

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

**In the Matter of Standing Before the Commission Inquiry into the  
Sponsorship Program and Advertising Activities**

**MOTION RECORD  
OF THE CONSERVATIVE PARTY OF CANADA**

May 31, 2004

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Party of Canada

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**NOTICE OF MOTION**

The Conservative Party of Canada (the "Conservative Party") will make a motion to the Commission of Inquiry into the Sponsorship Program and Advertising Activities (the "Commission"), pursuant to the Commission's *Rules of Procedure and Practice*, to be filed on or before May 31, 2004, and spoken to during the public standing hearing in Ottawa on June 21 to 23, 2004.

This motion requests that the Conservative Party be granted full standing for all portions of the Inquiry by the Honourable Mr. Justice Gomery of the Superior Court of Quebec, Commissioner appointed by Order in Council P.C. 2004-100 (the "Commissioner").

**THE GROUNDS FOR THE MOTION ARE:**

1. The Conservative Party is directly and substantially affected by the issues to be considered in Phase 1A of the Inquiry, including:
  - (i) the creation, purpose and objectives of the sponsorship program;

- (ii) the various roles of elected and non-elected public office holders and others inside and outside of the Government of Canada;
- (iii) whether Parliament was by-passed;
- (iv) whether there was political influence;
- (v) the potential gain of financial, political or other advantage arising from the activities associated with the sponsorship program;
- (vi) whether procedures, structures, reporting lines, systems for approvals and internal controls as implemented were sufficient;
- (vii) the degree of compliance with applicable rules, statutes, regulations and other relevant instruments and the effect of any non-compliance;
- (viii) the culture and structure of the Government of Canada and its impacts on whistleblowing; and
- (ix) the full path of the funds to the point where they were disbursed to non-Government of Canada sources.

2. The Conservative Party is further directly and substantially affected by the issues to be considered in Phase 1B of the Inquiry, including:

- (i) the identity of those who received the funds (as defined in the Phase 1B Issues List), the purpose for which the funds were disbursed, and particularly, the extent of the value for money received by the Government of Canada;
- (ii) whether there was political influence on the distribution of the funds; and
- (iii) the sufficiency of external monitoring and financial controls used by the recipients of the funds.

3. The Conservative Party represents clearly ascertainable interests and perspectives essential to the Commission's mandate, and its participation would enhance the work of the Commission with respect to the issues to be considered in Phase 1A of the Inquiry, including:

- (i) the creation, purpose and objectives of the sponsorship program;
- (ii) the various roles of elected and non-elected public office holders and others inside and outside of the Government of Canada;
- (iii) whether Parliament was by-passed;
- (iv) whether there was political influence;
- (v) the potential gain of financial, political or other advantage arising from the activities associated with the sponsorship program;
- (vi) whether procedures, structures, reporting lines, systems for approvals and internal controls as implemented were sufficient;
- (vii) the degree of compliance with applicable rules, statutes, regulations and other relevant instruments and the effect of any non-compliance;
- (viii) the culture and structure of the Government of Canada and its impacts on whistleblowing; and
- (ix) the full path of the funds to the point where they were disbursed to non-Government of Canada sources.

4. The Conservative Party represents clearly ascertainable interests and perspectives essential to the Commission's mandate, and its participation would enhance the work of the Commission with respect to the issues to be considered in Phase 1B of the Inquiry, including:

- (i) the identity of those who received the funds (as defined in the Phase 1B Issues List), the purpose for which the funds were disbursed, and particularly, the extent of the value for money received by the Government of Canada;
- (ii) whether there was political influence on the distribution of the funds; and
- (iii) the sufficiency of external monitoring and financial controls used by the recipients of the funds.

**THE FOLLOWING DOCUMENTARY EVIDENCE** will be used in support of this motion:

1. The affidavit of John Reynolds, sworn May 29, 2004.
2. The name, address, telephone and fax numbers, and e-mail address of the Conservative Party which is as follows:

**Conservative Party of Canada**

#1720 - 130 Albert Street  
Ottawa, Ontario  
K1P 5G4

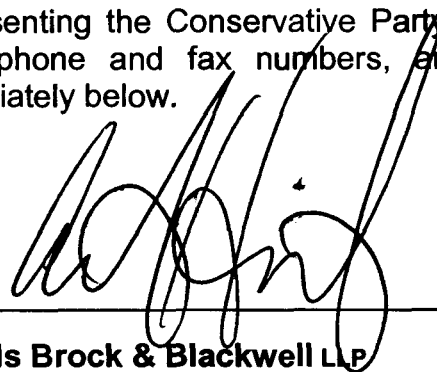
**Phone:** (613) 755-2000

**Fax:** (613) 755-2001

**Email:** chiefagent@conservative.ca

3. The names of the lawyers representing the Conservative Party together with the lawyers' address, telephone and fax numbers, and e-mail addresses which are noted immediately below.

May 31, 2004



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In the Matter of Standing Before the  
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**AFFIDAVIT OF JOHN REYNOLDS  
(sworn May 28, 2004)**

(Filed this 31st day of May, 2004)

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Solicitors for the Applicant, the Conservative Party of  
Canada

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**AFFIDAVIT OF JOHN REYNOLDS  
(sworn May 28, 2004)**

I, John Reynolds, of the Town of Gibsons, Province of British Columbia  
SWEAR THAT:

1. I am the duly elected Member of Parliament for the riding of West Vancouver—Sunshine Coast and the House Leader for the Conservative Party of Canada (“Conservative Party”) in Parliament. I have served as a Member of Parliament for more than eleven years, including the years from 1997 to present. As such, I have personal knowledge of the matters to which I herein depose.

2. Through its membership rolls and elected Members of Parliament, the Conservative Party represents a substantial number of Canadians who have an interest in ensuring, among other things, that public funds are properly spent and that proper controls are in place to ensure accountability when public expenditures are requisitioned, authorized and made. As such, the Conservative Party has a clearly ascertainable interest in all of the issues that form part of the mandate of the Commission of Inquiry into the Sponsorship Program and Advertising Activities (the “Commission”), including all those listed in the Commissioner’s Opening Statement dated May 7, 2004.



3. At all times relevant to the mandate of the Commission, the Conservative Party and/or its predecessor parties sat in opposition to the Government in the House of Commons. As part of the constitutional role of the opposition in Parliament, it is the responsibility of the Members of Parliament who are not in the governing party to hold the government to account for matters of public expenditure. In its opposition role, the Conservative Party was required to review and scrutinize the processes by which the Government determined public expenditures, the substance of those expenditures and the effect these processes and expenditures had on the Government of Canada, non-elected public office holders, Crown entities, and numerous stakeholders and interests outside the Government of Canada. Accordingly, the Conservative Party has expertise and an understanding of the competing and often conflicting interests which inevitably arise both inside and outside of government when issues regarding public expenditures are determined.

4. As a registered federal political party with a membership in excess of 250,000, the Conservative Party is uniquely situated to assess, discern and present questions relating to political influence on the distribution of public funds and the possible influence and/or relation of such distributions on contributions and gifts made to political parties. This unique knowledge and perspective will enhance the work of the Commission and assist it in fulfilling its mandate.

5. The Conservative Party has expertise and detailed knowledge of the roles and responsibilities of Ministers, the management of government departments as well as the procedures, structures, reporting lines and internal management systems of government. If it is granted the standing it requests, the Conservative Party has valuable experience, insight and perspective that will enhance the work of the Commission.

6. Members of the Conservative Party have served on committees of the House of Commons, including the House of Commons Standing Committee on Public Accounts ("Public Accounts Committee") which recently heard preliminary testimony relating to the sponsorship program and the November 2003 report of the Auditor General. Through the participation of its members on that committee, the Conservative Party gained knowledge and insight into facts and issues that form part of the Commission's mandate. If granted the full standing it requests, the Conservative Party will make appropriate use of that knowledge and insight to enhance the work of the Commission and to assist in ensuring the conduct of the Commissions' public proceedings are efficient and focussed only on those matters that form part of the Commission's mandate.

7. The contact information for the Conservative Party is as follows:

**Conservative Party of Canada**

#1720 - 130 Albert Street  
Ottawa, Ontario  
K1P 5G4

**Phone:** (613) 755-2000

**Fax:** (613) 755-2001

**Email:** [chiefagent@conservative.ca](mailto:chiefagent@conservative.ca)

8. The contact information of the lawyers representing the Conservative Party is as follows:

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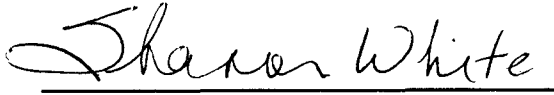
Tel: (416) 860-6514


Fax: (416) 642-7156

Email: [llivingstone@casselsbrock.com](mailto:llivingstone@casselsbrock.com)

9. I swear this affidavit in support of the motion by the Conservative Party for full standing as a party before the Commission and for no other or improper purpose.

SWORN BEFORE ME at the City of  
Vancouver, British Columbia on  
May 28, 2004.

  
Commissioner for taking affidavits

  
JOHN REYNOLDS

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