

ORDER

1. This Order may be cited as the Security Review Order.
2. This Order applies to all departments named in Schedule A to the Financial Administration Act.
3. When it has been tentatively decided, in accordance with current 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.
4. (1) The deputy minister of the department concerned shall complete and deliver to the employee a notice in the form set out in Schedule A stating that it is proposed to discharge the employee on security grounds and requesting the employee to notify the deputy minister in writing within ten days 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.
5. 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.
6. (1) A confidential inquiry under this Order shall be conducted by a Committee, to be known as the Security Review Committee, nominated by the Minister of Justice and consisting of a Chairman and at least four other members.  
  
(2) Three members of the Committee designated by the Chairman constitute a quorum.
7. Where an employee has elected to have a confidential inquiry made under this Order, the Minister of the department concerned shall forthwith request the Security Review Committee to make an inquiry, and the Committee 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
  - (a) the current security policy of the government and
  - (b) the security information obtained on the inquiry.
8. (1) The procedure for an inquiry under this Order shall be as follows:

..2

005772

AGC-0880\_0001

- 2 -

- (a) the inquiry shall be held in private;
- (b) before the inquiry commences, the deputy minister shall prepare and deliver to the Committee and the employee a document clearly indicating, in as much detail as is possible 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 current security policy, and the nature of what is alleged about the employee;
- (c) the Committee shall first interview the appropriate departmental representatives alone and obtain the employee's employment record and other related information;
- (d) the Committee 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 Committee 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 Committee shall also interview such reasonable number of other persons as the employee may nominate to testify as to his record or reliability or character;
- (g) the Committee 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 Committee 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 Committee allows, file a written statement.

9. The Committee 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.

..3

005773

AGC-0880\_0002

10. When the advice of the Security Review Committee 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.

11. (1) There shall be a secretary to the Security Review Committee 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 Committee supplied with the secretary and such other assistants, supplies and space as it may require.

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