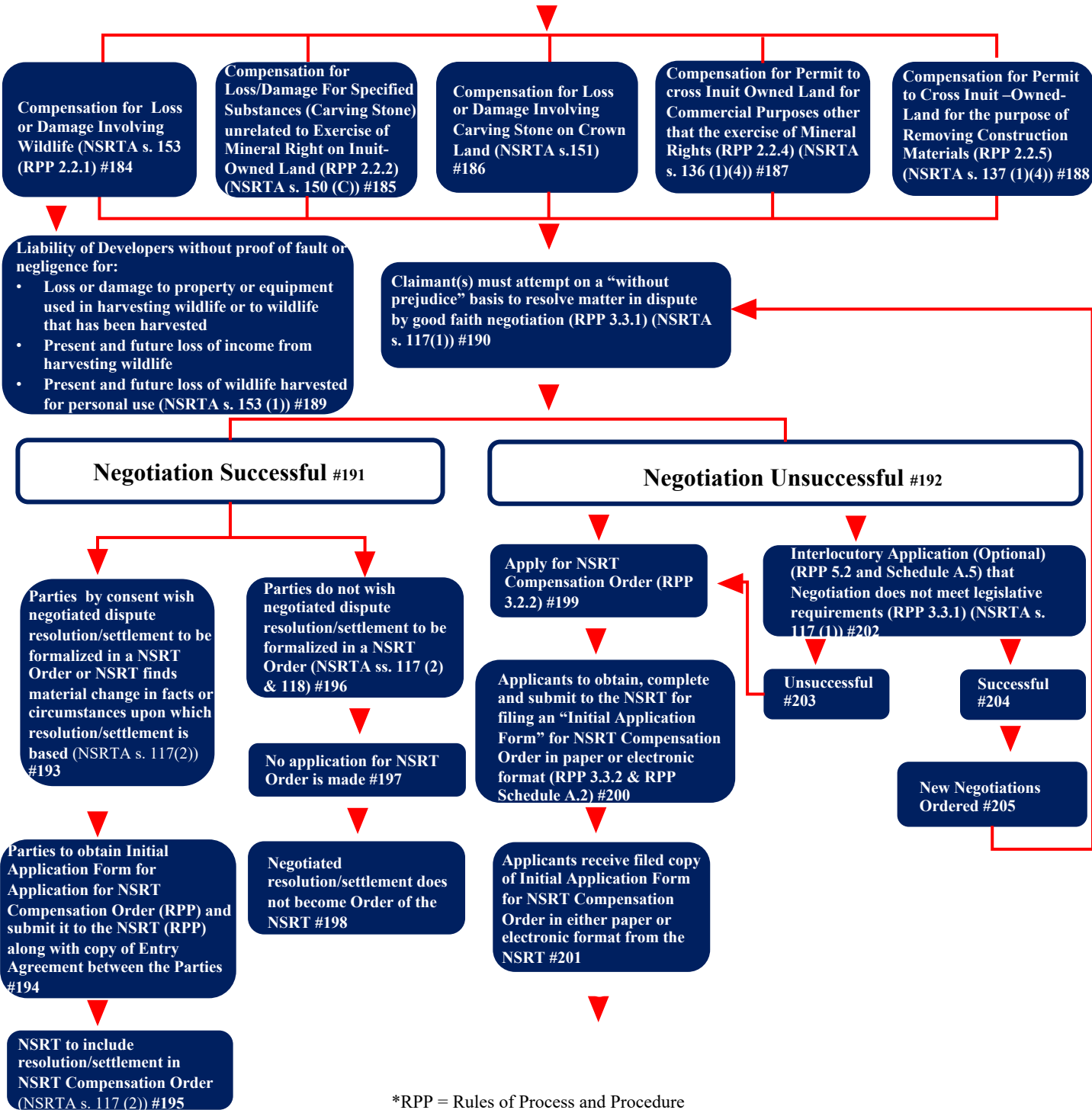
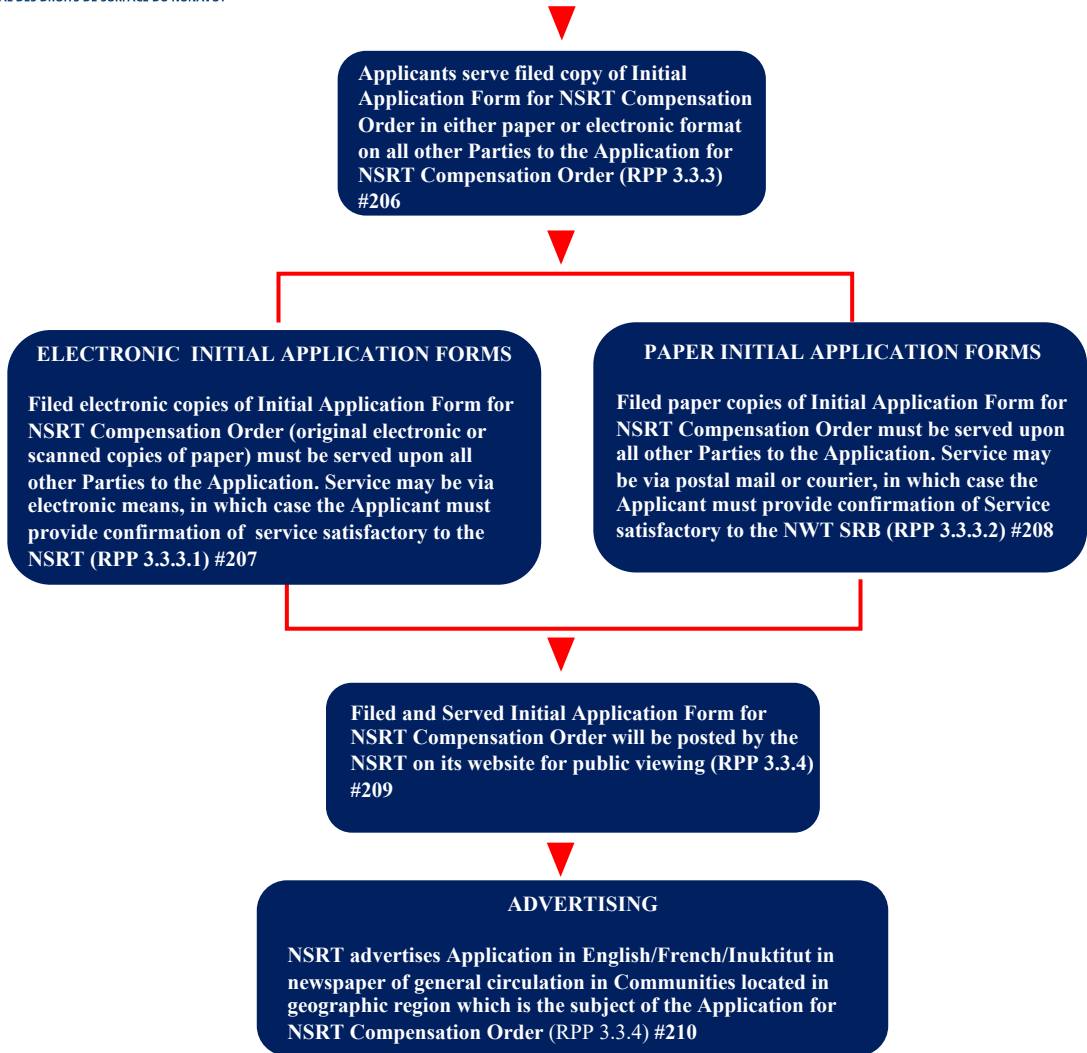


APPLICATION FOR NSRT COMPENSATION ORDER (RPP 2.2 & 3.3) #183



*RPP = Rules of Process and Procedure



*RPP = Rules of Process and Procedure

**NSRTA = Nunavut Waters and Nunavut Surface Rights Tribunal Act



APPLICATION FOR NSRT COMPENSATION ORDER (RPP 2.2 & 3.3) #211

Pre-Hearing Procedure (RPP 5.0) #212

Pre-Hearing
Conferences
(RPP 5.5) #213

Interlocutory
Proceedings
#214

Documents
#215

NSRT Request
for Information
#216

Practice Directions
#217

The NSRT may require that Parties attend one or more Pre-Hearing conferences (meetings) prior to a Hearing. Information relating to the details of a Pre-Hearing conference will be provided by the NSRT to the Parties in advance of Pre-Hearing conference(s) (RPP 5.5.1) #218



APPLICATION FOR NSRT COMPENSATION ORDER (RPP 2.2 & 3.3) #219

PRE-HEARING PROCEDURE (RPP 6.0) #220

Pre-Hearing
Conferences
#221

Interlocutory
Proceedings
(RPP 5.2) #222

Documents #223

NSRT Request for
Information #224

Practice
Directions #225

In the event that one or more Parties to any NSRT proceeding wishes to raise an issue relating primarily to matters of process or procedure in resolving a dispute (not the substance of a dispute), any Party may bring an Interlocutory Application to address the issue (RPP 5.2) #226

Any Party wishing to make an Interlocutory Application should obtain, complete and submit to the NSRT for filing an “Interlocutory Application Form” (RPP Schedule A.5) in paper or electronic format (RPP 5.2.1) #227

The filing Party will receive filed copy of “Interlocutory Application Form” in either paper or electronic format from the NSRT #228

The filing Party will serve filed copy of “Interlocutory Application Form” in either paper or electronic format on all Parties to an NSRT proceeding (RPP 5.2.1) #229

ELECTRONIC “INTERLOCUTORY APPLICATION FORMS”

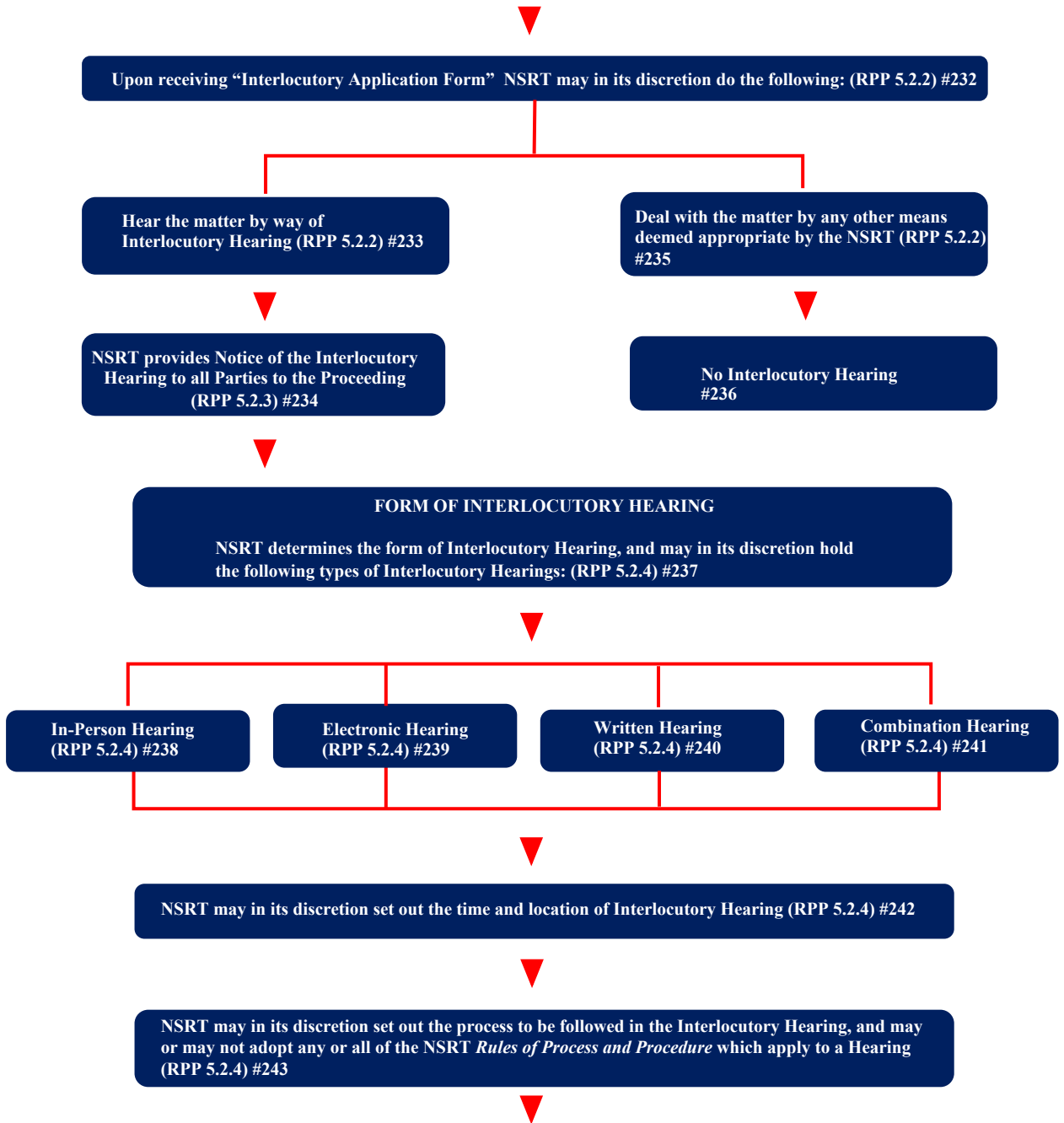
Filed electronic copies of “Interlocutory Application Form” (original electronic or scanned copies of paper) may be served electronically on other Parties, in which case the Applicant must provide confirmation of service satisfactory to the NSRT (RPP 5.2.1) #230

PAPER “INTERLOCUTORY APPLICATION FORMS”

Filed paper copies of “Interlocutory Application Form” may be served via postal mail or courier, in which case the Applicant must provide confirmation of service satisfactory to the NSRT (RPP 5.2.1) #231

*RPP = Rules of Process and Procedure

**NSRTA = Nunavut Waters and Nunavut Surface Rights Tribunal Act



*RPP = Rules of Process and Procedure

**NSRTA = Nunavut Waters and Nunavut Surface Rights Tribunal Act



ᓄᓇᓂᓐᓂᓐ ᓄᓇᓂᓐ ᓂᓄᓐᓂᓐ ᓄᓇᓂᓐ ᓄᓇᓂᓐ
NUNAVUT SURFACE RIGHTS TRIBUNAL
KANGGANIITONIK ANGGIKTITAJUTIT
LE TRIBUNAL DES DROITS DE SURFACE DU NUNAVUT

Upon considering an Interlocutory Application by way of a Hearing, the Member(s) of the NSRT hearing the Application shall render a Decision (Order with reasons) with respect to the Interlocutory Application, which Decision will be in writing and shall include reasons for the Decision (RPP 5.2.6) #244

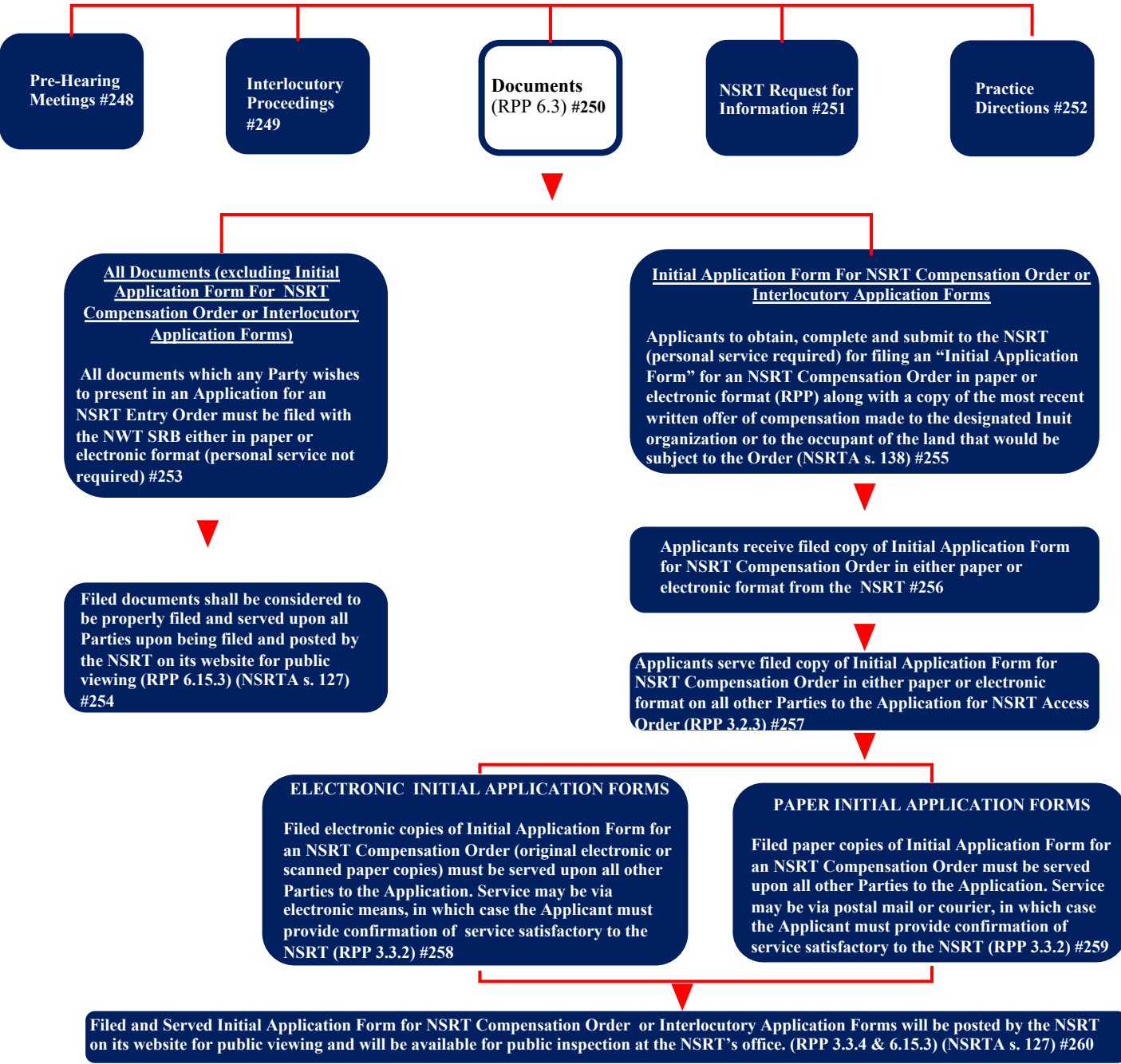
NWT SRB Interlocutory Decision to be provided by the NSRT to every Party participating in the Interlocutory Application and published on the NSRT website. (RPP 5.2.7) #245

*RPP = *Rules of Process and Procedure*

**NSRTA = *Nunavut Waters and Nunavut Surface Rights Tribunal Act*

APPLICATION FOR NSRT COMPENSATION ORDER (RPP 2.2 & 3.3) #246

PRE-HEARING PROCEDURE #247



*RPP = Rules of Process and Procedure

**NSRTA = Nunavut Waters and Nunavut Surface Rights Tribunal Act



APPLICATION FOR NSRT COMPENSATION ORDER (RPP 2.2 & 3.3) #261

PRE-HEARING PROCEDURE #262

Pre-Hearing
Meetings #263

Interlocutory
Proceedings
#264

Documents
#265

NSRT Request
for Information
(RPP 6.15.1) #266

Practice
Directions #267

At any time in its proceedings, the NSRT may request additional information from any Party to those proceedings. (RPP 6.15.1)

“The Tribunal has, with respect to the attendance and examination of witnesses, the production and inspection of documents and all other matters necessary or proper in relation to applications before the Tribunal, all the powers, rights and privileges of a superior court.” (NSRTA s. 120) #268

*RPP = Rules of Process and Procedure

**NSRTA = Nunavut Waters and Nunavut Surface Rights Tribunal Act

APPLICATION FOR NSRT COMPENSATION ORDER (RPP 2.2 & 3.3) #269

PRE-HEARING PROCEDURE #270

Pre-Hearing
Meetings #271

Interlocutory
Proceedings
#272

Documents
#273

NSRT
Request for
Information
#274

Practice
Directions
(RPP 1.13)
#275

The NSRT may issue “*Practice Directions*” for the purpose of addressing procedural issues either with respect to NSRT proceedings generally, or pertaining to individual proceedings which occur within a case specific context. *Practice Directions* are to be read in conjunction with the NSRT *Rules of Process and Procedure* (RPP 1.13) #276

In the event of a conflict or inconsistency between *Practice Directions* and the NSRT RPP, *Practice Directions* shall prevail to the extent of the conflict or inconsistency as an exception to the *Rules of Process and Procedure* (RPP 1.13.2) #277

*RPP = *Rules of Process and Procedure*

**NSRTA = *Nunavut Waters and Nunavut Surface Rights Tribunal Act*



APPLICATION FOR NSRT COMPENSATION ORDER (RPP 2.2 & 3.3) #278

HEARING PROCEDURE #279



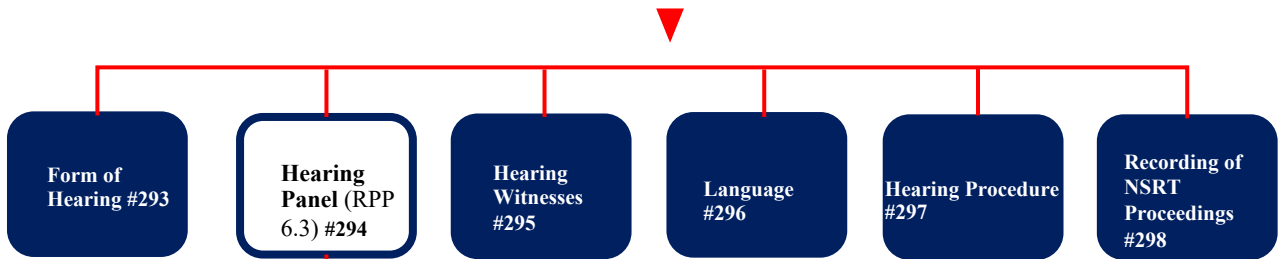
NSRT Determines the Form of Hearing and may in its discretion hold the following types of Hearings (RPP 6.2) #286





APPLICATION FOR NSRT COMPENSATION ORDER (RPP 2.2 & 3.3) #291

HEARING PROCEDURE #292



“Members shall be assigned to panels in accordance with the bylaws of the Tribunal or, in the absence of by-laws respecting the assignment of members to panels, by the Chairperson.” (NSRTA s. 125 (1))

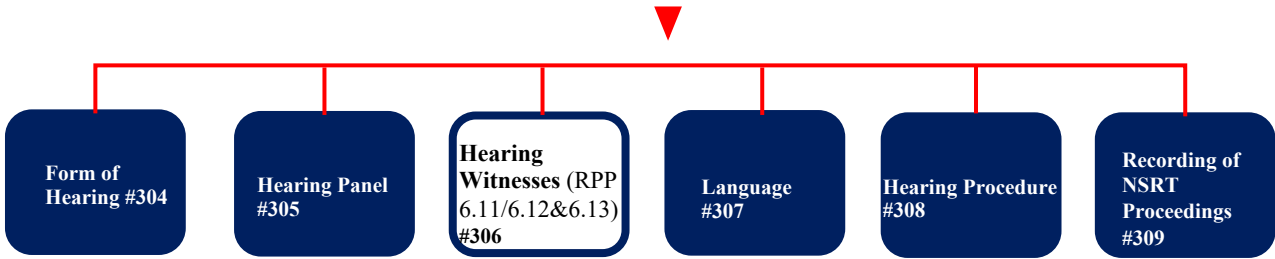
Members of the NSRT are appointed to a Panel of the NSRT by the Chairperson of the NSRT. (NSRT By-law 7.1.6) #299

“An application to the Tribunal shall be heard by a panel consisting of three members or, if the parties consent, by one member.” (NSRTA s. 124 (1)) (RPP 6.3.2) #300

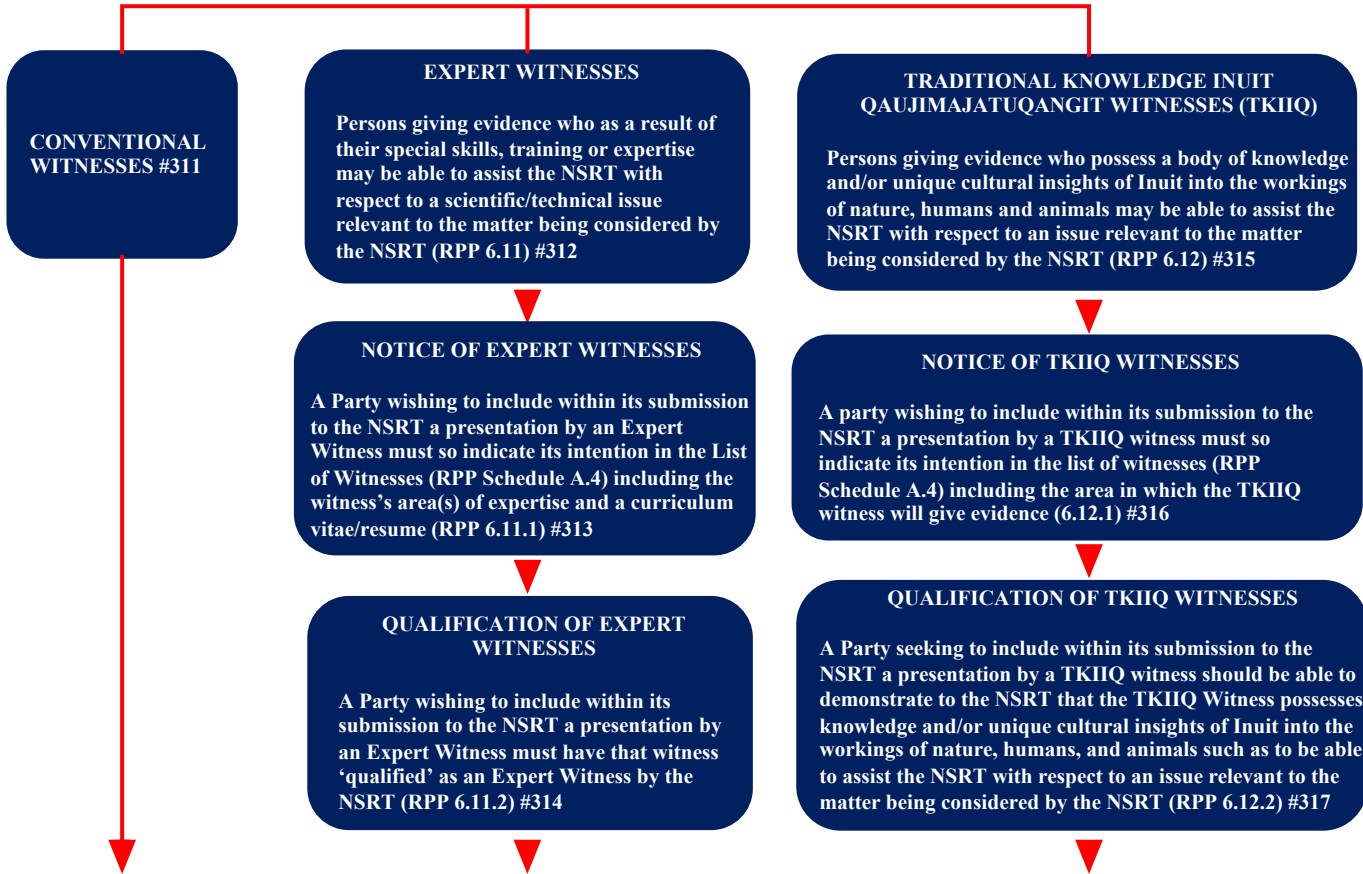
“... if one of the members of a panel is absent, the hearing may continue with only one of the members if the parties consent, but if the parties do not consent, the application shall be reheard by another panel or member.” (NSRTA s. 124 (1)) #301

APPLICATION FOR NSRT COMPENSATION ORDER (RPP 2.2 & 3.3) #302

HEARING PROCEDURE #303



Types of Witnesses #310



*RPP = Rules of Process and Procedure
 **NSRTA = Nunavut Waters and Nunavut Surface Rights Tribunal Act



APPLICATION FOR NSRT COMPENSATION ORDER (RPP 2.2 & 3.3) #318



QUESTIONING OF CONVENTIONAL WITNESSES

- Conventional Witnesses may be questioned by the NSRT and the other Parties (RPP 6.13.3.2)
- Questioning of Conventional Witnesses should be conducted for the purpose of clarifying and testing the evidence provided by Conventional Witnesses, and for eliciting relevant material and information not brought out during the initial giving of evidence (RPP 6.13.3.1)
- Questioning of Conventional Witnesses must be with respect to matters which are relevant to the matter before the NSRT (RPP 6.13.3.3(a))
- Questioning of Conventional Witnesses shall not be conducted in a manner which is abusive, offensive or discourteous (RPP 6.13.3.3(b))

#319

QUESTIONING OF EXPERT WITNESSES

- Expert Witnesses may be questioned by the NSRT and the other Parties (RPP 6.13.3.2)
- Questioning of Expert Witnesses should be conducted for the purpose of clarifying and testing the evidence provided by Expert Witnesses, and for eliciting relevant material and information not brought out during the initial giving of evidence (RPP 6.13.3.1)
- Questioning of Expert Witnesses must be with respect to matters which are relevant to the matter before the NSRT (RPP 6.13.3.3(a))
- Questioning of Expert Witnesses shall not be conducted in a manner which is abusive, offensive or discourteous (RPP 6.13.3.3(b))

#320

QUESTIONING OF TK/IQ WITNESSES

TK IQ witnesses may only be questioned by the NSRT Panel (RPP 6.13.3.2) #321

*RPP = Rules of Process and Procedure

**NSRTA = Nunavut Waters and Nunavut Surface Rights Tribunal Act

APPLICATION FOR NSRT COMPENSATION ORDER (RPP 2.2 & 3.3) #322

HEARING PROCEDURE #323



LANGUAGE OF NSRT BUSINESS

“The Tribunal shall conduct its business in both of the official languages of Canada in accordance with the Official Languages Act and any directives of the Minister and, on request by any designated Inuit organization, in Inuktitut” (RPP 6.14.1) (NSRTA s. 106(1)) #330

LANGUAGE IN WHICH EVIDENCE IS HEARD

“The Tribunal has, in any proceedings before it, the duty to ensure that any person giving evidence before it may be heard in Inuktitut or in either official language, and that in being so heard the person will not be placed at a disadvantage by not being heard in another of those languages” (RPP 6.14.2) (NSRTA s. 106 (3)) #331

TRANSLATION OF VERBAL EVIDENCE

“The Tribunal has, in any proceedings before it, the duty to ensure that, at the request of any party to the proceedings, facilities are made available for the simultaneous interpretation of the evidence given and taken, from Inuktitut into one of the official languages, from one of the official languages into Inuktitut, from one of the official languages into the other” (RPP 6.14.3) (NSRTA s. 106(4)) #332

TRANSLATION OF DOCUMENTS

“The Tribunal has, in any proceedings before it, the duty to provide a translation of any document prepared in Inuktitut or in one of the official languages for the purpose of the proceedings by a party to the proceedings into one or both of the official languages or into Inuktitut or the other official language where necessary to enable another party to the proceedings to understand and deal with the document” (RPP 6.14.4) (NSRTA s. 106(5)) #333

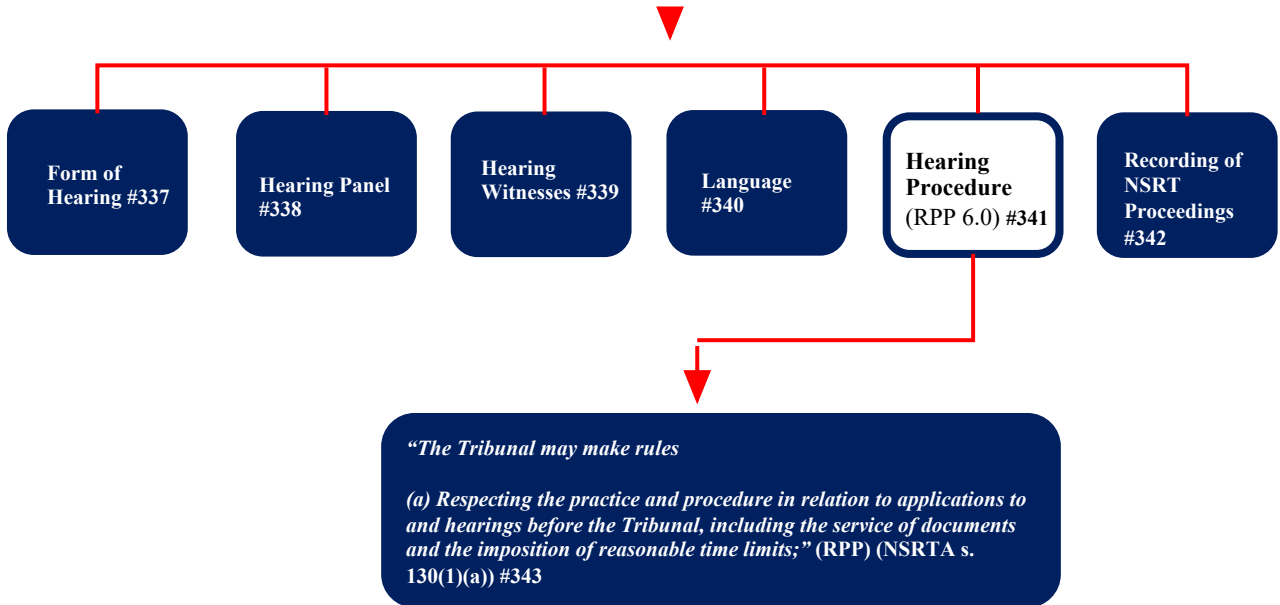
TRANSLATION OF ORDERS

“The Tribunal shall, on the request of a party to any proceedings before it, provide a translation into Inuktitut of any order made in the proceedings, including any reasons given for the order.” (RPP 6.14.5) (NSRTA s. 106(6)) #334

*RPP = Rules of Process and Procedure
 **NSRTA = Nunavut Waters and Nunavut Surface Rights Tribunal Act

**APPLICATION FOR NSRT COMPENSATION ORDER
(RPP 2.2 & 3.3) #335**

HEARING PROCEDURE #336

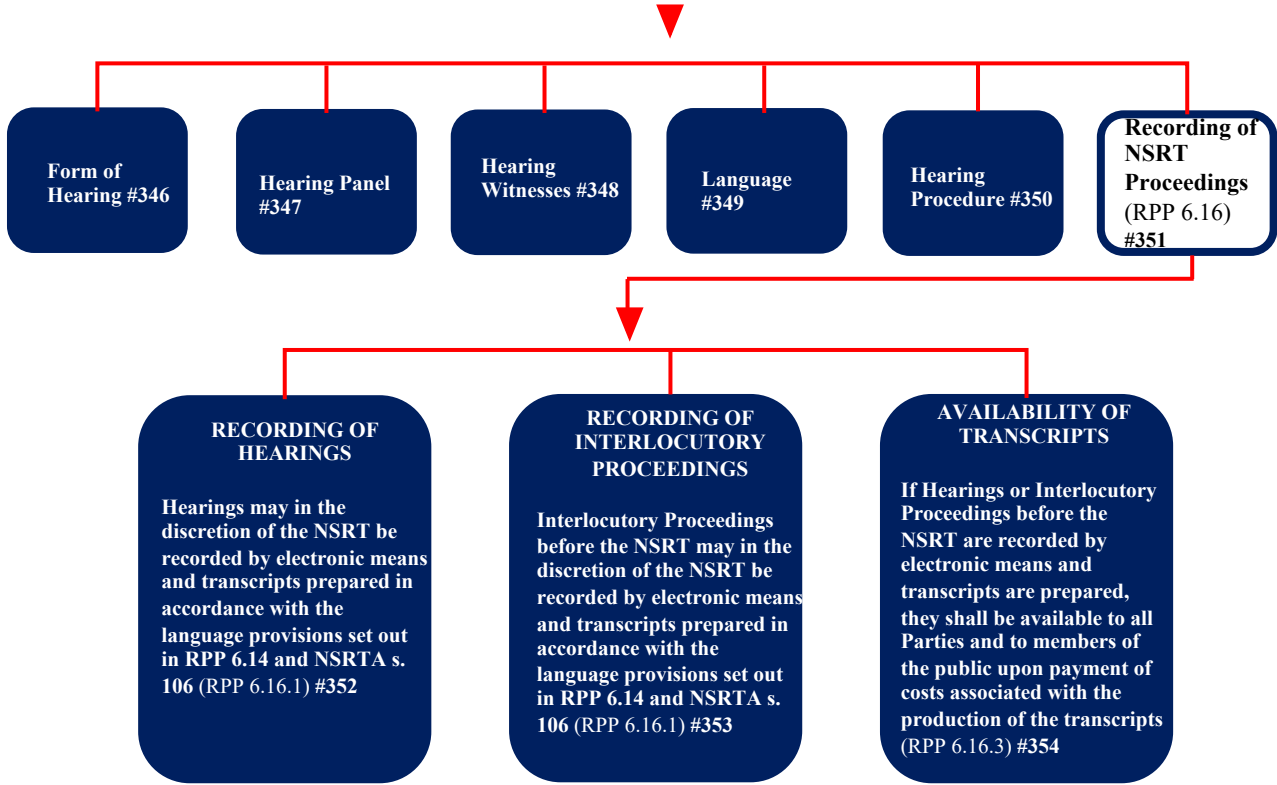


*RPP = Rules of Process and Procedure

**NSRTA = Nunavut Waters and Nunavut Surface Rights Tribunal Act

APPLICATION FOR NSRT COMPENSATION ORDER (RPP 2.2 & 3.3) #344

HEARING PROCEDURE #345



*RPP = Rules of Process and Procedure

**NSRTA = Nunavut Waters and Nunavut Surface Rights Tribunal Act