

Cohen Commission

Ruling on Application for Standing Brought by the Matsqui First Nation

1. On 18 February 2011 the Matsqui First Nation (the "Matsqui") brought an application for standing before the commission, seeking to join the participant group currently comprised of the Sto:lo Tribal Council and the Cheam Indian Band. The Matsqui concurrently applied for additional funding for legal counsel to assist their participation in the inquiry, if granted. In support, the Matsqui filed an affidavit from Alice McKay, Chief of the Matsqui sworn February 22nd, 2011.
2. I have reviewed both the Matsqui's submissions and the affidavit of Chief McKay. I have also considered the commission's Rules for Standing and Funding, which state that "To apply for standing, a person must submit a written application to the Commissioner by 4 p.m. on 10 March 2010," (Rule 14) and that "the Commissioner may amend these Rules or dispense with their compliance as he deems necessary to ensure that the inquiry is thorough, fair and timely" (Rule 5). Finally, I have reviewed the commission's Terms of Reference.
3. The deadline for applications for standing has long past. Upon review of the material filed, I am not persuaded that I should dispense with Rule 14 of the Rules for Standing and Funding. Nothing in the affidavit of Chief McKay indicates that the Matsqui could not have been aware of their interests in the subject matter of this inquiry prior to the 10 March 2010 deadline for applications for standing. For that reason, I dismiss the application.

Signed March 10, 2011



The Honourable Bruce I. Cohen,
Commissioner