

**Comparison of Versions of Bill C-22 in the 42<sup>nd</sup> Parliament of Canada  
National Security and Intelligence Committee of Parliamentarians Act.**  
Prepared 2017-04-14 for Canadian Unitarians for Social Justice (see notes at end)

Paragraphs or lines of one version which differ from both other versions are **highlighted**.  
 First column highlighted - amended in committee.  
 Second column highlighted - amended in committee, amendment reversed in third reading.  
 Third column highlighted - amended in third reading.

| First Reading<br>2016-06-16                                                                                                                   | As amended by Commons Standing<br>Committee on Public Safety and National<br>Security<br>2016-12-08                                           | Third reading<br>2017-04-04                                                                                                                   |
|-----------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------|
| Bill C-22                                                                                                                                     | Bill C-22                                                                                                                                     | Bill C-22                                                                                                                                     |
| An Act to establish the National Security and Intelligence Committee of Parliamentarians and to make consequential amendments to certain Acts | An Act to establish the National Security and Intelligence Committee of Parliamentarians and to make consequential amendments to certain Acts | An Act to establish the National Security and Intelligence Committee of Parliamentarians and to make consequential amendments to certain Acts |
| Her Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:                              | Her Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:                              | Her Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:                              |
| Short Title                                                                                                                                   | Short Title                                                                                                                                   | Short Title                                                                                                                                   |
| Short title<br>1 This Act may be cited as the National Security and Intelligence Committee of Parliamentarians Act.                           | Short title<br>1 This Act may be cited as the National Security and Intelligence Committee of Parliamentarians Act.                           | Short title<br>1 This Act may be cited as the National Security and Intelligence Committee of Parliamentarians Act.                           |
| Interpretation                                                                                                                                | Interpretation                                                                                                                                | Interpretation                                                                                                                                |
| Definitions<br>2 The following definitions apply in this Act.                                                                                 | Definitions<br>2 The following definitions apply in this Act.                                                                                 | Definitions<br>2 The following definitions apply in this Act.                                                                                 |
| appropriate Minister means                                                                                                                    | appropriate Minister means                                                                                                                    | appropriate Minister means                                                                                                                    |

(a) with respect to a department named in Schedule I to the Financial Administration Act, the Minister presiding over the department;

(b) with respect to a division or branch of the federal public administration set out in column I of Schedule I.1 to the Financial Administration Act, the Minister set out in column II of that Schedule;

(c) with respect to a corporation named in Schedule II to the Financial Administration Act, the Minister designated as the appropriate Minister by order of the Governor in Council made under that Act; or

(d) with respect to the Canadian Forces, the Minister of National Defence. (ministre compétent)

Committee means the National Security and Intelligence Committee of Parliamentarians established by section 4. (Comité)

department means, except in subsection 25(2), a department named in Schedule I to the Financial Administration Act, a division or branch of the federal public administration — other than a review body — set out in column I of Schedule I.1 to that Act, a corporation named in Schedule II to that Act or the Canadian Forces. (ministère)

review body means

(a) with respect to a department named in Schedule I to the Financial Administration Act, the Minister presiding over the department;

(b) with respect to a division or branch of the federal public administration set out in column I of Schedule I.1 to the Financial Administration Act, the Minister set out in column II of that Schedule;

(c) with respect to a corporation named in Schedule II to the Financial Administration Act, the Minister designated as the appropriate Minister by order of the Governor in Council made under that Act;

(c.1) with respect to a parent Crown corporation as defined in subsection 83(1) of the Financial Administration Act, the appropriate Minister as defined in that subsection; or

(d) with respect to the Canadian Forces, the Minister of National Defence. (ministre compétent)

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review body means

(a) the Civilian Review and Complaints Commission for the Royal Canadian Mounted Police established by subsection 45.29(1) of the Royal Canadian Mounted Police Act;

(b) the Commissioner of the Communications Security Establishment appointed under subsection 273.63(1) of the National Defence Act; or

(c) the Security Intelligence Review Committee established by subsection 34(1) of the Canadian Security Intelligence Service Act. (organisme de surveillance)

Secretariat means the Secretariat of the National Security and Intelligence Committee of Parliamentarians established by subsection 24(1). (Secrétariat)

Designation of Minister

Power of Governor in Council  
3 The Governor in Council may designate a member of the Queen's Privy Council for Canada to be the Minister for the purposes of this Act.

Committee and Members

Committee established  
4  
(1) The National Security and Intelligence Committee of Parliamentarians is established, consisting of a Chair and up to eight other members, each of whom must be a member of either House of Parliament other than a minister of the Crown, a minister of state or a parliamentary secretary.

Members

(a) the Civilian Review and Complaints Commission for the Royal Canadian Mounted Police established by subsection 45.29(1) of the Royal Canadian Mounted Police Act;

(b) the Commissioner of the Communications Security Establishment appointed under subsection 273.63(1) of the National Defence Act; or

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Members

(2) The Committee is to consist of not more than two members who are members of the Senate and not more than seven members who are members of the House of Commons. Not more than four Committee members who are members of the House of Commons may be members of the government party.

#### Not a committee of Parliament

(3) The Committee is not a committee of either House of Parliament or of both Houses.

#### Appointment of members

5

(1) The members of the Committee are to be appointed by the Governor in Council, on the recommendation of the Prime Minister, to hold office during pleasure until the dissolution of Parliament following their appointment.

#### Consultation with members of Senate

(2) A member of the Senate may be appointed to the Committee only after the Prime Minister has consulted with one or more other members of the Senate.

#### Members of other parties

(3) A member of the House of Commons who belongs to a party that is not the government party and that has a recognized membership of 12 or more persons in that House may be appointed to the Committee only after the

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#### Nomination deadline

(1.1) After a general election, the members of the Committee are to be appointed within 60 days after the day on which Parliament is summoned to sit.

#### Consultation

(2) A member of the Senate may be appointed to the Committee only after the Prime Minister has consulted with the persons referred to in paragraphs 62(a) and (b) of the Parliament of Canada Act and the leader of every caucus and of every recognized group in the Senate.

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#### Ceasing to be member

(4) A member of the Committee ceases to be a member on being appointed a minister of the Crown, a minister of state or a parliamentary secretary or on ceasing to be a member of the Senate or the House of Commons.

#### Resignation

(5) A member may resign by notifying the Prime Minister in writing of their intention to resign and the member ceases to be a member on the day on which the Prime Minister receives the notification or on the date specified in the notification, whichever is later.

#### Designation of Chair

6

(1) The Governor in Council is to designate the Chair of the Committee from among the members of the Committee, on the recommendation of the Prime Minister.

#### Absence or incapacity

(2) If the Chair is absent or incapacitated or the office of Chair is vacant, the Committee may designate one of its other members to act as Chair, but the member must not be so designated for more than 90 days without the Governor in Council's approval.

#### Expenses

7 Each member of the Committee is entitled to be paid, in accordance with Treasury Board directives, reasonable travel and living expenses incurred by the member in the exercise of their powers or the performance of their duties or functions.

Prime Minister has consulted with the leader of that party.

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Mandate of Committee

Review of national security matters  
8

The mandate of the Committee is to review

(a) the legislative, regulatory, policy, administrative and financial framework for national security and intelligence;

(b) any activity carried out by a department that relates to national security or intelligence, unless the appropriate Minister determines that the review would be injurious to national security; and

(c) any matter relating to national security or intelligence that a minister of the Crown refers to the Committee.

Cooperation

9 The Committee and each review body are to take all reasonable steps to cooperate with each other to avoid any unnecessary duplication of work by the Committee and

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(c) any matter relating to national security or intelligence that a minister of the Crown refers to the Committee.

Review injurious to national security  
(2) If the appropriate Minister determines that a review would be injurious to national security, he or she must inform the Committee of his or her determination and the reasons for it.

Review no longer injurious  
(3) If the appropriate Minister determines that the review would no longer be injurious to national security or if the appropriate Minister is informed that the activity is no longer ongoing, he or she must inform the Committee that the review may be conducted.

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that review body in relation to the fulfilment of their respective mandates.

#### Security and Confidentiality

Compliance with security requirements  
10 Each member of the Committee must

(a) obtain and maintain the necessary security clearance from the Government of Canada;

(b) take the oath or solemn affirmation set out in the schedule; and

(c) comply with the procedures and practices set out in the regulations.

#### Disclosure prohibited

11

(1) Subject to subsection (2), a member or former member of the Committee, the executive director or a former executive director of the Secretariat or a person who is or was engaged by the Secretariat must not knowingly disclose any information that they obtained, or to which they had access, in the course of exercising their powers or performing their duties or functions under this Act and that a department is taking measures to protect.

#### Exceptions

(2) A person referred to in subsection (1) may disclose information referred to in that subsection for the purpose of exercising their powers or performing their duties or functions under this Act or as required by any other law.

#### Parliamentary privilege

12

(1) Despite any other law, no member or

that review body in relation to the fulfilment of their respective mandates.

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#### Exceptions

(2) A person referred to in subsection (1) may disclose information referred to in that subsection for the purpose of exercising their powers or performing their duties or functions under this Act or as required by any other law.

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#### Exceptions

(2) A person referred to in subsection (1) may disclose information referred to in that subsection for the purpose of exercising their powers or performing their duties or functions under this Act or as required by any other law.

#### Parliamentary privilege

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(1) Despite any other law, no member or

former member of the Committee may claim immunity based on parliamentary privilege in a proceeding against them in relation to a contravention of subsection 11(1) or of a provision of the Security of Information Act or in relation to any other proceeding arising from any disclosure of information that is prohibited under that subsection.

#### Evidence

(2) A statement made by a member or former member of the Committee before either House of Parliament or a committee of the Senate, of the House of Commons or of both Houses of Parliament is admissible in evidence against them in a proceeding referred to in subsection (1).

#### Access to Information

##### Right of access

13

(1) Despite any other Act of Parliament but subject to sections 14 and 16, the Committee is entitled to

have access to any information that is under the control of a department and that is related to the fulfilment of the Committee's mandate.

##### Protected information

(2) The information includes information that is protected by litigation privilege or solicitor-client privilege or, in civil law, by immunity from disclosure or the professional secrecy of advocates and notaries.

##### Inconsistency or conflict

(3) In the event of any inconsistency or conflict between subsection (1) and any provision of an Act of Parliament other than this Act, subsection (1) prevails to the extent of the inconsistency or conflict.

former member of the Committee may claim immunity based on parliamentary privilege in a proceeding against them in relation to a contravention of subsection 11(1) or of a provision of the Security of Information Act or in relation to any other proceeding arising from any disclosure of information that is prohibited under that subsection.

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#### Access to Information

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(1) Despite any other Act of Parliament but subject to sections 14 and 16, the Committee is entitled to send for persons, papers and records, and to have access to any information that is under the control of a department and that is related to the fulfilment of the Committee's mandate.

##### Protected information

(2) The information includes information that is protected by litigation privilege or solicitor-client privilege or, in civil law, by immunity from disclosure or the professional secrecy of advocates and notaries.

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(2) The information includes information that is protected by litigation privilege or by solicitor-client privilege or the professional secrecy of advocates and notaries.

##### Inconsistency or conflict

(3) In the event of any inconsistency or conflict between subsection (1) and any provision of an Act of Parliament other than this Act, subsection (1) prevails to the extent of the inconsistency or conflict.



Exceptions

14 The Committee is not entitled to have access to any of the following information:

(a) a confidence of the Queen's Privy Council for Canada, as defined in subsection 39(2) of the Canada Evidence Act;

(b) information respecting ongoing defence intelligence activities supporting military operations, including the nature and content of plans in support of those military operations;

(c) information the disclosure of which is described in subsection 11(1) of the Witness Protection Program Act;

(d) the identity of a person who was, is or is intended to be, has been approached to be, or has offered or agreed to be, a confidential source of information, intelligence or assistance to the Government of Canada, or the government of a province or of any state allied with Canada, or information from which the person's identity could be inferred;

(e) information relating directly to an ongoing investigation carried out by a law enforcement agency that may lead to a prosecution;

(f) information referred to in subsection 36(1) of the Investment Canada Act;

(g) information that has been received or collected by the Financial Transactions and Reports Analysis Centre of Canada under the Proceeds of Crime (Money Laundering) and Terrorist Financing Act and that has not been disclosed to a department under subsection

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55(3), 55.1(1), 65(1), 65.01(1) or 65.02(1) of that Act.

Request for information  
15

(1) If the Committee is entitled to have access to information that is under the control of a department, the Committee may make a request to the appropriate Minister for that department that the information be provided to the Committee.

Exception

(2) If the Committee requests information that has been received or

collected by the Financial Transactions and Reports Analysis Centre of Canada under the Proceeds of Crime (Money Laundering) and Terrorist Financing Act and that has been disclosed to a department under subsection 55(3), 55.1(1), 65(1), 65.01(1) or 65.02(1) of that Act, the Committee may make the request only to the appropriate Minister for that department.

Request for information  
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(1) If the Committee is entitled to have access to information that is under the control of a department, the Committee may make a request to the appropriate Minister for that department that the information be provided to the Committee.

Exception

(2) If the Committee requests information that is in respect of an identifiable person or entity, that has been received or

collected by the Financial Transactions and Reports Analysis Centre of Canada under the Proceeds of Crime (Money Laundering) and Terrorist Financing Act and that has been disclosed to a department under subsection 55(3), 55.1(1), 65(1), 65.01(1) or 65.02(1) of that Act, the Committee may make the request only to the appropriate Minister for that department.

Department—parent Crown corporation  
(2.1) If the requested information is under the control of a department that is a parent Crown corporation, the department must, at the request of the appropriate Minister, provide the information to that Minister.

Compliance

(2.2) Compliance by a department with subsection (2.1) is deemed to be in the best interests of the department.

Provision of information

(3) After the appropriate Minister receives the request, he or she must provide or cause to be provided to the Committee, in a timely

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Compliance

(2.2) Compliance by a department with subsection (2.1) is deemed to be in the best interests of the department.

Provision of information

(3) After the appropriate Minister receives the request, he or she must provide or cause to be provided to the Committee, in a timely

manner, the requested information to which it is entitled to have access.

#### Information provided orally

(4) The appropriate Minister or officials of the department may appear before the Committee to provide the information orally.

#### Refusal of information

16

(1) The appropriate Minister for a department may refuse to provide information to which the Committee would, but for this section, otherwise be entitled to have access and that is under the control of that department, but only if he or she is of the opinion that

(a) the information constitutes special operational information, as defined in subsection 8(1) of the Security of Information Act; and

(b) provision of the information would be injurious to national security.

#### Reasons

(2) If the appropriate Minister refuses to provide information under subsection (1), he or she must inform the Committee of his or her decision and the reasons for the decision.

#### Review bodies informed of decision

(3) If the appropriate Minister makes the decision in respect of any of the following information, he or she must provide the decision and reasons to,

(a) in the case of information under the control of the Royal Canadian Mounted Police, the Civilian Review and Complaints Commission for the Royal Canadian Mounted Police;

manner, the requested information to which it is entitled to have access.

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16 [Deleted]

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(3) If the appropriate Minister makes the decision in respect of any of the following information, he or she must provide the decision and reasons to,

(a) in the case of information under the control of the Royal Canadian Mounted Police, the Civilian Review and Complaints Commission for the Royal Canadian Mounted Police;

(b) in the case of information under the control of the Communications Security Establishment, the Commissioner of the Communications Security Establishment; and

(c) in the case of information under the control of the Canadian Security Intelligence Service, the Security Intelligence Review Committee.

#### Procedure

##### Meetings — call of Chair

17 The Committee is to meet at the call of the Chair.

##### Meetings held in private

18 Meetings of the Committee are to be held in private if any information that a department is taking measures to protect is likely to be disclosed during the course of the meeting or if the Chair considers it to be otherwise necessary.

#### Voting

19 The Chair may vote at meetings of the Committee and, in the case of an equality of votes, also has a deciding vote.

#### Procedure

20 Subject to the provisions of this Act and the regulations, the Committee may determine the procedure to be followed in the exercise of any of its powers or the performance of any of its duties or functions, including in respect of the appearance of persons before the Committee.

#### Reports

##### Annual report

21



(b) in the case of information under the control of the Communications Security Establishment, the Commissioner of the Communications Security Establishment; and

(c) in the case of information under the control of the Canadian Security Intelligence Service, the Security Intelligence Review Committee.

#### Procedure

##### Meetings — call of Chair

17 The Committee is to meet at the call of the Chair.

##### Meetings held in private

18 Meetings of the Committee are to be held in private if any information that a department is taking measures to protect is likely to be disclosed during the course of the meeting or if the Chair considers it to be otherwise necessary.

#### Voting

19 The Chair may vote at meetings of the Committee only in the case of a tie.

#### Procedure

20 Subject to the provisions of this Act and the regulations, the Committee may determine the procedure to be followed in the exercise of any of its powers or the performance of any of its duties or functions, including in respect of the appearance of persons before the Committee.

#### Reports

##### Annual report

21

(1) Each year the Committee must submit to the Prime Minister a report of the reviews it conducted during the preceding year. The report must contain the Committee's findings, its recommendations, if any, and any summary referred to in subsection (3).

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(b) its recommendations, if any;

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(d) the number of times in the preceding year that an appropriate Minister

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(ii) decided to refuse to provide information under subsection 16(1).

#### Special report

(2) If, in the Committee's opinion, a special report on any matter related to its mandate is necessary, it may, at any time, submit such a report to the Prime Minister and the minister concerned.

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#### Summary of special report

(3) The Committee may prepare a summary of a special report and, on submitting the report, must notify the Prime Minister of its intention to do so.

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#### Special report not to be tabled

(4) Subsection (5) does not apply to a special report that is the subject of a notification under subsection (3) and that report is not to be laid before either House of Parliament.

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(4) Subsection (5) does not apply to a special report that is the subject of a notification under subsection (3) and that report is not to be laid before either House of Parliament.

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#### Direction to submit revised report

(5) If, after consulting the Chair of the

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Committee, the Prime Minister is of the opinion that information in an annual or special report is information the disclosure of which would be injurious to national security, national defence or international relations or is information that is protected by litigation privilege or solicitor-client privilege or, in civil law, by immunity from disclosure or the professional secrecy of advocates and notaries, the Prime Minister may direct the Committee to submit to the Prime Minister a revised version of the annual or special report that does not contain that information.

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#### Revised version of report

(5.1) If the Committee is directed by the Prime Minister to submit a revised version, the revised version must be clearly identified as a revised version and must indicate the extent of, and the reasons for, the revisions.

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#### Tabling

(6) Subject to subsection (4), the Prime Minister must cause to be laid before each House of Parliament, on any of the first 45 days on which that House is sitting after a report is submitted under subsection (1) or (2), a copy of the report or, if the Committee was directed to submit a revised version, a copy of the revised version.

#### Tabling

(6) Subject to subsection (4), the Prime Minister must cause to be laid before each House of Parliament, on any of the first 30 days on which that House is sitting after a report is submitted under subsection (1) or (2), a copy of the report or, if the Committee was directed to submit a revised version, a copy of the revised version.

#### Tabling

(6) Subject to subsection (4), the Prime Minister must cause to be laid before each House of Parliament, on any of the first 30 days on which that House is sitting after a report is submitted under subsection (1) or (2), a copy of the report or, if the Committee was directed to submit a revised version, a copy of the revised version.

#### Referral

(7) After it is tabled, the annual or special report stands referred to

(a) the Standing Committee on National Security and Defence of the Senate or, if there is not a Standing Committee on National Security and Defence, the appropriate committee of the Senate, as determined by its rules; and

(b) the Standing Committee on Public Safety

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Review Bodies

Provision of information to Committee  
22

(1) Despite any provision of any other Act of Parliament — including section 45.47 of the Royal Canadian Mounted Police Act — but subject to subsection (2), a review body may provide to the Committee information that is under its control and that is related to the fulfilment of the Committee’s mandate.

Exceptions

(2) The review body must not provide to the Committee

(a) information that is referred to in section 14; or

(b) information that is the subject of a decision that has been provided to the review body under subsection 16(3).

Provision of information to review bodies  
23 The Committee may provide,

(a) to the Civilian Review and Complaints Commission for the Royal Canadian Mounted Police, information that is obtained from — or that is created by the Committee from information obtained from — the Royal Canadian Mounted Police and that is related to the fulfilment of that review body’s mandate;

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Communications Security Establishment, information that is obtained from — or that is created by the Committee from information obtained from — the Communications Security Establishment and that is related to the fulfilment of that review body’s mandate; or

(c) to the Security Intelligence Review Committee, information that is obtained from — or that is created by the Committee from information obtained from — the Canadian Security Intelligence Service and that is related to the fulfilment of that review body’s mandate.

Secretariat

Secretariat established  
24

(1) The Secretariat of the National Security and Intelligence Committee of Parliamentarians is established.

Role

(2) The Secretariat is to assist the Committee in fulfilling its mandate.

Office

(3) The head office of the Secretariat is to be in the National Capital Region as described in the schedule to the National Capital Act.

Executive director  
25

(1) There is to be an executive director of the Secretariat, who is to be appointed by the Governor in Council to hold office during pleasure for a term of up to five years. The executive director is eligible to be reappointed on the expiry of a first or subsequent term of office.

Communications Security Establishment, information that is obtained from — or that is created by the Committee from information obtained from — the Communications Security Establishment and that is related to the fulfilment of that review body’s mandate; or

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Deputy head

(2) The executive director has the rank and all the powers of a deputy head of a department.

Absence or incapacity

26 If the executive director is absent or incapacitated or the office of executive director is vacant, the Minister designated under section 3 may designate another person to act as executive director, but a person must not be so designated for more than 90 days without the Governor in Council's approval.

Remuneration and expenses

27

(1) The executive director is to be paid the remuneration that is fixed by the Governor in Council and is entitled to be paid reasonable travel and living expenses incurred in the exercise of their powers or the performance of their duties or functions while absent from their ordinary place of work.

Compensation

(2) The executive director is deemed to be a person employed in the public service for the purposes of the Public Service Superannuation Act and to be employed in the federal public administration for the purposes of the Government Employees Compensation Act and any regulations made under section 9 of the Aeronautics Act.

Chief executive officer

28 The executive director is the chief executive officer of the Secretariat and has the control and management of the Secretariat and all matters connected with it.

Contracts, etc.

29 The executive director may enter into

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#### Employees

30 The employees of the Secretariat are to be appointed in accordance with the Public Service Employment Act.

#### General Provisions

##### Final decision

31

(1) The appropriate Minister's determination that a review referred to in paragraph 8(b) would be injurious to national security or the appropriate Minister's decision to refuse to provide information under subsection 16(1) is final.

##### Committee's response

(2) If the Committee is dissatisfied with the determination or the decision, the Committee is not to bring the matter before the courts, but it may note its dissatisfaction in a report referred to in section 21.



Expenses — appearance before Committee  
32 Subject to the regulations, a person is entitled to be paid reasonable travel and living expenses incurred as a result of their

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##### Compliance of activity

31.1 The Committee must inform the appropriate Minister and the Attorney General of Canada of any activity that is carried out by a department and is related to national security or intelligence and that, in the Committee's opinion, may not be in compliance with the law.

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#### Regulations

33 The Governor in Council may make regulations

(a) respecting the procedures and practices for the secure handling, storage, transportation, transmission and destruction of information or documents provided to or created by the Committee;

(b) respecting the procedure to be followed by the Committee in the exercise of any of its powers or the performance of any of its duties or functions;

(c) respecting the expenses referred to in section 32; and

(d) generally for carrying out the purposes and provisions of this Act.

#### Review of Act after five years

34 Five years after the day on which this Act comes into force, a comprehensive review of the provisions and operation of the Act is to be undertaken by the committee of the Senate, of the House of Commons or of both Houses of Parliament that is designated or established by the Senate or the House of Commons, or by both Houses of Parliament, as the case may be, for that purpose.

#### Consequential Amendments

R.S., c. A-1

#### Access to Information Act

35 The Access to Information Act is amended by adding the following after section 16.5:

appearance before the Committee.

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35 The Access to Information Act is amended by adding the following after section 16.5:

Secretariat of National Security and Intelligence Committee of Parliamentarians  
16.6 The Secretariat of the National Security and Intelligence Committee of Parliamentarians shall refuse to disclose any record requested under this Act that contains information obtained or created by it or on its behalf in the course of assisting the National Security and Intelligence Committee of Parliamentarians in fulfilling its mandate.

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16.6 The Secretariat of the National Security and Intelligence Committee of Parliamentarians shall refuse to disclose any record requested under this Act that contains information obtained or created by it or on its behalf in the course of assisting the National Security and Intelligence Committee of Parliamentarians in fulfilling its mandate.

Secretariat of National Security and Intelligence Committee of Parliamentarians  
16.6 The Secretariat of the National Security and Intelligence Committee of Parliamentarians shall refuse to disclose any record requested under this Act that contains information obtained or created by it or on its behalf in the course of assisting the National Security and Intelligence Committee of Parliamentarians in fulfilling its mandate.

#### Access to Information Act

##### Clause 35: New.

36 Schedule I to the Act is amended by adding the following in alphabetical order under the heading “Other Government Institutions”:

Secretariat of the National Security and Intelligence Committee of Parliamentarians  
Secrétariat du Comité des parlementaires sur la sécurité nationale et le renseignement

R.S., c. F-11

Financial Administration Act

37 Schedule I.1 to the Financial Administration Act is amended by adding, in alphabetical order in column I, a reference to

Secretariat of the National Security and Intelligence Committee of Parliamentarians  
Secrétariat du Comité des parlementaires sur la sécurité nationale et le renseignement

and a corresponding reference in column II to “Leader of the Government in the House of Commons”.

36 Schedule I to the Act is amended by adding the following in alphabetical order under the heading “Other Government Institutions”:

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38 Schedule IV to the Act is amended by adding the following in alphabetical order:

Secretariat of the National Security and Intelligence Committee of Parliamentarians  
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39 Part III of Schedule VI to the Act is amended by adding, in alphabetical order in column I, a reference to

Secretariat of the National Security and Intelligence Committee of Parliamentarians  
Secrétariat du Comité des parlementaires sur la sécurité nationale et le renseignement

and a corresponding reference in column II to “Executive Director”.

R.S., c. O-5; 2001, c. 41, s. 25

Security of Information Act

2001, c. 41, s. 29; 2003, c. 22, par. 224(z.76) (E)

40

(1) Paragraph (a) of the definition person permanently bound to secrecy in subsection 8(1) of the French version of the Security of Information Act is replaced by the following:

a) Le membre ou l’employé — ancien ou actuel — d’un ministère, d’un secteur ou d’un organisme de l’administration publique fédérale mentionné à l’annexe;

(2) The definition person permanently bound to secrecy in subsection 8(1) of the Act is amended by striking out “or” at the end of paragraph (a) and by adding the following after that paragraph:

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(2) The definition person permanently bound to secrecy in subsection 8(1) of the Act is amended by striking out “or” at the end of paragraph (a) and by adding the following after that paragraph:

(a.1) a current or former member of the National Security and Intelligence Committee of Parliamentarians; or

2001, c. 41, s. 29

(3) Paragraph (b) of the definition person permanently bound to secrecy in subsection 8(1) of the French version of the Act is replaced by the following:

b) la personne qui a reçu signification à personne de l'avis mentionné au paragraphe 10(1) ou qui a été informée de sa délivrance conformément aux règlements pris en vertu du paragraphe 11(2). (person permanently bound to secrecy)

#### Security of Information Act

Clause 40: (1) to (3) Existing text of the definition:

person permanently bound to secrecy means

(a) a current or former member or employee of a department, division, branch or office of the federal public administration, or any of its parts, set out in the schedule; or

(b) a person who has been personally served with a notice issued under subsection 10(1) in respect of the person or who has been informed, in accordance with regulations made under subsection 11(2), of the issuance of such a notice in respect of the person. (personne astreinte au secret à perpétuité)

41 The schedule to the Act is amended by adding the following in alphabetical order:

Secretariat of the National Security and

(a.1) a current or former member of the National Security and Intelligence Committee of Parliamentarians; or

2001, c. 41, s. 29

(3) Paragraph (b) of the definition person permanently bound to secrecy in subsection 8(1) of the French version of the Act is replaced by the following:

b) la personne qui a reçu signification à personne de l'avis mentionné au paragraphe 10(1) ou qui a été informée de sa délivrance conformément aux règlements pris en vertu du paragraphe 11(2). (person permanently bound to secrecy)

41 The schedule to the Act is amended by adding the following in alphabetical order:

Secretariat of the National Security and

(a.1) a current or former member of the National Security and Intelligence Committee of Parliamentarians; or

2001, c. 41, s. 29

(3) Paragraph (b) of the definition person permanently bound to secrecy in subsection 8(1) of the French version of the Act is replaced by the following:

b) la personne qui a reçu signification à personne de l'avis mentionné au paragraphe 10(1) ou qui a été informée de sa délivrance conformément aux règlements pris en vertu du paragraphe 11(2). (person permanently bound to secrecy)

41 The schedule to the Act is amended by adding the following in alphabetical order:

Secretariat of the National Security and

Intelligence Committee of Parliamentarians  
Secrétariat du Comité des parlementaires  
sur la sécurité nationale et le renseignement

R.S., c. P-1

Parliament of Canada Act

42 Section 33 of the Parliament of Canada Act is amended by adding the following after subsection (3):

National Security and Intelligence Committee of Parliamentarians  
(3.1) Despite anything in this Division, a person is not rendered ineligible to be a member of the House of Commons, or disqualified from sitting or voting in that House, by reason only that the person is a member of the National Security and Intelligence Committee of Parliamentarians.

Parliament of Canada Act

Clause 42: New.

43 Section 62.3 of the Act is amended by adding the following after subsection (2):

Members of National Security and Intelligence Committee of Parliamentarians  
(3) For the fiscal year commencing on April 1, 2016, there shall be paid to the following members of the Senate or the House of Commons the following additional annual allowances:

(a) the member of the Senate or the House of Commons who is the Chair of the National Security and Intelligence Committee of Parliamentarians, \$42,200; and

(b) each member of the Senate or the House

Intelligence Committee of Parliamentarians  
Secrétariat du Comité des parlementaires  
sur la sécurité nationale et le renseignement

R.S., c. P-1

Parliament of Canada Act

42 Section 33 of the Parliament of Canada Act is amended by adding the following after subsection (3):

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(a) the member of the Senate or the House of Commons who is the Chair of the National Security and Intelligence Committee of Parliamentarians, \$42,200; and

(b) each member of the Senate or the House

Intelligence Committee of Parliamentarians  
Secrétariat du Comité des parlementaires  
sur la sécurité nationale et le renseignement

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(a) the member of the Senate or the House of Commons who is the Chair of the National Security and Intelligence Committee of Parliamentarians, \$42,200; and

(b) each member of the Senate or the House

of Commons who is a member of that Committee, other than the Chair, \$11,900.

Subsequent fiscal years

(4) The additional annual allowance that shall be paid for each fiscal year subsequent to the fiscal year referred to in subsection (3) to a member of the Senate or the House of Commons referred to in that subsection is the additional annual allowance for the previous fiscal year plus the amount obtained by multiplying that additional annual allowance by the index described in section 67.1 for the previous calendar year.

Clause 43: New.

2005, c. 16, par. 21(3)(a); 2013, c. 40, par. 237(1)(m)

44 Section 67.1 of the Act is replaced by the following:

Index

67.1 The index referred to in paragraph 55.1(2)(b) and subsections 62.1(2), 62.2(2) and 62.3(2) and (4) for a calendar year is the index of the average percentage increase in base-rate wages for the calendar year, resulting from major settlements negotiated with bargaining units of 500 or more employees in the private sector in Canada, as published by the Department of Employment and Social Development within three months after the end of that calendar year.

Clause 44: Existing text of section 67.1:

67.1 The index referred to in paragraph 55.1(2)(b) and subsections 62.1(2), 62.2(2) and 62.3(2) for a calendar year is the index of the average percentage increase in base-rate wages for the calendar year, resulting

of Commons who is a member of that Committee, other than the Chair, \$11,900.

Subsequent fiscal years

(4) The additional annual allowance that shall be paid for each fiscal year subsequent to the fiscal year referred to in subsection (3) to a member of the Senate or the House of Commons referred to in that subsection is the additional annual allowance for the previous fiscal year plus the amount obtained by multiplying that additional annual allowance by the index described in section 67.1 for the previous calendar year.

2005, c. 16, par. 21(3)(a); 2013, c. 40, par. 237(1)(m)

44 Section 67.1 of the Act is replaced by the following:

Index

67.1 The index referred to in paragraph 55.1(2)(b) and subsections 62.1(2), 62.2(2) and 62.3(2) and (4) for a calendar year is the index of the average percentage increase in base-rate wages for the calendar year, resulting from major settlements negotiated with bargaining units of 500 or more employees in the private sector in Canada, as published by the Department of Employment and Social Development within three months after the end of that calendar year.

of Commons who is a member of that Committee, other than the Chair, \$11,900.

Subsequent fiscal years

(4) The additional annual allowance that shall be paid for each fiscal year subsequent to the fiscal year referred to in subsection (3) to a member of the Senate or the House of Commons referred to in that subsection is the additional annual allowance for the previous fiscal year plus the amount obtained by multiplying that additional annual allowance by the index described in section 67.1 for the previous calendar year.

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from major settlements negotiated with bargaining units of 500 or more employees in the private sector in Canada, as published by the Department of Employment and Social Development within three months after the end of that calendar year.

R.S., c. P-21

Privacy Act

45 The Privacy Act is amended by adding the following after section 22.3:

Secretariat of National Security and Intelligence Committee of Parliamentarians  
22.4 The Secretariat of the National Security and Intelligence Committee of Parliamentarians shall refuse to disclose personal information requested under subsection 12(1) that was obtained or created by it or on its behalf in the course of assisting the National Security and Intelligence Committee of Parliamentarians in fulfilling its mandate.

Privacy Act

Clause 45: New.

46 The schedule to the Act is amended by adding the following in alphabetical order under the heading "Other Government Institutions":

Secretariat of the National Security and Intelligence Committee of Parliamentarians  
Secrétariat du Comité des parlementaires sur la sécurité nationale et le renseignement

2000, c. 17; 2001, c. 41, s. 48

Proceeds of Crime (Money Laundering) and

R.S., c. P-21

Privacy Act

45 The Privacy Act is amended by adding the following after section 22.3:

Secretariat of National Security and Intelligence Committee of Parliamentarians  
22.4 The Secretariat of the National Security and Intelligence Committee of Parliamentarians shall refuse to disclose personal information requested under subsection 12(1) that was obtained or created by it or on its behalf in the course of assisting the National Security and Intelligence Committee of Parliamentarians in fulfilling its mandate.

46 The schedule to the Act is amended by adding the following in alphabetical order under the heading "Other Government Institutions":

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Secrétariat du Comité des parlementaires sur la sécurité nationale et le renseignement

2000, c. 17; 2001, c. 41, s. 48

Proceeds of Crime (Money Laundering) and

R.S., c. P-21

Privacy Act

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Secretariat of National Security and Intelligence Committee of Parliamentarians  
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Secrétariat du Comité des parlementaires sur la sécurité nationale et le renseignement

2000, c. 17; 2001, c. 41, s. 48

Proceeds of Crime (Money Laundering) and

Terrorist Financing Act

47 The Proceeds of Crime (Money Laundering) and Terrorist Financing Act is amended by adding the following after section 53.3:

National Security and Intelligence Committee of Parliamentarians Act

53.4 The Director shall, at the request of the Minister or an officer of the Department of Finance, disclose to the Minister or the officer, as the case may be, in the form and manner that the Minister or officer directs, any information under the control of the Centre — other than information referred to in paragraph 14(g) of the National Security and Intelligence Committee of Parliamentarians Act — that would assist the Minister in exercising his or her powers or performing his or her duties or functions under that Act.

Proceeds of Crime (Money Laundering) and Terrorist Financing Act

Clause 47: New.

2006, c. 9, s. 2

Conflict of Interest Act

48 Paragraph (d) of the definition public office holder in subsection 2(1) of the Conflict of Interest Act is amended by striking out “and” at the end of subparagraph (v), by adding “and” at the end of subparagraph (vi) and by adding the following after subparagraph (vi):

(vii) a member of the National Security and Intelligence Committee of Parliamentarians;

Terrorist Financing Act

47 The Proceeds of Crime (Money Laundering) and Terrorist Financing Act is amended by adding the following after section 53.3:

National Security and Intelligence Committee of Parliamentarians Act

53.4 The Director shall, at the request of the Minister or an officer of the Department of Finance, disclose to the Minister or the officer, as the case may be, in the form and manner that the Minister or officer directs, any information under the control of the Centre that would assist the Minister in exercising his or her powers or performing his or her duties or functions under the National Security and Intelligence Committee of Parliamentarians Act.

2006, c. 9, s. 2

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(vii) a member of the National Security and Intelligence Committee of Parliamentarians;

Terrorist Financing Act

47 The Proceeds of Crime (Money Laundering) and Terrorist Financing Act is amended by adding the following after section 53.3:

National Security and Intelligence Committee of Parliamentarians Act

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2006, c. 9, s. 2

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(vii) a member of the National Security and Intelligence Committee of Parliamentarians;

Conflict of Interest Act

Clause 48: Relevant portion of the definition:

public office holder means

...

(d) a Governor in Council appointee, other than the following persons, namely,

Coming into Force

Order in council

49 This Act comes into force on a day to be fixed by order of the Governor in Council.

SCHEDULE (Paragraph 10(b))  
Oath or Solemn Affirmation

I,....., swear (solemnly affirm) that I will be faithful and bear true loyalty to Canada and to its people, whose democratic beliefs I share, whose rights and freedoms I respect and whose laws I will uphold and obey. I further swear (solemnly affirm) that I will, to the best of my ability, discharge my responsibilities as a member of the National Security and Intelligence Committee of Parliamentarians and will not communicate or use without due authority any information obtained in confidence by me in that capacity.

Coming into Force

Order in council

49 This Act comes into force on a day to be fixed by order of the Governor in Council.

SCHEDULE (Paragraph 10(b))  
Oath or Solemn Affirmation

I,....., swear (solemnly affirm) that I will be faithful and bear true loyalty to Canada and to its people, whose democratic beliefs I share, whose rights and freedoms I respect and whose laws I will uphold and obey. I further swear (solemnly affirm) that I will, to the best of my ability, discharge my responsibilities as a member of the National Security and Intelligence Committee of Parliamentarians and will not communicate or use without due authority any information obtained in confidence by me in that capacity.

Coming into Force

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Note:

Prepared by Jack Dodds <[brmdamon@hushmail.com](mailto:brmdamon@hushmail.com)> from XML versions of the bill on the Parliament of Canada website <http://www.parl.gc.ca/LegisInfo/BillDetails.aspx?Language=E&Mode=1&billId=8364795> accessed 2017-04-06 and 2017-04-14.

This includes the final correct Third Reading version of 2017-04-13, correcting errors in paragraphs 31 and 31.1.

The Recommendation, Summary, and Table of Provisions have been omitted.

This document can be accessed online at <https://cyberspirit.dyndns.org/CUSJ/C22Versions.pdf>