Military Grievances External Review Committee

Comité externe d'examen des griefs militaires

2025-2026 Annual Report on the *Access to Information Act*

Canada

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Annual Report on the *Access to Information Act,* 2025-2026

1. Introduction

The Military Grievances External Review Committee's (the Committee) 2025-2026 Annual Report on the Administration of the *Access to Information Act* (ATIA) is prepared and tabled in Parliament 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, 2025, to March 31, 2026.

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 wholly owned subsidiaries at any time 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 and oversees and coordinates the Committee's ATIA responsibilities, including Part 2 Proactive Publication. The ATIP office also provides advice, guidance and training to all employees, including awareness sessions. The division is made up of four employees, one of which dedicates an average 11.5% 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 12% 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.

The Committee uses the ATIP Online Request Service, designed and maintained by the Treasury Board of Canada (TBS), to process formal access to information requests.

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 *Privacy Act*	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 90 day 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 *Access to Information Act*				
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 *ex parte* in Section 52	**X**	**X**	**X**
68,69	Deny any record that is excluded in the *Act*	**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*, 2025-2026

During the reporting period of April 1, 2025, to March 31, 2026, the Committee received 11 new requests under the ATIA. Seven of these were formal ATIA requests while the other four were informal requests and, therefore, were not bound by legislated timeframes. Out of seven formal ATIA requests, six (85.7%) were completed within 1-30 days, none were completed within 31 to 60 days, and one (14.3%) was completed in 61 to 120 days. For the single request

that was responded outside of the legislated timeframe, the Committee required extensions due to the complexity of the request, the volume of records to review, operational priorities, and consultations with other departments. Of the seven formal requests, five (71.4%) had the information all disclosed, one (14.3%) had the information disclosed in part and one (14.3%) resulted in no records found. No formal requests were carried over from the previous reporting period (2024-2025), and none were carried into the next fiscal year (2026-2027). There were no active complaints as of the end of the fiscal year.

During 2025-2026, the Committee received six consultation requests from other Government of Canada institutions and no requests from other organizations outside of the Government of Canada. One consultation request was carried over from fiscal year 2025-2026 into fiscal year 2026-2027 and all consultation requests were completed within 0 to 15 days.

There were no requests for translation received or fulfilled relating to requests for information.

5. Training and Awareness

The two ATIP Office employees continued to attend TBS info-blitz sessions during the reporting period and the ATIP Coordinator attended all ATIP and Open Government Executive Committees. 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. Guidance, awareness and recommendations were provided to some employees and senior management following the receipt and resolution of an ATIA complaint. Additionally, four Committee employees took ATIP related courses offered by the Canada School of Public Service, bringing the total of trained employees to 94%. However, no formal awareness activities were provided within the Committee during the reporting period.

6. Policies, Guidelines, and Procedures

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

7. Initiatives and Projects to Improve Access to Information

The Committee did not implement or continue any initiatives or projects during the reporting period. However, in determining its priorities for the next fiscal year, the Committee planned an initiative to deliver ATIP training specifically tailored to its employees in the first quarter of the 2026-2027 fiscal year. This will, in turn, lead to improved access to information for Canadians.

8. Summary of Key Issues and Actions Taken on Complaints

A single complaint was received during the previous reporting period and was closed in 2025-

2026. 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 (OIC) with all requested documentation and advised the OIC that it found flaws in its search. The OIC requested that a new, comprehensive search be conducted and that any records be shared with the complainant. The Committee conducted new searches and disclosed additional records to the complainant. The OIC issued its report and concluded that the complaint was founded, but that the Committee had now resolved the issue directly with the original requestor.

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 positions(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 *Access to Information Act*						
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	0%	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	n/a	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 *Financial Administration Act*						

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	67%	Search Government Contracts over $10,000
Grants & Contributions over $25,000	87	Within 30 days after the quarter	N	n/a	n/a	n/a
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	n/a	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	n/a	Open Government Portal
Applies to government institutions that are departments named in Schedule I to the *Financial Administration Act* 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	n/a	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	N	n/a	n/a	n/a

		month of reimbursement				
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 after the quarter	N	n/a	n/a	n/a
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 compliance rates for Travel Expenses (0%) and Contracts over $10,000 (67%) were each driven down by a single late submission, with staff turnover during the reporting period causing the delay in contract reporting.

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. As the Committee receives a small amount of both ATIA and PA requests, it is easily monitored within the ATIP Office. For any active request, the ATIP Office adds calendar reminders at the 15-day mark and 28-day mark, to ensure they are on track to be completed on time.

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.