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Minimum Standard For Filing a Specific Claim Submission with the Minister of Indian Affairs and Northern Development

Pursuant to Section 16(2)(a) of the *Specific Claims Tribunal Act*, the Minister of Indian Affairs and Northern Development has established the following minimum standard in relation to the kind of information required for a specific claim to be filed as well as the form and manner for presenting the information.

Minimum Standard for Kind of Information

1. Claim Document

The claim document must include:

- a list of allegations based on one or more of the grounds related to the validity of the claim, as set out in the specific claims policy;
- legal arguments supporting each allegation;
- a statement of the facts supporting the allegations;
- a statement that compensation is being claimed; and,
- a list of authorities with citations, including treaties, statutes, case law and law journal articles, that support the allegations (copies not required).

2. Historical Report

A historical report, including references to supporting documents, outlining the factual circumstances surrounding the allegations, must be provided.

3. Supporting Documents

Complete copies of primary documents and relevant excerpts of secondary documents relied upon to support the allegations included in the claim document and referred to in the historical report are also necessary. Further details related to supporting documents are included in the "Form and Manner" Minimum Standard.

Minimum Standard for Form and Manner

1. The documents provided in support of the claim submission must be clearly labelled with the document source and number. Supporting documents must be identified as referenced in the claim document and/or the historical report and/or the list of all allegations. A separate document index setting out, at a minimum, the document number, date and archival reference where applicable, must be provided with the claim submission.

2. Documents can be submitted as hard copies and/or on CD-Rom, DVD-ROM, or any other standard mass storage device.

3. The supporting documents must be legible and complete. This may require preparing transcripts of documents that are of poor quality or are difficult to read. Avoid writing on copies of documents

included in the submission and ensure that document pages are not cut off, stapled through or added to binders in a manner that obscures the text. Minor technical errors, such as a missing page or illegible photocopy, will be brought to the attention of the claimant so that the error may be addressed by the claimant. This should not, however, affect compliance with the Minimum Standard.

4. Specific Claims submissions must be sent by mail or courier to the Director General for the Specific Claims Branch at Indian and Northern Affairs Canada at the following address:

Director General
Specific Claims Branch
Indian and Northern Affairs Canada
Les Terrasses de la Chaudière
10 Wellington Street, Room 1660
OTTAWA ON K1A 0H4

A claim submission cannot be submitted electronically by fax or e-mail.

5. The specific claim submission must include a clear statement indicating that the claim is being submitted on behalf of a "First Nation" as defined in the specific claims policy.

6. Where a specific claim is submitted on behalf of a First Nation as defined in the specific claims policy, the claim submission must include evidence, such as a Band Council Resolution, that the claim is being submitted with the express authority of that First Nation.

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