model national institution that delivers quality services to tax collecting First Nations, and

d) build First Nation taxation, fiscal relationship and economic development understanding and capacity to grow significantly the First Nation tax system.

The FNTC has been successful in all elements of this vision with respect to local revenues and local service jurisdictions, First Nation economic development and institutional performance. There are now over 150 First Nation tax systems in all provinces except PEI. Approximately \$1 billion in First Nation tax revenues have been generated since 1990. These revenues have been used to provide local services and build a significant amount of both community (cultural centres, government offices, health centers) and economic (roads, water and sewer) infrastructure. Tax collecting First Nations have facilitated at least \$2 billion in new construction 1, which supports further employment and business development, and increases tax revenues. The FNTC has supported this work and met all of its corporate and financial plan deliverables and targets during its 9 years of existence. As reported by the National Aboriginal Economic Development Board (NAEDB) in its "Aboriginal Economic Progress Report" in June 2015:

"Property taxation provides communities with access to stable revenue streams that can be reinvested into infrastructure and services, and provides communities greater autonomy in spending-related decisions independent of federal government involvement. As a means to further benefit from economic activity occurring in Aboriginal communities. First Nations can also leverage real property taxation on reserve. First Nations have two means of instituting property taxation frameworks on reserve: developing by-laws under section 83 of the Indian Act, or under the authority of the FMA. Responsible financial management practices, the basis of effective and transparent governance. are an integral part of applying either regime. The taxation regimes under which section 83 and the FMA operate are significantly different. However, the integrated relationship between good governance and an active property taxation framework is a common component to establishing greater control in financial matters and building economic success and independence. Early observations suggest that First Nations that have real property taxation by-laws tend to have better economic outcomes than those that do not. First Nations that have had property tax by-laws for longer periods of time demonstrate significantly higher outcomes than First Nations both with and without property tax by-laws."

In summary, the FNTC's vision is to become the single window source for First Nation taxation expertise. This will instill confidence in the First Nation tax system and support capacity development and innovation. It will provide the First Nation revenue independence and stability for a true nation-to-nation framework supported by a new fiscal relationship.

¹ It is probably significantly more than \$2 billion because the increase in assessed value construction in Kamloops, Westbank and Squamish alone in the last 20 years is over \$1.5 billion.

FNTC 2016/2017 Priorities

The FNTC will deliver services in each of its business lines and has identified the following priorities for 2016/2017:

FNTC operational services and regulatory framework for over 150 First Nations exercising property tax jurisdiction - There are now over 150 First Nations exercising property tax jurisdiction under the authority of the *Indian Act* or the FMA. This is over 25% of all First Nations in Canada. The FNTC provides on-going services, and maintains and updates a regulatory framework to support these taxing First Nations. The FNTC devotes its operational resources to meet this priority. The FNTC will provide the following key operational services to these First Nations in 2016/2017.

Law/By-law Review and Regulations - Every tax collecting First Nation develops and submits annual laws/by-laws to the FNTC for review and approval, or recommendation for ministerial approval. Other First Nations develop or amend laws for property tax, assessment, service tax, business activity tax, development cost charges, delegation of authority, taxpayer representation, or borrowing. The FNTC will provide support to the development of more than a hundred First Nation laws in 2016/2017. Law development support includes community presentations, and technical advice/assistance in drafting, notification, and submission procedures.

The FNTC will review over 250 annual laws and by-laws and approximately 20 to 30 other FMA laws in 2016/2017. This entails significant First Nation engagement in law development, preparation of review materials, and approximately 10 meetings to support the review and approval of these laws and by-laws by the Commission.

Policy Development - Updating and developing standards and sample laws is an ongoing priority. Each year the FNTC reviews its existing standards and sample laws/by-laws to determine whether revisions are necessary due to court decisions, changes in government policy and legislation, innovations in property tax administration, unique First Nation policy issues, or resolution of disputes. In 2016/2017, revisions to the standards and sample laws will be necessary to support the coming into force of the FMA amendments and associated regulations.

Education and Training - The FNTC will support accredited training and education through the Tulo Centre of Indigenous Economics. The FNTC provides operational support and bursaries to eligible students. The FNTC also works with the Tulo Centre to deliver workshops and webinars to First Nations on service agreements, maximizing the benefits of TLEs, property and other local taxation, and the operation of the Tax Administration System (TAS). The demand for education, training and access to TAS is growing and the FNTC will support the continued growth of the Tulo Centre in 2016/2017 to offer more courses, workshops and research.

Communications - The FNTC provides communications support to First Nations, taxpayers and governments, and makes property tax presentations to an array of national and regional audiences including professional associations, government, taxpayer associations, and First Nations. The FNTC anticipates making over 30 presentations in 2016/2017. The FNTC also publishes *Clearing the Path*, it's quarterly newsletter, attends trade shows and conferences, and develops resource materials to support First Nations exercising tax jurisdiction.

Dispute Management and Negotiations - The FNTC will support the management of disputes and negotiations associated with the local revenue system. These services include support for service agreement negotiations, First Nation tax jurisdiction, tax rate increases, tax related expenditure and the development of taxpayer representation laws and systems. Experience has shown that dispute management and negotiation support services are often required during the exercise of new tax jurisdictions and the implementation of new tax systems. The FNTC will also continue to maintain a roster of mediators, and provide training on mediation and dispute resolution.

Corporate Services - The FNTC provides a governance, financial management, strategic planning, and corporate structure to support the delivery of operational services, the promotion and development of new initiatives, the publication of over 250 laws each year in the *First Nations Gazette*, and the full logistical support for 4 Commission meetings, committee meetings, and at least 8 law review meetings.

Implementing approved FMA amendments and advancing new FMA amendments - In anticipation of the FMA amendments coming into force in early 2016, FNTC will work to develop the standards, policies, and procedures to support these amendments in 2016/2017. The FNTC will also work with the other fiscal institutions and Canada to advance new amendments to the FMA to improve its efficiency, expand First Nation revenue options, increase access to capital, and support institutional independence;

Expanding the FMA - The FMA institutions have been successful to date and their expansion could support a new First Nation fiscal relationship, more access to infrastructure financing and better economic outcomes. The FNTC will work with the other fiscal institutions and the federal government to explore options to expand the use and scope of the FMA. In particular, the FNTC will prepare a vision document and five-year business plan to support proposed new FMA fiscal powers, expanded business lines, and a single window institution for First Nation tax jurisdiction to support a greater number of tax collecting First Nations. This work in combination with similar work by the other institutions will support a joint proposal to expand the FMA;

First Nation tax systems in Manitoba, Ontario, and Atlantic Canada - There is growing interest in taxation and tax supported service agreements from Manitoba TLE communities and from First Nations in Ontario, New Brunswick, and Nova Scotia. In 2016/2017, the FNTC will focus more resources on expanding the number of tax collecting First Nations in these provinces through workshops and presentations to First Nations and taxpayers;

Promoting greater utilization of local revenue securitization - First Nations have shown limited interest in financing infrastructure through local revenue securitization. Among the principal reasons for the slow uptake is that many do not have sufficient local revenues to finance significant economic infrastructure improvements. The FNTC will work with other institutions and the federal government to help FMA First Nations grow their local revenues through economic growth, using more FMA revenue raising tools, and expanding FMA revenue options so that more FNFA debentures are secured by local revenues;

Expanding the First Nations Gazette - The First Nations Gazette is the largest online source of First Nation law in Canada. There is strong First Nation interest in using the First Nations Gazette for more laws related to s.81 and s.85 of the Indian Act, the First Nations Land Management Act, the First Nations Elections Act, and for providing notice of First Nation elections, opportunities, policies, and other public matters. The FNTC will respond to this heightened demand by expanding the capacity and resources devoted to the First Nations Gazette operation;

Expanding the Tulo Centre of Indigenous Economics (Tulo Centre) - Over the last several years, the FNTC has witnessed an increasing level of interest from First Nations and governments (local, provincial, and federal) for courses, workshops, and research from the Tulo Centre. The FNTC will work with the Tulo Centre and INAC in 2016/2017 to generate more resources for the Tulo Centre to expand its capacity to deliver more courses and workshops, create a unique diploma program and develop more research;

Advancing the Aboriginal Resource Tax (ART) - The development of the ART associated with pipelines and resource development in BC and Ontario has garnered solid support from First Nations. For the First Nations advocating the development of an ART, a key element is that the tax represents a stable method to generate revenues from developments in their territories to support improved First Nation services and infrastructure. The FNTC will seek resources to continue to support these First Nations in 2016/2017 and advance the design and regulatory framework for the ART option;

Proposing a Tax and Revenue-based Fiscal Relationship - The FNTC has supported a significant amount of research and development work concerning the First Nation fiscal relationship based on secure, stable independent First Nation revenues. The FNTC also recognizes that the development of the proposed ART must be supported by a new fiscal relationship. In 2016/2017, the FNTC proposes to develop a discussion paper on a tax and revenue-based fiscal relationship for presentation to tax collecting First Nations and the federal government. The FNTC will also work with INAC to review First Nation statistical reporting capacity, a function formerly carried out by the now defunct First Nations Statistical Institute;

Advancing an FMA Infrastructure Institution - Sustainable infrastructure systems are built on a strong fiscal and financing foundation supported by excellence in planning, risk management, and construction. The FMA was designed to improve access to revenue options and long-term capital for First Nation infrastructure but it does not sufficiently support infrastructure planning and risk management gaps. The FNTC proposes to advance a proposal in 2016/2017 for the creation of an FMA infrastructure institution conceptually modeled on the successful elements of Infrastructure Ontario:

Continued Support for First Nations Goods and Services Tax (FNGST) - The FNTC will support and work with First Nations interested in negotiating FNGST agreements with the federal government to implement an FNGST on their reserve lands;

Continued support for the First Nation led First Nations Property Ownership (FNPO) initiative - The FNTC will work with First Nations in 2016/2017 who seek a more efficient land registry and title system that supports access to mortgages and home equity, and provides First Nations with the same property right system enjoyed by other Canadians. The FNTC will seek resources from INAC to advance the development of legislative changes for this First Nation-led initiative; and

Advance Indigenous Rights - The FNTC will share its expertise and knowledge with Indigenous organizations and groups in New Zealand, Peru, and United States on matters related to taxation and property rights. Furthermore, it will endeavor to respond to requests from other Indigenous groups, in support of Canada's commitment to United Nations Declaration on the Rights of Indigenous Peoples.

Corporate Profile

Structure

The FNTC is a shared-governance institution. The Governor in Council appoints nine of the Commissioners and the Native Law Centre, University of Saskatchewan, appoints one Commissioner as per s.20(3) of the *First Nations Fiscal Management Act* and regulations. The Commissioners are:

- C.T. (Manny) Jules, Tk'emlúps te Secwepemc, BC (Chief Commissioner/CEO)
- David Paul, Tobique, NB (Deputy Chief Commissioner)
- Dr. Céline Auclair, Gatineau, QC
- · Leslie Brochu, Chase, BC
- Lester Lafond, Saskatoon, SK
- Ken Marsh, Okotoks, AB
- William McCue, Georgina Island, ON
- Terry Babin, Canal Flats, BC
- Randy Price, North Vancouver, BC
- Ann Shaw, Chateauguay, QC

The FNTC maintains the head office on the reserve lands of the Tk'emlúps te Secwepemc (s.26(1) FMA), and an office in the National Capital Region (s.26(2) FMA).

The FNTC is supported by the Secretariat with an allocation of twenty-one full time equivalents comprised of staff and professionals who assist the Commission with expertise related to the FNTC mandate.

Governance

The FNTC maintains a "best practices" approach for good governance. It operates pursuant to a comprehensive governance and management policy. The Chief Commissioner has established the following committees to support its work:

- Executive Management Committee
- Management Committee
- Audit Committee
- Section 83 Rates Committee
- Education Committee
- International Relations Committee
- First Nations Gazette Editorial Board

Committees may consist of Commissioners only or a mix of Commissioners, staff, and other professionals as appropriate.

Summary of 2015/2016 Performance against Objectives

The performance measures for the FNTC for its 2015/2016 fiscal year were outlined in its Corporate Plan 2015/2016. The table below provides an assessment and details on how the FNTC has delivered on its 2015/2016 performance measures.

Objectives & Activities	Performance
Corporate Services	
Produce and approve annual Corporate Plan, work plan and financial plan	Completed
Review and revise 5 year strategic plan/business plan for Commission	Completed
Manage capital requirements for HO and NCR	Ongoing
Commission and staff training and provide professional development	Completed
Hold 4 general FNTC meetings and 6 law review meetings	Completed
Provide administrative management and committee support	Ongoing
Meet ATIP requirements and Info Source reporting requirements	Ongoing
 Manage First Nations Gazette including: Implement marketing strategy Develop and distribute marketing materials Continue discussions with the federal government regarding publication of s.81 and s.85.1 Indian Act by-laws, and possible use of FNG by INAC to assist in meeting its information requirements Publishing additional categories of materials in FNG as a result of new federal legislation (Bill C-428) Increase use of FNG notification component 	Completed
Information management Implement any recommendations arising from work with Library and Archives Canada Revise and update information management procedures manual Develop and implement CRM system	Ongoing
Manage special initiatives Local revenue debenture borrowing FNPO Resource development fiscal benefits FNGST	Completed
Develop an MOU with Maori tribes from New Zealand for capacity development.	In development
Policy Development	
Develop, seek public input on, and present to the Commission for approval at least 3 of the following standards: • BATs for accommodation or mining • Property taxation laws considering use of districts, and transitioning from fee based services • Borrowing • Property tax, rates, and expenditures • Expenditure laws considering improved budgeting and reporting, expenditure controls, notification, and use of districts • DCCs • Taxation under s.5(1)(a) laws with regional applications • FMA fees and charges	Completed
Review s.83 property tax policies to ensure they reflect the underlying policy objectives in the Commission's standards and procedures	Completed

Objectives & Activities	Performance
Policy Development con't	
Initiate or continue research / policy development in the following policy areas: Aboriginal title tax Pipeline flow tax First Nation taxation expenditure policies Jointly held reserves Accommodation taxes in various provinces Tax exemption agreements Best practices in assessment appeal procedures Resource development fiscal benefits – research and options Best practices in tax enforcement Pipelines and property taxation – research Mining taxes in various provinces Utility taxes TLE and property taxation Initiate or continue at least 3 projects with other institutions from the following list:	Completed
 Proposed amendments to FMA Collaborative work on the development of Local Revenue Account Financial Reporting Standards Improved FMA marketing and coordinated law development Minimizing conflicts in law between financial administration law and property tax laws Synthesizing borrowing process and materials with FNFA Borrowing coordination Support for First Nation economic development Develop model for capturing and reporting First Nation property tax statistics 	Completed
Complete Pre-Budget Submission	Completed
FMA Standard development work (pending FMA amendments)	Completed
Law/By-law Review and Regulations	
 Taxation under s.5(1)(a) laws with regional applications Property taxation Borrowing Rates Expenditure DCCs Fees and charges BATs Taxation for the provision of services 	
Review annual/non annual FMA laws	Completed
Revise and update law review manual	Completed
Implement FMA legislative amendments	Completed
Review of s.83 by-laws	Completed
Support up to 20 First Nations to transition to FMA	Completed
Maintain registry of First Nation laws and by-laws	Completed
Develop or modify sample s.83 local improvement by-law	Completed
Monitor legal developments including Bill C-428	Completed
Communications	
Develop and publish (print/electronic) Annual Report in both official languages	Completed
Develop 5 year communications strategy	Completed
Coordinate and develop materials for annual general meeting	Completed
Maintain website	Ongoing
Coordinate and develop presentations, including a set of standard presentations	Ongoing
Distribute local revenue expenditure guide and prepare workshop materials for training sessions	Completed
Ensure FNTC meets OLA requirements	Ongoing
Support FNPO communication	Ongoing
Work with INAC to support FMA amendments	Ongoing
Publish quarterly newsletter and maintain email distribution database	Completed
Update communication materials, including info sheet series and newsletter insert	Completed
Expanded content library to include updated success stories and photographs	Completed

Objectives & Activities	Performance
Education	
Review of textbook and case study developed for the Certificate in First Nation Tax Administration	Completed
Confirm partnerships for delivering workshop series and look into options for delivering workshops online	Completed
Deliver, through Tulo Centre and TRU, 9 accredited courses online or in class	Completed
Maintain and provide support for TAS	Completed
Continue to support training in First Nation tax administration	Completed
Develop an Education Department Administration Manual	Completed
Dispute Management and Negotiations	
Maintain roster of mediators and provide training	Ongoing
Coordinate FNTC response to legal challenges to the First Nations tax system	Ongoing
Support services provided for Provision of provincial assessment services to First Nations Development of taxpayer relations systems Service agreement negotiations as required Local revenue account financial management	Ongoing
Intervene in property tax litigation where appropriate	Ongoing
Provide training to FNTC, selected First Nations and Tulo Centre • Mutual gains negotiation • Dispute resolution	Completed

External Assessment and Risks

Each year the FNTC reviews the previous year's external risk assessment and evaluates the expected policy environment for the next fiscal year. Using information and requests from First Nations, the federal and provincial governments, and other First Nation institutions, the Commission identifies its Corporate Plan priorities to address economic and fiscal risks, legislative risks, and risks to the demand for FNTC services from tax collecting First Nations for the upcoming year.

Global Economic Uncertainty

Global economic uncertainty will continue in 2016 due to slow growth outside the US, increased risk aversion by investors, security threats, and instances of international political instability.

Economic uncertainty reduces commodity demand and prices at a time when supply levels are already high. Prices for oil, natural gas and other commodities have remained at low levels.

The Bank of Canada has lowered its national growth forecast for Canada for 2016 because falling oil prices reduce consumer spending and reduce Canadian growth. Bank of Canada forecasts for Canadian economic growth are 1.7 per cent in 2016 and 2.1 per cent in 2017, down from previous forecasts of 2.3 per cent and 2.6 per cent.

Lower oil prices also sap business investment and reduce the value of Canadian exports, overwhelming any potential improvements elsewhere in the economy. The Bank also warned that the two-track economy, resource-commodity and service-manufacturing, should persist longer than expected, in spite of the positive effects of earlier interest rate relief and the cheaper Canadian dollar.

The decline in resource development investment and revenue affects First Nations throughout Canada especially those with oil and gas development on their lands or currently engaging with resource development proponents on their lands and territories.

Assessment: Federal Government Indigenous Policy Environment

The newly elected government is committed to a nation-to-nation relationship with First Nations and the Prime Minister publicly released mandate letters for members of Cabinet. This enables the FNTC to clearly align its activities with federal priorities. In this regard, FNTC business lines, services, and initiatives support specific elements of the INAC Minister's mandate listed in the Overview 2016/2017 section (p 6):

The FNTC expects to work closely with the federal government, other First Nation institutions, and tax collecting First Nations to develop and implement a vision for a First Nation revenue-based fiscal relationship that ensures that First Nations can deliver sustainable public services and infrastructure at the national standard.

In addition to the economic and security risks discussed earlier (which could change federal priorities), government risks specific to the FNTC in 2016/2017 include:

- identifying legislative opportunities to amend the FMA or advance other legislation
- coordinating opportunities for First Nation fiscal changes within government (INAC and Department of Finance) and with other First Nation institutions (FNFA, FMB, NAEDB, LAB)
- possible delays on First Nation infrastructure financing and projects, and
- the need to secure greater First Nation support for resource projects to increase government revenues.

Assessment: First Nation Policy Environment

The scope of commitments to First Nation and Indigenous people and their governments are unprecedented and expectations are high. A preliminary review of expressed First Nation priorities includes:

- leadership of design and implementation of Inquiry into Missing and Murdered Aboriginal Women and Girls
- leadership of implementation plan for Truth and Reconciliation recommendations
- leadership of processes to review previous legislation passed without sufficient consultation
- greater consultation and consent over proposed resource projects in First Nation and Aboriginal territories
- federal support for implementing Aboriginal title (*Tsilhqot'in* decision) and Treaty rights
 - fewer court challenges and delays associated with Aboriginal title and Treaty right claims
 - changes in federal mandates related to new treaties and self-government to reflect Supreme Court decisions
 - improved economic agreements with private sector resource development proponents
 - implementation of First Nation tax and expenditure jurisdiction associated with Aboriginal title and Treaty rights
- significantly greater revenues to improve infrastructure and services (education)
 - a new fiscal relationship that provides stable revenues
 - some First Nations anticipate a transfer based fiscal relationship and others anticipate an independent revenue (taxation) based fiscal relationship
 - support for capacity development to implement jurisdiction and improve services and infrastructure

The FNTC will work with First Nations who seek to expand or implement their local revenue jurisdictions, grow their economies and tax base, build their administrative capacity, finance economic infrastructure with local revenues, and advance the concept of an Aboriginal Resource Tax (ART) within their territories.

The FNTC will also work with other First Nations who want to implement a more efficient land registry and title system that supports access to capital for members and an improved investment climate. As a result, the FNTC has identified the following risks from this preliminary assessment of the First Nation policy environment:

- increased demand from tax collecting First Nations to advance a revenue based fiscal relationship
- increased demand to support economic infrastructure planning and financing;
- increased demand to expand First Nation tax jurisdiction to implement Tsilhqot'in such as the proposed ART
- increased demand for capacity development support for expanded revenues and fiscal relationships, and
- increased demand for options to improve economic development, housing and ATR outcomes.

2016/2017 Risk Management Strategy

The table below demonstrates how the external policy environment creates risks to the FNTC. The third column contains the proposed FNTC risk management strategy for 2016/2017. The FNTC priorities for 2016/2017 result from its assessment of corporate resources and this proposed risk management strategy.

External Policy Environment	FNTC Risks	Proposed Risk Management Strategy		
Economic Uncertainty	Economic or security events require resources and detract from First Nation priorities Reduced First Nation revenues/ participation from resource development slowdown	 Continued support to grow and expand First Nation independent FMA revenues and jurisdictions Support ART as requested and advance FMA revenue options for interested First Nations 		
Federal Government	Identifying legislative opportunities Coordinating fiscal relationship work within government and other First Nation institutions Funding delays for First Nation infrastructure projects First Nation support required for resource development investment	 Continue to advance well developed options to reduce government resource requirements Seek partnership with the Department of Finance on the development of a new fiscal relationship Expand and utilize existing First Nation partnerships to advance fiscal relationship opportunity Work with interested First Nations, provinces and the federal government to advance ART Allocate resources to implement local revenue borrowing and infrastructure financing options 		
First Nations	Increased demand for revenue based fiscal relationship Increased demand for resource project taxation Increased demand for infrastructure project support Increased demand for capacity development Increased demand to develop options to support economic development, housing and faster ATRs	Work with the federal government and interested First Nations to advance revenue based fiscal relationship concept Seek resources to support the development of ART Implement strategy to support more local revenue backed economic infrastructure Expand courses, curriculum and workshops offered by the Tulo Centre and expand/promote use of TAS and FNG Continue to support First Nations legislative options for improved land title registration, ready to use legal frameworks, access to housing capital and faster ATRs		

The table below presents an assessment of the FNTC risk management strategy in the previous fiscal year. As indicated, the FNTC risk management strategy was largely successful but some of the risks continue in 2016/2017 especially those associated with increased demand for services such as the Tulo Centre and the ART initiative.

Assessment of 2015/2016 Risk Management Strategy

External Policy Environment	FNTC Risks 2015/2016	Outcome
Federal Government	Increased competition for scarce resources within INAC First Nation support required for resource development investment Reduced funding for First Nation infrastructure projects Delays advancing legislative initiatives (FMA, FNPO)	 Risk Managed – Additional resources allocated Risk Managed - Aboriginal Resource Taxation initiative No new infrastructure funding FMA amendments passed by Parliament FNPO initiative ongoing
Provincial Governments	Fiscal pressures reduce interest in revenue sharing First Nation support required for resource development investment	Risk managed – FMA revenue options that minimize provincial fiscal impact prioritized Risk managed – ART initiative
First Nations	 Increased demand for resource project taxation Increased demand for FMA revenue options Increased demand for training, FNG and TAS Increased demand for FNPO, FNGST and ATR support 	 Risk managed – ART initiative Demand for FMA revenue options in line with projections Demand for training and TAS in line with projections Demand for FNG increased – resources allocated accordingly Demand for FNPO, FNGST & ATR support in line with projections

Assessment of Corporate Resources

Since 1989, the FNTC and its predecessor, the Indian Taxation Advisory Board, have helped to implement incremental practical change for tax collecting First Nations.

This includes changes to the legal framework to support taxation, building the administrative capacity to maximize the benefits from taxation, establishing and implementing national standards and a regulatory framework to support First Nation taxation systems, an improved First Nation investment climate, a proposed new First Nations property ownership system, and most recently new concepts for resource taxation models.

During this time, the FNTC has developed the corporate resources to achieve these results by recognizing that change within First Nations requires strong leadership, stable and transparent governance, capacity development, well-researched innovations, and partnerships. Each of these corporate characteristics is summarized briefly:

Strong Leadership - The Chief Commissioner has four decades of experience in First Nation governance, taxation, and economic development. Beginning with the historic legislative change to the *Indian Act* in 1988, the Chief Commissioner has led several legislative initiatives, both provincially and federally, including the *Indian Self Government Enabling Act* (BC), the FMA, and FNPO. Nine commissioners support the Chief Commissioner. Each commissioner has significant experience in establishing and maintaining a strong regulatory framework for the exercise of First Nation local revenue jurisdiction.

Stable and Transparent Governance - The FNTC operates a head office on the lands of the Tk'emlúps te Secwepemc and an office in the National Capital Region. Transparent good governance creates certainty and trust between the FNTC, tax collecting First Nations, and taxpayers. This makes it easier for the FNTC to lead changes or to assist interested First Nations implement change. The FNTC has incorporated best practices in corporate governance and human resource management in its comprehensive management policies. The shared governance model meets Treasury Board of Canada requirements and other requirements for federal statutory bodies.

The FNTC has maintained stability in a staff with significant expertise in property taxation. The FNTC also contracts with qualified professional advisors with specialized expertise.

Capacity Development Resources - The FNTC offers a continuum of capacity development for First Nations that begins with extensive research, which supports sound policies that, through time, can evolve to standards and sample laws. At the end of the continuum is an education component, the Tulo Centre, which builds the accredited capacity for First Nations to implement standards, laws, and systems so that they can realize the economic and fiscal benefits of the FMA. First Nation tax administrations are also supported by the Tax Administration System (TAS) and FNTC dispute management and negotiation services. Each of these elements in the capacity development support continuum is described briefly:

- a) Research The FNTC's policies, standards, and training courses are based on an extensive foundation of research related to public finance, debentures, property ownership, own-source revenues, revenue potential, and other legal and policy matters of importance to both the FNTC and First Nations.
- b) Policy, Standards, and Law Development The FNTC has established transparent and public input processes for policy, standards, and law development. Approved policies form the basis for standards, which shape FNTC sample laws. During the last eight years, the FNTC has developed and published 13 standards, 1 procedure, and 32 sample laws in both official languages.
- c) Training In partnership with the Tulo Centre and Thompson Rivers University (TRU), the FNTC offers the first university-accredited certificate programs for First Nation Tax Administration and First Nation Applied Economics. Twelve courses related to core administrative competencies have been developed by the Tulo Centre and are offered in both innovative online and executive formats. Published policies, standards, and laws are incorporated into accredited curriculum for both certificate programs.

- d) Tax Administration System TAS assists tax administrators through the annual cycle of property taxation, including setting tax rates, printing tax notices, and managing payment collection. It can be integrated with First Nations accounting software. It is available for all First Nation tax administrations in BC and Alberta and is being developed for use in Saskatchewan, Manitoba, Ontario, and Nova Scotia.
- e) Dispute Management and Negotiation Services The FNTC assists tax administrators and First Nations in developing negotiation capacity and skills by providing support on a case-by-case basis. The FNTC provides negotiation, facilitation, and dispute resolution support (particularly regarding taxpayer relations and service agreements) and maintains a roster of qualified mediators.

Innovation through Research - The FNTC/ITAB body of research over the past two decades has supported the creation of the FMA, the FNPO initiative, and most recently, proposals to advance the ART and establish an improved First Nation fiscal relationship. The FNTC will continue to conduct research that will support First Nation economic growth, create jobs, and generate First Nation tax revenues.

Partnerships - The FNTC has developed Memorandums of Understanding, protocol agreements, and working relationships with the following organizations:

- First Nations Tax Administrators Association
- Native Law Centre at the University of Saskatchewan
- Tulo Centre of Indigenous Economics
- MIT-Harvard Consensus Building Institute
- Canadian Property Tax Association
- First Nations Financial Management Board (FMB)
- First Nations Finance Authority (FNFA)
- Institute of Liberty and Democracy
- National Energy Board
- Thompson Rivers University
- Centre for First Nations Governance
- Indigenous Bar Association
- First Nations Alliance 4 Land Management (FNA4LM)
- National Aboriginal Land Management Association (NALMA)
- First Nations Lands Advisory Board
- Land Title and Survey Authority of British Columbia
- Surveyor General of Canada
- Canadian Energy Pipeline Association
- BC Assessment
- Alberta Municipal Affairs

Objectives, Strategies, and Performance Measures for 2016/2017

Corporate Services

The objective of Corporate Services is to create an effective work environment for FNTC service areas and operate the FNTC and its secretariat in keeping with Part 2 and Part 6 of the FMA and its Corporate Plan. Corporate Services is also responsible for the management of the *First Nations Gazette* and any special projects or initiatives that the FNTC undertakes.

Strategies and Activities

In 2016/2017 Corporate Services will continue to manage the operation of the FNTC with the following activities:

- produce the annual corporate plan, work plan and financial plan
- develop implementation plans for the five-year strategic plan / business plan
- manage the capital requirements for head office and National Capital Region office
- provide training and professional development opportunities to Commissioners and staff
- convene four general FNTC meetings and six law review meetings
- provide administrative management and committee support
- meet ATIP requirements and Info Source reporting requirements
- maintain a registry of First Nation laws and by-laws
- manage the First Nations Gazette including:
 - publication of FMA laws, First Nation by-laws, notices, FMA standards, procedures and sample laws, and pre-2015 s.81 and s.85.1 *Indian Act* by-laws
 - continue the expansion of the FNG to be the voice for all First Nation law
 - development and distribution of FNG marketing materials
 - maintain and update www.fng.ca website, and
 - discussion regarding use of FNG by INAC to assist in meeting its information requirements
- seek additional resources to advance the following special initiatives:
 - ART continue to support the design and development of ART options with interested First Nations and Canada
 - revenue based fiscal relationship develop discussion paper for Canada to consider in support of government commitment
 - FMA infrastructure institution develop concept paper and advance proposal with INAC
 - continue to advance First Nation-led FNPO initiative develop proposal for consideration of Canada

- implement MOU with Maori tribes from New Zealand to support their capacity development.
 - support for Indigenous groups in New Zealand, Peru, and United States on matters related to taxation and property rights and other Indigenous groups as is practical in support of Canada's commitment to United Nations Declaration on the Rights of Indigenous Peoples.
- support the development and implementation of FNGST systems with interested First Nations

Corporate Services

Annual Corporate Plan, work plan and financial plan produced and approved

Implementation plans developed for 5 year strategic and business plans

Capital requirements for HO and NCR managed

Commission and staff training opportunities provided

10 Commission meetings held

Administrative management and committee support provided

ATIP requirements and Info Source reporting requirements met

First Nations Gazette managed including:

- Publication of First Nation laws, by-laws, notices, standards, sample laws/by-laws financial statements, and other materials
- fng.ca website maintained and updated

Special initiatives managed and advanced

Maori MOU implemented

Policy Development

The objective of Policy Development is to develop and implement, through a transparent policy development process, effective standards and policies that support sound administrative practices and increase First Nation, taxpayer, and investor confidence and certainty in the integrity of the First Nation local revenue system.

Strategies and Activities

In 2016/2017, Policy Development will modify or develop some or all of the following standards for the Commission's consideration and approval:

- property tax, rates, and expenditures
- borrowing and expanded borrowing capacity
- BATs for accommodation, pipelines or mining
- notice provisions for law review
- fees
- expenditure laws considering improved budgeting and reporting, expenditure controls, notification, and use of districts
- DCCs
- taxation under s.5(1)(a) laws with regional applications

Policy Development will support other policy work associated with implementing FMA amendments and undertake work in the development of grant in lieu taxation.

Policy Development will review s.83 property tax policies to ensure they reflect the underlying policy objectives in the Commission's standards and procedures.

Policy Development will also initiate or continue research in several policy areas, including:

- ART for mining, pipelines, and utilities
- BAT proposals from First Nations
- First Nation taxation expenditure policies
- accommodation taxes in various provinces
- service agreements to support TLEs
- grants in lieu and payments in lieu

As well, Policy Development will initiate or continue projects with other institutions related to:

- further amendments to the FMA
- borrowing coordination
- borrowing capacity expansion
- improved FMA information collection and dissemination
- collaborative work on the development of Financial Management System standards
- improved FMA marketing and coordinated law development
- support for First Nation economic development
- grants in lieu and payments in lieu

Policy Development will also implement a system for capturing and reporting First Nation property tax statistics and complete the FNTC Pre-Budget Submission as requested.

Performance Measures

Policy Development
3 standards approved
2 s.83 policies reviewed
Up to 8 policies developed and research initiated
Projects with other institutions Initiated or continued
Property tax statistics reporting system implemented
Pre-Budget Submission completed

Law/By-law Review and Regulations

The objective of Law/By-law Review and Regulations is to ensure the integrity of the First Nations real property taxation system and promote a common approach to First Nations real property taxation nationwide, having regard to variations in provincial real property taxation systems. This is accomplished by providing support, such as sample laws/by-laws, to First Nations in the law development process, working with the federal government to improve the legislative and regulatory framework, and reviewing submitted First Nations laws for compliance with the regulatory framework.

Law/By-law Review and Regulations also monitors legal developments that may impact the First Nation property taxation.

Strategies and Activities

In 2016/2017, Law/By-law Review and Regulations will modify or develop up to four sample laws and by-laws for the Commission's consideration and approval. These sample laws/by-laws will be in the following areas:

- taxation under s.5.1(a) laws with regional application
- property taxation
- borrowing
- rates
- expenditure
- DCC
- fees
- BATs
- taxation for the provision of services
- changes to sample laws required to support FMA amendments

Law/By-law Review and Regulations provides support for First Nations to transition to the FMA and implement new FMA laws. 2016/2017 priorities will include expanding the number of First Nation tax systems in Manitoba, Ontario, Quebec and Atlantic, and increasing the number of First Nations using local revenues to secure debentures.

Law/By-law Review and Regulations expects to prepare technical reviews for 150 annual and 18 non-annual FMA laws in 2016/2017 for the Commission's consideration. It also expects to prepare 50 technical reviews of s.83 by-laws for the Commission's consideration in making their recommendations to the Minister for by-law approval.

As a priority, Law/By-law Review and Regulations will work with the federal government to implement the amendments to the June 2015 FMA and the FMA regulations associated with the amendments. It will also develop and advance new amendments to support the work and vision of the FNTC.

Law/By-law Review and Regulations will also:

- revise and update the law review manual to reflect changes to standards and FMA
- maintain registry of First Nation laws and by-laws
- monitor legal developments

Law, By-law Review & Regulations
4 sample laws produced or modified
Support to 20 First Nations provided
168 FMA laws reviewed
Legislative amendments implemented
Manual revised/updated
50 by-laws reviewed
Registry maintained
Sample by-law(s) modified
Legal developments monitored

Communications

The objective of Communications is to promote the understanding of the First Nation real property taxation system, strengthen linkages with other organizations and governments, promote best practices, and facilitate access to local revenue options and tools.

Strategies and Activities

Throughout 2016/2017, Communications will undertake the following activities:

- maintain the FNTC website and update the content of the site including success stories, photos, and video interviews
- publish and distribute printed and electronic copies of "Clearing the Path" newsletter quarterly and maintain an email distribution database of subscribers
- provide support for the communication of changes resulting from the FMA amendment process
- coordinate and hold a Local Revenue Expenditure workshop with the supporting Local Revenue Expenditure Guide
- coordinate, develop, and update presentations and other communication materials including information sheet series and newsletter inserts to support other business lines, including special projects such as FNPO.

Communications (in collaboration with Corporate Services) will:

- develop and publish the Annual Report, in print and electronic form in both official languages
- coordinate and develop materials for the FNTC AGM
- ensure that the FNTC continues to meet OLA requirements, and
- implement the five-year communications strategy.

Communications
Website maintained
Newsletter published, email database maintained
Changes resulting from FMA amendments communicated
Local Revenue Expenditure workshop ready for delivery
Presentations, materials developed/updated including special initiatives
Annual report published
AGM materials developed
OLA requirements met
Communications strategy implemented

Education

The objective of Education is to promote understanding of the real property taxation systems of First Nations, develop training programs for First Nation real property tax administrators, and build capacity in First Nations to administer their taxation systems.

Education activities occur through a working agreement and contract with the Tulo Centre and in partnership with TRU. The partnership between the Tulo Centre, TRU, and the FNTC provides students with access to 14 courses leading to an accredited First Nation Tax Administration certificate or an accredited First Nation Applied Economics certificate.

Strategies and Activities

In 2016/2017, Education and the Tulo Centre will deliver nine accredited courses of the Certificate in First Nation Tax Administration program and Certificate in Applied Economics program online or in class and expand its resources and capacity.

Since 2013, the FNTC and the Tulo Centre have been delivering workshops focussed on advancing property taxation within First Nation communities. In 2016/2017, the FNTC and the Tulo Centre will deliver workshops to First Nation or government groups and develop new workshops upon request.

Courses in the Certificate in First Nation Tax Administration courses will be updated to include amendments to FMA and new requirements.

Education and the Tulo Centre will develop course outlines and begin developing course materials for other accredited training in support of First Nation public administration that supports economic development.

Education also maintains and provides support for TAS, supports training in First Nation tax administration, maintains and updates Tulo Centre website, supports Tulo Centre graduation and maintains alumni support.

ducation	
9 courses delivered	
Workshops delivered	
Curriculum retreat to review and update Tax Administration courses held	
Develop course outlines / course materials for other accredited training in support of First Nation public administration	
TAS support provided	
Tulo Centre website maintained	
Tulo Centre graduation and alumni supported	

Dispute Management and Negotiations

The objective of Dispute Management and Negotiations is to support negotiations related to the implementation of First Nations property taxations and to prevent disputes or provide for the timely facilitation of the resolution of disputes in relation to the application of local revenue laws/by-laws.

Strategies and Activities

In 2016/2017, Dispute Management and Negotiations will continue to respond to requests for negotiation facilitation and dispute resolution support and maintain a roster of qualified mediators. Training opportunities are provided for mediators listed on the roster.

Dispute Management and Negotiations will also provide support services for:

- the negotiation of contracts for the provision of provincial assessment services to First Nations
- the transition to assessment-based tax rates from service fees
- the development and implementation of taxpayer relations systems including taxpayer representation to council laws
- the facilitation of service agreements between First Nations and local governments as required to support the implementation of property tax systems or, if requested, additions to reserves and treaty land entitlements, and
- the improvement of financial management of the local revenue account.

Dispute Management and Negotiations will respond, as necessary, to coordinate FNTC's response to legal challenges to the First Nations tax system. It will also manage and coordinate dispute resolution and mutual gains negotiations training activities for the FNTC staff, selected First Nations, and the Tulo Centre.

Dispute Management and Negotiations

Contracts negotiated for the provision of provincial assessment services to First Nations

Taxpayer relations systems developed and implemented

Service Agreements facilitated

Roster of mediators maintained

Support services provided

Training managed

2016/2017 Corporate Work Plan

OBJECTIVES, ACTIVITIES and STRATEGIES	PERFORMANCE MEASURES
Corporate Services	
Produce and approve annual Corporate Plan, work plan and financial plan	Reports/Plans produced and approved
Develop implementation plans for 5 year strategic and business plans	Implementation plans for 5 year plans developed
Manage capital requirements for HO and NCR	Capital requirements for HO and NCR managed
Commission and staff training and professional development	Commission and staff training opportunities provided
Hold 4 general FNTC meetings and 6 law review meetings	10 Commission meetings held
Provide administrative management and committee support	Support provided
Meet ATIP requirements and Info Source reporting requirements	Reporting requirements met
Manage First Nations Gazette including: Publication of: FMA laws First Nation by-laws notices FMA standards, procedures, and sample laws other First Nation laws or materials Publication of pre-2015 s.81 and s.85.1 Indian Act by-laws Discussion regarding use of FNG by INAC to assist in meeting its information requirements Maintain and improve fng.ca website continue the expansion of the FNG to be the voice for all First Nation law; development and distribution of FNG marketing materials;	First Nations Gazette managed including Publication of First Nation laws, by- laws, notices, standards, sample laws, financial statements, and other materials fing.ca website maintained and update
Manage and advance special initiatives ART (seek resources) revenue based fiscal relationship FMA infrastructure continue to advance First Nation-led FNPO initiative FNGST	Special initiatives managed and advance
Implementation of Maori MOU	Maori MOU implemented

OBJECTIVES, ACTIVITIES and STRATEGIES	PERFORMANCE MEASURES
Policy Development	
Work to implement the regulatory framework to support the FMA amendments. Modify or develop some or all of the following standards for the Commission's consideration and approval: property tax, rates, and expenditures borrowing and expanded borrowing capacity BATs for accommodation, pipelines or mining notice provisions for law review fees expenditure laws considering improved budgeting and reporting, expenditure controls, notification, and use of districts DCCs	3 standards approved
taxation under s.5(1)(a) laws with regional applications Review s.83 property tax policies to ensure they reflect the underlying policy	2 s.83 policies reviewed
objectives in the Commission's standards and procedures	2 5.05 policies reviewed
Initiate or continue research and policy development in several policy areas, including: • ART for mining, pipelines, and utilities • BAT proposals from First Nations • First Nation taxation expenditure policies • accommodation taxes in various provinces • service agreements to support TLEs • grants in lieu and payments in lieu	Up to 8 policies developed and research initiated
Initiate or continue projects with other institutions related to: • further amendments to the FMA • borrowing coordination • borrowing capacity expansion • improved FMA information collection and dissemination • collaborative work on the development of Financial Management System standards • improved FMA marketing and coordinated law development • support for First Nation economic development	Projects with other institutions initiated or continued
Implement system for capturing and reporting First Nation local revenue tax statistics	Property tax statistics reporting system implemented
Complete Pre-Budget Submission	Pre-Budget Submission completed and submitted
Law/By-law Review and Regulations	
Develop or modify up to 4 sample laws in the following areas: • taxation under s.5.1(a) laws with regional application • property taxation • borrowing • rates • expenditure • DCC • fees • BATs • taxation for the provision of services • changes to samples required to support FMA amendments	4 sample laws produced or modified
Review annual/non annual FMA laws as required	168 FMA laws reviewed
Revise/update law review manual to reflect changes to standards and FMA	Manual revised/updated
Implement FMA legislative amendments	Legislative amendments implemented
Review of s.83 by-laws as required	50 by-laws reviewed
Support First Nations to transition to FMA and implement new FMA laws	Support up to 20 First Nations
Maintain registry of First Nation laws and by-laws	Registries maintained
Modify sample by-law(s) as required	Sample by-law(s) modified
Monitor legal developments	Legal developments monitored

OBJECTIVES, ACTIVITIES and STRATEGIES	PERFORMANCE MEASURES					
Communications						
Maintain website	Website maintained					
Publish Clearing the Path newsletter quarterly and maintain email distribution database	Newsletter published/ Email database maintained					
Support communication of changes resulting from FMA amendments	Changes resulting from FMA amendme communicated					
Distribute local revenue expenditure guide and prepare workshop materials for training sessions	Guide distributed and workshop materials prepared					
Coordinate and develop presentations	Presentations developed and delivered					
Support communications and materials development regarding special initiatives	Materials developed for special initiatives					
Develop and publish (print/electronic) Annual Report in both official languages	Annual report published					
Coordinate and develop materials for annual general meeting	AGM materials developed					
Ensure FNTC meets OLA requirements	OLA requirements met					
Implement 5 year communications strategy	Communications strategy implemented					
Education						
Deliver workshops to First Nations and other government groups on request	Workshops delivered					
Deliver through Tulo Centre and TRU at least 9 accredited courses online or in class and update course material to reflect FMA amendments	9 courses delivered and materials updated					
Develop course outlines / course materials for other accredited training in support of First Nation public administration	Course outlines / course materials developed					
Maintain and provide support for TAS	TAS support provided					
Continue to support training in First Nation tax administration	Tax administration training supported					
Maintain and update Tulo Centre website	Tulo Centre website maintained					
Support Tulo Centre graduation for both certificate programs and maintain alumni connection	Tulo Centre graduation and alumni supported					
Support Tulo Centre to expand its resources and capacity	Tulo Centre support provided					
Dispute Management and Negotiations						
Maintain roster of mediators and provide training	Roster of mediators maintained					
Coordinate response to legal challenges to the First Nations tax system	Ongoing					
Support services provided for: Provision of provincial assessment services to First Nations Tax rate transition Development of taxpayer relations systems Service agreement negotiations as required Local revenue account financial management	Support services provided					
Intervene in property tax litigation where appropriate	Ongoing					
Manage and coordinate training for FNTC, selected First Nations and the Tulo Centre • Mutual gains negotiation • Dispute resolution	Training delivered					

FNTC Financial Plan for 2016/2017

The FNTC financial plan presents the financial results for 2014/2015 fiscal year, forecasts for 2015/2016 and plans for 2016/2017 to 2020/2021.

Financial Performance 2014/2015 and 2015/2016

Financial assets at the end of 2014/2015 totaled \$2.37 million and consisted of cash and accounts receivable. The forecasted financial assets at the end of 2015/2016 are \$2.38 million and consist of cash and accounts receivable. Liabilities consisting of accounts payable and contracts payable totaled \$2.07 million at the end of 2014/2015 and are forecasted to be \$2.03 million at the end of 2015/2016.

Non-financial assets of the FNTC which consist of prepaid expenses and tangible capital assets totaled \$195 thousand at the end of 2014/2015 and are forecasted to be \$142 thousand at the end of 2015/2016. The FNTC's tangible capital assets are comprised of furniture, IT infrastructure, equipment, software, website development costs, and leasehold improvements relating to its business premises. The Commission does not own real property and does not carry debt. The Commission leases space for its head office on the reserve lands of the Tk'emlúps te Secwepemc and in Ottawa for its National Capital Region office.

Below is an overview of the FNTC's actual performance for the 2014/2015 against its plan and its forecasted performance for the 2015/2016 against its plan with an explanation of significant variances. The figures for 2014/2015 are actual results for the fiscal year ending March 31, 2015 and the figures for 2015/2016 are forecasted results to March 31, 2016.

		20	014/2015			2015/2016						
	Actual	Plan		Variance		Forecast		Plan		Variance		
Revenue												
Government of Canada	\$ 5,933,948	\$	5,930,948	\$	3,000	\$	5,995,160	\$	5,995,160	\$	-	
Government of Canada - special initiatives	814,860		814,860		-		729,116		729,116		-	
Other	31,479		3,000		28,479		41,455		-		41,455	
	\$ 6,780,287	\$	6,748,808	\$	31,479	\$	6,765,731	\$	6,724,276	\$	41,455	
Expenses												
Commission costs	844,864		895,035		50,169		906,097		896,703		(9,394)	
Corporate Services	1,235,087		1,253,592		18,505		1,306,476		1,285,571		(20,905)	
Gazette operations	178,847		185,871		7,024		154,465		186,115		31,650	
Policy Development	803,914		799,223		(4,691)		788,494		777,712		(10,782)	
Education	567,803		533,806		(33,996)		546,986		539,979		(7,007)	
Dispute Management	197,155		190,948		(6,208)		190,893		247,941		57,048	
Communications	716,927		719,204		2,277		719,350		720,238		888	
Law/By-law Review and Regulations	1,420,725		1,356,269		(64,456)		1,423,854		1,340,901		(82,953)	
Special Initiatives	814,392		814,860		470		729,116		729,116		-	
	\$ 6,779,714	\$	6,748,808	\$	(30,906)	\$	6,765,731	\$	6,724,276	\$	(41,455)	
Annual Surplus (deficit)	\$ 573	\$		\$	573	\$	-	\$		\$		

	20	014/2015	Actual	2015	i/2016 Forecas
Financial Assets					
Cash	\$	2	,296,008	\$	2,301,448
Accounts receivable			77,305		80,00
	\$	2	,373,313	\$	2,381,448
Liabilities					
Accounts payable			828,236		830,00
Contracts payable		1	,246,291		1,200,00
		2	,074,527		2,030,000
Net Financial Assets			298,786		351,44
Non-Financial assets					
Prepaid expenses			28,054		30,00
Tangible capital assets			166,666		112,05
			194,720		142,05
Accumulated Surplus	\$		493,506	\$	493,50
Accumulated surplus					
Investment in tangible capital assets	\$		166,666	\$	112,05
Current funds			326,840		381,44
Accumulated Surplus	\$		493,506	\$	493,50

	2014	/2015 Actual	2015/20	16 Forecas
	2014	12013 Actual	2013/20	TO FUIECAS
Operating Activities				
Annual surplus (deficit)	\$	573	\$	
Items not involving cash		-		
Amortization		169,007		174,60
Loss on disposal of tangible capital assets		-		
Changes in non-cash operating balances		-		
Accounts receivable		47,460		(2,69
Prepaid expenses		10,781		(1,946
Accounts payable and contracts payable		(105,860)		(44,52
Cash flows from operating activities		121,961		125,44
Investing Activities				
Purchase of tangible capital assets		(87,205)		(120,00
Proceeds on sale of tangible capital assets		-		
		(87,205)		(120,000
Net increase in cash during the year		34,756		5,44
Cash, beginning of the year		2,261,252		2,296,00
Cash, end of the year	\$	2,296,008	\$	2,301,44

2014/2015 Plan vs. Actual and 2015/2016 Plan vs. Forecast

Revenues 2014/2015 Actual

Revenues for 2014/2015 were \$6.780 million, \$31 thousand over a budgeted plan of \$6.749 million. The revenue for 2014/2015 consisted of government funding of \$5.934 million for FNTC core business activities, \$815 thousand of funding from the Government of Canada for research and work on special initiatives, and \$31 thousand of other source revenue from bank interest. The variance from plan resulted from greater than planned bank interest being earned in the year.

Expenses 2014/2015 Actual

Expenses for 2014/2015 were \$ 6.780 million, \$31 thousand over budgeted expenditures of \$6.749 million, resulting in a \$573 surplus for the year. Expenses relating to core business activities totaled \$5.965 million, and expenses relating to special initiatives totaled \$814 thousand.

Total core business activity expenditures were consistent with planned amounts. Expenditures relating to education, dispute management and negotiations, policy development, and law/by-law review and regulations development were greater than planned. The additional expenditures in these activities were offset by a reduction in expenditures in other activities of the FNTC.

Expenses relating to special initiatives undertaken by the FNTC during the year totaled \$814 thousand. These expenses related to work undertaken for the First Nations Property Ownership Initiative and other research activities, and were in line with planned amounts. There was a small surplus totaling \$470 from the special initiative activities.

Capital Expenditures 2014/2015 Actual

Capital expenditures during the 2014/2015 totaled \$87 thousand and related to furniture purchases, information technology related equipment including lifecycle replacement of desktop computer and laptops, and website development costs.

Revenues 2015/2016 Forecast

Total revenues for 2015/2016 are forecast to be \$6.766 million, \$41 thousand over a budgeted plan of \$6.724 million. The forecasted revenues include \$5.995 million from the Government of Canada for core business activities and \$729 thousand from the Government of Canada for special projects relating to the First Nations Property Ownership Initiative, research and policy initiatives relating to aboriginal resource taxation, publication of First Nation by-laws, FMA economic infrastructure institution development and development of a corporate vision. Other income arising from bank interest is forecasted to be \$41 thousand.

Expenses 2015/2016 Forecast

Total expenses for 2015/2016 are forecast to be \$6.766 million, resulting in a forecasted deficit of \$0.

Expenses relating to core business activities are forecast to be \$6.037 million, \$42 thousand over planned expenses of \$5.995 million. Dispute management and negotiations and gazette operational costs are forecasted to be lower than planned. The variance in these business lines are forecasted to be offset by greater than planned other revenues, and greater than planned law/by-law review and regulations costs.

Expenses related to the special initiatives are forecast to be \$729 thousand, consistent with plan.

Capital Expenditures 2015/2016 Forecast

Capital expenditures for 2015/2016 are forecast to be \$120 thousand, relating to completion of reorganization of the business premises at the FNTC head office, including furniture and equipment and fit up costs, acquisition of information technology related equipment including lifecycle replacement of desktop computer, laptops, and software licensing costs.

Financial Plan 2016/2017 to 2020/2021

The proposed budget for the FNTC for 2016/2017 is balanced, and has revenues and expenditures planned at \$6.010 million. The plan includes revenue from the Government of Canada for its core activities of \$6.000 million, and \$10 thousand in revenue from other sources. The planned revenues from the Government of Canada for core activities represent an increase of less than 1.0% over funding levels for 2015/2016.

The table below contains the financial plan for the FNTC for 2016/2017 to 2020/2021. The following assumptions have been used in the preparation of the financial plans:

1. The financial plans for the periods 2016/2017 to 2020/2021 cover the 12-month fiscal year ending March 31 and are projected results for the period.

- 2. The 2016/2017 financial plan has been prepared based on a detailed review of the FNTC business lines including the initiatives, strategies, and activities planned for 2016/2017, an external risk assessment, the expected policy environment for the coming fiscal year, and best estimates of management for the cost of activities under each business line.
- 3. The financial plans for the periods 2017/2018 to 2020/2021 are forecasted based on the assumption that no significant changes to the core activities or FNTC business lines occur during the planning period.
- 4. A comprehensive strategic plan and business plan for the period 2017/2018 to 2021/2022 is currently being developed. The financial plans outlined below for these periods 2017/2018 to 2020/2021 will be revised once the planning is complete.
- 5. No provision has been made for an increase in Commissioner remuneration for 2016/2017 as these rates are determined and set by the Governor in Council.
- 6. The financial plan includes the estimated costs of continuing to provide services to First Nations under s.83.
- 7. Other income consists of revenue from bank interest.
- 8. The financial plan for 2016/2017 does not include revenue or expenditures relating to special initiatives that have been identified by the FNTC. The FNTC will seek additional funding for these initiatives during the planning period. The financial plan for 2016/2017 to 2020/2021 includes only those revenues projected for core business activities.

Statement of Financial Activities	Financial Plan										
	2016/2017		2017/2018		2018/2019		2019/2020		2020/2021		
Revenue											
Government of Canada	\$ 6,000,000	\$	6,147,451	\$	6,215,894	\$	6,277,689	\$	6,309,701		
Government of Canada - special initiatives	-		-		-		-		-		
Other	10,000		10,000		10,000		10,000		10,000		
	6,010,000		6,157,451		6,225,894		6,287,689		6,319,701		
Expenses	-		-		-		-		-		
Commission Costs	893,085		898,101		1,008,298		918,335		929,036		
Corporate Services	1,277,130		1,304,119		1,336,792		1,438,122		1,397,592		
Gazette Operations	145,238		103,037		100,958		102,876		104,833		
Policy Development	783,911		774,739		787,705		800,899		814,325		
Education	596,853		614,438		606,033		612,767		622,974		
Dispute Management and Negotiations	248,585		255,150		259,029		262,967		266,965		
Communication costs	734,777		862,598		761,491		772,356		783,653		
Law/By-law Review and Regulations	1,330,421		1,345,269		1,365,588		1,379,367		1,400,323		
Special Initiatives	-		-		-		-		-		
	6,010,000		6,157,451		6,225,894		6,287,689		6,319,701		
Net Surplus	\$	\$	-	\$	-	\$	-	\$			

Statement of Financial Posi	ition		_		Financial Plan							
		2016/2017		2017/2018		2018/2019		2019/2020		2020/2021		
Financial Assets												
Cash	\$	2,082,004	\$	2,030,137	\$	2,048,669	\$	2,074,135	\$	2,020,802		
Accounts receivable		70,000		70,000		70,000		70,000		70,000		
		2,152,004		2,100,137		2,118,669		2,144,135		2,090,802		
Liabilities		-		-		-		-		-		
Accounts payable		1,235,000		1,185,000		1,185,000		1,185,000		1,185,000		
Contracts payable		605,000		605,000		605,000		605,000		605,000		
		1,840,000		1,790,000		1,790,000		1,790,000		1,790,000		
Net Financial Assets		312,004		310,137		328,669		354,135		300,802		
Non-Financial Assets		-		-		-		-		-		
Prepaid expenses		30,000		30,000		30,000		30,000		30,000		
Tangible capital assets		151,503		189,370		206,838		217,371		243,283		
		181,503		219,370		236,838		247,371		273,283		
Accumulated Surplus	\$	493,507	\$	529,507	\$	565,507	\$	601,507	\$	574,085		
Accumulated Surplus												
Investment in tangible capital assets	\$	151,503	\$	189,371	\$	206,838	\$	217,371	\$	243,283		
Current funds		342,004		340,137		358,669		384,136		330,802		
Accumulated Surplus	\$	493,507	\$	529,507	\$	565,507	\$	601,507	\$	574,085		

Statement of Cash Flows			Financial Plan		
	2016/2017	2017/2018	2018/2019	2019/2020	2020/2021
Operating Activities					
Annual surplus (deficit)	\$ -	\$ -	\$ -	\$ -	\$ -
Items not involving cash	-	-	-	-	-
Amortization	90,556	108,133	118,532	125,466	71,667
Loss on disposal of tangible capital assets	-	-	-	-	-
Changes in non-cash operating balances	-	-	-	-	-
Accounts receivable	10,000	-	-	-	-
Prepaid expenses	-	-	-	-	-
Accounts payable and contracts payable	(190,000)	(50,000)	-	-	-
Cash flows from operating activities	(89,444)	58,133	118,532	125,466	71,667
Capital Activity	-	-	-	-	-
Purchase of tangible capital assets	(130,000)	(110,000)	(100,000)	(100,000)	(125,000)
Net (decrease) increase in cash during the year	(219,444)	(51,867)	18,5332	25,466	(53,333)
Cash, beginning of the year	2,301,448	2,082,004	2,030,137	2,048,669	2,074,135
Cash, end of the year	\$ 2,082,004	\$ 2,030,137	\$ 2,048,669	\$ 2,074,135	\$ 2,020,802

