

SECURITY OF PERSONNEL IN THE PUBLIC SERVICE OF CANADA

(REVISION OF CABINET DIRECTIVE NO. 35)

1. Anyone hired or engaged to work in the service of Canada, may from time to time have access to knowledge which if divulged to other than authorized personnel, who have a need to know, could impair the security of Canada, or of countries providing Canada with material and information which we have an obligation to protect. Before anyone is appointed to such a position they must undergo a security clearance procedure, sufficiently thorough to satisfy the employing authority that the individual is wholly fit to be trusted with the information to which he may be given access by reason of his employment. It is essential, therefore, that personnel being considered for such employment provide sufficient personal data, to be subjected to verification by investigation, to permit a judgement to be made by an authorized government representative, as to their loyalty, reliability and suitability. Only those individuals whose integrity and loyalty can be firmly established by security clearance procedure will be permitted to fill positions of trust. Those, who in the judgement of the appraising authorities fail to meet this standard will not be appointed to a sensitive post or to a position which requires a security clearance. Decisions

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concerning the rejection of applicants for employment in the government service are irrevocable, however, serving employees will be given an opportunity to appeal to the Security Review Board, security decisions which adversely affect their employment. Evidence of any of the following raises a presumption of unfitness for such work and the exclusion of an individual on these grounds can only be overruled if sufficient favourable information is produced about the individual so that the presumption can be disregarded without prejudice to the national security. In so far as this order is concerned the term subversive organization is intended to include any organization or group whose aim is the dissolution of Canada or the overthrow of the legally established government by illegal means. The establishment of disloyalty or any exploitable character defect, either by security clearance procedures or personal security assessments, is equally relevant to the security assessment of an employee and will constitute grounds to deny employment in a position of trust in the government service. A judgement must be made, by heads of departments or agencies, to decide whether or not personnel in any of the following categories may be employed:

- a. A person who advocates the overthrow of the government by violent or subversive means or who is known to associate with or support individuals or groups whose aim is to disunite the Canadian nation and alter by other than democratic means our present form of government.

- b. A person who has recently been living with an individual, a parent, guardian, or spouse (lawful or otherwise) who has attempted to commit, or has aided or abetted another to commit, or attempt to commit, any act of sabotage, espionage, treason or sedition, or any breach of the provisions of the Official Secrets Act.
- c. A person who is or has been (other than in the course of his duties) knowingly, an associate of spies or saboteurs or of persons reasonably suspected of being such, or of representatives of foreign powers whose interests may be inimical to those of Canada or her allies.
- d. A person who is or has been a member of the Communist Party, or of a Fascist organization in Canada, or any other country, or of any other subversive organization.
- e. A person who is or has been a significant supporter, sympathiser, or advocate of any Communist, Fascist or subversive ideology, or is or has been a close associate of members of the Communist Party or of a Fascist organization, or of any other subversive organization.
- f. A person who is or has been a close associate of persons who, although not members of the Communist Party or of Fascist organization, or any other subversive organization, are known sympathisers with such an organization.

- g. A person who has been held captive or interned for a substantial period in enemy hands under conditions which are judged to have adversely influenced his loyalty to Canada.
- h. A person who has deliberately omitted important personal information from or falsified a Personal History Form , or a security questionnaire.
- i. A person who has been judged to be unsuitable for any of the following reasons which might affect his reliability:
 - 1. Conviction for criminal offences indicating consistently criminal tendencies or dishonesty, except in an individual who committed an offence in his youth or who by continuous good conduct for a meaningful period of time has shown evidence of reform.
 - 2. Excessive debt or extravagant spending habits, unsupported by legitimate income.
 - 3. Venality.
 - 4. Illicit sexual activities, misconduct, or indiscretion which could be exploited by a hostile intelligence agent.

5. Drug addiction or in contravention of the law, participation in the sale, use, distribution, or purchase of any substance that is a drug within the meaning of the Opium and Narcotic Drug Act or other Statutes of Canada.
 6. Habitual use of intoxicating beverages to excess.
 7. Mental imbalance or instability when diagnosed as such by a competent medical authority.
 8. Such other aspects of character weakness as might affect his reliability or performance or invite blackmail or pressure from a hostile intelligence service.
- j. A person who although in no sense disloyal or unreliable is bound by close ties of blood or continuing affection to persons living within the borders of foreign nations which employ harassment or intimidation of their nationals in order to bring intolerable pressures to bear on relatives or friends employed in the service of the Canadian Government.
- k. A person whose reliability cannot be established because of a lack of reciprocal arrangements for a background check with foreign security authorities.

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2. In determining the acceptability of placing a person in a position of trust, the interests of national security must take precedence but the individual's right and privacy should also be safeguarded to preserve the society which we seek to protect. All persons, prior to being appointed permanently or temporarily to work for the government of Canada, will undergo a reliability screening regardless of the type of work they will undertake. This screening will consist of a fingerprint check, and a subversive indices check. However, only those personnel who are to be employed in sensitive work will be granted a security clearance to the level required to enable them to perform their job, ie., Confidential or Secret. Personnel requiring a higher level of clearance will be the subject of a full field investigation by the National Security Service. On completion of a favourable field report they may be granted access to TOP SECRET information, or be indoctrinated to such other category or specialty as may be deemed necessary. Security clearances shall be updated every five years and if during such updating, or at any time prior to this, evidence is revealed that a person is a security risk, the security clearance will be withdrawn. Nothing in this directive limits in any way the rights of the Armed Forces to conduct field checks through their own resources for personnel employed with or on behalf of the Department of National Defence.

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3. It is the responsibility of each department or agency head to nominate a competent senior official who has been indoctrinated through education or experience to the principles and procedures of security administration to act as departmental security officer. The official so nominated shall be cleared for security to the highest level and be made responsible to the head or deputy head of his department for the implementation of existing security policies and procedures.

4. The protection of classified information, or material belonging to the Canadian Government is the duty of all government employees, but the overall responsibility must rest with the heads of departments. A programme of security education shall be implemented by the DSO in each agency and department, to alert employees to their responsibilities and duties.

5. The policies contained in this directive are mandatory and the overall responsibility for their implementation rests with the heads of departments.