



PRACTICE DIRECTION

PUBLIC SUBMISSION OF INFORMATION TO THE RECORD OUTSIDE OF WITNESSES

Parties with standing have requested the ability to publicly tender information to the Commissioners by way of written submissions during the Part II or Part III hearings. For greater certainty, these submissions do not include material that will be put to a particular witness during the scheduled Part II or Part III hearings. As such they will not become exhibits within the proceedings however, relevant information that is submitted will constitute part of the record of the Inquiry upon which the Commissioners may rely in making their findings pursuant to Rules 8,9,10 30, 33, 34, 35 and 36 of the *Legal Path: Rules of Respectful Practice*.

The Commissioners direct the following process for public tendering of relevant information by way of submissions:

1. The subject matter of the information must directly relate to the subject matter of a Part II or III hearing.
2. Only parties or their designated advocate present for the hearing may publicly tender submissions on behalf of their party.
3. Forty Eight (48) hours before the commencement of the hearing, parties are to identify, in writing, to the Registrar and lead Commission Counsel their request to publicly tender a submission.
4. Subject to the absolute discretion of the Chief Commissioner or her designate, Parties will be assigned a date and approximate time to publicly tender the submission.
5. Times for the tendering of written submissions shall occur during breaks or at the conclusion of the hearings for the day and before closing ceremonies. Submissions will however be recorded in the same manner hearings.
6. Parties are not permitted to make oral submissions. Parties are required to provide a brief written cover letter outlining how their substantive submission is relevant to a particular Part II or Part III topic as well as a table of contents. Where possible, submissions should be made in affidavit form and in both official languages. Parties will also further advise if they attempted to identify to Commission counsel pursuant to rule 38 of the *Legal Path: Rules of Respectful Practice* a witness who could have been called to testify at a hearing about the submission.
7. Parties shall identify the title, author and date of any of the material included in their submission. Parties also shall indicate whether the material is publically available and indicate where the public can access the material as outlined in their submission.
8. Documents or submissions publicly submitted by a party during Part II or Part III hearings will not be considered a closing submission.
9. Parties are encouraged to make written submissions or provide material for the consideration of the Commissioners at any time prior to closing submissions and are not restricted to making public submissions as set out in this practice directive. Parties may submit material to the Registrar, Bryan Zandberg.