



Military Grievances
External Review Committee

Comité externe d'examen
des griefs militaires

2024-2025 Annual Report on the *Access to Information Act*

Aussi disponible en français sous le titre : Rapport annuel sur la *Loi sur l'accès à l'information* 2024-2025

Information contained in this publication or product may be reproduced, in part or in whole, and by any means, for personal or public non-commercial purposes without charge or further permission, unless otherwise specified. Commercial reproduction and distribution are prohibited except with written permission from the Military Grievances External Review Committee.

For more information, contact:

Military Grievances External Review Committee
60 Queen Street, 9th Floor
Ottawa, Ontario K1P 5Y7
www.canada.ca/en/military-grievances-external-review.html

© His Majesty the King in Right of Canada, as represented by the Minister of National Defence, 2025

Cat. No. DG2-9E-PDF
ISSN 2818-4351

Annual Report on the <i>Access to Information Act</i>, 2024-2025	2
1. Introduction.....	2
2. Organizational Structure	2
3. Delegation Order	3
4. Performance under Part 1 of the <i>Access to Information Act</i> , 2024-2025	6
5. Training and Awareness	7
6. Policies, Guidelines, and Procedures	7
7. Initiatives and Projects to Improve Access to Information	7
8. Summary of Key Issues and Actions Taken on Complaints	7
9. Proactive Publication under Part 2 of the <i>Access to information Act</i>	8
10. Monitoring Compliance	11

Annual Report on the *Access to Information Act*, 2024-2025

1. Introduction

The Military Grievances External Review Committee's (the Committee) 2024-2025 Annual Report to Parliament on the Administration of the *Access to Information Act* (ATIA) is submitted in accordance with section 94 of the ATIA. It presents an overview of the ATIA activities carried out within the Committee during the reporting period of April 1, 2024, to March 31, 2025.

The ATIA gives Canadian citizens, as well as people and corporations present in Canada, the right to access federal government records that are not of a personal nature. The Act complements, but does not replace, other procedures for obtaining government information. It is not intended to limit, in any way, access to government information that is normally available to the public upon request.

The Committee is an independent administrative tribunal reporting to Parliament through the Minister of National Defence. The Committee reviews military grievances referred to it pursuant to section 29 of the *National Defence Act* and provides findings and recommendations to the Chief of the Defence Staff and the Canadian Armed Forces member who submitted the grievance.

The Committee did not have any non-operational (paper) subsidiaries during this reporting period.

2. Organizational Structure

The Access to Information and Privacy (ATIP) Office is part of the Strategic Planning and Communications Services Division. The division is made up of four employees, one of which dedicates an average 4.5% of their time to fulfill the Committee's obligations under both the ATIA and the *Privacy Act* (PA) and a second employee dedicating an average of 2% of their time for the same obligations. The Committee does not have any consultants supporting its ATIP work. The Committee was not party to any service agreements under section 96 of the ATIA during the reporting period.

The ATIP Coordinator, the Director General of Corporate Services and Chief Financial Officer, and the Director General of Operations and General Counsel have delegated authority to oversee the administration of the ATIA and the PA within the Committee and to ensure compliance with the legislation.

For a breakdown of the group(s) and/or position(s) responsible for meeting each applicable proactive publication requirement under Part 2 of the ATIA, see the section "**Proactive Publication under Part 2 of the ATIA**", below.

3. Delegation Order

Military Grievances External Review Committee Comité externe d'examen des griefs militaires

DELEGATION ORDER

ACCESS TO INFORMATION ACT

The Chairperson and Chief Executive Officer of the Military Grievances External Review Committee, pursuant to subsection 95(1) of the *Access to Information Act*, delegates the persons holding the positions set out in the attached schedule, including persons designated to act in their absence, to exercise the powers, duties and functions of the Chairperson as the head of the Military Grievances External Review Committee, under the provisions of the Act and related Regulations set out in the attached schedule opposite each position.

This delegation replaces all previous designations.

Original signed by

2024-06-06

X Kelly Walsh

Signed by: Walsh, Kelly

Kelly Walsh
Chairperson and Chief Executive Officer
Ottawa, Canada
June 6, 2024

ARRÊTÉ AUTORISANT LA DÉLÉGATION DE POUVOIRS

ACCÈS À L'INFORMATION

En vertu du paragraphe 95(1) de la *Loi sur l'accès à l'information*, le Président et premier dirigeant du Comité externe d'examen des griefs militaires délègue aux titulaires des postes mentionnés à l'annexe ci-jointe, ainsi qu'aux personnes occupant à titre intérimaire lesdits postes, les attributions dont il est, en qualité de responsable du Comité externe d'examen des griefs militaires, investi par les dispositions de la Loi ou de son règlement mentionné en regard de chaque poste.

Le présent document remplace et annule tout arrêté antérieur.

Original signé par

2024-06-06

X Kelly Walsh

Signed by: Walsh, Kelly

Kelly Walsh
Présidente et première dirigeante
Ottawa, Canada
Le 6 juin 2024

Schedule A

Military Grievances External Review Committee

Delegation of powers, functions and duties pursuant to subsection 95(1) of the *Access to Information Act*

Section	Description	Director General, Corporate Services	Director General, Operations and General Counsel	ATIP Coordinator
7	Respond to request for access within 30 days; give access or give notice	X		X
8	Transfer a request to the government institution with greater interest; give written notice of the transfer to applicant	X		X
9	Extend time limits for responding to request and give notice to Information Commissioner of extension over 30 days	X		X
10	Issue notice where access is refused	X	X	X
11	Administer the collection of fees	X		X
12(2)	Decide whether to translate requested record(s)	X		X
12(3)	Convert record(s) in an alternative format, when necessary and reasonable	X		X
13(1)	Shall refuse to disclose any record obtained in confidence from another government	X	X	
13(2)	May disclose any record referred to in 13(1) if the other government consents to the disclosure or makes the information public	X	X	
14	May refuse to disclose any record if reasonably injurious to the conduct of Federal-Provincial affairs	X	X	
15	May refuse to disclose any record if reasonably injurious to international affairs and defence or the detection, prevention, or suppression of subversive or hostile activities	X	X	
16	May refuse to disclose any record pertaining to law enforcement and investigations, to information that could reasonably be expected to facilitate the commission of an offence, to confidential information on policing services for provinces and municipalities	X	X	
17	May refuse to disclose any record that could reasonably threaten the safety of individuals	X	X	
18	May refuse to disclose any record that could reasonably be expected to be materially injurious to the economic interest of Canada	X	X	
19	Shall refuse to disclose any record that contains personal information as defined in section 3 of the <i>Privacy Act</i>	X	X	X

Schedule A

Military Grievances External Review Committee

Delegation of powers, functions and duties pursuant to subsection 95(1) of the *Access to Information Act*

Section	Description	Director General, Corporate Services	Director General, Operations and General Counsel	ATIP Coordinator
20	Shall refuse to disclose any record that contains third party information	X	X	X
21	May refuse to disclose any record that contains information related to the operations of government	X	X	
22	May refuse to disclose any record that contains information relating to testing or auditing procedures	X	X	
23	May refuse to disclose any record that contains information subject to solicitor-client privilege	X	X	X
24	Shall refuse to disclose any record that is subject to statutory prohibitions as set out in Schedule II	X	X	
25	Shall sever any information that could risk being disclosed	X	X	X
26	May refuse to disclose any record on reasonable grounds that such material is to be published within a <u>90 day</u> period or longer	X	X	
27(1) and (4)	Shall give notice to a third party of the intent to disclose any records that may contain third party information and may extend the time limit for third party notification	X	X	X
28(1)(b)	Shall within 30 days after notice is given to third party as per Section 27(1), give notice of the decision to disclose any record pertaining to the third party	X	X	X
28(2)	Waive the requirements for a written representation by a third party	X	X	X
28(4)	Disclose a record pertaining to third party following 20 days from the notice having been issued to a third party of the decision to disclose, unless the third party requests a review of the decision as per section 44	X	X	X
33	Shall advise the Information Commissioner of any third party notified under section 27(1) when given notice of an investigation or that would have been notified had disclosure been intended	X		X
35(2)	Right to make representation to the Information Commissioner in the course of an investigation	X	X	
37(1)(b)	Receive Information Commissioner's report of findings and recommendations and give notice of action taken or reasons why no action was taken	X	X	
37(3)	Prepare response to the Information Commissioner's initial report. This response will outline how the Commissioner's recommendations will be implemented or will explain why the recommendations have not/will not be implemented.	X		X

Schedule A				
Military Grievances External Review Committee				
Delegation of powers, functions and duties pursuant to subsection 95(1) of the <i>Access to Information Act</i>				
Section	Description	Director General, Corporate Services	Director General, Operations and General Counsel	ATIP Coordinator
37(4)	Give complainant access to a record after 37(1)(b) where a notice is required	X	X	
43(1)	Give notice to a third party of an application for a Court review under section 41 or 42	X	X	X
44(2)	Give notice to an applicant of the third party's application for a Court review under section 44	X	X	X
52(2)	Request that sections 41 or 42 hearings held in camera be heard and determined in the National Capital Region	X	X	X
52(3)	Request and be given right to make representation <i>ex parte</i> in Section 52	X	X	X
68,69	Deny any record that is excluded in the <i>Act</i>	X	X	X
71(2)	Exclude any exempt information contained in manuals before the manuals are inspected by the public	X	X	X
72(1)	Prepare Annual Report to Parliament			X
77	Responsibilities conferred on the head of the institution by the regulations made under Section 77	X	X	X
95(1)	Delegate any of their powers, duties or functions under this Act to one or more officers or employees of that institution	X		X
96(1)	Provide services related to any power, duty or function conferred or imposed on the head of a government institution under this Act to another government institution	X		X

4. Performance under Part 1 of the *Access to Information Act*, 2024-2025

During the reporting period of April 1, 2024, to March 31, 2025, the Committee received 23 new requests under the ATIA. Only eight of these were formal requests while the other 15 were informal requests and, therefore, were not bound by legislated timeframes. Out of eight requests, seven (87.5%) were completed within 1-30 days and the last one (12.5%) was completed within 31 to 60 days. For the one request that was responded outside of the legislated timeframe, the Committee required an

extension due to holidays (request received in December, and response sent in January) and clarifications to the request from the requestor required additional search time. Of the formal requests, three (37.5%) had the information disclosed in full, and three (37.5%) had the information partially disclosed. No formal requests were carried over from the previous reporting period (2023-2024) or into the next fiscal year (2025-2026).

The Committee received a single notice of intention to investigate from the Office of the Information Commissioner in 2024-2025. During 2024-2025, the Committee received a single consultation request from another Government of Canada institution that took six days to complete and no requests from private sector organizations.

5. Training and Awareness

The two ATIP Office employees continued to attend Treasury Board Secretariat info-blitz sessions during the reporting period. One-on-one training and guidance were provided to employees to assist as needed to help them determine what information required severing and for what reason. Additionally, four Committee employees took ATIP related courses offered by the Canada School of Public Service. However, no awareness activities were provided within the organization during the reporting period.

6. Policies, Guidelines, and Procedures

During the reporting period, the Committee made improvements to its new manual tracking system for annual reporting purposes and updated its internal ATIP process manual. It did not implement any new institution-specific policies, guidelines, or initiatives related to access to information.

7. Initiatives and Projects to Improve Access to Information

During fiscal year 2024-2025, the Committee created an action plan to improve its publication requirements. It attended a training session with subject-matter experts, updated its Index of Publications to be fully compliant and created internal standard operating procedures and templates to facilitate the process on a go-forward basis. Additionally, the Committee made improvements to its case summaries webpage by adding a filter function to make it easier to find cases by category.

When the Committee reviews frequently requested types of information, it does assess the feasibility of making that information available by other means, such as our website. In this case, the Director General of Corporate Services and Chief Financial Officer will consult the Deputy Head, as needed, to get their input and approval for making that information available.

8. Summary of Key Issues and Actions Taken on Complaints

A single complaint was received during the reporting period which remains open. The issue raised by the complainant alleges that the Committee did not search for the records requested and/or that additional records must exist. The Committee provided the Office of the Information Commissioner with all requested documentation by the deadline provided and is now awaiting the next steps in the complaint process.

9. Proactive Publication under Part 2 of the *Access to information Act*

Proactive Publication Requirements Table

Legislative Requirement	Section of ATIA	Publication Timeline	Does requirement apply to your institution? (Y/N)	Internal group(s) or position(s) responsible for fulfilling requirement	% of proactive publication requirements published within legislated timelines*	Link to web page where published**
Apply to all Government Institutions as defined in section 3 of the <i>Access to Information Act</i>						
Travel Expenses	82	Within 30 days after the end of the month of reimbursement	Y	Director of Finance, Procurement and Administration and Deputy Chief Financial Officer	100%	Travel and hospitality expenses - Canada.ca
Hospitality Expenses	83	Within 30 days after the end of the month of reimbursement	Y	Director of Finance, Procurement and Administration and Deputy Chief Financial Officer	100%	Travel and hospitality expenses - Canada.ca
Reports tabled in Parliament	84	Within 30 days after tabling	Y	Manager of Strategic Planning and Communications Services	100%	Reports - Canada.ca
Apply to government entities or Departments, agencies, and other bodies subject to the Act and listed in Schedules I, I.1, or II of the <i>Financial Administration Act</i>						
Contracts over \$10,000	86	Q1-3: Within 30 days after the quarter Q4: Within 60 days after the quarter	Y	Director of Finance, Procurement and Administration and Deputy Chief Financial Officer	100%	Search Government Contracts over \$10,000
Grants & Contributions	87	Within 30 days after the quarter	N	n/a	n/a	n/a

over \$25,000						
Packages of briefing materials prepared for new or incoming deputy heads or equivalent	88(a)	Within 120 days after appointment	Y	Manager of Strategic Planning and Communications Services	0%	Open Government Portal
Titles and reference numbers of memoranda prepared for a deputy head or equivalent, that is received by their office	88(b)	Within 30 days after the end of the month received	Y	Manager of Strategic Planning and Communications Services	n/a	Open Government Portal
Packages of briefing materials prepared for a deputy head or equivalent's appearance before a committee of Parliament	88(c)	Within 120 days after appearance	Y	Manager of Strategic Planning and Communications Services	0%	Open Government Portal
Applies to government institutions that are departments named in Schedule I to the <i>Financial Administration Act</i> or portions of the core public administration named in Schedule IV to that Act (i.e. government institutions for which Treasury Board is the employer)						
Reclassification of positions	85	Within 30 days after the quarter	Y	Director of Human Resources	100%	Position Reclassification
Apply to Ministers' Offices (therefore apply to any institution that performs proactive publication on behalf of a Minister's Office)						
Packages of briefing materials prepared by a government institution for new or incoming ministers	74(a)	Within 120 days after appointment	N	n/a	n/a	n/a

Titles and reference numbers of memoranda prepared by a government institution for the minister, that is received by their office	74(b)	Within 30 days after the end of the month received	N	n/a	n/a	n/a
Package of question period notes prepared by a government institution for the minister and in use on the last sitting day of the House of Commons in June and December	74(c)	Within 30 days after last sitting day of the House of Common in June and December	N	n/a	n/a	n/a
Packages of briefing materials prepared by a government institution for a minister's appearance before a committee of Parliament	74(d)	Within 120 days after appearance	N	n/a	n/a	n/a
Travel Expenses	75	Within 30 days after the end of the month of reimbursement	N	n/a	n/a	n/a
Hospitality Expenses	76	Within 30 days after the end of the month of reimbursement	N	n/a	n/a	n/a
Contracts over \$10,000	77	Q1-3: Within 30 days after the quarter Q4: Within 60 days	N	n/a	n/a	n/a

		after the quarter				
Ministers' Offices Expenses Note: This consolidated report is currently published by TBS on behalf of all institutions.	78	Within 120 days after the fiscal year	N	n/a	n/a	n/a

The Committee's 0% compliance rate related to briefing materials was due to a few factors:

- The requirement, not known at the beginning, was identified only after the 120-day period had begun, preventing timely compliance;
- The packages were large and required translation; and
- The team operated with reduced staffing levels for a portion of 2024.

The briefing materials were published as required but it did take longer than the 120-day period. As explained in the next section, Monitoring Compliance, the Committee will ensure that monthly monitoring of publication requirements is completed and that deadlines are respected.

10. Monitoring Compliance

The monitoring of the time required to process requests under both the ATIA and the PA is done with the help of an internal excel spreadsheet that keeps track of all requests and deadlines. The ATIP Office reports delays on its activities to the Director General of Corporate Services and Chief Financial Officer. The Committee ensures that measures to support the right of public access to information are reflected in contracts by ensuring the information is proactively published as per Part 2 of the ATIA. Monitoring is done monthly by each responsible division, and the ATIP Coordinator monitors the compliance on an annual basis and reports the timeliness, accuracy and completeness of proactively published information to the Director General of Corporates Services and Chief Financial Officer.