

**COMMISSION OF INQUIRY INTO THE  
SPONSORSHIP PROGRAM  
AND ADVERTISING ACTIVITIES**

The Honourable John H. Gomery,  
Justice, Superior Court of Quebec

**MOTION FOR PARTY STANDING**

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Canada



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(OFFICE OF THE AUDITOR GENERAL OF CANADA)**

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**NOTICE OF MOTION FOR PARTY STANDING  
(OFFICE OF THE AUDITOR GENERAL OF CANADA)**

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**TAKE NOTICE THAT** the Office of the Auditor General of Canada seeks Party standing.

**THE MOTION IS FOR:**

1. an Order for Party standing for the Office of the Auditor General of Canada during the factual part of the Commission of Inquiry;

**THE GROUNDS FOR THE MOTION ARE:**

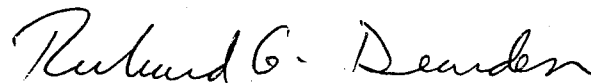
2. The Office of the Auditor General of Canada requested Intervenor standing and was granted Intervenor standing by the Commissioner on July 5, 2004. The Commissioner found that "since the mandate of the Commission is directly related to the Report of the Auditor General, the latter's participation in the factual inquiry is essential."
3. The mandate of the Commission includes an investigation of questions raised in Chapters 3 and 4 of the November 3, 2003 Report of the Auditor General of Canada to the House of Commons with regard to the sponsorship program and advertising activities of the Government of Canada. The Office of the Auditor General of Canada will therefore be directly and substantially affected by the evidence to be adduced before the Commission during the factual part of the Inquiry and by the findings of the Commission.

4. The Office of the Auditor General of Canada requests Party standing in the event that the need arises for the Office of the Auditor General of Canada to cross-examine any of the witnesses called before the Inquiry and in the event the need arises to make closing submissions at the end of the factual inquiry. The Office of the Auditor General has clearly ascertainable interests and perspectives that are essential to the Commissioner's mandate.
5. The Office of the Auditor General of Canada does not request an oral hearing regarding this Motion and requests that this Motion be dealt with in writing.

**THE FOLLOWING DOCUMENTARY EVIDENCE** will be relied upon in support of this Motion:

1. the Affidavit of Jean Ste-Marie, Q.C., Assistant Auditor General of Canada and Legal Advisor to the Auditor General of Canada, sworn August 5, 2004;
2. such further and other material as counsel may advise and this Honourable Commission of Inquiry may permit.

**DATED** at Ottawa this 5<sup>th</sup> day of August, 2004



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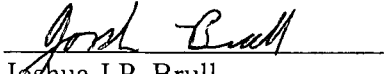
**AFFIDAVIT OF JEAN STE-MARIE, Q.C.**


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I, **JEAN STE-MARIE, Q.C.** of the City of Ottawa and Province of Ontario **MAKE OATH  
AND SAY AS FOLLOWS:**

1. I am the Assistant Auditor General of Canada and the Legal Advisor to the Auditor General of Canada. As such I have personal knowledge of the matters deposed to in this affidavit.
2. The Auditor General of Canada tabled her November 2003 Report in the House of Commons on February 10, 2004 ("the Report"). Chapters 3 and 4 the Report dealt with the sponsorship program and advertising activities of the Government of Canada.
3. The Office of the Auditor General of Canada maintains and supports the conclusions of its Report.
4. The mandate of the Commission includes an investigation of questions raised in Chapters 3 and 4 of the November 3, 2003 Report of the Auditor General of Canada to the House of Commons with regard to the sponsorship program and advertising activities of the Government of Canada. The Office of the Auditor General of Canada will therefore be directly and substantially affected by the evidence to be adduced before the Commission during the factual part of the Inquiry and by the findings of the Commission.

5. In granting Intervenor status to the the Office of the Auditor General of Canada, the Commissioner found that "since the mandate of the Commission is directly related to the Report of the Auditor General, the latter's participation in the inquiry is essential."
6. The Office of the Auditor General of Canada requests Party standing in the event that the need arises for the Office of the Auditor General of Canada to cross-examine any of the witnesses called before the Inquiry and in the event the need arises to make closing submissions at the end of the factual inquiry. The Office of the Auditor General has clearly ascertainable interests and perspectives that are essential to the Commissioner's mandate.
7. I make this affidavit in support of a motion by the Office of the Auditor General of Canada for Party standing and for no other purpose.

SWORN BEFORE ME )  
at the City of Ottawa in )  
the Province of Ontario )  
this 5th day of August, 2004 )  
)  
)  
 )  
Joshua J.P. Brull )  
A Commissioner for Taking )  
Oaths, in and for the Province )  
of Ontario )

  
\_\_\_\_\_  
JEAN STE-MARIE, Q.C.



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