



YUKON WATER BOARD SUPPLEMENTARY RULES TO PART 10 OF THE RULES OF PROCEDURE (2021)

Claims for Compensation to be paid after licence has been issued.

PART 10 COMPENSATION

Submission

- 10.7 If the Board has included a condition in a licence that requires a licensee to pay compensation to claimants, the licensee must submit:
- (a) the information in accordance with the licence condition; and
 - (b) an explanation of the methodology used by the licensee to determine compensation for each claimant.

Adequacy

- 10.8 Upon submission of the information required in section 10.7, the secretariat must determine if the information is adequate by examining the information to determine if it is clear, accurate and contains the information set out in section 10.7.

Secretariat may require information

- 10.9 If the secretariat determines that the information does not meet the criteria set out in section 10.8, the secretariat may require a licensee to provide further clarity, accuracy, information, particulars or documents.

Licensee to provide information

- 10.10 A licensee must provide the clarifications, accuracies, information, particulars or documents requested under section 10.9 to the satisfaction of the secretariat.

Board decision – Information not provided

- 10.11 If a licensee does not provide the clarifications, accuracies, information, particulars or documents requested under section 10.9 to the satisfaction of the secretariat, the secretariat must seek a decision from the Board on the matter.

Board decision or seek comments from claimants

- 10.11 If the information is determined to be adequate by the secretariat, the Board may
- (a) make a decision under section 10.22; or
 - (b) seek comments from the claimants who intervened in the licence proceeding and who have not yet been paid compensation by the licensee.



Seeking comments – deadline

- 10.12 If the Board seeks comments under paragraph 10.11 (b), the Board must set a deadline date by which comments must be received.

Request for extension of deadline

- 10.13 A person may request an extension of the deadline date but the request for an extension must be submitted, in writing, to the Board on or before the deadline date specified by the Board.

Extension – exceptional circumstances

- 10.14 The Board may only extend the deadline date specified under section 10.12 in exceptional circumstances.

Board must not extend deadline

- 10.15 If a person submits a request for an extension after the deadline date has passed, the Board must not extend the deadline.

Contents of request

- 10.16 A request for an extension of the deadline date must contain the following information:
- (a) the person's name, email address (if available), mailing address (including postal code), telephone number; and
 - (b) a clear rationale for the exceptional circumstance requiring the extension.

Comments from claimants

- 10.17 If a claimant submits comments in relation to the request by the Board under section 10.12, the claimant must
- (a) indicate if the claimant is satisfied that conditions in the licence avoid, eliminate or minimize adverse effects to the claimant of the use of water or deposit of waste to water by the licensee;
 - (b) provide evidence to support the considerations set out in 14.12.3 and 14.12.5 of a Yukon First Nation Final Agreement; or
 - (c) provide comments on the information submitted by the licensee under section 10.7.

Response to comments

- 10.18 If comments have been submitted under section 10.17, a licensee may submit to the Board a written response to the comments by the deadline date set by the Board.



Information Request

- 10.19 The Board may require a licensee or claimant to provide clarifications, information, particulars or documents.

Hearing

- 10.20 The Board may hold a hearing in order to
- (a) gain a better understanding of the views of the parties; or
 - (b) obtain further information from the parties.

Not open to the public

- 10.21 A hearing held under 10.20 is not open to the public.

Board decision

- 10.22 After reviewing the information from the licensee and the comments by the claimants, the Board may
- (a) determine the appropriate amount of compensation per claimant; or
 - (b) hold a public hearing under section 19(1) of the Act.