



March 20, 2017

Information Bulletin for First Nations in British Columbia

ARB Remuneration Provisions in Property Assessment Laws

Several First Nations in British Columbia have provisions in their Property Assessment Laws which set out that members of the First Nation's Assessment Review Board (ARB) are to be remunerated at the same rate as members of Group 1 provincial administrative tribunals. These provisions are intended to ensure that the First Nation ARB members receive the same amount of remuneration as members of the provincial Property Assessment Appeal Board (PAAB). Typical wording for the provisions which is reflected in the FNTC's sample property assessment law, is the following:

21.(1) The First Nation must remunerate

- (a) the chair (or acting chair) at the maximum rate established from time to time by the Province for a part-time chair of a provincial administrative tribunal categorized as Group 1,
- (b) a member (or replacement member appointed to act), other than the chair, who meets the criteria set out in subsection 20(2), at the maximum rate established from time to time by the Province for a part-time vice-chair of a provincial administrative tribunal categorized as Group 1, and
- (c) any member (or replacement member appointed to act), other than those referenced in paragraphs (a) and (b), at the maximum rate established from time to time by the Province for a part-time member of a provincial administrative tribunal categorized as Group 1,

for time spent on activities of the Assessment Review Board required under this Law or expressly authorized by Council.

In January 2017, the Province of British Columbia issued a new directive concerning the remuneration of its administrative tribunals (Treasury Board Directive 1/17). The PAAB is no longer a part of Group 1 and is now a Group 3 tribunal. Further, remuneration for the PAAB members has increased.

Given the change, the FNTC is strongly encouraging those affected First Nations to review their property assessment laws to determine whether reference to "Group 1" still meets their operational requirements. For example, the maximum rate for a Group 1 Chair is \$600, while the maximum rate for a Group 3 Chair is \$725.

The FNTC will be updating the BC Sample Property Assessment Law to reflect the reference to Group 3. Should your First Nation wish to amend its assessment law, please contact an FNTC advisor.

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