



huu ay aht

ANCIENT SPIRIT, MODERN MIND

BUDGET ACT, 2016

The Huu-ay-aht Legislature enacts this law to establish spending authority and borrowing authority for the fiscal year beginning April 1, 2016 and ending March 31, 2017, and to retroactively amend spending authorities and borrowing authorities for the 2016-2017 fiscal year.

REGISTRY OF LAWS CERTIFICATION

I certify that the *Budget Act, 2016* was passed by Executive Council on:

Chief Councillor, Robert Dennis

I certify that the *Budget Act, 2016* is enacted as law on:

Ta'yii Hawilth, Derek Peters

I certify that the *Budget Act, 2016* came into force on:

Deputy Law Clerk, Kim Chretien

BUDGET ACT, 2016

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Note to Reader

The *Budget Act, 2016* establishes the authority of government to spend money from April 1, 2016 to March 31, 2017. A *Budget Act* is required by the *Financial Administration Act* each fiscal year. Government may only spend money if it has spending authority.

- Part 1, General Operating Fund, sets out the budget line items that provide spending authority for government from the general operating fund.
- Part 2, Invested Wealth Fund, sets out the amount of funds that may be spent from the Invested Wealth Fund.
- Part 3 sets out the authorized capital spending of government for the 2016 – 2017 fiscal year.
- Part 4 sets out the authorized general purpose spending of government for the 2016 – 2017 fiscal year.
- Part 5 sets out the authorized borrowings of government for the 2016 – 2017 fiscal year.
- Part 6, Special Programs Fund, sets out the authorized spending for special programs for the 2016 – 2017 fiscal year.
- Part 7 sets out the conditions for Executive Council to invest in Huu-ay-aht business enterprises by borrowing funds or guaranteeing loans.

The Legislature enacts as follows:

PART 1 – GENERAL OPERATING FUND

General operating fund spending authority

- 1 Spending from the general operating fund from April 1, 2016 to March 31, 2017 is authorized for the purpose and amount shown in the same row as each budget line item in the following table:

No.	Budget Line Item Name	Purpose	Amount
1	Community Services	To provide for the services to all HFN Citizens including children and family support, health and social services, education, culture and the delivery of Citizenship benefits including communications.	\$1 665 160
2	Government Services	To provide the services needed to support government operations, and engagement with Citizens and other stakeholders, committee and Council operations, Hawiik Council operations, financial management and comptrollership, records and administrative support, construction, operation and maintenance of community infrastructure and administration, local government services for the community of Anacla, staff management and engagement, and communication, consultation and engagement with other government departments and institutions.	\$3 879 134
3	Economic Development Services	To provide programs, services and support related to the establishment of project management systems, development and implementation of approved projects, identification, communication, fulfill the obligations of the Economic Development Officer and identify engagement with potential industry and strategic partners, .	\$307 484
4	Huu-ay-aht Settlement Trust	Potential transfer of funds to Huu-ay-aht Settlement Trust	\$1 000 000

No.	Budget Line Item Name	Purpose	Amount
5	Depreciation	To allow for depreciation expenses related to capital assets	\$720 000
6	Contingencies and New Programs	To provide for expenditure or spending incurred for the purposes of other budget line items that are in excess of the amounts authorized by the budget line item spending authorities or statutory spending authorities. To also provide funding for new programs created after the beginning of the fiscal year and for natural disasters, emergency relief and the assistance of those in need as the result of an event that was not expected or where the timing of the event was not known in advance	\$300 000
	Total General Operating Fund Spending Authority		\$8 050 001

PART 2 – INVESTED WEALTH FUND

Invested Wealth Fund spending authority

- 2 Spending from the Invested Wealth Fund from April 1, 2016 to March 31, 2017 is authorized for the purpose and amount shown in the same row as each budget line item in the following table:

No.	Budget Line Item Name	Purpose	Amount
7	Fund Management	For management of the investments of the Invested Wealth Fund	\$40 000
8	Transfer to General Operating Fund	For transferring money to the general operating fund to support government operations	\$100 000
	Total Invested Wealth Fund Spending Authority		\$140 000
	Total Consolidated Government Fund Spending Authority		\$8 190 001

PART 3 – CAPITAL SPENDING

Capital spending authority

- 3 Spending for capital purposes from April 1, 2016 to March 31, 2017 is authorized for the purpose and amount shown in the same row as each budget line item in the following table:

No.	Budget Line Item Name	Purpose	Amount
9	Capital Projects	For capital items including: water and wastewater system development, subdivision development, economic projects, and road maintenance; capital acquisitions including: vehicles, House of HUU-AY-AHT, ANACLA Government Office repairs, and Sarita Cemetery upgrades. For greater certainty, this line item includes the acquisition of real property that is intended to be added to HUU-AY-AHT's Treaty Lands.	\$2 300 000
Total Capital Spending Authority			\$2 300 000

PART 4 – GENERAL PURPOSE SPENDING

General purpose spending

- 4 Spending for general purposes from April 1, 2016 to March 31, 2017 is authorized for the purpose and amount shown in the same row as each budget line item in the following table:

No.	Budget Line Item Name	Purpose	Amount
10	General Purpose	For otherwise unanticipated expenditures relating to: the acquisition of real property, capital projects, new business opportunities, economic development or emergency situations. For great certainty, such expenditures must be authorized by Executive Council.	\$10 000 000
Total General Purpose Spending Authority			\$10 000 000

PART 5 – BORROWING

Borrowing authority

- 5 Borrowing from April 1, 2016 to March 31, 2017 is authorized for the purpose and amount shown in the same row as each borrowing authority item in the following table:

No.	Borrowing Authority Item Name	Purpose	Amount
B1	General Purpose Borrowing	For borrowing to meet the need for cash that may arise from time to time related to expenditures, infrastructure investment, and capital spending	\$5 000 000
B2	Borrowing to invest in Huu-ay-aht business enterprises	For borrowing to invest in Huu-ay-aht business enterprises or guaranteeing Huu-ay-aht business enterprise loans to support business operations and economic development activities	\$5 000 000
Total Borrowing Authority			\$10 000 000

PART 6 – SPECIAL PROGRAMS FUND

Special Programs Fund spending authority

- 6 Spending from the Special Programs Fund from April 1, 2016 to March 31, 2017 is authorized for the purposes and in the amounts shown in the same row as each budget line item in the following table:

No.	Budget Line Item Name	Purpose	Amount
S1	Special Programs	To provide for spending incurred for purposes specified in a contribution or funding agreement under which revenues are provided to the Huu-ay-aht by another government, organization or entity for expenditure on those specified purposes	\$5 000 000
Total Special Programs Fund Spending Authority			\$5 000 000

PART 7 – INVESTMENTS IN HUU-AY-AHT BUSINESS ENTERPRISES**Conditions for investment by way of loan or loan guarantee**

- 7 (1) Executive Council may borrow funds to invest in a HUU-ay-aht business enterprise in accordance with section 69 of the *Financial Administration Act* if
- (a) the purpose and amount is authorized by a borrowing authority,
 - (b) Executive Council has considered the recommendation of Finance Committee,
 - (c) loan conditions, including security, term and source of repayment, are approved by Executive Council,
 - (d) the term of the loan does not exceed 25 years, and
 - (e) the loan will be repaid by a HUU-ay-aht business enterprise or from payments received from Canada or British Columbia.
- (2) Executive Council may guarantee a HUU-ay-aht business enterprise loan or obligation for the purpose of making an investment in a HUU-ay-aht business enterprise if
- (a) the purpose and amount is authorized by a borrowing authority,
 - (b) Executive Council has considered the recommendation of Finance Committee,
 - (c) the guarantee conditions, including security, term and discharge are approved by Executive Council,
 - (d) the term of the guarantee does not exceed 25 years, and
 - (e) the HUU-ay-aht business enterprise has the capacity to repay the loan or obligation and discharge the HUU-ay-aht guarantee.