



NCN

Form

## SCHEDULE 12.3

## REPORT, DECISION AND RIGHT TO APPEAL

A Claim for compensation from the claims Account of Nisichawayasihk/Taskinigahp Trust was filed by

\_\_\_\_\_ on \_\_\_\_\_  
name date

I, the Claims Officer, or we, the members of a claims panel or Chief and Council, Report and Decide as follows:

### From our investigation of the Claim

- a. ☐ The applicant meets the criteria of a Claimant.  
☐ The applicant does not meet criteria of a Claimant.
- b. ☐ The applicant was a Member at the time the Adverse Effect occurred.  
☐ The applicant was not a Member at the time the Adverse Effect occurred.
- c. ☐ The claim is not an SIL Claim within the meaning of the Agreement.  
☐ The claim is an SIL Claim within the meaning of the Agreement.
- d. ☐ The applicant is not an insurer claiming by way of subrogation.  
☐ The applicant is an insurer claiming by way of subrogation.
- e. ☐ The claim has been brought with 4 years of the date the loss or damage became evident to the Claimant.  
☐ The claim has not been brought with 4 years of the date the loss or damage became evident to the Claimant.
- f. ☐ All of the loss or damage is the result of or attributable to an Adverse Effect of the Project.  
☐ Part of the loss or damage is the result of or attributable to an Adverse Effect of the Project.  
☐ None of the loss or damage is the result of or attributable to an Adverse Effect of the Project.
- g. ☐ The loss or damage is compensable in full from the Claims Account of the Nisichawayasihk/Taskinigahp Trust.  
☐ The loss or damage is compensable in part from the Claims Account of the Nisichawayasihk/Taskinigahp Trust.  
☐ The loss or damage is not compensable from the Claims Account of the Nisichawayasihk/Taskinigahp Trust.
- h. ☐ The loss or damage is not compensable from the Claims Account of the Nisichawayasihk/Taskinigahp Trust because the claim appears to be one that should be dealt with as an ongoing liability of Hydro, under Article 14.4.1 of the 1996 Nelson House NFA Implementation Agreement or NCN Adverse Effects Agreement and a copy of this claim has been forwarded to Manitoba Hydro.  
☐ The loss or damage is not compensable in part from the Claims Account of the Nisichawayasihk/Taskinigahp Trust because the claim appears to be one that should be dealt with as an ongoing liability of Hydro, under Article 14.4.1 of the 1996 Nelson House NFA Implementation Agreement or NCN Adverse Effects Agreement and a copy of this claim has been forwarded to Manitoba Hydro.

Please fax hard copy of this form to TRUST OFFICE **1**



**Nisichawayasihk Cree Nation TRUST OFFICE**

Nelson House, MB R0B 1A0  
www.trustoffice.ca

Phone: (204)484-2604  
Fax: (204)484-2588



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- ☐ The loss or damage is not compensable from the Claims Account of the Nisichawayasihk/Taskinigahp Trust because the claimant otherwise has been fully compensated
- ☐ The loss or damage is not compensable from the Claims Account of the Nisichawayasihk/Taskinigahp Trust because the claimant otherwise has been fully compensated by \_\_\_\_\_
- i. ☐ The reasonable compensation payable from the Nisichawayasihk/Taskinigahp Trust is \$ \_\_\_\_\_

### Additional Reasons

The Claims Officer or the following member of a claims panel did not take part in this decision, due to an interest in this claim that could affected their impartiality.

Signed at Nelson House, Manitoba, this \_\_\_\_\_ day of \_\_\_\_\_

Notice: the Claimant may appeal this matter to the arbitrator, by making written request in the following form to chief and council within 21 days of the delivery of this decision

## Notice of Referral

To: Chief & Council  
Band Office  
Nelson House, Manitoba

Take Notice that the decision dated \_\_\_\_\_, 20\_\_\_\_ of chief and Council, the Claims officer or the claims panel under Article 12 of the 1996 Nelson House NFA Implementation Agreement is not acceptable to the undersigned and is referred to the Arbitrator under Article 13 of such Agreement .

Dated at Nelson House the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_

\_\_\_\_\_  
Signature

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