

O R D E R

1. This Order may be cited as the Security Review Order.
2. In this Order,
  - (a) "department" means a department, corporation, agency or office named in the Schedule;
  - (b) "deputy minister" means
    - (i) with respect to a department named in Part I of the Schedule, the person who is the deputy of the Minister of that department,
    - (ii) with respect to a corporation named in Part II of the Schedule, the president, chairman, governor or other chief executive officer thereof,
    - (iii) with respect to an agency named in Part III of the Schedule, the chairman, chief commissioner, commissioner or other presiding member thereof, and
    - (iv) with respect to an office named in Part IV of the Schedule, the holder of the office;
  - (c) "Minister" means
    - (i) with respect to a department named in Part I of the Schedule, the member of the Queen's Privy Council for Canada presiding over that department,
    - (ii) with respect to a corporation, agency or office named in Part II, III or IV of the Schedule, the member of the Queen's Privy Council for Canada
      - (A) through whom it is responsible to Parliament for the conduct of its affairs,
      - (B) to whom it is responsible for its operations, or
      - (C) who reports its activities to, or lays its reports before, Parliament.
3. This Order applies to all employees who are employed in a department, except
  - (a) members of the Royal Canadian Mounted Police Force,
  - (b) members of the regular forces of the Canadian Forces, and
  - (c) persons who are not Canadian citizens and are serving outside Canada.

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4. When it has been tentatively decided, in accordance with government security policy, to discharge, or to recommend the discharge of, any employee on security grounds, the procedure prescribed by this Order shall be followed before the proposed discharge is effected.

5. (1) The deputy minister of the department concerned shall complete and deliver to the employee a notice stating that it is proposed to discharge the employee on security grounds and requesting the employee to notify the deputy minister in writing within two weeks whether he accepts the decision, whether he wishes to have a confidential inquiry made under this Order or whether he wishes to resign his position.

(2) An employee who fails to notify the deputy minister as provided in subsection (1) within the time limited thereby shall be deemed to have accepted the decision.

(3) If an employee accepts the decision the necessary steps to give effect thereto may be taken without further compliance with this Order.

6. If the employee elects to have a confidential inquiry made, the proposed discharge shall be deferred until after an inquiry has been conducted as set forth in this Order, and in the meantime the deputy minister shall take such steps in relation to such employee as are necessary to safeguard classified information.

7. (1) A confidential inquiry under this Order shall be conducted by a Board, to be known as the Security Review Board, nominated by the Minister of Justice and consisting of a Chairman and at least four other members.

(2) Three members of the Board designated by the Chairman constitute a quorum.

8. Where an employee has elected to have a confidential inquiry made under this Order, the deputy minister of the department concerned shall forthwith request the Security Review Board to make an inquiry, and the Board shall conduct a confidential inquiry in the manner prescribed in this Order and advise the Minister whether the proposed action would be justified having regard to the security policy of the government and the information obtained on the inquiry.

9. (1) The procedure for an inquiry under this Order shall be as follows:

- (a) the inquiry shall be held in private;
- (b) before the inquiry commences, the deputy minister shall prepare and deliver to the Board and the employee a document indicating, without risk of compromising sources of security information, the nature and duties of the position in question, the security implications with respect thereto of the government's security policy, and the nature of what is alleged about the employee;

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- (c) the Board shall first interview the appropriate departmental representatives alone and obtain the employee's employment record and other related information;
- (d) the Board shall then interview representatives of the appropriate government security service alone and thoroughly examine all security information relating to the employee, satisfying itself as to the weight to be attached to such information;
- (e) the Board shall then interview the employee alone and, as far as it can without revealing anything that would compromise sources of security information, give the employee an opportunity of answering what has been alleged about him;
- (f) the Board shall also interview such reasonable number of other persons as the employee may nominate to testify on his behalf;
- (g) the Board shall then, if it considers it advisable, again interview the representatives of the appropriate government security service alone, and, if it considers it advisable, also the appropriate departmental representatives alone;
- (h) if the Board has interviewed the representatives of the security service or the departmental representatives after its interview with the employee, it shall again interview the employee alone, to give him, as far as it can without revealing anything that would compromise sources of security information, a further opportunity of answering what has been alleged about him.

(2) An employee may, before or during an inquiry under this Order, or within such time thereafter as the Board allows, file a written statement.

10. The Board may recommend to the Minister of the department concerned the payment of reasonable expenses incurred by or on behalf of an employee by reason of an inquiry under this Order.

11.(1) When the advice of the Security Review Board has been received by the Minister, the tentative decision shall be reconsidered in the light of such advice, but, in deciding whether to proceed with the proposed discharge, the Minister concerned is not bound to act on such advice.

(2) The advice of the Board upon an inquiry shall be communicated by the Board only to the Minister.

12.(1) There shall be a secretary to the Security Review Board who shall, upon being advised by a department that an employee has elected to have a confidential inquiry, make all necessary arrangements for the necessary hearing or hearings.

(2) The Privy Council Office shall arrange to have the Security Review Board supplied with the secretary and such other assistants, supplies and space as it may require.

(3) The members of the Board shall be paid such amount per day for each day engaged on the work of the Board as the Treasury Board determines.

## SCHEDULE

### PART I

#### GOVERNMENT DEPARTMENTS

Department of Agriculture  
Department of Citizenship and Immigration  
Department of Defence Production  
Department of External Affairs  
Department of Finance  
Department of Fisheries  
Department of Insurance  
Department of Justice  
Department of Labour  
Department of Mines and Technical Surveys  
Department of National Defence  
Department of National Health and Welfare  
Department of National Revenue  
Department of Northern Affairs and National Resources  
Post Office Department  
Department of Public Works  
Department of Public Printing and Stationery  
Department of the Secretary of State of Canada  
Department of Trade and Commerce  
Department of Transport  
Department of Veterans Affairs

### PART II

#### CORPORATIONS

Atomic Energy Control Board  
Atomic Energy of Canada Limited  
Bank of Canada  
Canadian Arsenal Limited  
Canadian Broadcasting Corporation  
Canadian Maritime Commission  
Canadian Overseas Telecommunication Corporation  
Central Mortgage and Housing Corporation  
Crown Assets Disposal Corporation  
Eldorado Mining and Refining Limited  
National Harbours Board  
National Research Council  
Unemployment Insurance Commission

### PART III

#### AGENCIES

Air Transport Board  
Canadian Pension Commission  
Civil Service Commission  
National Film Board  
Royal Canadian Mounted Police Force  
War Veterans Allowance Board

### PART IV

#### OFFICES

Office of the Auditor General  
Office of the Clerk of the Privy Council  
Office of the Dominion Archivist