

Court of Appeal File No.

IN THE COURT OF APPEAL FOR THE
NORTHWEST TERRITORIES

BETWEEN:

TLİCHQ GOVERNMENT

Respondent/Applicant

-and-

**THE ATTORNEY GENERAL OF CANADA AND
THE MINISTER OF ABORIGINAL AFFAIRS AND
NORTHERN DEVELOPMENT CANADA**

Appellants/Respondents

NOTICE OF APPEAL

TAKE NOTICE that the Appellants, Her Majesty the Queen in Right of Canada as represented by the Attorney General of Canada and the Minister of Indian Affairs and Northern Development Canada ("Canada"), hereby appeals to the Court of Appeal for the Northwest Territories from the reasons for judgment of the Honourable Madam Justice K. Shaner, dated February 27, 2015 in Supreme Court Action S-1-CV-2014-000079, by which the learned Chambers judge rendered a decision that suspended the effect of s. 253(2) of the *Northwest Territories Devolution Act*, S. C. 2014 c. 2 and thereby enjoined the Governor-in-Council from proclaiming into force the Order-in-Council authorized under s. 253(2).

AND FURTHER TAKE NOTICE THAT the grounds of appeal are as follows:

1. The learned Chambers judge erred in law or mixed fact and law in interpreting and applying the test for granting an injunction in the circumstances of this case;
2. The learned Chambers judge erred in law in finding that injunctive relief was available at all in the specific circumstances;
3. The learned Chambers judge erred in law or mixed fact and law in finding that the Tłı̨chǫ Government would suffer irreparable harm if the amendments to the *Mackenzie Valley Resource Management Act* were proclaimed in force;
4. The learned Chambers judge erred in law or mixed fact and law in finding that the balance of convenience favoured granting the injunction;
5. The learned Chambers judge erred in law or mixed fact and law in finding that the Tłı̨chǫ Government put forward the clearest of cases to warrant the granting of an injunction;
and
6. The learned Chambers judge erred in law by granting the Tłı̨chǫ Government too broad a remedy by suspending the operation of all of s. 253(2) of the *Northwest Territories Devolution Act*.

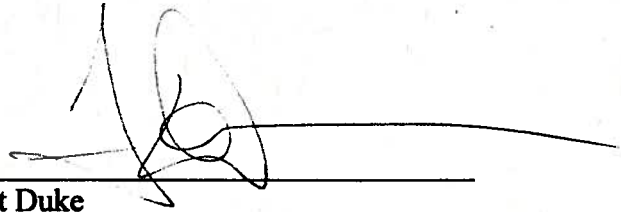
AND FURTHER TAKE NOTICE THAT the Appellants ask that:

1. The appeal be allowed and the order of the Chambers judge suspending the effect of s. 253(2) of the *Northwest Territories Devolution Act* be set aside;
2. Costs of the within appeal awarded to the Appellants; and
3. Such further and other relief as counsel may advise and this Honourable Court deems just.

ALL OF WHICH IS RESPECTFULLY SUBMITTED.

DATED this 16th day of March, 2015, in the City of Yellowknife, in the Northwest Territories.

Lynn Hjartarson
Regional Director General
Department of Justice Canada
Northwest Territories Regional Office

Per: 
Scott Duke
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TO: Tłı̄chǫ Government
c/o Pape Slater Teillet LLP
Attn.: Nuri G. Frame and Jason T. Madden

I hereby certify that the foregoing is
a true copy of the original of which it
purports to be a copy.

J'atteste que le présent document
est une copie conforme de l'original.


REGISTRAR COURT OF APPEAL
REGISTRAIRE DE LA COUR D'APPEL

Court of Appeal File No.:

A-1-AP-2015-000 083

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DOJ File No. 5087247

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