



WRITTEN REPRESENTATIONS UNDER SECTION 7 OF THE FIRST NATIONS FISCAL MANAGEMENT ACT

FREQUENTLY ASKED QUESTIONS

What is a written representation under section 7 of the FMA?

Section 7 of the FMA gives members, taxpayers and other persons who have made a written representation respecting a First Nation's local revenue law under section 6 of the FMA an opportunity to make a further written representation directly to the FNTC. The Commission will consider all representations received in accordance with section 7 before it approves the First Nation's law.

What is the process for making a section 7 written representation?

After the Chief and Council of the First Nation has made the law, the First Nation will send to each person who made a written representation under section 6 a copy of its law, and a letter advising of the opportunity to make a written representation to the Commission on or before the date stated in the letter. The date will provide a 30-day period to make the representation to the Commission.

Are there any limits on the types of representations I can make under section 7?

There are no limits on the representations that can be made under section 7. However, section 31(3) of the FMA provides that the Commission must approve a First Nation's law if it complies with the FMA, the regulations under the FMA and any Commission Standards.

How do I submit a written representation?

Representations to the Commission must be in writing and emailed, mailed, faxed or delivered to the Commission offices in Kamloops, British Columbia. The representation must be received by 4 pm on the date stated in the First Nation's letter as the deadline for written representations in order to be considered.

The Commission provides a form that can be used to submit a written representation <http://fntc.ca/submission-information-for-section-7-written-representations/>.

Can anyone make a written representation to the Commission under section 7?

No. Only a person who has made a section 6 written representation to the First Nation can then make a written representation to the Commission under section 7.

What happens to my written representation?

Representations that are received by the deadline will be reviewed and considered by the Commission during its review of the First Nation's law for approval consideration.

What is the role of the Commission in reviewing a First Nation's law?

The Commission's role is to review every First Nation law made under section 5 of the FMA, and make a decision to approve or not approve the law. The Commission will make a decision whether to approve a law after reviewing the law and considering all section 7 written representations. Section 31(3) of the FMA requires the Commission to approve a First Nation's law that complies with the FMA, and with any standards and regulations made under the FMA.

Will the Commission respond to my representation?

The Commission will acknowledge receipt of each written representation, and after the Commission makes its approval decision, will advise whether the Commission approved the law or not. However, the Commission does not provide opinions on issues raised in a written representation.

What if I have questions about a law?

If you have a question about a First Nation's law or proposed law, those questions should be directed to the First Nation.

What if I have questions about making a written representation?

Questions about making a written representation to the Commission should be directed to the FMA Registrar, at
First Nations Tax Commission
321 – 345 Chief Alex Thomas Way,
Kamloops, BC V2H 1H1

Telephone: 250. 828.9895 (direct)

Email: tsimon@fntc.ca

If I have questions regarding First Nation property taxation matters generally, can I contact the Commission?

Members, taxpayers and other interested persons who have questions regarding First Nation property taxation may contact the Commission at any time. The Commission's staff responds to all inquiries respecting First Nation property taxation matters.