

- 4) here were a number of items in the prescribed matters regulations that we stated were not NQLs, and therefore we did not provide a justification for them. NWMBs legal counsel, and I believe the NWMB itself, disagreed with our position. I can confirm that taking the NWMB staff and board comments into consideration, we have again reviewed these items and for some are now in agreement that they are in fact NQLs. We will be preparing a list of the provisions, indicating those which we feel are NQLs, and providing a justification for them. I expect to be able to provide this to you in English by the end of the day November 15, and in Inuktitut as soon as possible thereafter. We recommend that these be added to the agenda for session #3.
- 5) There are several items from Session #1 that were discussed at the NWMB October 26 decision making meeting, but were deferred for various reasons, and some of these appear to require actions from the GN or all parties to move forward. The items, our understanding of the issues surrounding them, and our suggested course of action, are listed below:
 - a. Provision 12, Sections 8(3)(a) and 8(4) of the harvesting regulations was deferred to a later meeting, as it is linked to the contentious issue of "traditional" harvesting methods discussed in Session #2. Our recommendation is that this be discussed at session #3.
 - b. Provision 14, Section 10(1) of the harvesting regulations was deferred to a later meeting as there were concerns about being in conflict with the NLCA. We recommend that counsel meet prior to the start of session #3 to discuss this, and that it be added to the agenda
 - c. Sections 1, 2, and 4 of the game harvesting and possession limits order were deferred as there were concerns about being in conflict with the NLCA. We recommend that counsel meet prior to the start of session #3 to discuss this, and that it be added to the agenda.
 - d. Provision # 26, Section 5 of the prescribed matters regulations, was deferred as there was a suggested improvement that could be made. The GN proposes to draft a revised version and provide this to you prior to session #3, and we recommend that it be added to the agenda.

I of course recognize that it is up to the NWMB to determine what items are on the agenda, and I also recognize that there is not a lot of time between now and the meeting. However, most of the issues are not complicated, and there is sufficient time for them to be prepared, reviewed, and translated. It is our preference that all of the outstanding material be reviewed at session #3, and that the NWMB proceed to make its decisions for the Ministers consideration.

Sincerely,



Stephen Pinksen

cc. Glenn Williams, NTI