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**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ First Nation**

**Draft Work Plan**

This draft Work Plan sets out the tasks necessary to develop a First Nation development cost charges law. This involves development of the development cost charges law and development of long-term capital development plan or other planning document or service agreement.

1. **Development of First Nation Development Cost Charges Law**

| **Task** | **Activities** | **Who** | **Timetable**  [estimated date expected] | **Comments** |
| --- | --- | --- | --- | --- |
| 1. Determine team for law implementation | * FN and FNTC identify their contact persons for law development. | * FN * FNTC | * Month 1 |  |
| 1. FN confirmation of legal counsel | * FN to confirm legal counsel for law development and send contact info to FNTC | * FN | * Month 1 |  |
| 1. Information sessions or consultation with potential taxpayers or membership | * FN develops presentation. FNTC can offer presentation templates and technical support. * FN to determine suitable date for presentation. | * FN (FNTC) | * Month 1 or after law developed and before notification. | * Optional |
| 1. Development of DCC Law | * 1st draft of Proposed Law * FN review of FNTC comments and 2nd draft * Final Proposed Law submitted to Chief & Council * FN BCR approval of proposed law | * FN (legal) FNTC * FN (legal) * FN (legal) * Chief & Council | * Months 1-3 | * Once FN legal is confirmed, drafting depends on pace of legal counsel (typically 2-3 months) * Law development grant may be available. |
| 1. FMA Representation and Notification Period | * Preparation of Section 6 notice. * Notice mailed or emailed to FNTC (FNTC Registrar) * Notice posted in a public place. * Notice published in the [*First Nations Gazette*](http://www.fng.ca) * Posting the DCC supporting document in a prominent place on the First Nation’s website * Distributing copy of the law when requested. * Sending copy of proposed law to FNTC. * Retaining any written representations made to FN concerning the law and representation process (includes emails). * If a public meeting is held, noting any oral representations made at a public meeting concerning the proposed law. | * FN and FNTC * FN (legal) * FN | * Months 3 - 4 | * Law notification is a requirement under the FMA. FNTC has developed a one-page sample notice (sample section 6 notice). It describes the law and invites individuals to comment on the law. It also contains contact information and states where a copy of the DCC supporting document may be obtained. If the First Nation chooses to hold a public meeting, the notice would provide the date and location of the public meeting. * FNTC can provide a sample representation plan to facilitate representation and notification activities. * Section 6 notice must be for at least 45 days for law notification. * If a First Nation has an existing tax base additional notification is required (e.g., notice published in newspaper, FN website, or in a newsletter). |
| 1. FN approval and Submission of Law (after representation period) | * Consideration of representations (if any). * Chief & Council approval of law. * Invitation of further representation to the FNTC under s.7 (*if written representations are made*). * Confirmation letter under s.8 that FMA requirements have been met. * Submission of law to FNTC Registrar. | * Chief & Council * Chief & Council * FN * FN * FN | * Month 5 | * FNTC has a sample s.7 letter. * FNTC has a sample s.8 letter. |
| 1. FNTC Review and approval consideration | * Reviews law and s.7 representations, if any. * Approves compliance with legislative framework. * Law comes into force the later of the day after FNTC approval, or date set by the First Nation. | * FNTC | * If FN receives representations, FNTC must allow 30 days for further representations. |  |

1. **Determination of Development Cost Charge Capital Costs and DCC Rates**

| **Task** | **Activities** | **Who** | **Timetable**  [estimated date expected] | **Comments** |
| --- | --- | --- | --- | --- |
| 1. Determine capital costs and DCC rates | * Determine capital costs and DCC rates by development of a long-term capital development plan or other planning document or service agreement * Proposed long-term capital development plan or other planning document or service agreement submitted to Chief and Council for their review * FN approval of long-term capital development plan or other planning document or service agreement used to determine capital costs and DCC rates | * FN * FN Chief and Council * FN Chief and Council |  | * DCC rates may be supported by a:   + long-term capital development plan, or   + local government regional growth strategy, official community plan or other regional development plan where the FN participates in regional planning, or   + a service agreement with local government under which the FN contributes to the development cost charges levied by the local government |