



Indian and Northern
Affairs Canada

Affaires indiennes
et du Nord Canada

Indian and Inuit Affairs

Affaires
indiennes et inuit

Chronological No. – Numéro consécutif

14/15

File Reference – No. de ref. du dossier

538-987-93

**BAND COUNCIL RESOLUTION
RESOLUTION DE CONSEIL DE BANDE**

NOTE: The words "From our Band Funds" "Capital" or "Revenue", which ever is the case, must appear in all resolutions requesting expenditures from Band Funds

NOTA: Les mots "des fonds de notre band" "Capital" ou "revenue" selon le cas doivent paraître dans toutes les résolutions portant sur des dépenses à même les fonds des bandes

THE COUNCIL OF THE LE COUSEIL DE LA BANDE INDIENNE	Heiltsuk Band	Current Capital Balance Solde de Capital	\$
AGENCY DISTRICT	Vancouver	Committed – Engagé	\$
PROVINCE	British Columbia	Current Revenue balance Solde de revenu	\$
PLACE NOM DE L'ENDROIT	Bella Bella	Committed – Engagé	\$
DATE	26 DAY – JOUR	May MONTH - MOIS	AD 00 2015 YEAR – ANNEE

DO HEREBY RESOLVE:
DECIDE, PAR LES PRESENTES:

**HEILTSUK
BORROWING AGREEMENT LAW 2015
(Other Revenues)**

WHEREAS:

- A. Under paragraph 74(b) of the *First Nations Fiscal Management Act*, one of the mandates of the Authority is to secure, for its borrowing members, financing through the use of other revenues prescribed by regulation for purposes prescribed by regulation;
- B. The *Financing Secured by Other Revenues Regulations* made under section 142 of the Act prescribes other revenues and purposes for which such other revenues can be used to secure financing from the Authority and adapts and restricts the Act for the purposes of paragraph 74 (b);
- C. The Act provides pursuant to paragraph 5(1)(d) that the council of a First Nation may make laws respecting the borrowing of money from the Authority including any authorization to enter into a borrowing agreement with the Authority;
- D. The First Nation wishes to secure financing from the Authority using other revenues prescribed in the Act;
- E. The First Nation wishes to enter into a Borrowing Agreement with the Authority as provided in this Law;
- F. The First Nation has enacted a *Financial Administration Law* under paragraph 9(1)(a) of the Act, which law has been approved by the Board; and
- G. The First Nation has obtained a Financial Performance Certificate from the Board; a copy of which is attached as Schedule "A" to this Law.

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

- 1. This Law may be cited as the *Heiltsuk Borrowing Agreement Law - OR 2015*.
- 2. In this Law (including the recitals):

“Act” means the *First Nations Fiscal Management Act* and regulations, as adapted by the *Financing Secured by Other Revenues Regulations* and any amendments thereto;

“Authority” means the First Nations Finance Authority established under the Act;

“Board” means the First Nations Financial Management Board established under the Act;

“**Borrowing Agreement**” means the borrowing agreement between the Authority and the First Nation setting forth the contractual terms and conditions of the First Nation being a borrowing member and the contractual terms and conditions on which the Authority agrees to provide financing to the First Nation, as contemplated by paragraph 5(1)(d) of the Act;

“**Financing Secured by Other Revenues Regulations**” means the regulation made under section 142 of *First Nations Fiscal Management Act* that prescribes other revenues and purposes for which such other revenues can be used to secure financing from the Authority and adapts and restricts the *First Nations Fiscal Management Act* for the purposes of paragraph 74(b);

“**Financial Performance Certificate**” means a certificate issued by the Board under subsection 50(3) of the Act to a First Nation, which demonstrates that the First Nation’s financial performance is in compliance with the Board’s standards;

“**First Nation**” means Heiltsuk (referred to in the schedule to the *First Nations Fiscal Management Act*, S.C. 2005, c.9); and

“**Law**” means this Borrowing Agreement Law.

3. Unless the context otherwise requires, words and expressions used in this Law and not otherwise defined have the same meaning as in the Act.
4. The First Nation is authorized to enter into the Borrowing Agreement with the Authority.
5. A quorum of the members of the Council are authorized and directed to execute the Borrowing Agreement on behalf of the First Nation, in the form specified by the Authority.
6. Where a provision in this Law is expressed in the present tense, the provision applies to the circumstances as they arise.
7. This Law shall be construed as being remedial and shall be given such fair, large and liberal construction and interpretation as best ensures the attainment of its objectives.
8. The Schedule attached to this Law forms part of and is integral to this Law.
9. This Law comes into force and effect on the 26th day of May.

A quorum for this Bande
 Pour cette bande le quorum est
 consists of 5 (five)
 fixé à
 Council Members
 Membres du Conseil



 (Councillor – conseiller)




 (Councillor – conseiller)



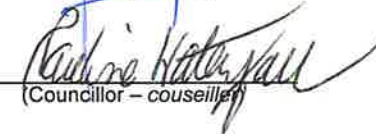
 (Councillor – conseiller)



 (Councillor – conseiller)



 (Chief – Chef)



 (Councillor – conseiller)

_____ (Councillor – conseiller)

_____ (Councillor – conseiller)

_____ (Councillor – conseiller)

FOR DEPARTMENTAL USE ONLY – RESERVE AU MINISTERE					
Band Fund Code	2.COMPUTER BALANCES -Soldes d'Ordinateur		3. Expenditures-	4. Authority- Autorité	Source of Funds
Code du compte de bande	A. Capital	B. Revenue- Revenu	Dépenses	Indian Act Sec Art, de La Loi sur les indiens	Source des fonds <input type="checkbox"/> Capital <input type="checkbox"/> Revenue
	\$	\$	\$		
6. Recommended - Recommandable			Approved – Approuvable		
Date	Recommending Officer		Date	Approving Officer – Approuvé par	