

Public Servants  
Disclosure Protection  
Tribunal Canada



Tribunal de la protection  
des fonctionnaires  
divulgateurs du Canada

**Citation: El-Helou v. Courts Administration Service, 2011 PSDPT 9**

**Tribunal File No. T-2011-01**

**Date: 20110823**

**Ottawa, Ontario, August 23, 2011**

**The Honourable Mr. Justice Martineau, Chairperson**

**Public Servants Disclosure Protection Tribunal**

**BETWEEN:**

**CHARBEL EL-HELOU**

Complainant

**-and-**

**COURTS ADMINISTRATION SERVICE**

**and**

**DAVID POWER**

**and**

**ÉRIC DELAGE**

Respondent(s)

**ORDER GRANTING INTERESTED PARTY STATUS IN RESPECT OF THE  
COMPLAINANT'S MOTION FOR AN ORDER REGARDING THE TRIBUNAL'S  
JURISDICTION**

**UPON THE MOTION** of Laurent Francoeur, Francine Côté and Eric Cloutier (the interested parties) dated August 5<sup>th</sup>, 2011 and filed with the Public Servants Disclosure Protection Tribunal (the Tribunal) on August 11<sup>th</sup>, 2011, for the granting of interested party

status in respect of the motion of Charbel El-Helou dated July 15<sup>th</sup>, 2011 for an order confirming the Tribunal's jurisdiction to deal with all reprisals alleged in the complaint;

**CONSIDERING** that an Application has been made by the Public Sector Integrity Commissioner of Canada (the Commission) pursuant to subsection 20.4(1) of the *Public Servants Disclosure Protection Act*, S.C. 2005, c., 46 to the Tribunal for a determination of whether or not a reprisal was taken against the complainant;

**CONSIDERING** that Mr. El-Helou has requested an order confirming the Tribunal's jurisdiction to deal with all reprisals alleged in this complaint;

**CONSIDERING** that this motion was made pursuant to Rules 12 and 13 and following of the *Public Servants Disclosure Protection Tribunal Rules of Procedure*, published in the Canada Gazette Part I on May 21<sup>st</sup>, 2011;

**CONSIDERING** that the interested parties intend to argue that the Tribunal does not have the jurisdiction to adjudicate the allegations made against them in the complaint;

**CONSIDERING** that the interested parties' position in respect of the complainant's motion will not otherwise be represented before the Tribunal and that the interested parties intend to argue that this violates the principles of natural justice; and

**CONSIDERING** that all parties consent to this motion and having reviewed the draft consent order submitted on August 12, 2011.

**THE TRIBUNAL ORDERS that:**

1. Laurent Francoeur, Francine Côté and Eric Cloutier are hereby added as interested parties in respect of the motion of Charbel El-Helou dated July 15<sup>th</sup>, 2011; and
2. The interested parties may not participate in other matters unless seeking leave and obtaining the permission of the Tribunal.

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"Luc Martineau"  
Chairperson