huu ay aht

ANCIENT SPIRIT, MODERN MIND

BUDGET ACT, 2022

The Huu-ay-aht Legislature enacts this law to establish spending authority and borrowing authority for the fiscal year beginning April 1, 2022 and ending March 31, 2023 and to retroactively amend spending authorities and borrowing authorities for the 2022-2023 fiscal year.

REGISTRY OF LAWS CERTIFICATION

I certify that the *Budget Act, 2022* was passed by Executive Council on:

March 30, 2022

Chief Councillor, Robert Dennis

I certify that the *Budget Act, 2022* is enacted as law on:

March 30, 2022

Ta'yii Hawilth, Derek Peters

I certify that the *Budget Act, 2022* came into force on:

March 30, 2022

Law Clerk, Coraleah Bauer

BUDGET ACT, 2022

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Note to Reader

The *Budget Act, 2022* establishes the authority of government to spend money from April 1, 2022, to March 31, 2023. 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, Special Programs Fund, sets out the authorized spending for special programs for the 2022 – 2023 fiscal year
- Part 4, Capital Spending, sets out the authorized capital spending of government for the 2022 – 2023 fiscal year.
- Part 5, Borrowing, sets out the authorized borrowings of government for the 2022 – 2023 fiscal year.
- Part 6, Investments in Huu-ay-aht Business Enterprises, 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, 2022 to March 31, 2023 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 and non-citizens, in accordance with Jordan's Principle, including children and family support, health and social services, education, culture and the delivery of Citizenship benefits.	$4,077,580
2	Infrastructure	To provide the services needed to support construction, operation and maintenance of community infrastructure and administration and oversight.	$1,784,749
3	Lands & Natural Resources	To provide the services needed to support the conservation of our natural resources to ensure self-sufficiency and sustainability within the Hahuuḥi.	$1,164,293
4	Economic Development	To provide programs, services and support to implement the Economic Development Plan, actively seek, secure and promote economic initiatives, oversee the activities of Huu-ay-aht business entities through the Governance and Fiscal Agreement.	$450,810
5	Government Services	To provide the services needed to support government operations, engagement with Citizens and other stakeholders, committee, Hawiih Council and Executive Council operations.	$1,587,007

No.	Budget Line Item Name	Purpose	Amount
6	Finance and Administration	To provide the services needed to support financial management and comptrollership, records and administrative support, consultation and engagement with other government departments and institutions.	$1,253,119
7	Implementation	To provide the services needed to support the implementation of obligations and opportunities in the Maa-Nulth Treaty and side agreements, and obligations and opportunities from any other agreements.	$662,000
8	Human Resources	To provide the services needed to support staff management, communications and engagement, and local government services for the community of Anacla.	$694,254
9	Communications	To provide services needed to support communications to all HFN Citizens and non-citizens, and staff.	$325,399
10	Community Development	To provide services to support community development, including identifying funding opportunities.	$189,800
11	Depreciation	To allow for depreciation expenses related to capital assets	$1,250,000

No.	Budget Line Item Name	Purpose	Amount
12	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	$500,000
	Total General Operating Fund Spending Authority		**$13,939,011**

PART 2 – INVESTED WEALTH FUND

Invested Wealth Fund spending authority

2 Spending from the Invested Wealth Fund from April 1, 2022 to March 31, 2023 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
13	Fund Management	For management of the investments of the Invested Wealth Fund	$120,000
14	Transfer to General Operating Fund	For transferring money to the general operating fund to support government	$600,000
	Total Invested Wealth Fund Spending Authority		**$720,000**
	Total Consolidated Government Fund Spending Authority		**$14,659,011**

PART 3 – SPECIAL PROGRAMS FUND

Special Programs Fund spending authority

3 Spending from the Special Programs Fund from April 1, 2022 to March 31, 2023 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.	$20,000,000
S2	HFN/WFP Employment & Training Agreement	To provide the budget authority to spend the restricted funds per the HFN/WFP Employment & Training Agreement.	$500,000
S3	Bamfield Main Safety Upgrade	To make significant safety improvements to the 85-kilometre logging road	$14,037,574
	Total Special Programs Fund Spending Authority		**$34,537,574**

PART 4 – CAPITAL SPENDING

Capital spending authority

4 Spending for capital purposes from April 1, 2022 to March 31, 2023 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
15	Capital Projects	For capital items included in the Capital Budget of the approved Financial Plan and the approved government infrastructure project list.	$6,152,763
16	Capital Investments	For major capital investments other than in infrastructure and included in the Capital Budget of the approved Financial Plan. May include investments to be made through a Huu-ay-aht business enterprise.	$100,000,000
	Total Capital Spending Authority		**$106,152,763**

PART 5 – BORROWING

Borrowing authority

5 Borrowing from April 1, 2022 to March 31, 2023 is authorized for the purpose and amount shown in the same row as each borrowing authority item in the following table:

No.	Borrowing Authority	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	$10,000,000
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	$50,000,000
	Total Borrowing Authority		**$60,000,000**

PART 6 – INVESTMENTS IN HUU-AY-AHT BUSINESS ENTERPRISES

Conditions for investment by way of loan or loan guarantee

6 (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.