



SUBJECT MATTER: _____

File No.: _____

DECLARATION AND UNDERTAKING

Counsel and Consultant

I, _____, act as counsel of record for
_____.

In this capacity, I request access to the confidential information in the record of the proceeding.

DECLARATION

I hereby declare that

- (a) I am ordinarily resident in Canada;
- (b) I am not a director, servant or employee of a party to the proceeding for which I act or of any other person known by me to be a party in the proceeding; and
- (c) I have read and understand subsection 45(3) of the *Canadian International Trade Tribunal Act* relating to the non-disclosure of information that is in its nature confidential.

UNDERTAKING

I hereby undertake

- (a) to use the information disclosed under the conditions of this Undertaking exclusively for duties performed in respect of the subject proceeding;
- (b) not to divulge information disclosed under the conditions of this Undertaking except to a person granted access to such information or to personnel of the Canadian International Trade Tribunal;
- (c) not to reproduce, in any manner, information disclosed under the conditions of this Undertaking without prior written approval by the Canadian International Trade Tribunal;
- (d) to keep confidential and to protect the information disclosed under the conditions of this Undertaking in the following manner, namely,
 - (i) I will keep in my office or under my control, at all times, the complete set of documents made available to me under the conditions of this Undertaking, and
 - (ii) I will store all documents and materials containing information disclosed under the conditions of this Undertaking in a locked vault, safe or other secure storage device when the

- documents and materials are not being used;
- (e) to return to the Secretary, under the direction of the Secretary, all documents and materials containing information disclosed under the conditions of this Undertaking, including notes, charts and memoranda based on such information, or to destroy such documents and materials and to file with the Secretary a certificate of destruction pertaining to the destroyed documents and materials at the end of the proceeding or within 10 days after the end of my participation in the proceeding;
 - (f) if the party that I represent files a Notice of Change of Counsel of Record, within 10 days after the filing of that Notice,
 - (i) to return to the Secretary, under the direction of the Secretary, all documents and materials containing information disclosed under the conditions of this Undertaking, including notes, charts and memoranda based on such information,
 - (ii) to destroy such documents and materials and to file with the Secretary a certificate of destruction pertaining to such destroyed documents and materials, or
 - (iii) to entrust such documents and materials to the new counsel who is replacing me in the proceeding, who has signed a Declaration and Undertaking and who has been granted access to such information;
 - (g) to report promptly to the Canadian International Trade Tribunal any violation of a Declaration and Undertaking; and
 - (h) to inform the Canadian International Trade Tribunal immediately of any changes in the facts referred to in this Undertaking.

Dated at _____ this _____ day of _____ 20__.

Signature: _____

Name (*Print*): _____

Address: _____

Telephone: _____

Fax: _____

E-mail: _____