

\_\_\_\_\_ **FIRST NATION**  
**ANNUAL EXPENDITURE BY-LAW, 20\_\_**

WHEREAS:

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

B. The Council of the \_\_\_\_\_ First Nation has made a by-law pursuant to section 83 of the *Indian Act* respecting property taxation for local purposes on reserve; and

C. The Council of the \_\_\_\_\_ First Nation wishes to establish an annual budget for the expenditure of revenues raised under its property taxation by-law in the current taxation year;

NOW THEREFORE the Council of the \_\_\_\_\_ First Nation duly enacts as follows:

1. This By-law may be cited as the \_\_\_\_\_ *First Nation Annual Expenditure By-law, 20\_\_*.

2. In this By-law:

“Act” means the *Indian Act*, R.S.C. 1985, c. I-5, and the regulations made under that Act;

“annual budget” means a budget setting out the projected local revenues and projected expenditures of those local revenues during the budget year;

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

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

“First Nation” means the \_\_\_\_\_ First Nation;

“local revenues” means money raised by the First Nation under a property taxation by-law and payments made to a First Nation in lieu of a tax imposed under a property taxation by-law;

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

“Taxation By-law” means the \_\_\_\_\_ *First Nation Property Taxation and Assessment By-law, 20\_\_*.

3. The First Nation’s annual budget for the fiscal year beginning \_\_\_\_\_, and ending \_\_\_\_\_, is attached as a Schedule to this By-law and the expenditures provided for in the Schedule are authorized.

4. Expenditures of local revenues must be made only in accordance with the annual budget.

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

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

**[Note to First Nation: Delete section 7 if the First Nation does not provide for grants in its budget.]**

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

**[Note to First Nation: Add this section only if you are establishing a new reserve fund this year.**

8. A **[insert name of reserve fund]** reserve fund is hereby established for the purpose of **[insert statement reflecting purpose of reserve fund]**.

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

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

**10.** This By-law must be construed as being remedial and must be given such fair, large and liberal construction and interpretation as best ensures the attainment of its objectives.

**11.(1)** The Schedule attached to this By-law, and any Appendices, forms part of and is an integral part of this By-law.

(2) A reference to the Schedule is a reference to the Schedule to this By-law.

**12.** This By-law comes into force and effect upon the approval of the Minister of Indian Affairs and Northern Development.

THIS BY-LAW IS HEREBY DULY ENACTED by Council on the \_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, at \_\_\_\_\_, in the Province of \_\_\_\_\_.

A quorum of Council consists of \_\_\_\_\_ (\_\_\_\_\_) members of Council.

[Name] \_\_\_\_\_

Chief [please spell out the name]

[Name] \_\_\_\_\_

Councillor [please spell out the name]

[Name] \_\_\_\_\_

Councillor [please spell out the name]

**SCHEDULE  
ANNUAL BUDGET**

**[Note to First Nation: Delete categories of revenues and expenditures that are not applicable.]**

**PART 1: REVENUES**

1. Local revenues to be collected in budget year:	
a. Property Tax Revenues	\$
b. Payments received in lieu of taxes	\$
c. Local Improvement/Service tax revenues	\$
2. Moneys from Reserve Funds <b>[Note to First Nation: List each reserve fund and amount taken out of fund to be expended in budget year. If none, delete this section.]</b>	
a.	\$
b.	\$
3. Moneys borrowed from Reserve Funds <b>[Note to First Nation: List each fund and amount borrowed from a reserve fund to be expended in budget year. If none, delete this section.]</b>	
a.	\$
b.	\$
<b>TOTAL REVENUES</b>	<b>\$</b>

**PART 2: EXPENDITURES**

1. General Government Expenditures
  - a. Executive and Legislative
  - b. General Administrative
  - c. Other General Government
2. Protection Services
  - a. Policing
  - b. Firefighting
  - c. Regulatory Measures
  - d. Other Protective Services
3. Transportation
  - a. Roads and Streets
  - b. Snow and Ice Removal
  - c. Parking
  - d. Public Transit
  - e. Other Transportation
4. Recreation and Cultural Services

- a. Recreation
- b. Culture
- c. Heritage Protection
- d. Other Recreation and Culture
- 5. Community Development
  - a. Housing
  - b. Planning and Zoning
  - c. Community Planning
  - d. Economic Development Program
  - e. Tourism
  - f. Trade and Industry
  - g. Land Rehabilitation and Beautification
  - h. Other Regional Planning and Development
- 6. Environment Health Services
  - a. Water Purification and Supply
  - b. Sewage Collection and Disposal
  - c. Garbage, Waste Collection and Disposal
  - d. Recycling
  - e. Other Environmental Services
- 7. Fiscal Services
  - a. Debt Payments
  - b. Accelerated Debt Payments
  - c. Other Fiscal Services
- 8. Other Services
  - a. Health
  - b. Social Programs and Assistance
  - c. Agriculture
  - d. Education
  - e. Other Service
- 9. Grants:
  - a. Home owner grant equivalents: \$
  - b. Other grants: [**Note to First Nation: List each grant category and total amount granted**]
    - i. \$
    - ii. \$
    - iii. \$

10. Contingency Amounts [Note to First Nation: Must be between 1% and 10% of the total local revenues, excluding amounts transferred to reserve funds in current year and amounts transferred from a capital reserve fund into the current year revenues.]	\$
11. Transfers into Reserve Funds [Note to First Nation: List each reserve fund and amount to be transferred into the reserve fund in budget year. If none, delete this section.]	
a.	\$
b.	\$
12. Repayment of moneys borrowed from Reserve Funds [Note to First Nation: List each reserve fund and amount to be paid back into the reserve fund in budget year. If none, delete this section.]	
a.	\$
b.	\$
<b>TOTAL EXPENDITURES</b>	<b>\$</b>

**PART 3: ACCUMULATED SURPLUS/DEFICIT**

1. Accumulated Surplus – Local revenues carried forward from the previous budget year	\$
2. Accumulated Deficit – Local revenue expenditures carried forward from the previous budget year	\$
<b>BALANCE</b>	<b>\$</b>

**[Note to First Nation: Total revenues less total expenditures, plus accumulated surplus and minus accumulated deficit should be zero.]**

Note: The First Nation has the following service agreements with third-party service providers, and the amounts indicated are the amounts payable by the First Nation under each agreement during the budget year: [Note to First Nation: List each service agreement and the amount payable. These expenditure amounts should be included in the appropriate budget expenditure category above.]

a. [insert name of service provider and services provided]	\$
b.	\$

Note: This Budget includes the attached Appendix. [Note: If no reserve funds, delete this sentence and the Appendix.]

**Appendix**  
**Reserve Fund Balances**

**[Note to First Nation: This Appendix is required if the First Nation has any reserve funds funded by local revenues. List each reserve fund separately. The beginning balance is the first day of the budget year and ending balance is the last day of the budget year.]**

1. [Name of reserve fund]

Beginning balance as of \_\_\_\_\_ 1, 20\_\_ : \$

Transfers out

a. to local revenue account: \$

b. to \_\_\_\_\_ reserve fund as a transfer: \$

c. moneys borrowed for another purpose: \$

Transfers in

a. from local revenue account: \$

b. from \_\_\_\_\_ reserve fund as a transfer to fund: \$

c. borrowed moneys repaid to fund: \$

Interest earned in current year: \$

Ending balance as of \_\_\_\_\_ 31, 20\_\_ : \$

2. [Name of reserve fund]

Beginning balance as of \_\_\_\_\_ 1, 20\_\_ : \$

Transfers out

a. to local revenue account: \$

b. to \_\_\_\_\_ reserve fund as a transfer: \$

c. moneys borrowed for another purpose: \$

Transfers in

a. from local revenue account: \$

b. from \_\_\_\_\_ reserve fund as a transfer to fund: \$

c. borrowed moneys repaid to fund: \$

Interest earned in current year: \$

Ending balance as of \_\_\_\_\_, 20\_\_ : \$