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PREAMBLE:

Jurisdiction of the NWMB

The Nunavut Wildlife Management Board (“NWMB” or “Board”) was established under Article 5.2.1 of *The Agreement between the Inuit of the Nunavut Settlement Area and Her Majesty the Queen in Right of Canada* (“*Nunavut Agreement*”) as an Institution of Public Government empowered to make wildlife management Decisions affecting the Nunavut Settlement Area.

As the main instrument of wildlife management within the Nunavut Settlement Area, the conduct of the NWMB is guided by the principles and objectives outlined for the Wildlife Management System within Article 5 of the *Nunavut Agreement*, as complemented by general rules governing procedural fairness.

The Wildlife Management System:

- is governed by the principles of conservation outlined within the *Nunavut Agreement*;
- fully acknowledges and reflects the primary role of Inuit in wildlife harvesting;
- serves and promotes the long-term economic, social and cultural interests of Inuit;
- integrates the management of all species of wildlife as far as practicable;
- invites public participation, and promotes public confidence, particularly amongst Inuit.

Functions of the NWMB

Recognizing that Government retains ultimate responsibility for wildlife management, Article 5.2.33 of the *Nunavut Agreement* establishes that the NWMB shall function as the main instrument of wildlife management, and main regulator of access to wildlife, within the Nunavut Settlement Area.

In addition, the NWMB:

- is required to take an informed and effective role in wildlife research and direction under Article 5.2.37 of the *Nunavut Agreement*;
- provides advice on wildlife management in the marine areas adjacent to the Nunavut Settlement Area under Article 15 of the *Nunavut Agreement*;
- at its discretion, may perform additional functions outlined in Article 5.2.34 of the *Nunavut Agreement*, including the management and protection of wildlife and wildlife habitat within the Nunavut Settlement Area.

The NWMB has the jurisdiction to hold Hearings, consider evidence from Parties, and make wildlife management Decisions related to the Wildlife Management System, including establishing, modifying or removing Total Allowable Harvests (“TAH”) and Non-Quota Limitations (“NQL”) under Part 6 of Article 5 of the *Nunavut Agreement*.

In the exercise of its functions, the NWMB incorporates:

- the principles of conservation in Article 5.1.5 of the *Nunavut Agreement*, interpreted in light of the principles and objectives of Article 5;
- procedural fairness;
- both western scientific information and Inuit Qaujimagatuqangit; and
- the best available relevant Information.

The NWMB conducts its business in Inuktitut and in English, with interpretation or translation as appropriate.

Rules of Procedure

Part I: General

Power to Make Rules of Procedure

1. Under the authority granted to it under Article 5.2.23 of the *Nunavut Agreement*, the Nunavut Wildlife Management Board (“NWMB”) hereby adopts these Rules of Procedures, which shall replace the NWMB Governance Manual (2012) and any other NWMB Rules of Procedure in effect.
2. These Rules shall be made available in Inuktitut and in English.

Citation

3. These Rules may be cited as the “NWMB Rules of Procedure (2026)” or “Rules”.

Definitions

4. In these Rules:

Any capitalized words or expressions used that are not defined in these Rules shall have the meaning assigned to them in the *Nunavut Agreement*, unless the context requires otherwise.

“*Advisor*” means the legal advisor or third-party subject matter experts retained by the Board.

“*Agenda*” means the list of topics accepted to be heard by the NWMB at its Proceedings.

“*Application*” means a Submission to the NWMB requesting a Decision under Part 3, Article 5 of the *Nunavut Agreement* or advice under section 15.3.4 of the *Nunavut Agreement*.

“*Applicant*” means the Party submitting the Application.

“*Appointing Agency*” means a Designated Inuit Organization or a Government department that is responsible for appointing a Member of the NWMB under Article 5.2.1 of the *Nunavut Agreement*.

“*Board*” or “*NWMB*” means the Nunavut Wildlife Management Board established pursuant to Article 5.2.1 of the *Nunavut Agreement*

“*Chair*” means the chairperson of the NWMB appointed under Article 5.2.1(d) of the *Nunavut Agreement*.

“*Co-Management Partner*” means Nunavut Inuit Organizations including Nunavut Tunngavik Incorporated (NTI), Regional Wildlife Organizations (RWOs), Hunters and Trappers Organizations (HTOs) and Regional Inuit Associations (RIAs), federal and Nunavut territorial government departments with jurisdiction over wildlife, and the NWMB.

“*Consultation*” means the Crown's duty to consult with Indigenous rights-holders where it contemplates Decisions or actions that may impact Indigenous rights; and the duty of fairness of all participants to inform all Co-Management Partners and interested stakeholders where actions contemplated may impact their rights or jurisdiction.

“*Decision(s)*” means a decision by the NWMB made pursuant to the decision-making procedures outlined under Part 3, Article 5 of the *Nunavut Agreement*.

“*Deliberation(s)*” occur when the Board adjourns a Proceeding to consider and discuss an Application or other matter at an Internal In-Camera Meeting.

“*Distribution List*” refers to a list of names and contact information maintained by the NWMB that is used to send communications from the NWMB that includes Co-Management Partners, interested individuals, and organizations.

“*Engagement*” means a good faith, timely, and substantive process of mutual communication with Co-Management Partners, in which all affected stakeholders are informed of the proposed Application in advance, given a real opportunity to raise issues, provide information and express views, and have those views meaningfully considered and addressed before the Application is finalized for filing with the NWMB.

“*Hearing*” means a formal Proceeding before the NWMB where Parties are able to present evidence, arguments, and testimony on issues material to the determination of an Application.

“*Hearing Record*” means the documentation of a Proceeding, including Submissions, evidence, arguments, hearing transcripts or minutes that the Board relies on to make a Decision.

“*Hybrid Hearing*” means a Public Hearing where Parties and the public are invited to attend in-person or join remotely through an electronic system, such as a videoconference or teleconference, to make Submissions to the NWMB.

“*In-Camera Meeting*” means a closed meeting of the Board where the Board meets and deliberates before making a Decision under Article 5 or provides advice under Article 15.

“*In-person Hearing*” means a Public Hearing where Parties and the public are invited to attend in person and make oral Submissions in person to the NWMB.

“*Internal In-Camera Meeting*” means a closed NWMB meeting to review, discuss and resolve sensitive matters or the internal business of the NWMB.

“*Meeting Week*” means a week when the NWMB is in session.

“*Member(s)*” means a Member of the NWMB as appointed under the *Nunavut Agreement*.

“*NWMB*” means the Nunavut Wildlife Management Board as an institution, operating under the direction of the Board.

“*Parties*” or “*Party*” means a person or organization with formal Standing to participate in an NWMB Proceeding and has procedural rights in it.

“*Proceeding*” means any meeting, Hearing, or formal process held by the NWMB where Co-Management Partners or other Parties present Submissions on matters within the Board’s jurisdiction. This includes Public Hearings, Regular Meetings, In-Camera meetings, Internal In-Camera meetings or other sessions where matters being considered by the NWMB are addressed.

“*Registry*” means the publicly accessible electronic repository where the NWMB officially stores all records and final Decisions, including Submissions and other documents, filed with or issued by the NWMB and related to a Proceeding.

“*Regular Meeting(s)*” means a Proceeding where the Board receives updates or information on wildlife and habitat management, including updates on the implementation of previously approved management plans and during which the Board may receive Applications and hear oral evidence and arguments in order to provide advice under Article 15 of the Nunavut Agreement.

“*Staff*” means the employees of the NWMB.

“*Standing*” means an individual or organization who has the right to participate in a Hearing, either as a Co-Management Partner or because they were granted Standing by the Board.

“*Submission*” means a written document, evidence package, argument or statement filed with the NWMB to support a review of an Application during an In-person or Hybrid Hearing.

“*Technical Advisor*” means the employee or advisor of an Appointing Agency who is designated by the Appointing Agency to attend NWMB Proceedings as an observer.

“*Wildlife Management System*” means the Wildlife Management System described in Article 5.1.3(b)(vi) of the *Nunavut Agreement*.

“*Written Hearing*” means a Public Hearing in which participation is limited to written Submissions from Parties and interested stakeholders.

“*Virtual Hearing*” means a Hearing organized virtually, either through videoconference and/or teleconference, where Parties and interested stakeholders are invited to make oral presentations to the NWMB.

Application of these Rules

5. These Rules shall be interpreted and applied in a fair and liberal manner, in light of other policies of the NWMB, to give full effect to the principles and objectives of the *Nunavut Agreement*.
6. In keeping with the spirit and intent of the *Nunavut Agreement*, the NWMB shall not be bound by strict rules of evidence applicable in judicial proceedings and may receive and consider any evidence it deems to be relevant, material and reliable.
7. On its own initiative or on request of a Party, the NWMB may, where it considers it necessary and appropriate:
 - (a) delegate certain administrative and procedural functions under these Rules;
 - (b) vary, supplement, modify, or make exceptions to these Rules;
 - (c) make exceptions or modifications to its deadlines or other timelines; or,
 - (d) amend or vary these Rules in the normal course of its operations.
8. Where there is a conflict between these Rules and procedural directions issued by the Board on a specific matter, the procedural direction shall prevail.
9. In the event of non-compliance with these Rules, the NWMB may choose to:
 - (a) issue notice to the non-conforming Party with direction to remediate the non-compliance;
 - (b) adjourn or suspend consideration of a matter until the non-compliance is rectified; or,
 - (c) take any other actions it considers reasonable and appropriate in the circumstances.

Part II: Types of NWMB Proceedings

10. The NWMB shall conduct its business through the types of Proceedings described below:

Meetings

Regular Meetings (RM)

11. The NWMB shall schedule Regular Meetings to receive updates or information on wildlife and habitat management, including updates on the implementation of previously approved management plans. Regular Meetings may also be scheduled to review Applications for NWMB advice regarding the management of wildlife resources in Zone I and II, outside of the Nunavut Settlement Area, under Article 15 of the *Nunavut Agreement*.
12. Regular Meetings are open to Co-Management Partners and the public.
13. Co-Management Partners and other interested persons may be invited to present or speak at Regular Meetings.
14. Members and Staff may ask questions and provide comments related to Submission during Regular Meetings.
15. The Chair may ask its Advisor(s) to ask questions or comments about any Submission.
16. Remote attendance by video or teleconference may be made available and is encouraged.
17. Members shall attend Regular Meetings in person but may attend remotely in exceptional circumstances.

In-Camera Meetings (IC)

18. The NWMB shall schedule an In-Camera Meeting to make Decisions under Article 5 of the *Nunavut Agreement* or develop advice under Article 15 of the *Nunavut Agreement*.
19. Members shall not receive new arguments or new information during an In-Camera Meeting that was not part of the Public Hearing or Regular Meeting.
20. Technical Advisors from an Appointing Agency may attend In-Camera Meetings as observers.

Internal In-Camera Meetings (INT)

21. The NWMB may schedule an Internal In-Camera Meeting to deliberate and decide on confidential and sensitive matters, administrative matters, or financial, personal, and other matters of the NWMB.
22. Participation at Internal In-Camera Meetings shall be limited to the Members and required Staff and other individuals that the Board deems necessary or appropriate to address the issues under consideration.
23. Decisions made at Internal In-Camera Meetings shall be recorded in a manner that accurately reflects the Decisions of the NWMB while maintaining necessary confidentiality of the matter under consideration.

Other Meetings (OM)

24. The NWMB may convene any Other Meetings it deems necessary to satisfy its responsibilities under the *Nunavut Agreement*.

Public Hearings

25. All Applications pursuant to Article 5 of the *Nunavut Agreement* will be considered at an NWMB Public Hearing.
26. The NWMB will determine the form of Public Hearing that is appropriate for each Application it receives which may include:
 - (a) In-person Hearing,
 - (b) Hybrid Hearing, which combines In-person and remote features;
 - (c) Virtual Hearing, which allows participants to join an NWMB hearing remotely, either through videoconference and/or teleconference; and,
 - (d) Written Hearings, which provides opportunity to participate exclusively through written Submissions.

Factors for calling and determining the form of Public Hearings:

27. The NWMB may consider the following factors when deciding the form of Public Hearing:
 - (a) In-person Hearings:
 - i. The species is culturally, socially or economically important to Inuit;
 - ii. The requested Decision may restrict Inuit harvesting rights;
 - iii. A total allowable harvest is being considered for the first time or has not been considered in a long time, or if a total allowable harvest exists and a significant decrease to the total allowable harvest is being proposed;
 - iv. The issue was last considered in an In-person Hearing.

- (b) Hybrid Hearings:
 - i. The species is not as culturally, socially or economically significant to Inuit;
 - ii. The potential impact to harvesting rights is less significant;
 - iii. The issue has been considered recently, or if a total allowable harvest exists, an increase to the total allowable harvest is being proposed;
 - iv. The issue is a Non-quota limitation or a plan for the management or recovery of a particular wildlife;
 - v. Party participation is enhanced by limiting travel;
 - vi. In-person participation is deemed not feasible.

- (c) Virtual Public Hearing:
 - i. The species is not as culturally, socially or economically significant to Inuit;
 - ii. Virtual participation is sufficient to gather the necessary information for an informed Decision;
 - iii. The species or issue under consideration affects a limited geographic area or a smaller number of harvesters.

- (d) Written Public Hearings:
 - i. The issue is primarily legal or technical in nature;
 - ii. The potential impact to Inuit harvesting rights is limited;
 - iii. The Parties represented are able to effectively represent their interests on the issues in writing;
 - iv. Party participation is enhanced by limiting travel costs.

Preparing for Public Hearings:

- 28. Under the supervision of the Chair, Staff receive and review Applications to prepare for a Public Hearing:
 - (a) Applications are screened to assess the information provided (see Rules 49 and 50) before being accepted and added to the Agenda;
 - (b) Staff assign Applications to one of the four Hearing types identified in Rule 26 using the criteria listed in Rule 27;
 - (c) Staff may request Parties provide additional information;
 - (d) Staff may request missing information for incomplete Applications, but the Applicant bears the burden of introducing sufficient evidence and persuasive argument to support their Application;
 - (e) Staff may refuse to accept Applications for the Agenda that are inadmissible (e.g. Applications that contain insufficient minimum information as set out in Rule 49; are late; address matters outside of the NWMB's jurisdiction; or are otherwise unsuitable);
 - (f) If an Application is not accepted, Staff:
 - i. will explain why the Application has not been accepted to the Party; and,

- ii. may invite the Applicant to present their Application to the Board as an information update.
29. When an Application is accepted, a Hearing Record is opened and the Application forms part of that Hearing Record.
 30. Accepted Applications will be published to the Registry and included on the Agenda.
 31. The NWMB will inform the public about the date and type of Public Hearing and provide a deadline for Submissions.

Attendance and Participation:

32. For In-person Hearings, Parties shall attend in person.
33. For Hybrid Hearings, Parties may attend in person but may also attend remotely.
34. Members shall attend Public Hearings in person but may, in exceptional circumstances, attend remotely.

Coordinated Hearings

35. The NWMB may coordinate a Public Hearing with another body, or bodies, where the body, or bodies, have overlapping jurisdiction over a matter under consideration.
36. Any coordination and communication with other bodies must be formalized by a written agreement publicly published to the Registry and ensure respect of the NWMB's mandate, authority and jurisdiction to make Decisions under Article 5 of the *Nunavut Agreement*.
37. Where appropriate, the coordination with other bodies may include the creation of a common registry for Hearing Records, staff collaboration for preparations, communications with Parties and the coordination of schedules.
38. The NWMB may undertake other forms of collaboration or joint action with another body, or bodies, in order to make coordinated Decisions or provide advice on the management of wildlife issues outside the Nunavut Settlement Area.
39. The NWMB shall give notice of a Public Hearing that is coordinated with another body through publication of the notice in the Registry.

Other Proceedings

40. Where appropriate, Staff may facilitate or manage other Proceedings including:
 - (a) *Technical Meetings*: Following review of an Application, the Board may hold a meeting with technical experts to resolve outstanding technical issues and identify any supplementary information that may be necessary to render a Decision on the Application.
 - (b) *Pre-hearing Conferences*: In order to facilitate the Hearing process, the NWMB may organize pre-hearing conferences via teleconference / videoconference or in writing to facilitate the organization of the Hearing by addressing in advance any outstanding procedural issues, such as the format, the date, timing, and location for the Hearing, confirmation of participants, identification of any additional participants that may be required, the timetable for Submissions, clarification of issues, audiovisual and language requirements, hearing procedures and any requests to vary these Rules.
 - (c) *Community Information Sessions*: The NWMB may organize and facilitate community information sessions to communicate information about a specific Proceeding or issue.
 - (d) *Conferences and Workshops*: The NWMB may organize and facilitate conferences and workshops to bring people together to learn about, or discuss, any matter related to its mandate.
41. Staff or Member comments, recommendations, reports, advice or actions provided at any “Other Proceedings” shall not bind the NWMB or serve to limit the NWMB in any way in the exercise of its discretion, jurisdiction, statutory duties, or Decision making authority and the NWMB shall retain full, independent and unfettered discretion to make Decisions or to provide advice within its jurisdiction under the *Nunavut Agreement*.

Part III: Schedule of NWMB Proceedings

42. Where practicable, the NWMB will schedule a Meeting Week during the months of February, June, and October of each calendar year.
43. During each Meeting Week, the NWMB will schedule Internal In-Camera Meetings, Regular Meetings, Public Hearings, and In-Camera Meetings as may be required.
44. At its discretion, the NWMB may schedule additional meetings outside a designated Meeting Week at any time appropriate.

Part IV: Starting a Proceeding with the NWMB

45. Any interested Co-Management Partner may request that the NWMB consider issues within its jurisdiction by submitting an Application:
- (a) for Decision under Article 5 of the *Nunavut Agreement*;
 - (b) for Advice under Article 15 of the *Nunavut Agreement*; or,
 - (c) providing Submissions for information.

Application for Decision

46. All Applications to the NWMB shall be submitted by email or mail to its head office before the established deadline:

Email: receptionist@nwmb.com
Mail: Nunavut Wildlife Management Board
c/o: Reception
310-1106 Ikaluktuutiak Drive
Iqaluit, Nunavut
X0A 3H0

47. The NWMB may defer or dismiss Applications received after the deadline.

Content of Applications for Decision:

48. An Application shall include the following information:
- (a) Content:
 - i. The name, contact information and a contact person for the Applicant.
 - ii. The Decision sought, including a clear and reasoned reference to the relevant authority under the *Nunavut Agreement* that the NWMB is asked to consider in making its Decision or in providing its advice.
 - iii. The stock(s) or population(s) and species of wildlife that will be impacted under the Application.
 - iv. A copy of any relevant information being relied upon including any relevant information in written, audio or audio-visual format with clear reference to the source of the information.
 - v. Arguments to support the Decision sought under the Application with an explanation of all relevant information submitted as well as a summary written in plain language of any technical reports.
 - vi. A summary of the Application translated into either Inuktitut or English, as the case may be, which must indicate:
 - The specific Article of the *Nunavut Agreement* the NWMB is asked to consider;
 - The justification in support of the conclusions sought in the Application; and,
 - Any information the Applicant believes to be relevant.

- (b) A statement confirming:
 - (i) that the Application and its contents has been provided to all relevant Co-Management Partners; and,
 - (ii) a list of other persons who may be affected by the NWMB's Decision under the Application, with confirmation that these persons have been provided with a copy of the Application and its content.
 - (c) A statement confirming that Parties who may be affected by the NWMB's Decision under the Application have been provided with a reasonable opportunity to respond through Consultation or Engagement opportunities. Affected Parties include:
 - (i) Indigenous rights-holders owed a duty to consult; and,
 - (ii) Other Nunavut communities and Indigenous groups situated outside of Nunavut; and,
 - (iii) Where the Applicant is a non-government organization such as an RWO, an HTO or other Designated Inuit Organization, confirmation of Engagement with all relevant stakeholders who may be affected, including government agencies.
 - (d) If any of the minimum information listed above is not being provided with the Application, the Application must explain why.
 - (e) If an Application does not meet these minimum requirements, the NWMB, at the discretion of the Chair, may not place the Application on the Agenda for consideration.
49. Where relevant, Applications should also include the following information:
- (a) If the Application relates to a previous NWMB Decision or advice, specific references to the relevant Decision and explain why it is being referenced in the Application.
 - (b) Copies of relevant governing authorities in support of the Application, including relevant resolutions or policies from the Party submitting the Application.
 - (c) Other evidence deemed relevant, such as maps or photos.

Application for Advice and Submission for Information

- 50. Applications seeking NWMB Advice under Article 15 of the *Nunavut Agreement* will be considered at a Regular Meeting. Submissions to provide information relevant to the NWMB's mandate or to deal with other matters under the NWMB's jurisdiction will also be received at a Regular Meeting.
- 51. An Application seeking NWMB Advice shall adopt the content requirements for an Application for Decision set out in Rules 49 and 50.
- 52. In considering whether to accept a Submission for advice, the NWMB will consider the relevance of the Submission to its mandate and any other considerations it deems appropriate.

53. When an information update is presented to the NWMB, the Board may determine if further action is required and may:
 - a) direct the presenting Party to submit an Application for the Board's Decision, thereby elevating the matter from an information update to an Application;
 - b) instruct Staff to prepare a technical Submission or an Application for the Board's Decision; or
 - c) may refer any Application to a more suitable authority or body for consideration.
54. Notwithstanding PART IV, the NWMB has discretion to waive the strict application of these Rules and may, at its discretion, place any issue on a Public Hearing or Regular Meeting Agenda.

PART V: Meeting Procedures

Notice and Agenda

55. The NWMB shall provide an Agenda before each meeting, which shall:
 - (a) confirm the time, dates, and location of the meeting;
 - (b) anticipate the length of time required to consider the Application and/or Submission, including time limits for presentations; and,
 - (c) in advance of the Meeting Week, publish the Agenda publicly on the Registry with copies emailed to persons and organizations on the Distribution List.
56. NWMB Proceedings shall proceed according to the Agenda. The Chair, or their designate, will lead the Proceeding and is responsible for maintaining respect and order and for facilitating the orderly completion of the Agenda, including by:
 - (a) indicating who may speak and managing allotted speaking time;
 - (b) facilitating questions and answers where appropriate;
 - (c) changing the speaking order of Parties where appropriate;
 - (d) stopping a person from speaking at any time; and,
 - (e) determining when discussion on a particular matter will end.

Submissions

Written Submissions

57. The NWMB will publish to the Registry all Written Submissions relating to an Application, including any evidence, arguments, or supplementary information filed by all Parties.
 - (a) Submissions must be received before the deadline set by the NWMB in order to be published to the Registry and be included in Board

- briefing materials.
 - (b) Where a Submission is late, at the discretion of the NWMB, the Submission may not be included in Board briefing materials or published to the Registry and may not be considered by the NWMB.
 - (c) An Applicant may only make minor modifications to an Application already on the Agenda. Where significant modifications are required, the Application may be removed from the Agenda.
 - (d) For Written Hearings, the NWMB may allow Parties an opportunity to respond to written Submissions received from other Parties by the deadline set by the NWMB.
58. The NWMB may request that Parties provide written Submissions on a specific issue or question under consideration.

Oral Submissions

59. During Hybrid, Virtual or In-person Hearings, Parties will typically speak in the following order unless otherwise directed by the Chair:
- a) The Party making the Application presents and explains their Application;
 - b) Affected Co-Management Partners may make presentations and/or ask questions of the Applicant;
 - c) Other Parties may, at the discretion of the Chair, make presentations and/or ask questions of the Applicant;
 - d) Members of the public, may, at the discretion of the Chair, make comments and/or ask questions;
 - e) Staff may ask questions; and
 - f) The Chair may also invite its Advisor(s) or its subject matter experts to ask any questions.
60. Members may ask questions of the Applicant or any Party at any time.
61. The Applicant may request an opportunity to provide response to any information presented during the Hearing before the Chair adjourns the hearing for Deliberation.
62. Oral Submissions intended to be evidence are to be made truthfully and the NWMB may administer an oath to Parties before receiving oral Submissions in a Hearing.
63. The NWMB will encourage the Submission and consideration of any relevant Inuit Qaujimagatuqangit, Indigenous Knowledge or oral history, at any stage of a Hearing before the Hearing Record is closed.
64. The NWMB may make arrangements to hear from any Elder or holder of relevant Inuit Qaujimagatuqangit or Indigenous Knowledge at any time prior to, during, or after a Hearing as the Board considers appropriate.

65. The NWMB may make arrangements to hear from other subject matter expert(s).

Participation at Hearing

66. Subject to these Rules and Article 5.2.28 of the *Nunavut Agreement*, Parties shall have the right to participate at a Hearing, including making Submissions, and asking questions of Parties making Applications.

(a) An Inuk or affected Co-Management Partner shall have automatic Standing at Public Hearings.

(b) The NWMB shall grant Standing to bodies that represent Indigenous rights-holders, including those groups identified in Article 40 of the *Nunavut Agreement* who may be affected by an Application.

67. The NWMB Chair will consider requests for Standing, and may grant Standing, to persons who are not Inuk or a Co-Management Partner.

68. A request for Standing at a Hearing shall include an explanation of the person or organization's interest in the issue, the scope of their intended participation, and why the NWMB should grant Standing. Standing may be granted, at the discretion of the Chair, taking into consideration the nature of the issue and the interests of the Party requesting Standing.

Concluding a Hearing

69. At the conclusion of the Hearing, Parties must submit to the Registry any written or visual materials presented during the Hearing.

70. The NWMB may allow or request additional Submissions or final written arguments to allow Parties to address new arguments or evidence, including Inuit Qaujimajatuqangit, Indigenous Knowledge, and oral history raised in oral Submissions during a Hearing.

Hearing Record

71. Once the NWMB is satisfied that all relevant material has been received for an Application, it will close the Hearing Record.

(a) The NWMB may seek clarification of any evidence on the record without causing the Hearing Record to be re-opened.

(b) Any information received after a request for clarification from the NWMB will be published to the Registry.

72. Submissions that are received after a meeting or Hearing Record is closed may only be admitted and posted to the Registry with permission of the Chair granted at the Chair's discretion.

73. The NWMB shall prepare and maintain transcripts for its In-person Hearings and Hearing minutes of its Hybrid and Virtual Hearings, which are to be reviewed and approved by the NWMB when practically possible.
- (a) Hearing transcripts or Hearing minutes will become part of the Hearing Record once approved.
 - (b) Parties and the public may, upon request, receive electronic copies of Hearing minutes or transcripts.
74. Unless a Party has requested and received an assurance of confidentiality in advance, the NWMB will treat all Submissions received at the Hearing as public information. By participating in an NWMB Public Hearing, Parties acknowledge and consent to the information they provide being made publicly available.
75. At its discretion, the NWMB may make recordings of its Hearings available.
76. The NWMB will admit as evidence, and shall consider, all relevant information on the Hearing Record when making a Decision.

Part VI: Decisions

Criteria for Decision-Making

77. When making Decisions, the NWMB shall consider the following:
- (a) the purpose of the Application;
 - (b) the requirements of Article 5.3.3 of the *Nunavut Agreement*;
 - (c) the information presented in the Application and record of evidence supported by arguments presented at a Hearing; and,
 - (d) the conservation status of the species, stock or population under consideration.
78. At its discretion, the NWMB may consider additional relevant factors when making Decisions, including:
- (a) the sufficiency of the record submitted;
 - (b) the degree and potential of the Decision to impact Indigenous rights;
 - (c) the significance of the species to Inuit;
 - (d) the history of the issue and previous NWMB Decisions;
 - (e) Consultation and procedural fairness factors;
 - (f) the urgency of the Application; and
 - (g) any other factor the NWMB considers relevant.

Weighing Evidence

79. The NWMB will consider the relevance, reliability and weight appropriate for the evidence in making its Decisions and may admit as evidence elements that would not normally be admissible under strict rules of evidence, including Inuit Qaujimajatuqangit, community knowledge, and oral history.

80. The NWMB shall not presume scientific, or Inuit Qaujimajatuqangit evidence is automatically more or less important than the other and:
- (a) When assessing the weight of Inuit Qaujimajatuqangit evidence, the NWMB may consider the following factors:
 - i. Whether the Inuit Qaujimajatuqangit being offered as evidence is about current practices and knowledge or about practices and knowledge from the past; and,
 - ii. Whether the person providing the Inuit Qaujimajatuqangit is recognized by their community to have knowledge of what that person is speaking about.
 - (b) When assessing the weight of scientific evidence, the NWMB may consider the following factors:
 - i. The longevity of the study;
 - ii. The credibility of the study and of the scientist (among their peers); and,
 - iii. The robustness of the study methodology and assumptions relied on.
 - (c) Notwithstanding the foregoing, the NWMB retains full discretion to admit, weigh, or exclude any evidence, testimony, or expert opinion based on its overall reliability, relevance, probative value, and fairness including any evidence not expressly contemplated by the listed factors, provided the NWMB's determination is exercised reasonably and transparently.

Confidential Decision-Making

81. In compliance with the *Nunavut Agreement*, the NWMB makes confidential deliberations during the closed In-Camera Meeting portion of its Meeting Week:
- (a) The Board and Staff shall attend Deliberations, and the Board may invite one or more of its Advisors.
 - (b) Appointing Agencies are expected to confirm whether they intend to designate a Technical Advisor in advance of each In-Camera Meeting who may attend the In-Camera Meeting as observers;
 - (c) After Deliberation(s), the NWMB will issue a written Decision, with reasons, and provide the Minister with a copy of its Decision;
 - (d) In its Decisions, the NWMB may choose to provide advice, make recommendations, and include any terms and conditions it deems appropriate;
 - (e) The NWMB shall reconsider a Decision that has been disallowed or rejected by the Minister as soon as practical.

Publication of NWMB Decisions

82. The NWMB will publish its final Decision, and the Minister's response, to the Registry when the decision-making process has been completed.

Languages

83. NWMB Proceedings shall be conducted with simultaneous translations into English and Inuktitut.
- (a) All Proceeding documents, including Submissions, presentations, exhibits or a reasonably detailed summary of them, shall be made available in English and Inuktitut.
 - (b) The NWMB may direct that an Applicant provide translations of any Application or Submission, or a portion of any Application or Submission, Motions or Objections.
84. During presentations and discussions, an objection or motion may be made orally.
85. A Party may make a written Submission in support of an objection or motion at any other time.
86. Any objection or motion, including an objection to the Agenda, must be:
- (a) addressed to the Chair; and,
 - (b) must provide:
 - i. reasons for the request; and,
 - ii. the procedural direction requested.
87. The Chair shall consider the objection or motion and shall make a determination on the matter.
88. Where the Chair considers it appropriate, they may deliberate the objection or motion with the Board before making their determination.

Procedural Directions

89. The Chair may provide procedural directions at any time it considers appropriate during a Proceeding.
90. The NWMB may summon any person, except a Minister, to give evidence orally or in writing and may summon any person to produce documents or any such evidence as it considers necessary to its mandate.

Adjournments

91. The NWMB may adjourn a Hearing or Regular Meeting at any time and may re-open an adjourned Proceeding with notice to the Parties published on the

Registry.

Cost of Attendance and Participation

92. The NWMB does not have a role in determining participant funding provided by any other Party or body and each Party shall be responsible for their own costs for attendance and participation at the Proceedings.
93. The NWMB may, at its discretion, invite and provide funding to any Party to enable their participation in its Proceedings and does not have to provide reasons for rejecting any funding requests.
94. Where proper notice of a Meeting has been provided, the NWMB may proceed with the Hearing without a Party or Co-Management Partner present and the Decisions rendered shall not be invalidated by the non-participation of a Party.

Areas of Equal Use and Occupancy

95. For Applications affecting an Areas of Equal Use and Occupancy, as defined under the *Nunavut Agreement*, the NWMB shall include two Members appointed by Makivvik to replace two Members appointed from Nunavut.
96. When the NWMB considers an Application affecting Areas of Equal Use and Occupancy, preference will be given to having Makivvik appointees appointed to vacant Nunavut Inuit appointments on the Board before having Members appointed by a Designated Inuit Organization replaced.

The Registry

97. The NWMB shall maintain a publicly accessible electronic Registry for all documents submitted to, or issued by, the NWMB that are related to matters placed on the Board's Agenda.
98. Parties shall be responsible for monitoring the Registry to ensure access to the most updated relevant materials.
99. The NWMB will publish the following documents to the Registry after a Proceeding:
 - (a) Submissions provided after the deadline;
 - (b) Presentations or exhibits provided during a Proceeding.
100. The NWMB may decline to publish documents to the Registry:
 - (a) that are not compliant with these Rules;
 - (b) are determined to be out of order by the Chair;
 - (c) are subject to an objection;
 - (d) are subject to a request for confidentially; or,
 - (e) are otherwise subject to privacy considerations.

Co-management Partner Consultations and Engagement Sessions

101. At the NWMB's discretion, the Members and Staff, may attend and observe Engagement and Consultation sessions facilitated or organized by Co-Management Partners.
102. Staff or Member comments, recommendations, reports, advice or actions provided at such Engagement and Consultation sessions shall not bind the NWMB or serve to limit the NWMB in any way in the exercise of its discretion, jurisdiction, statutory duties, or Decision making authority and the NWMB shall retain full, independent and unfettered discretion to make Decisions or to provide advice within its jurisdiction under the *Nunavut Agreement*.
103. Where the NWMB considers Engagement or Consultation inadequate, it will address the inadequacy in its Decision and provide accompanying reasons.
104. Where appropriate, the NWMB may decide to not consider an Application where it believes that the Engagement or Consultation was deficient and may defer consideration of the matter to allow the deficiency to be rectified.

Confidential Information

105. A Party may request that information provided to the NWMB (including *Inuit Qaujimagatuqangit*) be treated confidentially and not published publicly.
106. A request for confidential treatment of information must be made in advance on the basis of privacy or confidentiality concerns by providing:
 - (a) Clarification of whether the request applies to all or part of the document(s) and, if applicable to only part of the document(s), clearly identify which part(s);
 - (b) A general and non-confidential description of the document the Party plans to submit;
 - (c) A description of the privacy or confidentiality interests associated with the information;
 - (d) A brief explanation for why the document should not be made public, including identifying any specific harm that could result from public disclosure of the information.
107. The Chair will provide procedural direction regarding the appropriate treatment of the information and shall provide notice to the Party making the request.
108. Documents that are accepted to be confidential shall form part of the Hearing Record of a Proceeding but shall not be disclosed publicly.