

SUBJECT: Recovery of material from foreign countries

OBLIGATION: Provincial provision of assistance
15.2.4 & 15.2.5 (b)

PARTIES: Province - Department of Tourism, Culture and Recreation
(Provincial Archaeology Office)
Nunatsiavut Government

	<i>Activities</i>	<i>Responsibility</i>	<i>Timing</i>
1	Request assistance from the Province in the recovery of Archaeological Material, Inuit Cultural Materials and Archival Records originating in the Labrador Inuit Settlement Area (LISA) held in foreign country.	Nunatsiavut Government	As desired.
2	Provide assistance in the recovery, if deemed reasonable by the Province.	Province - Department of Tourism, Culture and Recreation (Provincial Archaeology Office)	Upon request.

PLANNING ASSUMPTIONS, GUIDELINES AND EXPLANATIONS

There is no obligation for the Province to incur any financial expenditures in the fulfilment of this obligation (15.2.5 (a)).

FINAL AGREEMENT PROVISIONS

15.2.4 At the request of the Nunatsiavut Government, the Province shall provide assistance to it in the recovery of Archaeological Materials, Inuit Cultural Materials and Archival Records originating in the Labrador Inuit Settlement Area that are held in foreign countries.

15.2.5 Nothing in section 15.2.4:...

- (b) imposes an obligation to provide assistance if, in the sole discretion of the Province, it is not reasonable to do so.

CROSS-REFERENCED AND RELATED PROVISIONS

General Definitions and interpretation - 1.1.1- "Archaeological Material", "Inuit Cultural Materials"
15.1.1 - "Archival Records"

SUBJECT: Access to materials held in public and private collections

OBLIGATION: Provision of assistance by Canada
15.2.6

PARTIES: Nunatsiavut Government
Canada

	<i>Activities</i>	<i>Responsibility</i>	<i>Timing</i>
1	Request Canada to facilitate access to Archaeological Material and Inuit Cultural Materials originating in the Labrador Inuit Settlement Area (LISA) held in public and private collections.	Nunatsiavut Government	As desired.
2	Use reasonable efforts to facilitate access.	Canada	Upon request.

FINAL AGREEMENT PROVISIONS

15.2.6 At the request of the Nunatsiavut Government, Canada will use reasonable efforts to facilitate Nunatsiavut Government access to Archaeological Materials and Inuit Cultural Materials originating in the Labrador Inuit Settlement Area that are held in public and private collections.

CROSS-REFERENCED AND RELATED PROVISIONS

General Definitions and Interpretation - 1.1.1 “Archaeological Material”, “Inuit Cultural Materials”

SUBJECT: Nunatsiavut Government Jurisdiction

OBLIGATION: Consult prior to making laws in relation to Archaeology in Labrador Inuit Lands (LIL) and Inuit Communities
15.3.1 & 15.5.2

PARTIES: Nunatsiavut Government
Canada
Province - Department of Tourism, Culture and Recreation
(Provincial Archaeology Office)

	<i>Activities</i>	<i>Responsibility</i>	<i>Timing</i>
1	Notify Canada and the Province of intention to make laws in relation to 15.3.1 of the Agreement. Provide: a) sufficient details and b) reasonable time frame for response.	Nunatsiavut Government	Upon decision to pass a law.
2	Review information as provided; prepare and submit views.	Province - Department of Tourism, Culture and Recreation (Provincial Archaeology Office) Canada	Within time frame established in Activity 1(b).
3	Give full and fair consideration to views presented by the Province and Canada.	Nunatsiavut Government	As soon as practicable upon receipt of views.
4	Make Laws.	Nunatsiavut Government	As desired upon consideration of views submitted.
5	Publish Laws in public registry of Inuit laws and provide copies to Canada and the Provincial Department of Justice.	Nunatsiavut Government	As soon as practicable upon passage of Law.

PLANNING ASSUMPTIONS, GUIDELINES AND EXPLANATIONS

Prior to the passage of Inuit Laws, the Laws of General Application will apply.

If there is a Conflict between an Inuit Law and a Law of General Application, the Law of General Application prevails to the extent of the Conflict (15.3.2).

The Nunatsiavut Government owns Archaeological Material found in LIL after the Effective Date and shall not loan this Archaeological Material for longer than a renewable five year period. (15.11.2)(15.11.3).

Nunatsiavut Government shall not sell or alienate title to this material (15.11.3).

Any act or instrument contrary to the obligations described in this Activity Sheet shall be void and of no effect (15.11.8).

FINAL AGREEMENT PROVISIONS

15.3.1 The Nunatsiavut Government may make laws in relation to:

- (a) Archaeological Activities in Labrador Inuit Lands and the Inuit Communities;
- (b) the protection, preservation and maintenance of Archaeological Sites in Labrador Inuit Lands and the Inuit Communities;
- (c) the protection, retention, preservation and maintenance of Archaeological Materials found in Labrador Inuit Lands and the Inuit Communities after the Effective Date; and
- (d) the designation, identification, preservation and maintenance of historically significant buildings, including the establishment of a registry of historically significant buildings, in Labrador Inuit Lands and the Inuit Communities other than buildings under the control and administration of Canada.

15.5.2 The Nunatsiavut Government shall Consult Canada and the Province prior to making an Inuit Law under part 15.3.

CROSS-REFERENCED AND RELATED PROVISIONS

General Definitions and Interpretation - 1.1.1 “Archaeological Activities”, “Archaeological Sites”, “Archaeological Materials”, “Consult”

Self Government - 17.5.1 - “Inuit registry of Laws”

SUBJECT: Nunatsiavut Government Jurisdiction

OBLIGATION: Consult prior to making laws in relation to Inuit burial sites or sites of religious or spiritual significance, human remains, Inuit Cultural Material and records in Labrador Inuit Lands (LIL) and Inuit Communities
15.3.3 & 15.5.2

PARTIES: Nunatsiavut Government
Canada
Province - Department of Tourism, Culture and Recreation
(Provincial Archaeology Office or Provincial Archives)

	<i>Activities</i>	<i>Responsibility</i>	<i>Timing</i>
1	Notify Canada and the Province of intention to make laws in relation to section 15.3.3 of the Agreement. Provide: a) sufficient details; and b) reasonable time frame for response.	Nunatsiavut Government	Upon decision to pass a law.
2	Review information as provided; prepare and submit views.	Province - Department of Tourism, Culture and Recreation Canada	Within time frame established in Activity 1(b).
3	Give full and fair consideration to views presented by the Province and Canada.	Nunatsiavut Government	Prior to making laws.
4	Make Laws.	Nunatsiavut Government	As desired upon consideration of views submitted.
5	Publish Laws in public registry of Inuit laws and provide copies to Canada and the Province - Department of Justice.	Nunatsiavut Government	As soon as practicable upon passage of Law.

PLANNING ASSUMPTIONS, GUIDELINES AND EXPLANATIONS

Prior to the passage of Inuit Laws, the Laws of General Application will apply.

For the purposes of Consultation with the Province, the contact point for section 15.3.3 (a), (b), (c)(i) will be the Provincial Archaeology Office and for (c)(ii) will be the Provincial Archives.

If there is a Conflict between an Inuit Law and a federal or Provincial Law, the Inuit Law prevails to the extent of the Conflict (15.3.4).

If there is a Conflict between the criminal law or a Law of General Application in relation to public health or safety and an Inuit Law, the criminal law or the Law of General Application prevails to the extent of the Conflict (15.3.5).

FINAL AGREEMENT PROVISIONS

15.3.3 The Nunatsiavut Government may make laws in relation to:

- (a) the protection or disturbance of Inuit burial sites or sites of religious or spiritual significance to Inuit in Labrador Inuit Lands and the Inuit Communities;
- (b) the excavation, investigation, preservation, protection, and reburial or other disposition of Inuit human remains found in Labrador Inuit Lands and the Inuit Communities; and
- (c) the retention, preservation and maintenance of:
 - (i) Inuit Cultural Materials in Labrador Inuit Lands and the Inuit Communities, other than Inuit Cultural Material that is Private Property; and
 - (ii) Nunatsiavut Government records and Archival Records in Labrador Inuit Lands and the Inuit Communities that are in Inuktitut or that relate to the history, culture or affairs of Inuit, other than public records of Canada and the Province or Archival Records that are Private Property.

15.5.2 The Nunatsiavut Government shall Consult Canada and the Province prior to making an Inuit Law under part 15.3.

CROSS-REFERENCED AND RELATED PROVISIONS

General Definitions and Interpretation - 1.1.1 “Inuit Cultural Material”, “Archival Records”, “Consult”

15.1.1 - “Private Property”

Self Government - 17.5.1 - “Inuit registry of Laws”

SUBJECT: Historically significant buildings

OBLIGATION: Designate and preserve buildings and sites in Labrador Inuit Settlement Area (LISA) outside Labrador Inuit Lands (LIL) and the Inuit Communities that are historically significant to Inuit
15.4.1-15.4.3

PARTIES: Nunatsiavut Government
Province - Minister of Tourism, Culture and Recreation

	<i>Activities</i>	<i>Responsibility</i>	<i>Timing</i>
1	Notify Provincial Minister of Tourism, Culture and Recreation of intention to designate a building in the Labrador Inuit Settlement Area (LISA) outside Labrador Inuit Lands (LIL) and outside the Inuit Communities. Provide: a) sufficient details; and b) reasonable time frame for response.	Nunatsiavut Government	As desired, upon decision.
2	Review information as provided; prepare and submit views.	Provincial Minister of Tourism, Culture and Recreation	Within time frame established in Activity 1(b).
3	Give full and fair consideration to views presented by the Province.	Nunatsiavut Government	Prior to designating a building.
4	Designate building and notify Minister of Tourism, Culture and Recreation.	Nunatsiavut Government	As desired upon consideration of views.
5	Declare site a registered historic site under Provincial Law.	Provincial Minister of Tourism, Culture and Recreation	Upon receipt of notification of designation by the Nunatsiavut Government.
6	Notify Nunatsiavut Government of intent to: a) enter into agreement for care or preservation of	Provincial Minister of Tourism, Culture and Recreation	As desired upon decision to enter into an agreement for care, preservation or consenting to change or move

	designated building or site; or b) move, destroy, damage, deface, obliterate, alter, add to, mark, interfere with or remove from the Province a building that has been designated. Provide: a) sufficient details; and b) reasonable time frame for response.		a designated building.
7	Review information as provided; prepare and submit views.	Nunatsiavut Government	Within time frame established in Activity 5(b).
8	Give full and fair consideration to views presented by the Nunatsiavut Government.	Provincial Minister of Tourism, Culture and Recreation	Prior to entering into an agreement for care, preservation or consenting to change or move a designated building.
9	Enter into agreement for care, preservation or consent to change or move a designated building.	Provincial Minister of Tourism, Culture and Recreation	As desired upon consideration of views.

PLANNING ASSUMPTIONS, GUIDELINES AND EXPLANATIONS

This Activity Sheet does not apply to buildings which are under the control and administration of Canada (15.4.1).

The Nunatsiavut Government, in the Labrador Inuit Settlement Area outside the Inuit Communities, and each Inuit Community Government within the boundaries of the Inuit Community, shall be municipal authorities for purposes of easements or covenants referred to in section 30 of the *Historic Resources Act* (15.4.4).

FINAL AGREEMENT PROVISIONS

- 15.4.1 The Nunatsiavut Government may, after Consulting the Province, designate buildings in the Labrador Inuit Settlement Area outside Labrador Inuit Lands and the Inuit Communities, other than buildings under the control and administration of Canada, that are of historical significance to Inuit.
- 15.4.2 A building designated under section 15.4.1 shall be declared by the Provincial Minister to be a registered historic site for purposes of Provincial Law.
- 15.4.3 The Provincial Minister shall Consult the Nunatsiavut Government:

- (a) before entering into an agreement for the care or preservation of a building designated under section 15.4.1 or the care or preservation of the site where the building is located; and
 - (b) before consenting to a request to move, destroy, damage, deface, obliterate, alter, add to, mark, interfere with or remove from Newfoundland and Labrador a building designated under section 15.4.1.
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CROSS-REFERENCED AND RELATED PROVISIONS

General Definitions and Interpretation - 1.1.1 - "Consult"
Provincial *Historic Resources Act*, Section 30

SUBJECT: Federal and Provincial archaeology Legislation

OBLIGATION: Consult Nunatsiavut Government prior to introducing Legislation
15.5.1

PARTIES: Canada
Province - Minister of Tourism, Culture and Recreation
Nunatsiavut Government

	<i>Activities</i>	<i>Responsibility</i>	<i>Timing</i>
1	Notify Nunatsiavut Government of intent to introduce Legislation affecting Archaeological Materials, Activities or Sites. Provide: a) sufficient details; and b) reasonable time frame for response.	Canada Provincial Minister of Tourism, Culture and Recreation	Prior to introducing Legislation.
2	Review information as provided; prepare and submit views.	Nunatsiavut Government	Within time frame established in Activity 1(b).
3	Give full and fair consideration to views presented by the Nunatsiavut Government.	Canada Provincial Minister of Tourism, Culture and Recreation	Prior to introducing Legislation.
4	Introduce Legislation.	Canada Provincial Minister of Tourism, Culture and Recreation	As desired.

FINAL AGREEMENT PROVISIONS

15.5.1 Canada and the Province shall Consult the Nunatsiavut Government prior to introducing Legislation affecting Archaeological Materials, Archaeological Activities and Archaeological Sites.

CROSS-REFERENCED AND RELATED PROVISIONS

General Definitions and Interpretation - 1.1.1 - "Archaeological Material", "Archaeological Activities",

“Archaeological Sites”, “Legislation”, “Consult”

SUBJECT: Archaeological Permitting

OBLIGATION: Issue Permits in Labrador Inuit Lands (LIL) and in the Inuit Communities
15.6.1 - 15.6.5, 15.6.11, 15.6.13, 15.6.15, 15.6.16

PARTIES: Applicant
Nunatsiavut Government
Province - Department of Tourism, Culture and Recreation
(Provincial Archaeology Office)
Permit Holder
Permitting Authority

	<i>Activities</i>	<i>Responsibility</i>	<i>Timing</i>
1	Apply to Nunatsiavut Government for a permit to conduct Archaeological Activity on Labrador Inuit Lands (LIL) or in Inuit Communities.	Applicant	Prior to conducting Archaeological Activities.
2	Forward copy of permit application to Provincial Archaeology Office, requesting a response on whether or not a permit should be issued, and any applicable terms and conditions. Provide: a) sufficient details; and b) reasonable time frame for response.	Nunatsiavut Government	Upon receipt of application.
3	Review information as provided; prepare and submit views.	Provincial Archaeology Office	Within time frame established in Activity 2(b).
4	Give full and fair consideration to views presented by the Provincial Archaeology Office.	Nunatsiavut Government	As soon as practicable upon receipt of views.
5	Have application reviewed by qualified individual.	Nunatsiavut Government	Before responding to

			applicant.
6	Respond to applicant: a) refuse to issue any permit; b) issue a permit including terms and conditions mandated in section 15.6.13 of the Agreement.	Nunatsiavut Government	Within 30 clear days of receiving the application.
7	If issuing a permit copy the Provincial Archaeology Office.	Nunatsiavut Government	As soon as practicable.
8	Request permission of land occupant or owner to conduct Archaeological Activity on Labrador Inuit Lands (LIL) or in Inuit Communities.	Permit Holder	Prior to entering land and conducting work.
9	If owner or occupant cannot be located or if owner denies permission, apply to the Permitting Authority for permission to enter lands.	Permit Holder	After reasonable efforts have been made to locate owner or occupant.
10	Determine if conditions listed in section 15.6.16 of the Agreement are met.	Permitting Authority	Upon receipt of request from Permit Holder.
11	Amend permit(s), issue new one(s), or otherwise authorize Permit Holder to conduct Archaeological Activity without permission of land owner or occupant.	Nunatsiavut Government	After reasonable efforts have been made by the Permit Holder to locate owner or occupant, and criteria in section 15.6.16 of the Agreement have been met.
12	Carry out Archaeological Activity subject to the terms and conditions of the permit including the requirement of section 15.6.13 of the agreement and applicable Laws and Bylaws.	Permit Holder	Once the permit has been issued.

PLANNING ASSUMPTIONS, GUIDELINES AND EXPLANATIONS

"Permitting Authority" means:

- a) the Nunatsiavut Government, in Labrador Inuit Lands and the Inuit Communities;
- (b) Canada, in respect of lands under the control and administration of Canada in the Labrador Inuit Settlement Area; and
- (c) the Province, in respect of all other lands in the Labrador Inuit Settlement Area.

If the Nunatsiavut Government reasonably believes that an emergency situation exists where Archaeological Sites or Materials may be damaged or destroyed, it may issue a permit prior to consulting the Provincial Minister of Tourism, Culture and Recreation, and provide subsequent notice as per Activity Sheet 15-19 (15.6.17).

An application for a permit authorizing an Archaeological Activity may be denied where the Permitting Authority reasonably believes the applicant has contravened or failed to comply with Legislation governing archaeology or any term or condition of a permit in relation to archaeology in Canada or elsewhere (15.6.8).

A Permitting Authority may amend a permit, add terms or conditions to a permit or cancel a permit if the Permit Holder contravenes a term or condition of the permit or any applicable Law (15.6.9).

It is recommended that the Permitting Authority directs the Permit Holder, through the terms and conditions of the Permit, to provide duplicate originals of required reports, forms and records as indicated in Activity Sheet 15-30 and required under section 15.16.1 of the Agreement.

FINAL AGREEMENT PROVISIONS

- 15.6.1 No Person may carry on an Archaeological Activity unless that Person is a Permit Holder.
- 15.6.2 A Permit Holder may carry out a Permitted Archaeological Activity subject to the terms and conditions of the permit and applicable Laws and Bylaws.
- 15.6.3 Upon receipt of an application for a permit to conduct Archaeological Activity in Labrador Inuit Lands or an Inuit Community, the Nunatsiavut Government shall forward a copy of the application as soon as practicable to the Provincial Permitting Authority.
- 15.6.4 Prior to issuing a permit to conduct an Archaeological Activity in Labrador Inuit Lands or an Inuit Community, the Nunatsiavut Government shall Consult the Provincial Permitting Authority about the permit application, whether or not a permit should be issued and, if so, the terms and conditions to be attached to it.
- 15.6.5 The Nunatsiavut Government, after the application for a permit to conduct an Archaeological Activity in Labrador Inuit Lands or an Inuit Community has been reviewed by an individual with appropriate qualifications and training, shall within 30 clear days from the date of receiving the application for a permit to conduct an Archaeological Activity in Labrador Inuit Lands or an Inuit Community:
 - (a) refuse to issue any permit; or
 - (b) subject to section 15.6.13, issue a permit on any terms and conditions it deems necessary.
- 15.6.11 The Nunatsiavut Government shall provide to the Permitting Authority a copy of any permit it issues to authorize Archaeological Activity in Labrador Inuit Lands or an Inuit Community and a

copy of any cancellation, amendment or addition to the terms or conditions of any permit it has issued.

15.6.13

A Permitting Authority shall require that a Permit Holder:

- a) protect and conserve Archaeological Materials and Archaeological Sites;
- (a) provide to the Permitting Authority a full and detailed record and report, including a non-technical report, of all Archaeological Activities carried out and all Archaeological Materials and Archaeological Sites found or studied;
- (b) deliver to the Permitting Authority possession of all Archaeological Materials discovered or recovered, except where the Permitting Authority requires that any Archaeological Material be left in its original or natural position within an Archaeological Site, and all associated records;
- (c) encourage Inuit participation in the Archaeological Activity;
- (d) restore any place disturbed during an Archaeological Activity to the condition that existed before the commencement of the Archaeological Activity to the extent that it is reasonably possible to do so;
- (e) prior to conducting the Archaeological Activity, attend at a location specified by the Nunatsiavut Government in the Inuit Community closest to the site of the Archaeological Activity, to explain and discuss the activities to be carried out;
- (f) upon completion of the Archaeological Activity, attend at a location specified by the Nunatsiavut Government in the Inuit Community closest to the site of the Archaeological Activity, to explain and discuss the activities completed and to provide an opportunity for residents of the Inuit Community to examine any Archaeological Material that has been removed;
- (g) avoid any disturbance of a site known to contain human remains or a site of religious or spiritual significance to Inuit unless explicitly authorized to do so;
- (h) stop excavation immediately and advise the appropriate Permitting Authority if human remains are discovered during the Archaeological Activity and the Permit Holder is not explicitly authorized to disturb human

remains;

(j) fulfil the terms and conditions of the permit within a time or times stipulated in it; and

(k) comply with section 15.16.1.

15.6.15 A Permit Holder may not enter land to conduct an Archaeological Activity without the permission of the owner or occupant of the land unless expressly authorized to do so by a Permitting Authority under section 15.6.16.

15.6.16 A Permitting Authority may authorize a Permit Holder to enter land to conduct an Archaeological Activity without the permission of the owner or occupant of the land if the owner or occupant cannot be located after the Permit Holder has made reasonable efforts to do so or if the owner or occupant refuses entry and:

(a) the Permitting Authority reasonably believes a Person, other than a Permit Holder, may be undertaking activity that may result in the disturbance of an Archaeological Site or Archaeological Material; or

(b) the Permitting Authority believes on reasonable grounds that an emergency exists.

CROSS-REFERENCED AND RELATED PROVISIONS

General Definitions and Interpretation - 1.1.1 - "Archaeological Activity", "Consult", "Permit Holder"
15.6.17 - Emergency Measures

SUBJECT: Archaeological permitting

OBLIGATION: Altering or cancelling permits in Labrador Inuit Lands (LIL) and in the Inuit Communities
15.6.9 - 15.6.11

PARTIES: Nunatsiavut Government
Canada - relevant federal Permitting Authority
Province - Provincial Permitting Authority (Department of Tourism, Culture and Recreation - Provincial Archaeology Office)

	<i>Activities</i>	<i>Responsibility</i>	<i>Timing</i>
1	Determine if: a) Permit Holder has contravened a term or condition of the permit or any applicable Law; b) terms or conditions need to be added to a Permit; or c) amendments to Permit are required.	Nunatsiavut Government	As necessary.
2	Notify Provincial Permitting Authority of intent to amend, cancel or add terms and conditions of permit. Provide: a) sufficient details; and b) reasonable time frame for response.	Nunatsiavut Government	Upon determining that criteria in Activity 1 apply.
3	Review information as provided; prepare and submit views.	Provincial Permitting Authority	Within time frame established in Activity 2(b).
4	Give full and fair consideration to views presented by the Provincial Permitting Authority.	Nunatsiavut Government	As soon as practicable upon receipt of views.
5	Make decision to amend, cancel or add terms and conditions to the permit.	Nunatsiavut Government	Upon consideration of views.

6	Provide copies of amendment, cancellation or additions to terms and conditions of the permit to the Provincial Permitting Authority.	Nunatsiavut Government	As soon as practicable upon decision to alter or cancel a permit.
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PLANNING ASSUMPTIONS, GUIDELINES AND EXPLANATIONS

If the Nunatsiavut Government reasonably believes that an emergency situation exists where Archaeological Sites or Materials may be damaged or destroyed, it may cancel or alter the terms and condition of a permit prior to consulting the Provincial Permitting Authority, and provide subsequent notice as per Activity Sheet 15-20 (15.9.1).

It is recommended that the Permitting Authority directs the Permit Holder, through the terms and conditions of the Permit, to provide duplicate originals of required reports, forms and records as indicated in Activity Sheet 15-30 and required under section 15.16.1 of the Agreement.

FINAL AGREEMENT PROVISIONS

- 15.6.9 A Permitting Authority may:
 - l) amend a permit;
 - m) add terms or conditions to a permit; and
 - n) cancel a permit if the Permit Holder contravenes a term or condition of the permit or any applicable Law.

- 15.6.10 Prior to acting under section 15.6.9:
 - a) the Nunatsiavut Government shall Consult the Permitting Authority; and
 - b) the federal or Provincial Permitting Authority shall Consult the Nunatsiavut Government.

- 15.6.11 The Nunatsiavut Government shall provide to the Minister a copy of any permit it issues to authorize Archaeological Activity in Labrador Inuit Lands or an Inuit Community and a copy of any cancellation, amendment or addition to the terms or conditions of any permit it has issued.

CROSS-REFERENCED AND RELATED PROVISIONS

General Definitions and Interpretation - 1.1.1 - “Consult”, “Archaeological Activities”, “Permit Holder”

SUBJECT: Archaeological Permitting

OBLIGATION: Permitting in Labrador Inuit Settlement Area (LISA) outside Labrador Inuit Lands (LIL) and outside the Inuit Communities 15.6.1, 15.6.2, 15.6.6, 15.6.7, 15.6.12 - 15.6.16

PARTIES: Applicant
 Nunatsiavut Government
 Province - Provincial Permitting Authority (Department of Tourism, Culture and Recreation - Provincial Archaeology Office)
 Canada - federal Permitting Authority
 Permit Holder

	<i>Activities</i>	<i>Responsibility</i>	<i>Timing</i>
1	Apply to federal or Provincial Permitting Authority for a permit to conduct Archaeological Activities in Labrador Inuit Settlement Area (LISA) outside Labrador Inuit Lands (LIL) or outside the Inuit Communities.	Applicant	Prior to conducting Archaeological Activities.
2	Forward copy of permit application to Nunatsiavut Government requesting a response on whether or not a Permit should be issued, and any applicable terms and conditions. Provide: a) sufficient details, including whether an exemption should be granted regarding reporting to the community as per section 15.6.13 (f) & (g) of the Agreement; and b) reasonable time frame for response.	federal Permitting Authority Provincial Permitting Authority	Upon receipt of application.
3	Review information as provided; prepare and submit views.	Nunatsiavut Government	Within time frame established in Activity 2(b).
4	Give full and fair consideration to views presented by Nunatsiavut Government.	federal Permitting Authority Provincial Permitting	As soon as practicable upon receipt of views.

		Authority	
5	Respond to Applicant: a) refuse to issue any permit; b) issue a permit including terms and conditions indicated in section 15.6.13 of the Agreement.	federal Permitting Authority Provincial Permitting Authority	Upon decision.
6	If issuing a permit copy the Nunatsiavut Government.	federal Permitting Authority Provincial Permitting Authority	As soon as practicable.
7	Request permission of land occupant or owner to conduct Archaeological Activity in Labrador Inuit Settlement Area (LISA) outside Labrador Inuit Lands (LIL) or outside the Inuit Communities.	Permit Holder	Prior to entering land and conducting work.
8	If owner or occupant cannot be located or if owner denies permission, apply to the Permitting Authority for permission to enter lands.	Permit Holder	After reasonable efforts have been made to locate owner or occupant.
9	Determine if conditions listed in section 15.6.16 of the Agreement are met.	federal Permitting Authority Provincial Permitting Authority	Upon receipt of request from Permit Holder.
10	Amend permit(s) or issue new one(s) to allow Permit Holder to conduct Archaeological Activity without permission of land owner or occupant.	federal Permitting Authority Provincial Permitting Authority	After reasonable efforts have been made by the Permit Holder to locate owner or occupant, or owner/occupant refuses permission, and criteria in section 15.6.16 have been met.
11	Carry out Archaeological Activity subject to the terms and conditions of the permit and applicable Laws and Bylaws.	Permit Holder	Once the permit has been issued.

PLANNING ASSUMPTIONS, GUIDELINES AND EXPLANATIONS

"Permitting Authority" means:

- b) the Nunatsiavut Government, in Labrador Inuit Lands and the Inuit Communities;
- (b) Canada, in respect of lands under the control and administration of Canada in the Labrador Inuit Settlement Area; and
- (c) the Province, in respect of all other lands in the Labrador Inuit Settlement Area.

If the Permitting Authority reasonably believes that an emergency situation exists where Archaeological Sites or Materials may be damaged or destroyed, it may issue a permit prior to consulting the Nunatsiavut Government, and provide subsequent notice as per Activity Sheet 15-19 (15.6.17).

An application for a permit authorizing an Archaeological Activity may be denied where the Permitting Authority reasonably believes the applicant has contravened or failed to comply with Legislation governing archaeology or any term or condition of a permit in relation to archaeology in Canada or elsewhere (15.6.8).

A Permitting Authority may amend a permit, add terms or conditions to a permit, or cancel a permit if the Permit Holder contravenes a term or condition of the permit or any applicable Law. (15.6.9).

It is recommended that the Permitting Authority directs the Permit Holder, through the terms and conditions of the Permit, to provide duplicate originals of required reports, forms and records as indicated in Activity Sheet 15-30.

FINAL AGREEMENT PROVISIONS

- 15.6.1 No Person may carry on an Archaeological Activity unless that Person is a Permit Holder.
- 15.6.2 A Permit Holder may carry out a Permitted Archaeological Activity subject to the terms and conditions of the permit and applicable Laws and Bylaws.
- 15.6.6 Upon receipt of an application for a permit to conduct Archaeological Activity outside Labrador Inuit Lands and the Inuit Communities, the Permitting Authority shall forward a copy of the application as soon as practicable to the Nunatsiavut Government.
- 15.6.7 Prior to issuing a permit to conduct Archaeological Activity outside Labrador Inuit Lands and the Inuit Communities, the Permitting Authority shall Consult the Nunatsiavut Government about the permit application, whether or not a permit should be issued and, if so, the terms and conditions to be attached to it. Nothing in this section derogates from the requirements of section 15.6.13.
- 15.6.12 The Permitting Authority shall provide to the Nunatsiavut Government a copy of any permit the Permitting Authority issues to authorize Archaeological Activity outside Labrador Inuit Lands and the Inuit Communities and a copy of any cancellation, amendment or addition to the terms or conditions of any permit that Permitting Authority has issued.
- 15.6.13 A Permitting Authority shall require that a Permit Holder:
 - (a) protect and conserve Archaeological Materials and Archaeological Sites;
 - (l) provide to the Permitting Authority a full and detailed record and report, including a non-technical report, of all Archaeological Activities carried

out and all Archaeological Materials and Archaeological Sites found or studied;

- (m) deliver to the Permitting Authority possession of all Archaeological Materials discovered or recovered, except where the Permitting Authority requires that any Archaeological Material be left in its original or natural position within an Archaeological Site, and all associated records;
- (n) encourage Inuit participation in the Archaeological Activity;
- (o) restore any place disturbed during an Archaeological Activity to the condition that existed before the commencement of the Archaeological Activity to the extent that it is reasonably possible to do so;
- (p) prior to conducting the Archaeological Activity, attend at a location specified by the Nunatsiavut Government in the Inuit Community closest to the site of the Archaeological Activity, to explain and discuss the activities to be carried out;
- (q) upon completion of the Archaeological Activity, attend at a location specified by the Nunatsiavut Government in the Inuit Community closest to the site of the Archaeological Activity, to explain and discuss the activities completed and to provide an opportunity for residents of the Inuit Community to examine any Archaeological Material that has been removed;
- (r) avoid any disturbance of a site known to contain human remains or a site of religious or spiritual significance to Inuit unless explicitly authorized to do so;
- (s) stop excavation immediately and advise the appropriate Permitting Authority if human remains are discovered during the Archaeological Activity and the Permit Holder is not explicitly authorized to disturb human remains;
- (t) fulfil the terms and conditions of the permit within a time or times stipulated in it; and
- (u) comply with section 15.16.1.

15.6.14 In the Labrador Inuit Settlement Area outside Labrador Inuit Lands and the Inuit Communities, a Permitting Authority may, with the consent of the Nunatsiavut Government, exempt a Permit Holder, in whole or in part, from the requirements of subsection 15.6.13(f) or 15.6.13(g).

15.6.15 A Permit Holder may not enter land to conduct an Archaeological Activity without the permission of the owner or occupant of the land unless expressly

authorized to do so by a Permitting Authority under section 15.6.16.

- 15.6.16 A Permitting Authority may authorize a Permit Holder to enter land to conduct an Archaeological Activity without the permission of the owner or occupant of the land if the owner or occupant cannot be located after the Permit Holder has made reasonable efforts to do so or if the owner or occupant refuses entry and:
- (a) the Permitting Authority reasonably believes a Person, other than a Permit Holder, may be undertaking activity that may result in the disturbance of an Archaeological Site or Archaeological Material; or
 - (b) the Permitting Authority believes on reasonable grounds that an emergency exists.
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CROSS-REFERENCED AND RELATED PROVISIONS

General Definitions and Interpretation - 1.1.1 - "Archaeological Activity", "Consult", "Permit Holder", "Person"

15.1.1 - "Permitting Authority"

SUBJECT: Archaeological Permitting

OBLIGATION: Consult prior to alteration or cancellation of Permit in Labrador Inuit Settlement Area (LISA) outside Labrador Inuit Lands (LIL) and outside the Inuit Communities
15.6.9, 15.6.10 (b), 15.6.12,

PARTIES: Province - Provincial Permitting Authority (Department of Tourism, Culture and Recreation - Provincial Archaeology Office)
Canada - federal Permitting Authority
Nunatsiavut Government

	<i>Activities</i>	<i>Responsibility</i>	<i>Timing</i>
1	Determine if: a) Permit Holder has contravened a term or condition of the permit or any applicable Law; b) terms or conditions need to be added to a permit; or c) amendments to permit are required.	federal Permitting Authority Provincial Permitting Authority	As necessary.
2	Notify Nunatsiavut Government of intent to amend, cancel or add terms and conditions to permit. Provide: a) sufficient details; and b) reasonable time frame for response.	federal Permitting Authority Provincial Permitting Authority	Upon determining that criteria in Activity 1 apply.
3	Review information as provided; prepare and submit views.	Nunatsiavut Government	Within time frame established in Activity 2(b).
4	Give full and fair consideration to views presented by the Nunatsiavut Government.	federal Permitting Authority Provincial Permitting Authority	As soon as practicable upon receipt of views.
5	Make decision to amend, cancel or add terms and conditions to a permit.	federal Permitting Authority Provincial Permitting Authority	Upon consideration of views.

6	Provide copies of amendment, cancellation or addition of terms and conditions to the Permit Holder and the Nunatsiavut Government.	federal Permitting Authority Provincial Permitting Authority	As soon as practicable upon decision to alter or cancel a permit.
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PLANNING ASSUMPTIONS, GUIDELINES AND EXPLANATIONS

If the Minister reasonably believes that an emergency situation exists where Archaeological Sites or Materials may be damaged or destroyed, he/she may cancel or alter the terms and condition of a permit prior to consulting the Nunatsiavut Government, and provide subsequent notice as per Activity Sheet 15-19 (15.9.1).

FINAL AGREEMENT PROVISIONS

15.6.9 A Permitting Authority may:

- a) amend a permit;
- b) add terms or conditions to a permit; and
- c) cancel a permit if the Permit Holder contravenes a term or condition of the permit or any applicable Law.

15.6.10 Prior to acting under section 15.6.9,

- (a) the Nunatsiavut Government shall Consult the Permitting Authority; and
- (b) the federal or Provincial Permitting Authority shall Consult the Nunatsiavut Government.

15.6.12 The Permitting Authority shall provide to the Nunatsiavut Government a copy of any permit the Permitting Authority issues to authorize Archaeological Activity outside Labrador Inuit Lands and the Inuit Communities and a copy of any cancellation, amendment or addition to the terms or conditions of any permit that Permitting Authority has issued.

CROSS REFERENCED AND RELATED PROVISIONS

General Definitions and Interpretation - 1.1.1 - “Consult”, “Archaeological Activity”, “Permit Holder”
15.1.1 - “Permitting Authority”

SUBJECT: Human remains

OBLIGATION: Determine cultural affiliation of human remains
15.7.2

PARTIES: Nunatsiavut Government - Inuit Permitting Authority
Canada - federal Permitting Authority
Province - Minister of Tourism, Culture and Recreation (Provincial Permitting Authority)

	<i>Activities</i>	<i>Responsibility</i>	<i>Timing</i>
1	Determine if human remains may be removed from Archaeological Site.	Permitting Authority	As necessary.
2	If remains are to be removed, determine if the cultural affiliation of remains is: a) Inuit, b) not Inuit; or c) cannot be determined and notify other Permitting Authorities of the determination.	Permitting Authority	Before the removal of remains, if possible. Otherwise as soon as practicable after their removal.
3	If another Permitting Authority disagrees with determination proceed to Activity Sheet 15-14.	Relevant Permitting Authorities.	As required.

PLANNING ASSUMPTIONS, GUIDELINES AND EXPLANATIONS

"Permitting Authority" means:

- a) the Nunatsiavut Government, in Labrador Inuit Lands and the Inuit Communities;
- (b) Canada, in respect of lands under the control and administration of Canada in the Labrador Inuit Settlement Area; and
- (c) the Province, in respect of all other lands in the Labrador Inuit Settlement Area (15.1.1).

The determination in Activity 1 for the removal of human remains would follow any required

Consultation described in Activity Sheet 15-16. However, the Minister for the Permitting Authority still retains the ability to authorize disturbance of the site if agreement is not reached with the Nunatsiavut Government or if there is an emergency as defined under Part 15.9 of the Agreement.

FINAL AGREEMENT PROVISIONS

15.7.2 If a Permitting Authority determines that human remains may be removed from an Archaeological Site, the Permitting Authority shall determine whether the cultural affiliation of the human remains:

- (a) is Inuit;
- (b) is not Inuit; or
- (c) cannot be determined

and shall notify the other Permitting Authorities, in writing, of the results of its determination.

CROSS REFERENCED AND RELATED PROVISIONS

15.7.5 - 15.7.8 disputes over determination of cultural affiliation

15.9 - Emergency Provisions

SUBJECT: Human remains

OBLIGATION: Transfer or reburial of human remains removed from an Archaeological Site and determined to be Inuit
15.7.3

PARTIES: Nunatsiavut Government - Inuit Permitting Authority
Canada - Federal Permitting Authority
Province - Department of Tourism, Culture and Recreation
(Provincial Archaeology Office)

	<i>Activities</i>	<i>Responsibility</i>	<i>Timing</i>
1	<p>Notify Nunasiavut Government that human remains that have been removed from an Archaeological Site have been determined to be Inuit. Consult on whether:</p> <p>a) the remains will be transferred to the Nunasiavut Government; or</p> <p>b) returned to the Archaeological Site from whence they came.</p> <p>Provide:</p> <p>i) sufficient details; and</p> <p>ii) reasonable time frame for response.</p>	<p>Canada - federal Permitting Authority</p> <p>Province - Department of Tourism, Culture and Recreation (Provincial Archaeology Office)</p>	<p>Upon determination that human remains are Inuit.</p>
2	<p>Review information as provided; prepare and submit views.</p>	<p>Nunatsiavut Government</p>	<p>As per time frame established in Activity 1 (ii).</p>
3	<p>Give full and fair consideration to views presented by the Nunatsiavut Government.</p>	<p>Canada - Federal Permitting Authority</p> <p>Province - Minister of Tourism, Culture and Recreation (Provincial Archaeology Office)</p>	<p>As soon as practicable upon receipt of views.</p>
4	<p>Transfer Inuit human remains to Nunatsiavut Government</p>	<p>Canada - Federal Permitting Authority</p>	<p>After consideration of views presented by Nunatsiavut</p>

	or return them to the Archaeological Site from which they came.	Province - Minister of Tourism, Culture and Recreation (Provincial Archaeology Office)	Government.
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PLANNING ASSUMPTIONS, GUIDELINES AND EXPLANATIONS

"Permitting Authority" means:

- a) the Nunatsiavut Government, in Labrador Inuit Lands and the Inuit Communities;
- (b) Canada, in respect of lands under the control and administration of Canada in the Labrador Inuit Settlement Area; and
- (c) the Province, in respect of all other lands in the Labrador Inuit Settlement Area (15.1.1).

FINAL AGREEMENT PROVISIONS

15.7.3 If a Permitting Authority acting under section 15.7.2 determines that human remains removed from an Archaeological Site are Inuit, it shall transfer possession of them to the Nunatsiavut Government unless, after Consulting the Nunatsiavut Government, they are returned to the Archaeological Site from which they came.

CROSS REFERENCED AND RELATED PROVISIONS

General Definitions and Interpretation - 1.1.1 - "Archaeological Site"

15.3.3(b) - Nunatsiavut Government may make laws with respect to Archaeology including the disposition of human remains.

SUBJECT: Human remains

OBLIGATION: Disposition of non-Inuit or undetermined human remains
15.7.4

PARTIES: Nunatsiavut Government - Inuit Permitting Authority
Canada - federal Permitting Authority
Province - Provincial Permitting Authority (Minister of Tourism,
Culture and Recreation)

	<i>Activities</i>	<i>Responsibility</i>	<i>Timing</i>
1	If human remains were removed from Labrador Inuit Lands (LIL) or the Inuit Communities and are not to be returned to the Archaeological Site from which they came, jointly determine disposition.	Nunatsiavut Government - Inuit Permitting Authority Province - Provincial Permitting Authority (Minister of Tourism, Culture and Recreation)	As agreed prior to disposition.
2	If human remains were removed from Labrador Inuit Settlement Area (LISA) outside LIL or the Inuit Communities and are not to be returned to the Archaeological Site from which they came, then determine disposition.	Province - Provincial Permitting Authority (Minister of Tourism, Culture and Recreation)	As necessary.
3	If human remains were removed from an area in LISA under the control and administration of Canada, but not in Archaeological Site in a National Park, National Park Reserve, National Marine Conservation Area or National Marine Conservation Area Reserve and are not to be returned to the Archaeological Site from which they came, then determine disposition.	Canada - Federal Permitting Authority	As desired.
	If human remains were	Canada - Federal Permitting	Before determining

4	removed from an Archaeological Site in a National Park, National Park Reserve, National Marine Conservation Area or National Marine Conservation Area Reserve, and are not to be returned to the Archaeological Site from which they came, then notify Nunatsiavut Government. Provide: a) sufficient details, and b) reasonable time frame for response.	Authority	disposition of human remains.
5	Review information as provided; prepare and submit views.	Nunatsiavut Government	Within time frames established in Activity 4(b).
6	Give full and fair consideration to views presented by the Nunatsiavut Government.	Canada - Federal Permitting Authority	Before making decision on disposition of human remains.
7	Decide on disposition of human remains.	Canada - Federal Permitting Authority	As soon as practicable.

PLANNING ASSUMPTIONS, GUIDELINES AND EXPLANATIONS

The activities above are presented in a sequence, but are not sequential and may occur at independent time frames.

FINAL AGREEMENT PROVISIONS

- 15.7.4 If a Permitting Authority acting under section 15.7.2 determines that human remains removed from an Archaeological Site are not Inuit or if it cannot determine the cultural affiliation of the human remains and they are not returned to the Archaeological Site from which they came:
- (a) the Nunatsiavut Government and the Province shall jointly determine how to deal with human remains that were removed from an Archaeological Site in Labrador Inuit Lands or an Inuit Community;
 - (b) the Province shall determine how to deal with human remains that were removed from an Archaeological Site in the Labrador Inuit Settlement Area outside Labrador Inuit Lands and the Inuit Communities;

- (c) Canada, after Consulting the Nunatsiavut Government, shall determine how to deal with human remains that were removed from an Archaeological Site in a National Park, National Park Reserve, National Marine Conservation Area or National Marine Conservation Area Reserve; and
 - (d) Canada shall determine how to deal with human remains that were removed from an Archaeological Site in any other lands under the control and administration of Canada.
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CROSS REFERENCED AND RELATED PROVISIONS

General Definitions - 1.1.1 - “Consult”, “Archaeological Site”

15.7.2 - Cultural Affiliation of human remains

SUBJECT: Human remains

OBLIGATION: Dispute resolution regarding cultural affiliation of human remains
15.7.5 - 15.7.8

PARTIES: Nunatsiavut Government - Inuit Permitting Authority
Canada - Federal Permitting Authority
Province - Provincial Permitting Authority (Minister of Tourism,
Culture and Recreation)
Chairperson of the Dispute Resolution Board
Appointed Qualified Individual

	<i>Activities</i>	<i>Responsibility</i>	<i>Timing</i>
1	If a determination made pursuant to Activity Sheet 15-11 is contested by another Permitting Authority, then jointly appoint a qualified individual to resolve the issue.	Relevant Permitting Authorities	As soon as practicable once a Permitting Authority signals its disagreement.
2	If relevant Permitting Authorities cannot agree on joint appointment, then notify chairperson of the Dispute Resolution Board and request that the Board make appointment.	Relevant Permitting Authorities	Within 30 clear days of beginning of discussions.
3	Appoint qualified individual to resolve issue.	Chairperson of Dispute Resolution	As soon as practicable.
4	Make binding determination as to cultural affiliation of human remains.	Qualified Individual	Following appointment.

PLANNING ASSUMPTIONS, GUIDELINES AND EXPLANATIONS

The decision rendered by the qualified individual in Activity 4 is binding on the Permitting Authorities and cannot be appealed (15.7.8).

FINAL AGREEMENT PROVISIONS

- 15.7.5 If a Permitting Authority disagrees with a determination under section 15.7.2, the issue shall not be referred to arbitration under chapter 21 but may be referred for a final decision to a qualified individual appointed jointly by the relevant Permitting Authorities.
- 15.7.6 If the Permitting Authorities cannot agree on the appointment referred to in section 15.7.5 within 30 clear days from the start of discussions, the chairperson of the Dispute Resolution Board shall, upon the request of a Permitting Authority, make the appointment.
- 15.7.7 The individual appointed under section 15.7.5 or 15.7.6 shall decide whether the cultural affiliation of the human remains:
- a) is Inuit;
 - (a) is not Inuit; or
 - (b) cannot be determined.
- 15.7.8 The decision referred to in section 15.7.7 is binding on the Permitting Authorities and is not subject to any appeal or review.

SUBJECT: Inuit burial sites, human remains and sites of religious or spiritual significance in the Labrador Inuit Settlement Area (LISA) outside Labrador Inuit Lands (LIL) and outside the Inuit Communities

OBLIGATION: Provision of list of sites to Canada and the Province and dispute resolution over identification
15.8.2, 15.8.7-15.8.10

PARTIES: Nunatsiavut Government - Inuit Permitting Authority
Canada - federal Permitting Authority
Province - Provincial Permitting Authority (Minister of Tourism, Culture and Recreation)
Chair Person of Dispute Resolution Board
Qualified individual

	<i>Activities</i>	<i>Responsibility</i>	<i>Timing</i>
1	Identify Inuit burial sites in LISA outside LIL and outside the Inuit Communities.	Nunatsiavut Government	Prior to the Effective Date.
2	Provide list of sites to federal and Provincial Permitting Authorities.	Nunatsiavut Government	By the Effective Date.
3	If identification of an Inuit burial site is contested by another Party, then jointly appoint a qualified individual to resolve the issue.	Nunatsiavut Government Province Canada	As soon as practicable once a Party signals its disagreement.
4	If Parties cannot agree, then notify chairperson of Dispute Resolution Board and request to make appointment of qualified individual to resolve issue.	Nunatsiavut Government Province Canada	Within 30 clear days of beginning of discussions.
5	Appoint qualified individual to resolve issue.	Chairperson of Dispute Resolution Board	As soon as practicable.
6	Make binding determination as to whether the burial site is Inuit.	Qualified Individual	Following appointment.

PLANNING ASSUMPTIONS, GUIDELINES AND EXPLANATIONS

The list of sites is not definitive and may be amended or supplemented by the Nunatsiavut Government at any time after Effective Date (15.8.2).

Notice for the Provincial Government shall be provided to the following address:

Provincial Archaeology Office
Department of Tourism, Culture and Recreation
PO 8700
St. John's, NL
A1C 4J6

FINAL AGREEMENT PROVISIONS

- 15.8.2 Inuit burial sites and sites of religious or spiritual significance to Inuit shall be identified by Inuit and a list identifying such sites shall be provided to Canada and the Province by the Effective Date. The list shall not be definitive and may be amended or supplemented by the Nunatsiavut Government which shall then provide the list, as amended or supplemented, to Canada and the Province.
- 15.8.7 A disagreement as to whether a burial site contained in the list provided under section 15.8.2 is an Inuit burial site shall not be referred to arbitration under chapter 21 but may be referred for a final decision to a qualified individual appointed jointly by the relevant Permitting Authorities.
- 15.8.8 If the relevant Permitting Authorities cannot agree on the appointment referred to in section 15.8.7 within 30 clear days from the start of discussions, the chairperson of the Dispute Resolution Board shall, upon the request of a Permitting Authority, make the appointment.
- 15.8.9 The individual appointed under section 15.8.7 or 15.8.8 shall decide whether the burial site is an Inuit burial site.
- 15.8.10 The decision referred to in section 15.8.9 is binding on the Parties and is not subject to any appeal or review.

SUBJECT: Inuit burial sites, and sites of religious or spiritual significance in the Labrador Inuit Settlement Area (LISA) outside Labrador Inuit Lands (LIL) and outside the Inuit Communities

OBLIGATION: Consultation prior to authorization of disturbance of Inuit burial, religious or spiritual sites
15.8.2 - 15.8.3, 15.8.5

PARTIES: Canada - Relevant Minister
Province - Minister of Tourism, Culture and Recreation
Nunatsiavut Government

	<i>Activities</i>	<i>Responsibility</i>	<i>Timing</i>
1	Identify whether application for permit would involve the disturbance of a site identified on the list prepared in Activity Sheet 15-15 or that the Minister has reason to believe is an Inuit burial site or a site of religious or spiritual significance to Inuit.	Canada - Relevant Minister Province - Minister of Tourism, Culture and Recreation	Prior to issuing permit.
2	If the Minister intends to issue the permit to disturb the site, then notify the Nunatsiavut Government of intent to reach agreement and provide: a) sufficient details; and b) reasonable time frame for a response.	Canada - Relevant Minister Province - Minister of Tourism, Culture and Recreation	Prior to issuing permit.
3	Review information as provided; prepare and submit views, including: a) views on whether or not the site may be disturbed, and b) suggested terms and conditions for the permit, if any.	Nunatsiavut Government	As per the time frame established in Activity 2(b).
4	Give full and fair consideration to views presented by the Nunatsiavut Government.	Canada - Relevant Minister Province - Minister of Tourism, Culture and Recreation	As soon as practicable upon receipt of views.

5	Attempt to reach agreement with the Nunatsiavut Government.	Canada - Relevant Minister Province - Minister of Tourism, Culture and Recreation	Within 30 clear days of initiation of Consultation.
6	Terminate the Consultation if an agreement is not reached with the Nunatsiavut Government.	Canada - Relevant Minister Province - Minister of Tourism, Culture and Recreation	As desired no sooner than 30 clear days from commencement of Consultation.
7	If approving the application to disturb the site, without an agreement with the Nunatsiavut Government, provide written reasons to the Nunatsiavut Government.	Canada - Relevant Minister Province - Minister of Tourism, Culture and Recreation	Once a decision has been made.

PLANNING ASSUMPTIONS, GUIDELINES AND EXPLANATIONS

If the Minister reasonably believes that an emergency situation exists where Archaeological Sites or Materials may be damaged or destroyed, he may issue a permit prior to Consulting the Nunatsiavut Government, and provide subsequent notice as per Activity Sheet 15-19 (15.9.1).

FINAL AGREEMENT PROVISIONS

- 15.8.2 Inuit burial sites and sites of religious or spiritual significance to Inuit shall be identified by Inuit and a list identifying such sites shall be provided to Canada and the Province by the Effective Date. The list shall not be definitive and may be amended or supplemented by the Nunatsiavut Government which shall then provide the list, as amended or supplemented, to Canada and the Province.
- 15.8.3 The Minister shall Consult the Nunatsiavut Government prior to issuing a permit authorizing a disturbance of a site identified in the list referred to in section 15.8.2 or that the Minister has reason to believe is an Inuit burial site or a site of religious or spiritual significance to Inuit. The Consultation shall be for the purpose of attempting to reach agreement on whether the site may be disturbed and if so on what terms and conditions. If agreement is not reached, the Minister shall give the Nunatsiavut Government the reasons, in writing, for the Minister's decision to authorize disturbance of the site.
- 15.8.5 A Consultation referred to in section 15.8.3 or 15.8.4 may be terminated by the Minister 30 clear days from the date it is initiated if the Consultation has failed to result in agreement.

CROSS REFERENCED AND RELATED PROVISIONS

General Definitions and Interpretation - 1.1.1 - "Consult"

SUBJECT: Inuit burial sites, human remains and sites of religious or spiritual significance in the Labrador Inuit Settlement Area (LISA) outside Labrador Inuit Lands (LIL) and outside the Inuit Communities

OBLIGATION: Consultation prior to amendment or cancellation of existing permit for Archaeological Activity if site may contain Inuit human remains or may be of religious or spiritual significance
15.8.4 & 15.8.5

PARTIES: Canada - Relevant Minister
Province - Minister of Tourism, Culture and Recreation
Nunatsiavut Government

	<i>Activities</i>	<i>Responsibility</i>	<i>Timing</i>
1	Identify Archaeological Sites in LISA outside LIL and outside the Inuit Communities that may contain Inuit human remains or may be of religious or spiritual significance, which may be threatened by the Archaeological Activity being conducted under a current Permit.	Province - Minister of Tourism, Culture and Recreation Canada - Relevant Minister	Upon decision that Archaeological Activity may threaten Inuit human remains or may be of religious or spiritual significance.
2	Notify Nunatsiavut Government. Provide: a) sufficient details; and b) reasonable time frame for response.	Province - Minister of Tourism, Culture and Recreation Canada - Relevant Minister	Upon decision that Archaeological Activity may threaten Inuit human remains or may be of religious or spiritual significance.
3	Review information as provided; prepare and submit views, including: a) views on whether to cancel the permit; or b) whether to amend the terms or conditions for the permit.	Nunatsiavut Government	As per the time frame established in Activity 2(b).
4	Give full and fair consideration to views presented by the Nunatsiavut Government.	Canada - Relevant Minister Province - Minister of Tourism, Culture and	As soon as practicable upon receipt of views.

		Recreation	
5	Attempt to reach agreement with the Nunatsiavut Government.	Canada - Relevant Minister Province - Minister of Tourism, Culture and Recreation	Within 30 clear days of initiation of Consultation.
6	Terminate the Consultation if an agreement is not reached with the Nunatsiavut Government.	Canada - Relevant Minister Province - Minister of Tourism, Culture and Recreation	As desired no sooner than 30 clear days from commencement of Consultation.
7	If agreement with the Nunatsiavut Government is not reached, and the Minister cancels or amends the terms and conditions of the Permit, provide written reasons for the decision to the Nunasiavut Government.	Canada - Relevant Minister Province - Minister of Tourism, Culture and Recreation	Once a decision has been made to cancel or amend the terms and conditions.

PLANNING ASSUMPTIONS, GUIDELINES AND EXPLANATIONS

If the Minister reasonably believes that an emergency situation exists where Archaeological Sites or Materials may be damaged or destroyed, he may cancel or alter the terms and condition of a permit prior to consulting the Nunatsiavut Government, and provide subsequent notice as per Activity Sheet 15-19 (15.9.1).

FINAL AGREEMENT PROVISIONS

15.8.4 If the Minister has reason to believe that a site contains Inuit human remains or is of spiritual or religious significance to Inuit and may be threatened by an Archaeological Activity, the Minister, after Consulting the Nunatsiavut Government, may cancel or amend the terms or conditions of the permit authorizing the Archaeological Activity. The Consultation shall be for the purpose of attempting to reach agreement on the cancellation or amendment of the terms or conditions. If agreement is not reached, the Minister shall give the Nunatsiavut Government written reasons for the decision.

15.8.5 A Consultation referred to in section 15.8.3 or 15.8.4 may be terminated by the Minister 30 clear days from the date it is initiated if the Consultation has failed to result in agreement.

CROSS REFERENCED AND RELATED PROVISIONS

General Definitions and Interpretation - 1.1.1 - "Consult"

SUBJECT: Inuit burial sites, human remains and sites of religious or spiritual significance in the Labrador Inuit Settlement Area (LISA) outside Labrador Inuit Lands (LIL) and outside the Inuit Communities

OBLIGATION: Removal, reburial or other disposition of Inuit human remains
15.8.6

PARTIES: Canada
Province - Provincial Archaeology Office (Department of Tourism, Culture and Recreation)
Nunatsiavut Government

	<i>Activities</i>	<i>Responsibility</i>	<i>Timing</i>
1	Notify Nunatsiavut Government of intent to remove Inuit human remains from burial site.	Canada Province - Provincial Archaeology Office (Department of Tourism, Culture and Recreation)	Upon determination the Inuit human remains must be removed.
2	Determine the reburial or other disposition of the Inuit human remains once removed from the Inuit burial site and inform Canada or the Province.	Nunatsiavut Government	As soon as practicable.
3	If the Nunatsiavut Government wishes to bury or otherwise dispose of the Inuit remains in a National Park, National Park Reserve, National Marine Conservation Area or National Marine Conservation Area Reserve inform Canada and attempt to reach agreement.	Nunatsiavut Government Canada - Parks Canada	Prior to burial or other disposition of Inuit human remains.

FINAL AGREEMENT PROVISIONS

15.8.6 If Canada or the Province determines that Inuit human remains must be removed from an Inuit burial site, the Nunatsiavut Government shall determine the reburial or other disposition of the Inuit human remains once removed from the Inuit burial site but, if the Nunatsiavut Government wishes to bury or otherwise dispose of the Inuit remains in a National Park, National Park Reserve, National Marine

Conservation Area or National Marine Conservation Area Reserve, Canada and the Nunatsiavut Government must jointly agree.

Activity Sheet 15-19

SUBJECT: Emergency provisions

OBLIGATION: Notification after taking action in cases of emergency
15.9.1

PARTIES: Nunatsiavut Government - Inuit Permitting Authority
Canada - Federal Permitting Authority
Province - Provincial Permitting Authority (Minister of Tourism, Culture and Recreation)

	<i>Activities</i>	<i>Responsibility</i>	<i>Timing</i>
1	Take necessary action in emergency situation where it is believed that Archaeological Material or Sites may be damaged or destroyed.	Relevant Permitting Authority	Upon identification of an emergency.
2	Inform the other Permitting Authority of, and provide reasons for, the action.	Relevant Permitting Authority	As soon as practicable after taking action.

FINAL AGREEMENT PROVISIONS

15.9.1 If a Permitting Authority believes on reasonable grounds that an emergency exists, it may act without first Consulting the other Permitting Authority in accordance with section 15.6.4, 15.6.7, 15.6.10, 15.8.3 or 15.8.4 but as soon as practicable thereafter shall inform the other Permitting Authority of, and provide the reasons for, the action. For purposes of this section, an emergency shall exist if:

- (a) there is an unplanned critical situation that has the potential to result in the destruction of or significant injury or damage to Archaeological Material or an Archaeological Site; and
- (b) the time required to Consult would exacerbate the potential for such destruction or damage.

CROSS REFERENCED AND RELATED PROVISIONS

- 15.6.4 - Consultation prior to issuing permit in LIL or Inuit Communities
- 15.6.7 - Consultation prior to issuing permit outside LIL or outside Inuit Communities
- 15.6.10 - Mutual Consultation between Nunatsiavut Government and Minister prior to amending, cancelling or changing conditions of permit

- 15.8.3 - Consultation prior to disturbing burial / significant sites
- 15.8.4 - Consultation between prior to amending, cancelling or changing conditions of permit authorizing the Archaeological Activity

Activity Sheet 15-20

SUBJECT: Sell, alienate or lend Archaeological Material

OBLIGATION: Joint ownership and management of Archaeological Material found on land under the control and administration of Canada
15.11.5

PARTIES: Nunatsiavut Government
Canada

	<i>Activities</i>	<i>Responsibility</i>	<i>Timing</i>
1	If intending to: a) sell, alienate, lend or dispose of; b) seek or submit to sever or partition title to; or c) make use so as to cause a physical alteration to it or diminish the integrity or value of, Archaeological Material, then seek written agreement of the other Party.	Canada Nunatsiavut Government	As required.
2	Notify of agreement or disagreement.	Canada Nunatsiavut Government	As soon as practicable.
3	Proceed in accordance with any written agreement reached.	Canada Nunatsiavut Government	As agreed.

PLANNING ASSUMPTIONS, GUIDELINES AND EXPLANATIONS

Title to and management of all Archaeological Material found on lands under the control and administration of Canada after the Effective Date is vested jointly in the Nunatsiavut Government and Canada (15.11.4).

Any act or instrument contrary to this Activity Sheet shall be void and of no effect (15.11.8).

FINAL AGREEMENT PROVISIONS

- 15.11.5 With respect to Archaeological Material referred to in section 15.11.4, neither the Nunatsiavut Government nor Canada, without the prior written agreement of the other, shall:
- (a) sell, alienate, lend or dispose of possession of, that Archaeological Material;
 - (b) seek or submit to sever or partition title to that Archaeological Material; or
 - (c) make use of that Archaeological Material so as to cause a physical alteration to it or to diminish its integrity or value.

SUBJECT: Sell, alienate or lend Archaeological Material

OBLIGATION: Joint ownership and management of Archaeological Material found in Labrador Inuit Settlement Area (LISA) outside Labrador Inuit Lands (LIL)
15.11.7

PARTIES: Nunatsiavut Government
Province - Minister of Tourism, Culture and Recreation

	<i>Activities</i>	<i>Responsibility</i>	<i>Timing</i>
1	If intending to: a) sell, alienate title, lend or dispose of; b) seek or submit to sever or partition title to; or c) make use so as to cause a physical alteration to it or diminish the integrity or value of, Archaeological Material, then seek written agreement of the other Party.	Province - Minister of Tourism, Culture and Recreation Nunatsiavut Government	As required.
2	Notify of agreement or disagreement.	Province - Minister of Tourism, Culture and Recreation Nunatsiavut Government	As soon as practicable.
3	Proceed in accordance with any written agreement reached.	Province Minister of Tourism, Culture and Recreation Nunatsiavut Government	As agreed.

PLANNING ASSUMPTIONS, GUIDELINES AND EXPLANATIONS

Title to and management of all Archaeological Material found in LISA outside LIL, not under the control and administration of Canada, after the Effective Date is vested jointly in the Nunatsiavut Government and the Province (15.11.6).

Any act or instrument contrary to this Activity Sheet and Section 15.11.7 of the Agreement shall be void

and of no effect (15.11.8).

FINAL AGREEMENT PROVISIONS

- 15.11.7 With respect to Archaeological Material referred to in section 15.11.6, neither the Nunatsiavut Government nor the Province, without the prior written agreement of the other, shall:
- (c) sell, alienate, lend or dispose of possession of, that Archaeological Material;
 - (d) seek or submit to sever or partition title to that Archaeological Material; or
 - (e) make use of that Archaeological Material so as to cause a physical alteration to it or to diminish its integrity or value.

SUBJECT: Transfer and Loans from Federal Agencies

OBLIGATION: Transfer of Archaeological Material set out in Schedule 15-A from the Canadian Museum of Civilization to the Nunatsiavut Government
15.12.1 - 15.12.4

PARTIES: Canadian Museum of Civilization Corporation
Nunatsiavut Government

	<i>Activities</i>	<i>Responsibility</i>	<i>Timing</i>
1	Hold Archaeological Material set out in schedule 15-A of the Agreement under the same terms and condition as they are held on the Effective Date.	Canadian Museum of Civilization Corporation	Until they are transported to the Nunatsiavut Government.
2	Request transfer of Archaeological Material set out in schedule 15-A of the Agreement and provide address for delivery.	Nunatsiavut Government	As desired within five years after Effective Date or as otherwise agreed to by the Nunatsiavut Government and the Canadian Museum of Civilization Corporation.
3	If no request for transfer has been received from Nunatsiavut Government, request address for delivery.	Canadian Museum of Civilization Corporation	No sooner than five years from Effective Date.
4	Determine the transportation arrangements in accordance with prevailing practices of Canadian Museum of Civilization Corporation.	Canadian Museum of Civilization Corporation	Prior to transport.
5	Deliver Archaeological Material to address supplied by Nunatsiavut Government as per arrangements established or, if no address is supplied, deliver Archaeological Material to address set out in the General Provisions Chapter.	Canadian Museum of Civilization Corporation	a) As soon as practicable following a request from the Nunatsiavut Government; b) if there is no request by the Nunatsiavut Government, as desired , no sooner than five years after the Effective Date; or c) by any other date agreed to by the Canadian Museum of Civilization Corporation and the Nunatsiavut Government.

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PLANNING ASSUMPTIONS, GUIDELINES AND EXPLANATIONS

Transfer of legal interest in, and possession of, the Archaeological Material is deemed to occur upon delivery (15.12.2).

The Canadian Museum of Civilization Corporation shall not be liable for any loss or damage to the Archaeological Material set out in schedule 15-A unless the loss or damage results from dishonesty, gross negligence, or malicious or wilful misconduct of its employees or agents.

FINAL AGREEMENT PROVISIONS

- 15.12.1 The Canadian Museum of Civilization Corporation shall transfer to the Nunatsiavut Government, without condition, all its legal interests in, and possession of, the Archaeological Material set out in schedule 15-A:
 - (a) as soon as practicable following a request by the Nunatsiavut Government;
 - (b) if there is no request by the Nunatsiavut Government, five years after the Effective Date; or
 - (c) by any other date agreed to by the Canadian Museum of Civilization Corporation and the Nunatsiavut Government.

- 15.12.2 The transfer under section 15.12.1 of the legal interests in, and possession of, the Archaeological Material set out in schedule 15-A is deemed to occur when the Archaeological Material arrives at a location for delivery designated in writing by the Nunatsiavut Government.

- 15.12.3 If the Nunatsiavut Government does not designate a location for delivery, the Canadian Museum of Civilization Corporation shall deliver the Archaeological Material set out in schedule 15-A to the address for the Nunatsiavut Government set out in section 2.20.8.

- 15.12.4 The Canadian Museum of Civilization Corporation:
 - (a) shall continue to hold the Archaeological Material set out in schedule 15-A under the same terms and conditions as they are held on the Effective Date, until they are delivered to the Nunatsiavut Government;
 - (b) shall not be liable for any loss or damage to the Archaeological Material set out in schedule 15-A unless the loss or damage results from dishonesty, gross negligence, or malicious or wilful misconduct of its employees or agents; and
 - (c) shall determine the transportation arrangements for, and transport, the

Archaeological Material set out in schedule 15-A in accordance with the prevailing practices of the Canadian Museum of Civilization Corporation for transportation of Archaeological Material to museums.

SUBJECT: Standards

OBLIGATION: Negotiate standards for the safekeeping of Archaeological Materials and Inuit Cultural Materials
15.13.1 - 15.13.3

PARTIES: Nunatsiavut Government
Canada
Province - Minister of Tourism, Culture and Recreation
Arbitration Panel

	<i>Activities</i>	<i>Responsibility</i>	<i>Timing</i>
1	Commence negotiations for the purpose of reaching an agreement on standards for the safekeeping of Archaeological Materials and Inuit Cultural Materials.	Nunatsiavut Government Canada Province - Minister of Tourism, Culture and Recreation	As desired.
2	Conclude agreement on standards.	Nunatsiavut Government Canada Province - Minister of Tourism, Culture and Recreation	Within 90 clear days of commencement of negotiations or longer time period agreed to by the Parties.
3	Refer to dispute resolution under Chapter 21.	Nunatsiavut Government Canada Province - Minister of Tourism, Culture and Recreation	If agreement is not reached within time frame established in Activity 2.
4	Appoint a specialist who has expertise in the matters of establishing standards or matters under Dispute.	Arbitration Panel	Prior to adjudicating Dispute.
5	Adjudicate Dispute and establish standards.	Arbitration Panel	According to the rules and procedures of the Dispute Resolution Board.
6	Review and amend Standards	Nunatsiavut Government	From time to time.

	by written agreement.	Canada Province - Minister of Tourism, Culture and Recreation	
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PLANNING ASSUMPTIONS, GUIDELINES AND EXPLANATIONS

In the case of Canada, while this Activity Sheet applies mainly to the Canadian Museum of Civilization Corporation, Parks Canada may also be involved in negotiations on standards because of shared ownership.

FINAL AGREEMENT PROVISIONS

- 15.13.1 The Nunatsiavut Government, Canada and the Province shall negotiate for the purpose of concluding an agreement on the standards for the safekeeping of Archaeological Materials and Inuit Cultural Materials. If an agreement cannot be reached within 90 clear days from the start of negotiations or longer period agreed to by the Parties, the matter shall be referred to dispute resolution under chapter 21.
- 15.13.2 An Arbitration Panel established to arbitrate a Dispute under section 15.13.1 shall:
 - d) appoint a specialist who has expertise in the matter or matters under Dispute to assist the Panel in establishing the standards; and
 - (b) establish the standards.
- 15.13.3 The Standards may be reviewed from time to time and amended by written agreement of the Parties.

CROSS REFERENCED AND RELATED PROVISIONS

Chapter 21: Dispute Resolution

Activity Sheet 15-24

SUBJECT: Improperly obtained material in possession of the Provincial Museum

OBLIGATION: Transfer improperly obtained Inuit Cultural Material to Nunatsiavut Government
15.14.1 & 15.14.2

PARTIES: Nunatsiavut Government
Provincial Museum
Arbitration Panel

	<i>Activities</i>	<i>Responsibility</i>	<i>Timing</i>
1	Identify any Inuit Cultural Materials held by the Provincial Museum and identified under Activity Sheet 15-32 which were improperly obtained.	Nunatsiavut Government Provincial Museum	As desired.
2	Refer any Dispute regarding whether Materials were improperly obtained to arbitration under Chapter 21.	Nunatsiavut Government Provincial Museum	Upon disagreement that Materials were improperly obtained.
3	Adjudicate Dispute and make decision.	Arbitration Panel	According to the rules and procedures established by the dispute resolution board.
4	Transfer Inuit Cultural Materials to the Nunatsiavut Government in accordance with the Standards negotiated in Activity Sheet 15-23.	Provincial Museum	As soon as practicable, upon determination by mutual agreement or by Arbitration that Materials have been improperly obtained.

FINAL AGREEMENT PROVISIONS

- 15.14.1 Subject to the Standards, any Inuit Cultural Material that has been obtained in an improper manner and is in the custody or under the control of the Provincial Museum shall be transferred to the Nunatsiavut Government.
- 15.14.2 A Dispute concerning whether the Inuit Cultural Material referred to in section 15.14.1 was obtained in an improper manner shall be referred to arbitration under chapter 21.

CROSS REFERENCED AND RELATED PROVISIONS

15.13 - Standards

Chapter 21: Dispute Resolution

SUBJECT: Management and Loans of Archaeological and Inuit Cultural Material

OBLIGATION: Maximize the amount of Archaeological and Inuit Cultural Material that are kept and displayed in Labrador Inuit Settlement Area (LISA) 15.15.1

PARTIES: Province - Minister of Tourism, Culture and Recreation
Nunatsiavut Government

	<i>Activities</i>	<i>Responsibility</i>	<i>Timing</i>
1	Use best efforts to maximize the amount of Archaeological and Inuit Cultural Material which are kept, maintained, stored or displayed in Labrador Inuit Settlement Area (LISA) whether recovered before or after Effective Date.	Province - Minister of Tourism, Culture and Recreation Nunatsiavut Government	Ongoing.

PLANNING ASSUMPTIONS, GUIDELINES AND EXPLANATIONS

Nothing in this Activity Sheet imposes on the Province or the Nunatsiavut Government:

a) a duty to carry out, encourage, promote or authorize Archaeological Activity or the recovery of Archaeological Material and Inuit Cultural Material;

(e) a financial obligation; or

(f) an obligation to provide assistance to any Person,

if, in its sole discretion, it is not reasonable to do so (15.15.2).

FINAL AGREEMENT PROVISIONS

15.15.1 The Province and the Nunatsiavut Government shall use best efforts to maximize the amount of Archaeological Material and Inuit Cultural Material that is kept, maintained, stored or displayed in the Labrador Inuit Settlement Area whether recovered before or after the Effective Date.

CROSS REFERENCED AND RELATED PROVISIONS

General Definitions and Interpretation - 1.1.1 - “Inuit Cultural Material”, “Archaeological Material”

SUBJECT: Management and loans of Archaeological and Inuit Cultural Material

OBLIGATION: Compliance with Standards established in Activity Sheet 15-23
15.15.3-15.15.5

PARTIES: Nunatsiavut Government
Province - Provincial Museum
Canada
Dispute Resolution Board

	<i>Activities</i>	<i>Responsibility</i>	<i>Timing</i>
1	Comply with the Standards related to Archaeological and Inuit Cultural Material in its possession.	Nunatsiavut Government Province - Provincial Museum	Ongoing upon finalization of Standards and ongoing.
2	If Archaeological or Inuit Cultural Material have been loaned, determine if borrower is in compliance with established Standards.	Nunatsiavut Government Province - Provincial Museum Canada	During period of loan.
3	Inform borrower if determined that there is non-compliance with the established Standards.	Nunatsiavut Government Province - Provincial Museum Canada	Upon determination of non-compliance.
4	Refer to dispute resolution if borrower disputes that it is in compliance with established Standards.	Nunatsiavut Government Province - Provincial Museum Canada	Upon disagreement regarding compliance with established Standards.
5	Resolve through dispute resolution under Chapter 21.	Dispute Resolution Board	According to time frames established in Chapter 21.
6	If determined through dispute resolution in Activity 5 or through mutual agreement in Activity 3, reclaim Archaeological or Inuit Cultural Material until borrower meets Standards.	Nunatsiavut Government Province - Provincial Museum Canada	As desired, upon final determination of non-compliance.

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PLANNING ASSUMPTIONS, GUIDELINES AND EXPLANATIONS

A Government lending or transferring Archaeological or Inuit Cultural Material to another Government may waive that application of any or all of the Standards (15.15.6).

In the case of Canada, while this Activity Sheet applies mainly to the Canadian Museum of Civilization Corporation, Parks Canada may also be involved because of shared ownership.

FINAL AGREEMENT PROVISIONS

- 15.15.3 Subject to section 15.15.6, the Nunatsiavut Government and the Provincial Museum shall comply with the Standards in relation to any Archaeological Material or Inuit Cultural Material that is in its possession.
- 15.15.4 If the Nunatsiavut Government does not meet the Standards in relation to any Archaeological Material or Inuit Cultural Material transferred or loaned to the Nunatsiavut Government, the Government that transferred or loaned the material may take back possession of the material until the Nunatsiavut Government meets the Standards.
- 15.15.5 If there is a Dispute about whether the Nunatsiavut Government or the Provincial Museum meets or is complying with the Standards, the Dispute shall be resolved under chapter 21.

CROSS REFERENCED AND RELATED PROVISIONS

General Definitions and Interpretation - 1.1.1 - "Inuit Cultural Material", "Archaeological Material"

SUBJECT: Management and loans of Archaeological and Inuit Cultural Material

OBLIGATION: Nunatsiavut Government borrowing Archaeological and Inuit Cultural Material from the Provincial Museum or Federal Agency
15.15.7-15.15.10

PARTIES: Nunatsiavut Government
Province - Provincial Museum
Canada - Federal Agency

	<i>Activities</i>	<i>Responsibility</i>	<i>Timing</i>
1	Request a loan of Archaeological or Inuit Cultural Material from the Provincial Museum or a Federal Agency.	Nunatsiavut Government	As desired.
2	Comply with the request subject to the grounds for refusal included in Section 15.15.7 of the Agreement.	Province - Provincial Museum Canada - Federal Agency	As soon as practicable following request for loan.
3	If refusing request for loan on grounds that material is currently on loan to another Person, give priority to Nunatsiavut Government upon return of material.	Province - Provincial Museum Canada - Federal Agency	Upon determination that material is currently on loan.
4	Determine if Standards are established.	Province - Provincial Museum Canada - Federal Agency	Upon decision to proceed with loan.
5	Decide whether to: a) refuse loan; or b) proceed with loan with or without terms and conditions for the protection and presentation of the material, and communicate to Nunatsiavut Government.	Province - Provincial Museum Canada - Federal Agency	Upon determination that Standards are not established.

6	Decide reasonable terms and conditions for the transportation of the material and the duration or termination of the loan, and communicate to Nunatsiavut Government.	Province - Provincial Museum Canada - Federal Agency	When complying with a request for loan.
7	Transport material according to terms and conditions established in Activity 6.	Province - Provincial Museum Canada - Federal Agency	Upon decision on any terms applicable to transportation of material.

PLANNING ASSUMPTIONS, GUIDELINES AND EXPLANATIONS

For this Activity Sheet, “Federal Agency” means the following agencies of Canada:

- (g) the Department of Indian Affairs and Northern Development;
- (h) Parks Canada Agency;
- (i) the National Archives of Canada; and
- (j) the Canadian Museum of Civilization Corporation (15.1.1).

A Government lending or transferring Archaeological Material or Inuit Cultural Material to another Government may waive the application of any or all of the Standards (15.15.6).

When the Nunatsiavut Government and another Person request a loan of the same Archaeological or Inuit Cultural Material from a Federal Agency for the same or an overlapping time period and the Material is in the possession of the Federal Agency and is available for loan, the Nunatsiavut Government shall have priority over all other Persons to obtain possession of the Material (15.15.17).

FINAL AGREEMENT PROVISIONS

15.15.7 The Nunatsiavut Government may request a loan of Archaeological Material or Inuit Cultural Material from the Provincial Museum or a Federal Agency and the request shall not be refused unless:

- (k) the Nunatsiavut Government is unable to maintain the material in accordance with the Standards;
- (l) the Provincial Museum or the Federal Agency currently requires the material for its own active display or research or on account of the unique characteristics of the material or to maintain the integrity of its collection;
- (m) the condition of the material prohibits its movement;

- (n) the material is currently on loan to another party;
- (o) ownership of the material is under dispute; or
- (p) the Provincial Museum or the Federal Agency is unable to loan the material because of some term or condition of its original acquisition from a non-governmental source.

15.15.8 Unless the Provincial Museum or the Federal Agency agrees otherwise, no loan shall take place under section 15.15.7 until the Standards are established.

15.15.9 When complying with a request under section 15.15.7, the Provincial Museum or the Federal Agency may establish reasonable terms and conditions for:

- (a) the transportation of the material;
- (b) the duration or termination of the loan; and
- (c) the protection and presentation of the material, if the Standards have not been established.

15.15.10 If the Nunatsiavut Government requests a loan under section 15.15.7 but the material is currently on loan to a another Person, the Nunatsiavut Government shall have priority over others to obtain possession of the material once it is returned to the Provincial Museum or the Federal Agency.

CROSS REFERENCED AND RELATED PROVISIONS

General Definitions and Interpretation - 1.1.1 - "Inuit Cultural Material", "Archaeological Materials"
15.3 - Standards

BUDGET AND FUNDING RESPONSIBILITIES

Liability and costs associated with loans of Archaeological and Inuit Cultural Material under this Sheet shall be borne by the borrower (15.15.16).

SUBJECT: Management and loans of Archaeological and Inuit Cultural Material

OBLIGATION: Provincial Museum, Federal Agency or third parties borrowing Archaeological and Inuit Cultural Material from the Nunatsiavut Government
15.15.11 - 15.15.13

PARTIES: Province - Provincial Museum
Canada - Federal Agency
Third party
Nunatsiavut Government

	<i>Activities</i>	<i>Responsibility</i>	<i>Timing</i>
1	Request a loan of Archaeological and Inuit Cultural Material from Nunatsiavut Government.	Province - Provincial Museum Canada - Federal Agency Third party	As desired.
2	Decide whether to grant request for loan.	Nunatsiavut Government	As soon as practicable upon receipt of request for loan.
3	Establish reasonable terms and conditions for transportation, protection, presentation; and subject to section 15.11.3 of the Agreement duration and termination of the loan.	Nunatsiavut Government	As soon as practicable upon decision to grant request.

PLANNING ASSUMPTIONS, GUIDELINES AND EXPLANATIONS

It shall not be unreasonable for the Nunatsiavut Government to deny request for loans where the borrower does not extend a similar courtesy to the Nunatsiavut Government (15.15.12).

FINAL AGREEMENT PROVISIONS

- 15.15.11 The Nunatsiavut Government shall not unreasonably deny requests by the Provincial Museum, the Federal Agency or third parties for loans for Archaeological and Inuit Cultural Material .
- 15.15.12 The Nunatsiavut Government shall not unreasonably deny requests by another Person for loans of Archaeological Material and Inuit Cultural Material in the possession of the Nunatsiavut Government. It shall not be unreasonable for the Nunatsiavut Government to deny requests for loans where the

- borrower is not subject to a similar obligation to make loans to another Person.
- 15.15.13 When complying with a request under section 15.15.11 or 15.15.12, the Nunatsiavut Government may establish reasonable terms or conditions for the protection, presentation or transportation of the material and, subject to section 15.11.3, the duration or termination of possession.
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CROSS REFERENCED AND RELATED PROVISIONS

- General Definitions and Interpretation - 1.1.1 - “Inuit Cultural Material”, “Archaeological Materials”
15.11.3 - Loans may not be longer than for five year renewable periods.
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BUDGET AND FUNDING RESPONSIBILITIES

Liability and costs associated with loans of Archaeological and Inuit Cultural Material under this Sheet shall be borne by the borrower (15.15.16).

SUBJECT: Management and loans of Archaeological and Inuit Cultural Material

OBLIGATION: Access to collections of Archaeological and Inuit Cultural Material
15.15.14 & 15.15.15

PARTIES: Nunatsiavut Government
Province - Provincial Museum
Canada - Federal Agency

	<i>Activities</i>	<i>Responsibility</i>	<i>Timing</i>
1	Provide reasonable access to Archaeological and Inuit Cultural Material for public and scientific purposes.	Nunatsiavut Government	Ongoing.
2	Grant access to Archaeological and Inuit Cultural Material not displayed in Labrador Inuit Settlement Area (LISA).	Province - Provincial Museum Canada -Federal Agency	Upon request from Inuit.

PLANNING ASSUMPTIONS, GUIDELINES AND EXPLANATIONS

For this Activity Sheet, “Federal Agency” means the following agencies of Canada:

- (h) the Department of Indian Affairs and Northern Development;
- (k) Parks Canada Agency;
- (l) the National Archives of Canada; and
- (m) the Canadian Museum of Civilization Corporation (15.1.1).

The Provincial Museum or a Federal Agency shall not unreasonably deny requests to provide Inuit with access to any Archaeological Material and Inuit Cultural Material in its collection that is not displayed in the Labrador Inuit Settlement Area (15.15.15).

FINAL AGREEMENT PROVISIONS

15.15.14 The Nunatsiavut Government shall provide reasonable access to all Archaeological Material and Inuit Cultural Material in its possession, commensurate with public and scientific interest.

15.15.15 The Provincial Museum or a Federal Agency shall not unreasonably deny requests to provide Inuit with

access to any Archaeological Material and Inuit Cultural Material in its collection that is not displayed in the Labrador Inuit Settlement Area.

CROSS REFERENCED AND RELATED PROVISIONS

General Definitions and Interpretation - 1.1.1- “Inuit Cultural Material”, “Archaeological Material”

SUBJECT: Archaeological Records

OBLIGATION: Provide and maintain Archaeological records
15.16.1, 15.16.2, 15.16.5 -15.16.7

PARTIES: Permit Holder
Nunatsiavut Government
Province - Department of Tourism, Culture and Recreation
(Provincial Archaeology Office)
Canada - Relevant federal department(s)

	<i>Activities</i>	<i>Responsibility</i>	<i>Timing</i>
1	Provide duplicate originals of required reports, forms and records: a) in Labrador Inuit Lands (LIL) and the Communities to Nunatsiavut Government and the Department of Tourism, Culture and Recreation; and b) in Labrador Inuit Settlement Area (LISA) outside LIL and the Inuit Communities to the Nunatsiavut Government.	Permit Holder	On a regular basis.
2	Maintain all records of Archaeological Activities, Materials and Sites found in LISA before and after Effective Date. Treat and use records in a manner that will protect, preserve and maintain the Archaeological Site to which the records relate including, as appropriate, by keeping the records confidential.	Nunatsiavut Government Province - Department of Tourism, Culture and Recreation Canada	On a regular basis.
3	Provide copies of any reports in its possession concerning Archaeological Activities, Materials and Sites which the requesting Government does not possess.	Nunatsiavut Government Province - Department of Tourism, Culture and Recreation Canada	Upon request from another Government.

4	Update information provided to other Parties under this Activity Sheet.	Nunatsiavut Government Province - Department of Tourism, Culture and Recreation Canada	On a regular basis.
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FINAL AGREEMENT PROVISIONS

- 15.16.1 A Permit Holder carrying out an Archaeological Activity in Labrador Inuit Lands or an Inuit Community shall provide duplicate originals of required reports, forms and records to each of the Nunatsiavut Government and the Province, and a Permit Holder carrying out an Archaeological Activity outside Labrador Inuit Lands and the Inuit Communities shall provide duplicate original copies of required reports, forms and records to the Nunatsiavut Government.
- 15.16.2 Each Permitting Authority shall maintain:
 - (a) all records in existence on the Effective Date of Archaeological Activities, Archaeological Material and Archaeological Sites; and
 - (b) the reports, forms and records referred to in section 15.16.1 and subsections 15.6.13(b) and 15.6.13(c).
- 15.16.5 Without restricting subsections 15.6.13(f) and 15.6.13(g), each Party shall treat and use records of each Archaeological Site in the Labrador Inuit Settlement Area in a manner that will protect, preserve and maintain the Archaeological Site to which the records relate including, as appropriate, by keeping the records confidential.
- 15.16.6 Each Government, upon the request of another Government, shall provide copies of any reports in its possession concerning any Archaeological Activities, Archaeological Material or Archaeological Sites that the requesting Government does not possess.
- 15.16.7 Governments shall update the information to be provided to each other under this part on a regular basis.

CROSS REFERENCED AND RELATED PROVISIONS

- 15.6.13 (b) (c) - reporting requirements of a Permit Holder

SUBJECT: Archaeological Records

OBLIGATION: Provide Archaeological site inventories and catalogue of Archaeological Material to Nunatsiavut Government
15.16.3, 15.16.4, 15.16.7

PARTIES: Canada - Canadian Museum of Civilization Corporation
Province - Department of Tourism, Culture and Recreation
(Provincial Archaeology Office)
- Provincial Museum
Nunatsiavut Government

	<i>Activities</i>	<i>Responsibility</i>	<i>Timing</i>
1	Provide a copy of known Archaeological site inventories including Archaeological Site records and inventory maps to Nunatsiavut Government.	Canada - Canadian Museum of Civilization Corporation Province - Department of Tourism, Culture and Recreation	As soon as practicable after Effective Date.
2	Provide a copy of catalogue of any Archaeological Material in its possession to Nunatsiavut Government.	Provincial Museum Canada - Canadian Museum of Civilization Corporation	Upon request.
3	Update one another on the information and records.	Canada - Canadian Museum of Civilization Corporation Province - Department of Tourism, Culture and Recreation Nunatsiavut Government	On a regular basis after the Effective Date.

PLANNING ASSUMPTIONS, GUIDELINES AND EXPLANATIONS

Activity 1 is a one-time only activity to bring the Nunatsiavut Government up to date with respect to records needed to create maintain their own archaeological inventory for LISA.

Although the Canadian Museum of Civilization Corporation might be the lead department in Activity 1, other Departments such as the Department of Fisheries and Oceans, Parks Canada and Transport Canada might be involved.

Each Party shall treat and use records of each Archaeological Site in the Labrador Inuit Settlement Area in

a manner that will protect, preserve and maintain the Archaeological Site to which the records relate including, as appropriate, by keeping the records confidential (15.16.5).

FINAL AGREEMENT PROVISIONS

15.16.3 Canada and the Province shall provide the Nunatsiavut Government with a copy of their respective inventories for Archaeological Material and Archaeological Sites, including:

- (a) Archaeological Site record forms for known Archaeological Sites; and
- (b) all Archaeological Site inventory maps showing the location of known Archaeological Sites.

15.16.4 Canada and the Provincial Museum shall provide the Nunatsiavut Government with a catalogue of the Archaeological Material owned or possessed by the relevant Government, upon request by the Nunatsiavut Government.

15.16.7 Governments shall update the information to be provided to each other under this part on a regular basis.

CROSS REFERENCED AND RELATED PROVISIONS

15.6.13 (b) (c) - reporting requirements of a Permit Holder
General Definitions and Interpretation - 1.1.1 - "Inuit Cultural Material"

SUBJECT: Archaeological Records

OBLIGATION: Provide list of Inuit Cultural Material to Nunatsiavut Government
15.16.7 & 15.16.8

PARTIES: Canada
Province - Department of Tourism, Culture and Recreation
(Provincial Archaeology Office)
- Provincial Museum
Nunatsiavut Government

	<i>Activities</i>	<i>Responsibility</i>	<i>Timing</i>
1	Provide a list of owned and controlled Inuit Cultural Material to Nunatsiavut Government.	Canada Province - Provincial Museum	On the Effective Date.
2	Update one another on the information and records.	Canada Province - Department of Tourism, Culture and Recreation (Provincial Archaeology Office) Province -Provincial Museum Nunatsiavut Government	On a regular basis after the Effective Date.

PLANNING ASSUMPTIONS, GUIDELINES AND EXPLANATIONS

In the case of Canada, while this Activity Sheet applies mainly to the Canadian Museum of Civilization Corporation, Parks Canada may also be involved because of shared ownership.

FINAL AGREEMENT PROVISIONS

- 15.16.7 Governments shall update the information to be provided to each other under this part on a regular basis.
- 15.16.8 On the Effective Date, Canada and the Provincial Museum shall provide the Nunatsiavut Government with a list of the Inuit Cultural Material owned and controlled by them.

CROSS REFERENCED AND RELATED PROVISIONS

General Definitions and Interpretation - 1.1.1 - “Inuit Cultural Material”

15.6.13 (b) (c) - reporting requirements of a Permit Holder

SUBJECT: Archival Records

OBLIGATION: Respond to Nunatsiavut Government request for loans of Archival Records
15.17.1 & 15.17.3

PARTIES: Nunatsiavut Government
Provincial Archives
Canada

	<i>Activities</i>	<i>Responsibility</i>	<i>Timing</i>
1	Treat requests from the Nunatsiavut Government for copies or loans of original Archival Records on at least as favourable a basis as similar requests from other institutions.	Canada Provincial Archives	Upon request.

PLANNING ASSUMPTIONS, GUIDELINES AND EXPLANATIONS

This activity applies to Canada in the case of Archival Records “created or held” by Canada. In the case of the Provincial Archives, it applies to Archival Records “owned and controlled” by the Provincial Archives of Newfoundland and Labrador.

Copies of these Archival Records shall be made available to the Nunatsiavut Government for research and study purposes.

FINAL AGREEMENT PROVISIONS

15.17.1 If the Nunatsiavut Government requests from a Federal Agency:

- (a) the loan of original Archival Records that are created or held by Canada for exhibition; or
- (b) copies of such Archival Records for research or study purposes,

the request shall be treated on at least as favourable a basis as similar requests from other institutions.

15.17.3 If the Nunatsiavut Government requests from the Provincial Archives of Newfoundland and Labrador:

- (a) the loan of original Archival Records that are owned and controlled by the Provincial Archives of Newfoundland and Labrador for exhibition; or
- (b) copies of such Archival Records for research or study purposes,

the request shall be treated on at least as favourable a basis as similar requests from other institutions.

CROSS REFERENCED AND RELATED PROVISIONS

General Definitions and Interpretation - 1.1.1 - “Archival Records”