

**LINCOLN COUNTY BOARD OF EDUCATION v. INFORMATION AND
PRIVACY COMMISSION/ONTARIO**

Divisional Court File No. 289/93

Endorsement of Southey, J.
September 12, 1994

I am satisfied that the members of this Association of Test Publishers ("ATP") have a direct financial interest in the outcome of the judicial review proceedings brought by the Lincoln County Board. The utility and cost of their tests may be significantly affected. The outcome is also one of public importance. Consistent with the decision of this Court adding a local industry association as an intervenor in Temagami Wilderness Society v. Ontario (Minister of Environment) (1989), 33 O.A.C. 356, an order will go granting leave to ATP to intervene as an added party, but without the right to file any evidence on the application (see Keeprite (1980), 114 D.L.R. (3d) 162 at 170.)

ATP may deliver a factum within 30 days after service of the factum. The time for delivering the factum of the Commissioner is extended for 30 days after delivery of the ATP factum.

Counsel for ATP may have access to the sealed material on the same basis respecting confidentiality as counsel for the Board.

No order as to costs.

Southey, J.