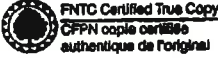
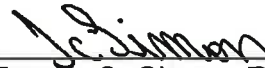




First Nations Tax Commission
Commission de la fiscalité des premières nations

I, Tracey C. Simon, do hereby affirm as the Registrar, FSMA for the First Nations Tax Commission that the attached copy is a true copy of the original law, *Whitecap Dakota First Nation Property Assessment Law, 2012*, duly made on September 13, 2012 by the Council of the Whitecap Dakota First Nation and as such has been stamped  on each of the thirty-three (33) pages.

Signed at Kamloops, British Columbia this 9th day of October, 2012.



Tracey C. Simon, Registrar, FSMA
First Nations Tax Commission



**WHITECAP DAKOTA FIRST NATION
PROPERTY ASSESSMENT LAW, 2012**

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SCHEDULES

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assessment is to be effective and for each subsequent year preceding the year in which the next property for the purposes of establishing an assessment roll for the year in which the "base date" means the base date established by the agency for determining the assessed value of "assessor" means a person appointed by Council under subsection 3(1); amended under this Law and an assessment roll referenced in subsection 11(7); "assessment roll" means a roll prepared pursuant to this Law, and includes an assessment roll "Assessment Review Board" means a board established by Council in accordance with Part IX; "Assessment Notice" means a notice containing the information set out in Schedule V; pursuant to section 12 of *The Assessment Management Agency Act* (Saskatchewan); "assessment manual" means the assessment manual established from time to time by the agency, "assessment appraiser" means a person designated by Council under subsection 3(2) to carry out valuations; "assessment" means the valuation and classification of an interest in land; as if the land or improvements were held in fee simple off the reserve; "assessed value" means the value of land or improvements, or both, as determined under this Law "assessable property" means property that is liable to assessment under this Law; "agency" means the Saskatchewan Assessment Agency established pursuant to *The Assessment Management Agency Act* (Saskatchewan); "Act" means the *First Nations Fiscal and Statistical Management Act*, S.C. 2005, c.9, and the regulations enacted under that Act;

Definitions and References

DEFINITIONS AND REFERENCES

PART II

1. This Law may be cited as the *Whitecap Dakota First Nation Property Assessment Law*, 2012.

Citation

CITATION

PART I

NOW THEREFORE the Council of the Whitecap Dakota First Nation duly enacts as follows:
First Nations Fiscal and Statistical Management Act;
C. The Council of the Whitecap Dakota First Nation has given notice of this law and has considered any representations received by the Council, in accordance with the requirements of the First Nation to make a law for such purposes; and
B. The Council of the Whitecap Dakota First Nation deems it to be in the best interests of the council of a first nation may make laws respecting taxation for local purposes of reserve lands, interests in reserve lands or rights to occupy, possess or use reserve lands;

WHEREAS:

revaluation is to be effective;

“building” means any structure used or occupied or intended for supporting or sheltering any use or occupancy, and includes a trailer or mobile home that is

(a) not in storage, and

(b) situated on the reserve for a period of more than 30 days;

“chair” means the chair of the Assessment Review Board;

“Commission” means the First Nations Tax Commission established under the Act;

“complainant” means a person who commences an appeal of an assessment under this Law;

“Council” has the meaning given to that term in the Act;

“First Nation” means the Whitecap Dakota First Nation, being a band named in the schedule to the Act;

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

“holder” means a person in possession of an interest in land or a person who, for the time being, (a) is entitled through a lease, licence or other legal means to possess or occupy the interest in land,

(b) is in actual occupation of the interest in land,

(c) has any right, title, estate or interest in the interest in land, or

(d) is a trustee of the interest in land;

“improvement” means

(a) a building or structure erected or placed on, over or under land or over or under water but does not include machinery and equipment unless the machinery and equipment is used to service the building or structure,

(b) anything affixed to or incorporated in a building or structure affixed to land but does not include machinery and equipment unless the machinery and equipment is used to service the building or structure,

(c) any resource production equipment of any mine or petroleum oil or gas well, and

(d) any pipeline on or under land;

“interest in land” or “property” means land or improvements, or both, in the reserve and, without limitation, includes any interest in land or improvements, any occupation, possession or use of land or improvements, and any right to occupy, possess or use land or improvements;

“market valuation standard” means the standard achieved when the assessed value of property (a) is prepared using mass appraisal;

(b) is an estimate of the market value of the property;

(c) reflects typical market conditions for similar properties; and

(d) meets any quality assurance standards established by order of the agency;

“market value” means the amount that a property should be expected to realize if the property is sold in a competitive and open market by a willing seller to a willing buyer, each acting prudently and knowledgeably, and assuming that the property were held in fee simple off the reserve and that the amount is not affected by undue stimuli;

“mass appraisal” means the process of preparing assessments for a group of properties as of the

base date using standard appraisal methods, employing common data and allowing for statistical testing;

"non-regulated property assessment" means an assessment for property other than a regulated property assessment;

"Notice of Appeal" means a notice containing the information set out in Schedule VII;
"Notice of Assessment Inspector" means a notice containing the information set out in Schedule III;

"Notice of Hearing" means a notice containing the information set out in Schedule IX;

"Notice of Withdrawal" means a notice containing the information set out in Schedule VIII;

"Order to Attend/Provide Documents" means an order containing the information set out in Schedule X;

"party", in respect of an appeal of an assessment under this Law, means the parties to an assessment appeal under section 33;

"percentages of value" means the percentages of value prescribed for property classes by regulation under *The Municipalities Act* (Saskatchewan);

"person" includes a partnership, syndicate, association, corporation and the personal or other legal representatives of a person;

"property class" means those categories of property established in subsection 8(1) for the purposes of assessment and taxation;

"Province" means the province of Saskatchewan;

"railway roadway" means the continuous strip of land that is used by the railway company as a right of way, and includes any railway superstructure on the land;

"regulated property assessment" means an assessment for agricultural land, resource production equipment, railway roadway, heavy industrial property or pipelines;

"regulated property valuation standard" means the standard achieved when the assessed value of the property is determined in accordance with the formulae, rules and principles set out in this Law, including as provided in subsection 7(14);

"reserve" means any land set apart for the use and benefit of the First Nation within the meaning of the *Indian Act*;

"resolution" means a motion passed and approved by a majority of Council present at a duly convened meeting;

"secretary" means the secretary of the Assessment Review Board appointed under section 26;

"tax administrator" means the person appointed by Council to that position under the Taxation Law;

"taxable assessment" means the taxable assessment determined under subsection 7(13);

"Taxation Law" means the *Whitecap Dakota First Nation Property Taxation Law, 2012*;

"taxation year" means the calendar year to which an assessment roll applies for the purposes of taxation;

"taxes" includes

(a) all taxes imposed, levied, assessed or assessable under the Taxation Law, and all penalties,



Property Assessable
6.(1) All property that is subject to taxation under the Taxation Law and all property for which payments-in-lieu may be accepted by Council must be assessed in accordance with this Law.
(2) A valuation must be prepared for each assessable property in accordance with this Law.
(3) The assessor must prepare an assessment for each assessable property using the valuation prepared for that property.
(4) An assessment must be prepared for an improvement whether or not it is complete or capable of being used for its intended purpose.

ASSESSED VALUE

PART IV

5. This Law applies to all interests in land.
Application of Law
4. Notwithstanding any other provision of this Law, if the FMB gives notice to Council pursuant to the Act that third-party management of the revenues raised under this Law is required, Council authorizes the FMB to act as agent of the First Nation to fulfill any of the powers and obligations of the Council under this Law and the Act.
Authorization of Financial Management Board
(b) a person who has met the standards for competency and proficiency established in the regulations made pursuant to subsection 18(2) of *The Assessment Appraisers Act*.
(a) the agency; or
(3) The assessment appraiser designated further to subsection (2) must either be:
law.
(2) Council may designate an assessment appraiser to carry out valuations as set out in this
3.(1) Council must, by resolution, appoint an assessor to undertake the duties of the assessor as set out in this Law or as directed by Council.
Assessor and Assessment Appraiser

ADMINISTRATION

PART III

(2) In this Law, references to a Part (e.g. Part I), section (e.g. section 1), subsection (e.g. subsection 2(1)), paragraph (e.g. paragraph 8(5)(a)) or Schedule (e.g. Schedule I) is a reference to the specified Part, section, subsection, paragraph or Schedule of this Law, except where otherwise stated.
"valuation" means the determination of the assessed value of an interest in land.
interest and costs added to taxes under the Taxation Law, and
(b) for the purposes of collection and enforcement, all taxes imposed, levied, assessed or assessable under any other local revenue law of the First Nation, and all penalties, interest and costs added to taxes under such a law; and

Assessment and Valuation

- 7.(1) All property must be assessed as of the applicable base date.
- (2) Each property must be assessed using only mass appraisal.
- (3) Regulated property assessments must be determined according to the regulated property assessment valuation standard.
- (4) Non-regulated property assessments must be determined according to the market valuation standard.
- (5) Notwithstanding subsections (3) and (4), the rules for preparing assessments apply to the assessment of all property unless stated to apply only to regulated property assessments or only to non-regulated property assessments.
- (6) Land and improvements must be assessed separately in circumstances where separate values are required.
- (7) The dominant and controlling factor in the assessment of property is equity.
- (8) Equity in regulated property assessments is achieved by applying the regulated property assessment valuation standard uniformly and fairly.
- (9) Equity in non-regulated property assessments is achieved by applying the market valuation standard so that the assessments bear a fair and just proportion to the market value of similar properties as of the applicable base date.
- (10) The assessed value must reflect all the facts, conditions and circumstances affecting the property as of January 1 of each year as if they had existed on the applicable base date.
- (11) The assessed value of land through which a pipeline runs is not to be reduced if the pipeline is buried in the land and the surface rights are not held by the owner of the pipeline.
- (12) Notwithstanding the disposal of lots or plots in a cemetery, the holder of property used as a cemetery must be assessed with respect to all the lands included in the cemetery.
- (13) After the assessed value of a property is determined, the assessor must determine the taxable assessment of the property by multiplying the assessed value by the percentage of value applicable to the property class to which the property belongs.
- (14) Except as otherwise provided in this Law, for the purposes of assessing interests in land
- (a) the valuation methods, rates, rules and formulas established under provincial assessment legislation, the assessment manual, and any guidelines established by the agency to determine the assessed value of a property, existing at the time of assessment; and
- (b) the assessment rules and practices used by assessors in the Province for conducting assessments off the reserve,

must be used.

Property Classes

- 8.(1) Council hereby establishes the property classes established by the Province for provincial property assessment purposes, for the purposes of assessment under this Law and imposing taxes under the Taxation Law.
- (2) The property classes established under subsection (1) are set out in Schedule I to this Law, and the classification criteria for each property class shall be determined using the corresponding provincial classification rules.

- (e) the address to which Assessment Notices are to be sent.
roadway; and
(d) any change in the ownership of a railway roadway and any abandonment of a railway
superstructures, owned or occupied by the company;
(c) the description and location of any improvements on the reserve, other than railway
a railway roadway;
(b) the description and area in hectares of land on the reserve held by the company, other than
(a) the total number of kilometres of the railway roadway situated on the reserve;
(3) On or before October 1 in each year, every railway company must furnish the assessor
with a certified statement showing the following information as of January 1 in the current year:
(b) the nature of the business being carried on.
(a) the persons who are carrying on business on the property; and
respecting
(2) Every year, the assessor may request the holder of property to provide information
person is complete, true and accurate to the best of his or her knowledge.
(b) a written declaration signed by the person stating that the information provided by the
of the value that are in the possession or under the control of the person; and
(a) all of the requested information and documents relating to or affecting the determination
longer period as specified in the notice
assessment appraiser, as the case may be, within thirty (30) days from the date of delivery or a
might relate to the value of a property, and that person must provide to the assessor or the
occupies, manages or disposes of a property provide information or documents that relate to or
containing the information set out in Schedule II, requesting that a person who owns, uses,
9.(1) The assessor or the assessment appraiser may deliver a Request for Information

Requests for Information

REQUESTS FOR INFORMATION AND INSPECTIONS

PART V

- class.
assessment roll for the purpose of indicating the assessed value of each portion within a property
assessment, belong to different property classes, the property may be entered more than once in the
(6) If the assessor determines that portions of any property, or portions of the property's
(b) apportion the assessed value of the property among those property classes.
property's assessment, belong to different property classes; and
(a) determine that portions of the property that include more than one use, or portions of the
not integrated with or directly related to the property's predominant use, the assessor may:
(5) If one use of any property is clearly distinct from the property's predominant use and is
the date that the change is made to the assessment roll.
(4) If there is a change to the use of a property, the assessor must classify the property as of
property belongs.
(3) The assessor must in each year as of January 1 determine to which property class a

(4) On or before November 1 in each year, every holder of a petroleum oil or gas well must furnish the assessor with a certified statement showing the following information as of September 1 in the current year:

- (a) the holder's name and address;
- (b) a list of the resource production equipment situated on the reserve that is subject to assessment and its location;
- (c) any change in the resource production equipment situated on the reserve that has occurred since the last information was furnished to the assessor;
- (d) the cost of any equipment included and not covered in the schedules of values prepared by the agency;
- (e) any change in the ownership or operation of the well, and any abandonment of operation of the well, situated on the reserve; and
- (f) the address to which Assessment Notices are to be sent.

(5) On or before March 1 in each year, every holder of a pipeline must furnish the assessor with a certified statement showing the following information as of January 1 in the current year:

- (a) the total number of kilometres of the pipeline right of way situated on the reserve;
- (b) the total number of kilometres and the diameter of main and additional pipeline laid on or under the pipeline right of way within the reserve;
- (c) the description and area in hectares of land within the reserve held by the holder, other than the pipeline right of way;
- (d) the description and location of any improvements within the reserve held by the holder;
- (e) any change in the ownership of the pipeline and any abandonment of the pipeline; and
- (f) the address to which Assessment Notices are to be sent.

(6) In all cases property may be assessed based on the information available and the assessor and the assessment appraiser are not bound by the information provided under this section.


Inspections

10.(1) The assessor, for any purposes related to assessment, and the assessment appraiser for valuation purposes, may enter into or on and inspect land and improvements.

(2) Before attending to inspect an assessable property, a Notice of Assessment Inspection must be given by personal delivery, mail, fax or e-mail to the person named on the assessment roll at the address indicated on the assessment roll.

- (3) Personal delivery of a Notice of Assessment Inspection is made
- (a) in the case of delivery to a residential dwelling, by leaving the notice with a person at least eighteen (18) years of age residing there; and
- (b) in the case of delivery to any other assessable property, by leaving the notice with the person apparently in charge, at the time of delivery, on those premises.
- (4) A Notice of Assessment Inspection is considered to have been delivered
- (a) if delivered personally, at the time personal delivery is made;
- (b) if sent by mail, five (5) days after the day on which the notice is postmarked;
- (c) if sent by fax, at the time indicated on the confirmation of transmission; and

FNTC Certified True Copy
CFPN copie certifiée
authentique de l'original
Date OCT 09 2012
Signature



- (7) For greater certainty, an assessment roll prepared under the enactment repealed by section purposes of the assessment roll.
- (6) Notwithstanding subsection (2), if two or more assessable properties have the same holder, the assessor may combine the assessment of those properties into a single assessment for the property.
- (5) If two or more persons are the holders of assessable property, the name of each of those persons is to be entered on the assessment roll with respect to the person's share of or interest in the property.
- (h) any other information the assessor considers necessary or desirable.
- (g) the taxable assessment of the interest in land; and
- (f) the total assessed value of the interest in land;
- (e) the assessed value by classification of the interest in land;
- (d) the classification of the interest in land;
- (c) whether the property is land, improvements, or land and the improvements to it;
- (b) a short description of the interest in land;
- (a) the name and last known address of the holder of the interest in land;
- (4) The assessment roll must be in paper or electronic form and must contain the following information:
- (3) The assessor may prepare the assessment roll required under subsection (1) on or after September 1 in the year before the year to which the assessment roll relates.
- (2) The assessor must enter the assessed value of each interest in land, as determined under this law, in the assessment roll.
- 11.(1) On or before May 1 of each year, the assessor must complete a new assessment roll containing a list of every interest in land that is liable to assessment under this Law.

Assessment Roll

ASSESSMENT ROLL AND ASSESSMENT NOTICE

PART VI

- assistance required for the entry and examination.
- (8) As part of an inspection under this section, access to, and the ability to examine and take copies of and extracts from, the books, accounts, vouchers, documents and appraisals respecting the assessable property must be given and the occupant must, on request, furnish every facility and
- (7) If the assessor or assessment appraiser attends at an assessable property to inspect it and no occupant eighteen (18) years of age or older is present or permission to inspect the property is denied, the value of the assessable property may be determined based on the information available.
- (6) Unless otherwise requested by the person named on the assessment roll, inspections of an assessable property must be conducted between 09:00 and 17:00 local time.
- (5) Where an assessable property is occupied by a person other than the person named on the assessment roll, the person named on the assessment roll must make arrangements with the occupant to provide access to the assessor or the assessment appraiser.
- (d) if sent by e-mail, at the time indicated in the electronic confirmation that the e-mail has been opened.

58 is and continues to be an assessment roll under this Law and shall be used until such time as the next assessment roll is prepared and certified in accordance with this Law.

Certification by Assessor

12. On completion of an assessment roll and on or before May 1 in that year, the assessor must (a) certify in writing in substantially the form set out in Schedule XI that the assessment roll was completed in accordance with the requirements of this Law; and (b) deliver a copy of the certified assessment roll to Council.

Amendments to Assessment Roll

13.(1) Where the assessor amends the assessment roll under sections 19 or 20, or amends the assessment roll to reflect reconsideration decisions or implement decisions of the Assessment Review Board, the assessor must

(a) date and initial amendments made to the assessment roll; and

(b) report the change or correction to Council.

(2) Where the assessment roll is amended under this Law, other than under section 20, the amendments are an integral part of the assessment roll and are deemed to be effective as of the date the assessment roll was certified under section 12.

(3) Where the assessment roll is amended under section 20, the amendments are an integral part of the assessment roll and are deemed to be effective as of the date of the amendment.

(4) The assessor must not amend the assessment roll contrary to a decision of the Assessment Review Board or a court of competent jurisdiction.

Validity of Assessment Roll

14.(1) An assessment roll is effective on certification and, unless amended in accordance with this Law, by a decision of the Assessment Review Board or by an order of a court of competent jurisdiction, is

(a) valid and binding on all parties concerned, despite

(i) any omission, defect or error committed in, or with respect to, the assessment roll,

(ii) any defect, error or misstatement in any notice required, or

(iii) any omission to mail any notice required; and

(b) for all purposes, the assessment roll of the First Nation until the next certified assessment roll.

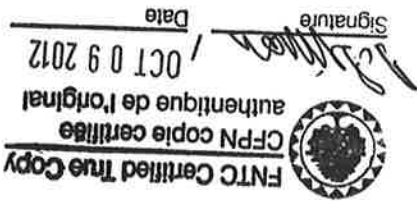
(2) The fact that any information on the assessment roll contains an error, omission or misdescription does not invalidate any other information on the assessment roll or the assessment roll itself.

Inspection and Use of Assessment Roll

15.(1) On receipt by Council, the assessment roll is open to inspection in the First Nation office by any person during regular business hours.

(2) A person must not, directly or indirectly, use the assessment roll or information contained in the assessment roll

(a) to obtain names, addresses or telephone numbers for solicitation purposes, whether the solicitations are made by telephone, mail or any other means; or



(7) If an error, omission or misdescription is discovered in any of the information shown on an Assessment Notice, the assessor may prepare an amended Assessment Notice and send it to every same property may be sent together or may be combined on one notice.

(6) The Assessment Notice and the tax notice given under the Taxation Law relating to the the non-receipt of the notice by the person to whom it was addressed.

(5) No assessment is invalid by reason of any error in the Assessment Notice or by reason of the assessed person for all of them.

(4) An Assessment Notice may include a number of assessed properties if the same person is mailing address to which Assessment Notices may be sent.

(3) If a person purchases property or in any other manner becomes liable to be shown on the assessment roll as an assessed person, that person must give the assessor written notice of a mailing address provided by the person.

(2) The Assessment Notice may be sent by any means to the mailing address of the assessed person, or if requested by an assessed person, by facsimile or electronic mail at the number or each assessable property, at the person's address on the assessment roll.

18.(1) The assessor must, within fifteen (15) days after the assessment roll is completed and certified, mail an Assessment Notice to every person named in the assessment roll in respect of

Assessment Notice

(2) On receipt of a notice and request under this section, the assessor must enter the person's name and address on the assessment roll and provide copies of all assessment notices issued in respect of the assessable property.

17.(1) Any person holding a charge on assessable property may, at any time, give notice, with full particulars of the nature, extent and duration of the charge, to the assessor and request that his or her name be added to the assessment roll in respect of that assessable property, for the duration of the charge.

Chargeholders

(2) Where the tax administrator omits or obscures information under subsection (1), such information must be obscured from all assessment rolls that are available for public inspection under subsection 14(1) or are otherwise accessible to the public.

16.(1) On application by a holder, the tax administrator may omit or obscure the holder's name, address or other information about the holder that would ordinarily be included in an assessment roll if, in the tax administrator's opinion, the inclusion of the name, address or other information could reasonably be expected to threaten the safety or mental or physical health of the holder or a member of the holder's household.

Protection of Privacy in Assessment Roll

(b) certifying that the information contained in the assessment roll will not be used in a manner prohibited under this section.

(a) specifying the purpose for which the information is to be used; and

Schedule IV

(3) The assessor or the tax administrator, as the case may be, may require a person who wishes to inspect the assessment roll to complete a declaration in substantially the form set out in (b) to harass an individual.

- (a) the destruction of or damage to the property;
- (b) the demolition, alteration or removal of an improvement;
- (c) the construction of an improvement; or
- (d) a change in the use of the property.
- (2) A supplementary assessment must reflect
- (a) the assessed value of any property that has not been previously assessed; or

20.(1) The assessor must make any supplementary assessment that may be necessary to reflect a change if, after Assessment Notices are sent but on or before December 1 of the taxation year for which taxes are levied on the assessment mentioned in the notice, it is discovered that the assessed value of any property is not the same as the assessed value entered on the assessment roll by reason of

Supplementary Assessments

(7) The assessor must comply with an application made pursuant to subsection (6) after verifying that the person named in the application is entitled to have his or her name entered in the assessment roll.

(6) A person whose name is entered in the assessment roll may apply in writing to the assessor to have the name of any other person entered in the same assessment roll if that other person's name should have been entered in the roll.

(5) Where assessments are made under subsection (4), the assessor must mail an Assessment Notice to every person named on the assessment roll in respect of each new property.

(4) If, after certification of the assessment roll a property is subdivided, the assessor may cancel the assessment of the property, reassess the resulting properties and amend the assessment roll accordingly.

(3) A correction made under subsection (1) is effective from January 1 of the year with respect to which the assessment is made.

(2) If the assessor makes a correction on the assessment roll respecting the property class, the assessed value, or the applicability of an exemption to the property, the assessor must mail an amended Assessment Notice to every person named on the assessment roll in respect of the property affected.

19.(1) If an error or omission in any of the information shown on the assessment roll is discovered, the assessor may, in consultation with the assessment appraiser if the error or omission relates to the assessed value, correct the assessment roll for the current year only.

Corrections and Additions to Assessment Roll

CORRECTION AND AMENDMENT OF ASSESSMENT ROLL

PART VII

(9) Where information has been omitted or obscured under subsection 16(1), the assessor must omit that information from a notice provided under subsection (8)

(8) Subject to subsection 15(2) and subsection 9, the assessor must provide, to any person who requests it and pays to the assessor the fee of ten dollars (\$10), the information contained in the current Assessment Notice.

21.(1) A person named on the assessment roll in respect of an assessable property may request that the assessor reconsider the assessment of that assessable property.

(2) A request for reconsideration may be made on one or more of the grounds on which an assessment appeal may be made under this Law.

(3) A request for reconsideration of an assessment must

(a) be delivered to the assessor within thirty (30) days after the day that the Assessment Notice is mailed or e-mailed to the person named on the assessment roll in respect of an assessable property;

(b) be made in writing and include the information set out in Schedule VI; and

(c) include any reasons in support of the request.

(4) The assessor must consider the request for reconsideration, including by asking the assessment appraiser to advise on valuation matters and, within fourteen (14) days after receiving the request for reconsideration, either

(a) advise the person who requested the reconsideration that the assessor confirms the assessment; or

(b) where the assessor determines that assessable property should have been assessed differently, offer to the person who requested the reconsideration to modify the assessment

(5) Where the person who requested the reconsideration agrees with the modification proposed by the assessor, the assessor must

(a) amend the assessment roll as necessary to reflect the modified assessment;

(b) give notice of the amended assessment to the tax administrator and to all other persons who received the Assessment Notice in respect of the assessable property; and

(c) where a Notice of Appeal has been delivered in respect of the assessable property, advise the Assessment Review Board of the modification.

(6) Where the person who requested the reconsideration accepts an offer to modify an assessment, that person must not appeal the modified assessment and must withdraw any Notice of Appeal filed in respect of the assessable property.

Reconsideration by Assessor

RECONSIDERATION OF ASSESSMENT

PART VIII

(b) the change in the assessed value of any property since it was last assessed.

(3) If any property exempt from taxation under the Taxation Law ceases to be exempt on or before December 1 of the taxation year for which taxes are levied, the assessor must assess the person liable to assessment and enter a supplementary assessment on the assessment roll.

(4) If a supplementary assessment is made to the assessment roll under this section, the assessor must mail an amended Assessment Notice to every person named on the assessment roll in respect of the property affected.

PART IX

ASSESSMENT REVIEW BOARD

Council to Establish Assessment Review Board

22.(1) Council must, by resolution, establish an Assessment Review Board to hear and determine assessment appeals under this Law.

(2) The Assessment Review Board must consist of not less than three (3) members, including at least one (1) member who is a member of the law society of the Province and at least one (1) member who has experience in assessment appeals in the Province, and at least one (1) member who is a member of the First Nation but not a member of Council.

(3) Each member of the Assessment Review Board must hold office for a period of three (3) years unless the member resigns or is removed from office in accordance with this Law.

(4) If a member of the Assessment Review Board is absent, disqualified, unable or unwilling to act, Council may appoint another person, who would otherwise be qualified for appointment as a member, to replace the member until the member returns to duty or the member's term expires, whichever comes first.

Remuneration and Reimbursement

23.(1) The First Nation must remunerate

(a) a member of the Assessment Review Board and any replacement member appointed to serve further to subsection 22.(4), other than the chair, for his or her services at a rate of five hundred dollars (\$500) per day, and

(b) the chair for his or her services at a rate of seven hundred and fifty dollars (\$750) per day,

for time spent on activities related to the Assessment Review Board.

(2) The First Nation must reimburse a member of the Assessment Review Board and a replacement member for reasonable travel and out of pocket expenses necessarily incurred in carrying out his or her duties.

Conflicts of Interest

24.(1) A person must not serve as a member of the Assessment Review Board if the person

(a) has a personal or financial interest in the assessable property that is the subject of an appeal;

(b) is the Chief of the First Nation or a member of Council;

(c) is an employee of the First Nation; or

(d) has financial dealings with the First Nation, which might reasonably give rise to a conflict of interest or impair that person's ability to deal fairly and impartially with an appeal, as required under the terms of this Law.

(2) For the purposes of paragraph (1)(a), membership in the First Nation does not in itself constitute a personal or financial interest in assessable property.

Appointment of Chair

25.(1) Council must, by resolution, appoint one of the members of the Assessment Review Board as chair.

(2) The chair must

(a) supervise and direct the work of the Assessment Review Board;
(b) undertake administrative duties as necessary to oversee and implement the work of the Assessment Review Board;
(c) determine procedures to be followed at hearings consistent with this Law;
(d) administer an oath or solemn affirmation to a person or witness before his or her evidence is taken; and
(e) preside at hearings of the Assessment Review Board.

(3) If the chair is absent or incapacitated, Council must designate a member of the Assessment Review Board as the acting chair for the period that the chair is absent or incapacitated.

Appointment of Secretary

26.(1) Council must, by resolution, appoint a secretary of the Assessment Review Board.
(2) The secretary of the Assessment Review Board must
(a) have the custody and care of all records, documents, orders and decisions made by or pertaining to the Assessment Review Board; and
(b) fulfill such other duties as directed by the chair and the Assessment Review Board.

Removal of Member

27. Council may terminate the appointment of a member of the Assessment Review Board for cause, including where a member
(a) is convicted of an offence under the *Criminal Code*;
(b) fails to attend three (3) consecutive hearings of the Assessment Review Board; or
(c) fails to perform any of his or her duties under this Law in good faith and in accordance with the terms of this Law.

Duty of Member

28. In performing their duties under this Law, the members of the Assessment Review Board must act faithfully, honestly and impartially and to the best of their skill and ability, and must not disclose to any person information obtained by them as a member, except in the proper performance of their duties.

**PART X
APPEAL TO ASSESSMENT REVIEW BOARD**

Appeals

29. The Assessment Review Board must hear and determine appeals made under this Part.

Notice of Appeal

30.(1) Any person, including without limitation the First Nation and the assessor, may appeal an assessment or a reconsideration of an assessment of assessable property to the Assessment Review Board by delivering
(a) a completed Notice of Appeal,
(b) a copy of the Assessment Notice, and
(c) an administration fee of thirty dollars (\$30),
to the assessor within sixty (60) days after the date on which the Assessment Notice was mailed or

e-mailed to the persons named on the assessment roll in respect of the assessable property.

(2) The address for delivery of a Notice of Appeal to the assessor is

Assessor

Whitecap Dakota First Nation

182 Chief Whitecap Trail

Whitecap, SK S7K 2L2

(3) The grounds for an appeal may be in respect of one or more of the following:

(a) the assessed value of the property;

(b) the assessment classification of the property;

(c) the applicability of an exemption to the property;

(d) any alleged error or omission in an assessment or Assessment Notice; and

(e) the liability of the holder to taxation under the Taxation Law.

(4) Where an appeal is commenced with respect to an amended or supplementary assessment, the appeal must be confined to the amended or supplementary assessment, as the case may be.

(5) No appeal may be brought respecting an assessment amended to reflect a decision of the Assessment Review Board or a court of competent jurisdiction.

Agents and Solicitors

31. Where a complainant is represented in an appeal through a solicitor or agent, all notices and correspondence required to be given to the complainant are properly given if delivered to the solicitor or agent at the address set out in the Notice of Appeal.

Scheduling of Hearing

32.(1) On delivery of a Notice of Appeal to the assessor, the chair must, in consultation with the assessor, schedule a hearing of the appeal.

(2) The chair must, at least thirty (30) days before the hearing, deliver a Notice of Hearing setting out the date, time and place of the hearing, to the parties and to each person named on the assessment roll in respect of the assessable property.

Parties

33. The parties in a hearing are

(a) the complainant;

(b) the holder of the assessable property, if not the complainant;

(c) the first nation;

(d) the assessor; and

(e) any other person, on written application of that person, where the Assessment Review Board determines that the person may be affected by the appeal or have information or evidence helpful to the hearing of the appeal.

Delivery of Documentation

34. The assessor must, without delay, deliver a copy of any document submitted by a party in relation to an appeal to all other parties.

Timing for Hearing

35. Subject to section 48, the Assessment Review Board must commence a hearing within

(3) Before making an order under subsection (2), the Assessment Review Board will provide orders otherwise.

(2) Without limiting subsection (1), the Assessment Review Board may, by order, impose restrictions on a person's continued participation in or attendance at a hearing and may exclude a person from further participation in or attendance at a hearing until the Assessment Review Board that it considers necessary to maintain order at the hearing.

38.(1) The Assessment Review Board may, at an oral hearing, make orders or give directions

Maintaining Order at Hearings

(10) An oral hearing must be open to the public unless the Assessment Review Board, on application by a party, determines that the hearing should be held *in camera*. The onus to establish that a hearing should be held *in camera* lies on the party making the application.

(9) The Assessment Review Board may conduct its proceedings by any combination of written, electronic and oral hearings.

(8) The Assessment Review Board may receive and accept information that it considers relevant, necessary and appropriate, whether or not the information would be admissible in a court of law.

(7) The Assessment Review Board may question any witness who gives oral evidence at a hearing.

(6) The Assessment Review Board may reasonably limit further examination or cross-examination of a witness if it is satisfied that the examination or cross-examination has been sufficient to disclose fully and fairly all matters relevant to the issues in the appeal.

(5) In an oral hearing, a party may call and examine witnesses, present evidence and submissions and conduct cross-examination of witnesses as reasonably required by the Assessment Review Board for a full and fair disclosure of all matters relevant to the issues in the appeal.

(4) The burden of proof in an appeal is on the person bringing the appeal.

(3) The Assessment Review Board may conduct a hearing whether the complainant is present or not, provided the complainant was given notice of the hearing in accordance with this Law.

(2) A party may be represented by counsel or an agent and may make submissions as to facts, law and jurisdiction.

37.(1) The Assessment Review Board must give all parties a reasonable opportunity to be heard at a hearing.

Conduct of Hearing

(2) The Assessment Review Board must proceed to deal with appeals in accordance with the daily schedule, unless the Assessment Review Board considers a change in the schedule necessary and desirable in the circumstances.

(b) post the daily schedule at the place where the Assessment Review Board is to meet.

(a) create a daily schedule for the hearings of the Assessment Review Board; and

36.(1) The chair must

Daily Schedule

ninety (90) days after delivery of the Notice of Appeal to the assessor, unless all parties consent to a delay.

the person to be restricted or excluded an opportunity to make submissions on the order.

Summary Dismissal

39.(1) At any time after a Notice of Appeal is received by the Assessment Review Board, the Assessment Review Board may dismiss all or part of the appeal where it determines that any of the following apply:

- (a) the appeal is not within the jurisdiction of the Assessment Review Board;
 - (b) the appeal was not filed within the applicable time limit; or
 - (c) the complainant failed to diligently pursue the appeal or failed to comply with an order of the Assessment Review Board.
- (2) Before dismissing all or part of an appeal under subsection (1), the Assessment Review Board must give the complainant an opportunity to make submissions to the Assessment Review Board.

(3) The Assessment Review Board must give written reasons for any dismissal made under subsection (1) to all parties.

Quorum

40.(1) A majority of the members of the Assessment Review Board constitutes a quorum, provided that there shall not be less than three (3) members present at any time.

(2) Where a quorum of the members of an Assessment Review Board is not present at the time at which a hearing is to be held, the hearing must be adjourned to the next day that is not a holiday, and so on from day to day until there is a quorum.

Decisions

41. A decision of the majority of the members is a decision of the Assessment Review Board and, in the case of a tie, the decision of the chair governs.

Combining Hearings

42. The Assessment Review Board may conduct a single hearing of two (2) or more appeals related to the same assessment if the matters in each hearing are addressing the same assessable property or substantially the same issues.

Power to Determine Procedures

43. Subject to this Law, the Assessment Review Board has the power to control its own processes and may make rules respecting practice and procedure to facilitate the just and timely resolution of the matters before it.

Orders to Attend/Provide Documents

44.(1) At any time before or during a hearing, but before its decision, the Assessment Review Board may make an order requiring a person to

- (a) attend a hearing to give evidence, or
- (b) produce a document or other thing in the person's possession or control as specified by the Assessment Review Board,

by issuing an Order to Attend/Provide Documents and serving it on the person at least two (2) days before the hearing.

(2) Where an order is made under paragraph (1)(a), the Assessment Review Board must pay to the person a twenty dollar (\$20) witness fee plus reasonable travel expenses to attend and give



48. If a proceeding with respect to liability to pay taxes in respect of assessable property that is the subject of an appeal is brought before a court of competent jurisdiction

- (a) before the hearing is to commence, the hearing must be deferred until the matter is decided by the court;
- (b) during the hearing, the hearing must be adjourned until the matter is decided by the court;

Matters before the Courts

47.(1) At any stage of a proceeding before it, the Assessment Review Board, on its own initiative or at the request of one or more of the parties, may refer a question of law in the proceeding to a court of competent jurisdiction in the form of a stated case.

- (2) The stated case must be in writing and filed with the court registry and must include a statement of the facts and all evidence material to the stated case.
- (3) The Assessment Review Board must
 - (a) suspend the proceeding as it relates to the stated case and reserve its decision until the opinion of the court has been given; and
 - (b) decide the appeal in accordance with the court's opinion.

Reference on Question of Law

46. The Assessment Review Board may make orders requiring

- (a) a party to pay all or part of the costs of another party in respect of the appeal,
- (b) a party to pay all or part of the costs of the Assessment Review Board in respect of the appeal,

where the Assessment Review Board considers the conduct of a party has been improper, vexatious, frivolous or abusive.

Costs

45. The Assessment Review Board may

- (a) hear all appeals on the same day or may adjourn from time to time until all matters have been heard and determined; and
- (b) at any time during a hearing, adjourn the hearing.

Adjournments

44. The Assessment Review Board may

- (1) to a person specified by the party.
- (2) Where a party makes a request under subsection (3),
 - (a) the chair must sign and issue an Order to Attend/Provide Documents and the party must serve it on the witness at least two (2) days before the hearing; and
 - (b) a party requesting the attendance of a witness must pay a twenty dollar (\$20) witness fee plus reasonable travel expenses to the witness to attend and give evidence before the Assessment Review Board.
- (3) The Assessment Review Board may apply to a court of competent jurisdiction for an order directing a person to comply with an order under this section.

(c) after the hearing has concluded but before a decision on the appeal is given, the decision must be deferred until the matter is decided by the court.

Withdrawal of Appeal

49.(1) A complainant may withdraw an appeal under this Part by delivering a Notice of Withdrawal to the Assessment Review Board.

(2) Upon receipt of a Notice of Withdrawal under subsection (1), the Assessment Review Board must dismiss the matter set for its consideration.

Delivery of Decisions

50.(1) The Assessment Review Board must, at the earliest opportunity after the completion of a hearing, deliver a written decision on the appeal to all parties.

(2) Any person may obtain a copy of a decision of the Assessment Review Board from the tax administrator on request and payment of a fee of ten dollars (\$10).

(3) The tax administrator may obscure or omit personal information (other than name and address) and financial business information from decisions provided under subsection (2), provided that assessment and property tax information must not be obscured or omitted.

(4) The assessor must make any changes to its assessment roll that are necessary to reflect a decision of the Assessment Review Board and must mail an amended Assessment Notice to every person named in the assessment roll in respect of the interest in land affected.

Delivery of Documents under this Part

51.(1) Delivery of a document under this Part may be made personally or by sending it by registered mail, fax or e-mail.

(2) Personal delivery of a document is made

(a) in the case of an individual, by leaving the document with the individual or with a person at least eighteen (18) years of age residing at the individual's place of residence;

(b) in the case of a first nation, by leaving the document with the person apparently in charge, at the time of delivery, of the administrative office of the first nation; and

(c) in the case of a corporation, by leaving the document with the person apparently in charge, at the time of delivery, of the head office or a branch office of the corporation, or with an officer or director of the corporation.

(3) Subject to subsection (4), a document must be considered to have been delivered

(a) if delivered personally, at the time that personal delivery is made;

(b) if sent by registered mail, on the fifth day after it is mailed;

(c) if sent by fax, at the time indicated on the confirmation of transmission; or

(d) if sent by e-mail, at the time indicated in the electronic confirmation that the e-mail has been opened.

(4) A document delivered on a non-business day or after 17:00 local time on a business day must be considered to have been delivered at 09:00 on the next business day.

Appeals

52.(1) An appeal lies from the Assessment Review Board to a court of competent jurisdiction on a question of law.

(2) An appeal under subsection (1) must be commenced within thirty (30) days of the delivery of the Assessment Review Board's decision under subsection 50(1).

PART XI

GENERAL PROVISIONS

Disclosure of Information

53.(1) The tax administrator, the assessor, a member of the Assessment Review Board, the secretary or any other person who has custody or control of information or records obtained or created under this Law must not disclose the information or records except

- (a) in the course of administering this Law or performing functions under it;
- (b) in proceedings before the Assessment Review Board, a court of law or pursuant to a court order; or
- (c) in accordance with subsection (2).

(2) The assessor may disclose to the agent of a holder confidential information relating to the property if the disclosure has been authorized in writing by the holder.

(3) An agent must not use information disclosed under subsection (2) except for the purposes authorized by the holder in writing referred to in that subsection.

Disclosure for Research Purposes

54. Notwithstanding section 53, Council may disclose information and records to a third party for research purposes, including statistical research, provided

- (a) the information and records do not contain information in an individually identifiable form or business information in an identifiable form; or
- (b) where the research cannot reasonably be accomplished unless the information is provided in an identifiable form, the third party has signed an agreement with Council to comply with Council's requirements respecting the use, confidentiality and security of the information.

Validity

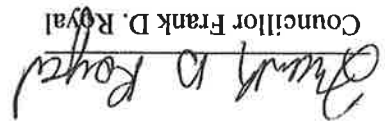
55. Nothing under this Law must be rendered void or invalid, nor must the liability of any person to pay taxes or amounts levied under this Law be affected by

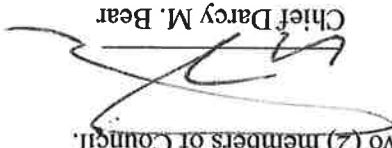
- (a) an error or omission in a valuation or a valuation based solely on information in the hands of an assessor or the tax administrator;
- (b) an error or omission in an assessment roll, Assessment Notice, or any notice given under this Law; or
- (c) a failure of the First Nation, tax administrator or the assessor to do something within the required time.

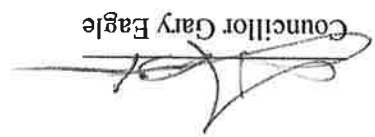
Notices

56.(1) Where in this Law a notice is required to be given by mail or where the method of giving the notice is not otherwise specified, it must be given

- (a) by mail to the recipient's ordinary mailing address or the address for the recipient shown on the assessment roll;
- (b) where the recipient's address is unknown, by posting a copy of the notice in a conspicuous place on the recipient's property; or


Councillor Frank D. Royal


Chief Darcy M. Bear


Councillor Gary Eagle

A quorum of Council consists of two (2) members of Council.
THIS LAW IS HEREBY DULY ENACTED by Council on the 13th day of September,
2012, at Whitecap, in the Province of Saskatchewan.

59. This Law comes into force and effect on the day after it is approved by the First Nations
Tax Commission.

Force and Effect

58. The *Whitecap Dakota First Nation Property Assessment and Taxation By-law No. 2005-*
02, as amended, is hereby repealed in its entirety.

Repeal

(6) Headings form no part of the enactment and must be construed as being inserted for
convenience of reference only.

(5) Reference in this Law to an enactment is a reference to the enactment as it exists from
time to time and includes any regulations made under the enactment.

(4) This 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.

(3) Words in this Law that are in the singular include the plural, and words in the plural
include the singular.

(2) Where a provision in this Law is expressed in the present tense, the provision applies to
the circumstances as they arise.

(1) The provisions of this Law are severable, and where any provision of this Law is for
any reason held to be invalid by a decision of a court of competent jurisdiction, the invalid portion
must be severed from the remainder of this Law and the decision that it is invalid must not affect
the validity of the remaining portions of this Law.

Interpretation

(c) by personal delivery or courier to the recipient or to the recipient's ordinary mailing
address or the address for the recipient shown on the assessment roll.

(2) Except where otherwise provided in this Law

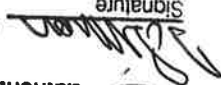
(a) a notice given by mail is deemed received on the fifth day after it is posted;

(b) a notice posted on property is deemed received on the second day after it is posted; and

(c) a notice given by personal delivery is deemed received upon delivery.

**SCHEDULE I
PROPERTY CLASSES**

- Non-Arable (Range) Land and Improvements
- Other Agricultural Land and Improvements
- Residential
- Multi-Unit Residential
- Seasonal Residential
- Commercial and Industrial
- Elevators
- Railway Rights-of-Way and Pipeline

FNTC Certified True Copy
CFPN copie certifiée
authentique de l'original
Date / OCT 09 2012
Signature 



SCHEDULE II

REQUEST FOR INFORMATION BY ASSESSOR
FOR THE WHITECAP DAKOTA FIRST NATION

TO:

ADDRESS:

DESCRIPTION OF INTEREST IN LAND:

DATE OF REQUEST:

PURSuant to section 9 of the *Whitecap Dakota First Nation Property Assessment Law, 2012*, I request that you provide to me, in writing, no later than _____ [Note: must be a date that is at least thirty (30) days from the date of delivery of the request], the following information and documents relating to the above-noted interest in land:

(1)

(2)

(3)

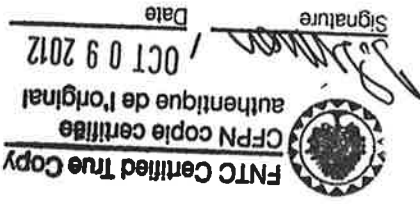
In providing the documents, please include a written, signed, declaration in the following form:

"I, _____ [name], hereby declare that the information and documents enclosed with this declaration are complete, true and accurate to the best of my knowledge."

If you fail to provide the requested information on or before the date specified above, an assessment of the property may be made on the basis of the information available to the assessor.

Assessor for the Whitecap Dakota First Nation

Dated: _____, 20__



SCHEDULE III

NOTICE OF ASSESSMENT INSPECTION

TO:

ADDRESS:

DESCRIPTION OF INTEREST IN LAND:

_____ (the "assessable property")

DATE:

TAKE NOTICE that, pursuant to section 10 of the *Whitecap Dakota First Nation Property Assessment Law, 2012*, the assessor or assessment appraiser for the Whitecap Dakota First Nation proposes to conduct an inspection of the above-referenced assessable property on _____, 20____ at _____ A.M./P.M.


If the above date and time is not acceptable, please contact the assessor on or before _____ [date], at _____ [contact number], to make arrangements for an alternate time and date.

If the assessable property is occupied by a person other than you, you must make arrangements with the occupant to provide access.

AND TAKE NOTICE that if, on attending at the assessable property, no occupant eighteen (18) years of age or older is present or permission to inspect the assessable property is denied, the value of the assessable property based on the information available to the assessor and the assessment appraiser.

Assessor for the Whitecap Dakota First Nation

Dated: _____, 20____.

FNTC Certified True Copy
CFPN copie certifiée
authentique de l'original
Date: OCT 09 2012
Signature: _____


SCHEDULE IV

**DECLARATION OF PURPOSE FOR THE USE OF
ASSESSMENT INFORMATION**

I, _____ [name], of _____ [address], _____ [city], _____ [province], _____ [postal code], declare and certify further to subsection 15(3) of the *Whitecap Dakota First Nation Property Assessment Law, 2012* that I will not use the assessment roll or information contained in the assessment roll to obtain names, addresses or telephone numbers for solicitation purposes, whether the solicitations are made by telephone, mail or any other means, or to harass an individual.

I further declare and certify that any assessment information I receive will be used for the following purpose(s) (delete purpose 1 or purpose 2 or both; add purpose 3 if both purpose 1 and 2 deleted):

(1) a complaint or appeal under the *Whitecap Dakota First Nation Property Assessment Law, 2012*;

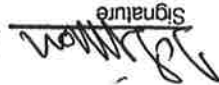
(2) a review of an assessment to determine whether to seek a reconsideration or appeal of the assessment; or


(3) other: _____

Signature of Declarant: _____

Printed name of Declarant: _____

Dated: _____, 20____.

FNTC Certified True Copy
CFPN copie certifiée
authentique de l'original
Date: OCT 09 2012
Signature: 



SCHEDULE V

ASSESSMENT NOTICE

TO:

ADDRESS:

DESCRIPTION OF INTEREST IN LAND:

TAKE NOTICE that the assessment roll has been certified by the assessor for the Whitecap Dakota First Nation and delivered to the First Nation Council.

The following person(s) is/are the holders of the interest in land:

[Name(s) & addresses]

The interest in land is classified as:

The assessed value by classification of the interest in land is:

TOTAL ASSESSED VALUE: _____

TAXABLE ASSESSMENT: _____

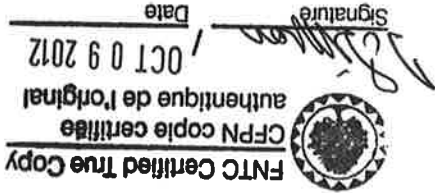
AND TAKE NOTICE that you may, within thirty (30) days of the date of mailing of this notice, request a reconsideration of this assessment by delivering a written request for reconsideration in the form specified in the *Whitecap Dakota First Nation Property Assessment Law, 2012*. Within fourteen (14) days of receipt by the assessor of your request for reconsideration, the assessor will review the assessment and provide you with the results of the reconsideration. If the assessor determines that the property should have been assessed differently, the assessor will offer to modify the assessment.

AND TAKE NOTICE that you may, within sixty (60) days of the date of mailing of this notice, appeal this assessment to the Assessment Review Board. The Notice of Appeal must be in writing in the form specified in the *Whitecap Dakota First Nation Property Assessment Law, 2012* and include the \$30 administration fee and a copy of this notice.

You may contact the Assessor at the following telephone number for more information: 306-____-

Assessor for the Whitecap Dakota First Nation

Dated: _____, 20__.



SCHEDULE VI

REQUEST FOR RECONSIDERATION OF ASSESSMENT

TO: Assessor

c/o Whitecap First Nation
182 Chief Whitecap Trail
Whitecap, SK S7K 2L2

PURSuant to the provisions of the *Whitecap Dakota First Nation Property Assessment Law, 2012*, I hereby request a reconsideration of the assessment of the following interest in land:

[description of the interest in land as described in the Assessment Notice]

I am: _____ a holder of the interest in land

_____ named on the assessment roll in respect of this interest in land

This request for a reconsideration of the assessment is based on the following reasons:

(1)

(2)

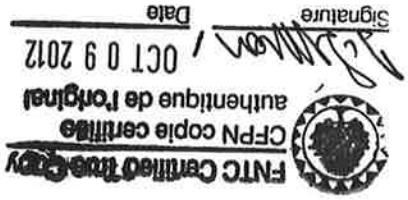
(3)

(describe the reasons in support of the request in as much detail as possible)

Address and telephone number at which applicant can be contacted:

Name of Applicant (please print) Signature of Applicant

_____, 20____
Dated:



SCHEDULE VII

NOTICE OF APPEAL TO ASSESSMENT REVIEW BOARD

TO: Assessor for the Whitecap Dakota First Nation

c/o Whitecap First Nation
182 Chief Whitecap First Nation
Whitecap, SK S7K 2L2

PURSUANT to the provisions of the *Whitecap Dakota First Nation Property Assessment Law*, 2012, I hereby appeal the assessment/reconsideration of the assessment of the following interest in land:
[description of the assessable property, including assessment roll number, as described in the Assessment Notice]

The grounds for the appeal are:

- (1)
- (2)
- (3)

(describe the grounds for the appeal in as much detail as possible)

Complainant's mailing address to which all notices in respect of this appeal are to be sent:

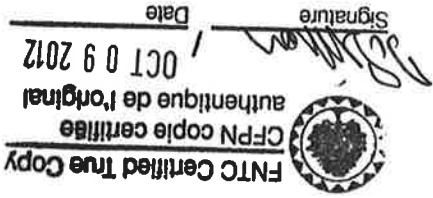
Name and address of any representative acting on complainant's behalf in respect of this appeal:

The REQUIRED FEE of thirty dollars (\$30) (made payable to the Whitecap Dakota First Nation) is ENCLOSED with this Notice of Appeal.

Name of Complainant (please print)
Signature of Complainant (or representative)

Dated: _____, 20__.

NOTE: A copy of the ASSESSMENT NOTICE (or extract of the information therein) must be ENCLOSED with this Notice of Appeal.



SCHEDULE VIII

NOTICE OF WITHDRAWAL

TO: Chair, Assessment Review Board for the Whitecap Dakota First Nation
c/o Whitecap First Nation
182 Chief Whitecap Trail
Whitecap, SK S7K 2L2

PURSUANT to the provisions of the *Whitecap Dakota First Nation Property Assessment Law*, 2012, I hereby withdraw my appeal of the assessment of the following interest in land:

Description of interest in land:

Date of the original Notice of Appeal:

Name of Complainant (please print)

Signature of Complainant (or
representative)
Dated: _____, 20____.

FNTC Certified True Copy
CFPN copie certifiée
authentique de l'original
Signature / OCT 09 2012
Date

SCHEDULE IX

NOTICE OF HEARING

TO:

ADDRESS:

DESCRIPTION OF INTEREST IN LAND:

Complainant in respect of this appeal: _____

TAKE NOTICE that the Assessment Review Board will hear an appeal from the assessment/reconsideration of the assessment of the above-noted interest in land at:

Date: _____, 20__

Time: _____ (A.M./P.M.)

Location: _____ [address]

AND TAKE NOTICE that you should bring to the hearing [insert # copies] copies of all relevant documents in your possession respecting this appeal.
A copy of the Assessment Notice and the Notice of Appeal are enclosed with this notice, as well as copies of:

(all submissions and documents received in respect of the appeal will be forwarded to all parties)

Chair, Assessment Review Board for the Whitecap Dakota First Nation

Dated: _____, 20__.

FNTC Certified True Copy
CFPN copie certifiée
authentique de l'original
Date: OCT 09 2012
Signature: _____



SCHEDULE X

ORDER TO ATTEND HEARING/PRODUCE DOCUMENTS

TO:

ADDRESS:

TAKE NOTICE that an appeal has been made to the Assessment Review Board for the Whitecap Dakota First Nation in respect of the assessment of _____ [describe interest in land].

The Assessment Review Board believes that you may have information [OR documents] that may assist the Assessment Review Board in making its decision.

Further to the provisions of the *Whitecap Dakota Property Assessment Law, 2012*, THIS NOTICE REQUIRES you to [indicate the applicable provisions below]:

1. Attend before the Assessment Review Board at a hearing at

Date: _____, 20____

Time: _____ (A.M./P.M.)

Location: _____ [address]

to give evidence concerning the assessment and to bring with you the following documents:

and any other documents in your possession that may relate to this assessment. A twenty dollar (\$20) witness fee is enclosed. Your reasonable travelling expenses will be reimbursed as determined by the Assessment Review Board.

2. Deliver the following documents [list documents] OR any documents in your possession that may relate to this assessment, to the Chair, Assessment Review Board, at _____ [address] on _____ or _____ before _____

Please contact _____ at _____ if you have any questions or concerns respecting this Order.

Chair, Assessment Review Board for the Whitecap Dakota First Nation

Dated: _____, 20____

FNTC Certified True Copy
CFPN copie certifiée
authentique de l'original
Signature _____
Date OCT 09 2012



SCHEDULE XI

CERTIFICATION OF ASSESSMENT ROLL BY ASSESSOR

The assessor must certify the assessment roll in the following form:

I, _____, being the assessor for the Whitecap Dakota First Nation, hereby certify that this is the Whitecap Dakota First Nation assessment roll for the year 20____ and that this assessment roll is complete and has been prepared and completed in accordance with all requirements of the *Whitecap Dakota First Nation Property Assessment Law, 2012*.

(Signature of Assessor)

Dated _____, 20____ at _____ (City) _____ (Province)

FNTC Certified True Copy
CFPN copie certifiée
authentique de l'original
Signature _____
Date / OCT 09 2012