

4) Hearing Registry and the Hearing Record:

- a) The NMRWB and the EMRWB will keep and make available to the public and Parties to the Hearing all relevant documents filed with both Boards on their Hearing Registries.
- b) The Content of the Hearing Registry as well as the transcripts or reports from various oral presentations during the Hearing will form the Hearing Record and will constitute the information upon which the Boards will make their decisions.
- c) The Boards shall ensure that all materials filed with it or produced by it are made publicly available, subject to relevant confidentiality or privacy obligations.

5) Parties:

- a) Participants with Full Party Status have the right to participate, as outlined in these Rules, in all the various steps of this Public Hearing, including but not limited to the submission of information to the Board, pre-hearing conferences, technical meetings, in-person hearings and the submission of closing statements.
- b) Note that, subject to Article 5.2.2 of the NILCA, and 13.1.2 of the EMRLCA, all deliberations of the Boards on the issues addressed in this Hearing and/or any motions brought during the Hearing are privileged and confidential, and parties do not have a right to attend or observe such deliberations.

6) Applications for Party Status:

- a) Organizations or individuals not already recognized as a Party, but who wish to participate in this Public Hearing as a Party can apply for Party status by completing the FORM 1 attached herein in **Appendix A**.
- b) The decision to grant additional organizations or individuals Party status is the sole discretion of the Boards, as is the level and scope of participation permitted to additional Parties.

7) Information Requests:

- a) The Boards will, as a first step, and may at any other time during the Hearing, issue an Information Request to the Parties and the public in an effort to gather all relevant information and reports for inclusion in the Hearing Record.

- b) The Boards reserve the right not to accept information that is not relevant to the issues being addressed in the Hearings.
- c) The purpose of Information Requests is to ensure that all the participants have as much of the information available on the issues in advance of the in-person hearings. This will facilitate informed questions and submissions. The Boards ask that all parties make best efforts to have all the information they have in their possession submitted by the deadline. During the in-person portions only individual Cree of Eeyou Istchee, individual Nunavik Inuit, or locally-based organizations may provide new information. Regional and national organizations are expected to submit the information that they wish to present in-person in advance (deadlines available in the Notice of Hearing).

8) Pre-Hearing Conferences:

- a) At any time prior to any stage in the Public Hearing, the Board Chairs may call a Pre-Hearing Conference.
- b) The purpose of a Pre-Hearing Conference may be to discuss and refocus the issues to be covered in the various hearing steps, to discuss the hearing schedule and to address any possible procedural issues.
- c) Any changes to the rules or the hearing process will be communicated on the NMRWB and EMRWB public websites, direct email to parties, and through any other means necessary to ensure parties are informed.

9) Closing Submissions:

- a) Parties will have an opportunity to provide the Boards with a summary of their position and their opinion on what they think the Boards should decide on the issue prior to the close of the Hearing. The deadline for such submissions will be provided following the conclusion of the in-person Phase 2 hearing.
- b) The Public Hearing will be closed at a date set by the Boards following the conclusion of the in-person Phase 2 hearing.

10) Other General rules:

- a) The Boards will not accept late filing of applications, documents, or submissions unless the Party provides persuasive written reasons explaining the late filing to the Boards and the Boards deem the reasons for late filing to be acceptable.

- i) For greater certainty, the Boards will not accept any additional information or material following the closing of the Public Hearing.
- b) **Translation:** Parties may provide material in English, French, Inuktitut, or Cree. For material filed in French, Inuktitut or Cree, an English translation is required. For material filed in French, Cree, or English, an Inuktitut translation is required.
 - i) The requirement for translation does not apply in the following circumstances:
 - For material filed by individual Nunavik Inuk or an individual Cree of Eeyou Istchee;
 - For material exclusively relevant to the EMR areas Inuktitut translations are not required.
 - ii) For all other Parties who file documentation with the Boards, the requirement for translation does not apply to such documents over ten (10) pages in length as long as each document that is not translated is accompanied by a concise, translated summary (English and Inuktitut) at least two (2) pages in length.
- c) **Deliberations and Board Decision Making:** the Boards will conduct all decision-making meetings and deliberations on the matter following the close of the hearing. The initial decisions of the Boards are not to be made public until the relevant Ministers have provided a response. Therefore, decision-making meetings are to be conducted by way of an *in-camera* meeting and are not open to the public. However, and in accordance with s. 5.2.2 of the NILCA and 13.1.2 of the EMRLCA, Makivvik, the Cree Nation Government and the Governments of Canada and Nunavut have the right to have technical advisors attend decision-making meetings as non-voting observers.

Appendix A
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