



RULES OF PROCEDURE AND PRACTICE RESPECTING PARTICIPATION AND FUNDING

A. DEFINITIONS

1. In the Rules, unless otherwise provided, the following definitions apply:
 - (a) Inquiry: the Internal Inquiry into the Actions of Canadian Officials in Relation to Abdullah Almalki, Ahmad Abou-Elmaati and Muayyed Nureddin, established by Order-in-Council P.C. 2006-1526;
 - (b) Commissioner: the Honourable Frank Iacobucci, Q.C., appointed by Order-in-Council P.C. 2006-1526;
 - (c) Inquiry counsel: counsel engaged to assist the Commissioner with the Inquiry;
 - (d) Inquiry Offices: mailing address P.O. Box 1208, Station B, Ottawa, Ontario K1P 5R3, e-mail address inquiry.admin@bellnet.ca, fax number 613 - 992-2366;
 - (e) Documents: records made or stored in physical or electronic form, including written, electronic, audiotape, videotape, digital reproduction, photography, maps, graphs, microfiche or any other data and information recorded or shared by means of any device;
 - (f) Persons: individuals, groups, governments, agencies or any other entity.

B. GENERAL

2. The Commissioner may amend, or dispense with compliance with, these Rules as he deems necessary to ensure that the Inquiry is thorough, fair and timely.
3. All participants, witnesses and their counsel shall be deemed to undertake to adhere to these Rules, and may raise any issue of non-compliance with the Commissioner.
4. The Commissioner shall deal with a breach of these Rules as he sees fit.
5. Subject to the *Inquiries Act* and Order-in-Council P.C. 2006-1526, the conduct of and the procedure to be followed in the Inquiry is in the control and discretion of the Commissioner.

C. PARTICIPATION

6. As set out in Order-in-Council P.C. 2006-1526, a person may be granted an opportunity to participate in the Inquiry if the Commissioner is satisfied that the person has a substantial and direct interest in the subject matter of the Inquiry.
7. In addition, a person may be granted an opportunity to participate as an intervenor in the Inquiry if the Commissioner is satisfied that the person has a genuine concern about the subject matter of the inquiry and has a particular perspective or expertise that may assist the Commissioner.
8. A person who wishes to be granted an opportunity to participate must apply by motion in writing supported by affidavit on or before March 14, 2007. The motion must include the following information:
 - (a) the person's name, address, telephone number, fax number and e-mail address;
 - (b) the names of the lawyers, if any, representing the person, together with the lawyer's address, telephone number, fax number and e-mail address;
 - (c) the nature of the person's interest in the subject matter of the Inquiry; and
 - (d) whether the person wishes to make oral submissions in support of the motion.
9. A person who has submitted a motion in writing on or before March 14, 2007 and advised that the person wishes to make oral submissions in support of the motion will be permitted to make oral submissions at a participation hearing to be held beginning at 10:00 a.m. on Wednesday March 21, 2007 at the Bytown Lounge, 111 Sussex Drive, Ottawa, Ontario, or at the discretion of the Commissioner at any other date. The Commissioner will issue a directive prior to the participation hearing allocating the time for oral submissions for each person who wishes to make oral submissions.
10. The Commissioner will determine on what terms and in which parts of the Inquiry a person may participate, and the nature and extent of the person's participation.
11. The Commissioner may, in his discretion, grant, modify or rescind the ability of any person to participate in the Inquiry.
12. The Commissioner may direct that a number of persons share in a single opportunity to participate.

D. FUNDING

13. As set out in Order-in-Council P.C. 2006-1526, the Commissioner may recommend to the Clerk of the Privy Council that funding be provided, in accordance with approved guidelines respecting rates of remuneration and

reimbursement and the assessment of accounts, to ensure the appropriate participation of any person granted an opportunity to participate, to the extent of the person's interest, where in the Commissioner's view the participant would not otherwise be able to participate in the Inquiry.

14. A person seeking a recommendation for funding must apply by motion in writing supported by affidavit on or before March 14, 2007, or at the discretion of the Commissioner at any other date, demonstrating that the participant does not have sufficient financial resources to participate without funding.
15. A person who wishes to make oral submissions respecting funding may do so at the participation hearing on March 21, 2007. The Commissioner's time allocation directive referred to at paragraph 9 above will allocate time for any submissions respecting funding.