

CONFIDENTIAL

ANNEX A  
TO 1605-19-36 (DGPCOR)  
DATED 23 FEB 87

11. WHEN THE COMMITTEE CONCLUDES THAT THERE IS NOT REASONABLE CERTAINTY THAT THE MEMBER CONCERNED HAS BEEN INVOLVED IN INAPPROPRIATE CONDUCT, THE COMMITTEE SHALL RETURN ALL COPIES OF THE INVESTIGATION REPORT TO THE MEMBER'S COMMANDING OFFICER, WITH INSTRUCTIONS THAT THE ACTION DESCRIBED IN PARA 9 OF THIS ORDER IS TO BE TAKEN WITH REGARD TO DESTRUCTION OF RECORDS, SUBJECT TO ANY CRIMINAL OR DISCIPLINARY PROCEEDINGS WHICH HAVE BEEN OR MAY BE INITIATED. IN ANY OTHER CIRCUMSTANCE, THE COMMITTEE SHALL TAKE THE FOLLOWING ACTION:

- A. IF THE CONDUCT IS DETERMINED TO HAVE OCCURRED UNDER CIRCUMSTANCES WHICH, IN THE OPINION OF THE COMMITTEE, DO NOT JUSTIFY RELEASE, SUCH AS BEING AN ISOLATED INCIDENT WHICH IS OUT OF CHARACTER AND CRIMINAL OR DISCIPLINARY PROCEEDINGS ARE NOT INVOLVED, DIRECT THAT THE MEMBER BE RETAINED; OR
- B. IN ANY OTHER CIRCUMSTANCES, TAKE APPROPRIATE ACTION FOR THE RELEASE OF THE MEMBER FROM THE CANADIAN FORCES, NORMALLY UNDER ITEM 5(D) OR 5(F) OF THE TABLE TO QR&O 15.01, NOT ADVANTAGEOUSLY EMPLOYABLE OR UNSUITABLE FOR FURTHER SERVICE, OR, WHERE DISCIPLINARY OR CRIMINAL MISCONDUCT IS INVOLVED, SUCH LESS FAVOURABLE RELEASE ITEM AS THE COMMITTEE MAY DEEM APPROPRIATE.

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12. WHEN THE COMMITTEE DETERMINES THAT THERE IS SUFFICIENT EVIDENCE TO SUBSTANTIATE THE INITIATION OF RELEASE PROCEEDINGS, IT SHALL:

- A. CAUSE ACTION TO BE TAKEN IN ACCORDANCE WITH QR&O ART 15.21 OR 15.36 AS APPROPRIATE, IN THE CASE OF A MEMBER TO WHOM EITHER OF THOSE ARTICLES APPLIES, OR
- B. IN OTHER CIRCUMSTANCES, REFER THE CASE TO THE NORMAL RELEASE AUTHORITY; AND
- C. ENSURE THAT THE MEMBER IS AWARE OF HIS OR HER RIGHT TO APPLY FOR REDRESS OF GRIEVANCE UNDER THE PROVISIONS OF SECTION 29 OF THE NATIONAL DEFENCE ACT AND QR&O ART 19.26.

REQUEST FOR ~~VOLUNTARY~~ RELEASE

13. THE INVOLVEMENT OF A MEMBER IN THE PROCEEDINGS DESCRIBED IN THIS ORDER SHALL NOT DEPRIVE SUCH MEMBER OF THE RIGHT TO APPLY FOR HIS OR HER RELEASE. ~~IN ACCORDANCE WITH QR&O ART 15.18 OR CFAO 15-2, AS APPROPRIATE.~~

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