Military Police Complaints Commission of Canada

Commission d'examen des plaintes concernant la police militaire du Canada

Privacy Act

Annual Report

April 1, 2025 – March 31, 2026

Canada

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1. Introduction

The Military Police Complaints Commission of Canada (MPCC) is pleased to present to Parliament its Annual Report on the administration of the *Privacy Act* for fiscal year 2025-26 (April 1, 2025, to March 31, 2026). This report was prepared and tabled in accordance with section 72 of the *Privacy Act*.

The purpose of the Privacy Act is to provide:

- individuals with the right to access personal information about themselves that is under the control of a government institution and to request correction of that information; and
- the legal framework for the collection, retention, use, disclosure, disposition and accuracy of personal information in the administration of programs and activities by government institutions subject to the Act.

Under the *Privacy Act*, personal information is defined as “information about an identifiable individual that is recorded in any form.”

Examples include information relating to:

- the race, national or ethnic origin, colour, religion, age or marital status of an individual;
- the education or the medical, criminal, financial or employment history of an individual;
- the address, fingerprints or blood type of an individual; and
- any identifying number, symbol or other particular identifier assigned to an individual.

The MPCC is an administrative tribunal created by Parliament to provide independent, civilian oversight of the Canadian Forces Military Police. As a federal institution, it is part of the Defence portfolio for reporting purposes.

The MPCC's mandate is set out in Part IV of the *National Defence Act*, which provides the following powers:

- monitoring investigations by the Canadian Forces Provost Marshal of military police conduct complaints;
- reviewing disposition of conduct complaints about military police members, at the request of complainants;
- investigating complaints of interference made by military police members;
- conducting public interest investigations and hearings;
- reporting findings and making recommendations to the military police and national defence leadership.

The mission of the MPCC is to promote and ensure the highest standards of conduct by the military police, to deter interference in military police investigations and to enhance public confidence in military policing.

Finally, the MPCC did not have any wholly owned subsidiaries to report during this review period.

2. Organizational Structure to Fulfill the MPCC's *Privacy Act* Responsibilities

The MPCC is a micro-organization of approximately 31 employees. It fulfils its *Privacy Act* obligations through a shared responsibility for privacy protection, with the Access to Information and Privacy (ATIP) mandate residing within the Corporate Services sector.

The Senior Director, Corporate Services, is the MPCC's ATIP Coordinator. He is supported by the Manager, Corporate Reporting, ATIP and Administration, and the Administrative Services Officer, which in total dedicate an average of 12.5% of their time to fulfilling the MPCC's obligations under the *Privacy Act.* The MPCC also retained one ATIP consultant, as required.

The ATIP coordinator is responsible for implementing and managing programs and services relating to the MPCC's administration of the *Access to Information Act* and the *Privacy Act*, as well as for providing advice to its employees as they fulfil their obligations under both Acts.

Responding to *Privacy Act* requests is a shared responsibility between the delegated request processing team and the Offices of Primary Interest (OPI).

The main activities involved in processing *Privacy Act* requests are as follows:

- Analyze the scope and processing history of requests, interpret the legislation, and determine what information may be disclosed, exempted or excluded.
- Provide advice and consultation to requesters, third-party stakeholders and MPCC management and employees, respond to questions and concerns, and promote a clear understanding of the *Privacy Act* and MPCC policies and procedures for handling requests and protecting personal information, including applicable security classification.
- Conduct research and consultations with other departments and third parties to prepare responses to requests.
- Provide privacy advice on the preparation and proposed disclosure of evidence in public interest hearings, in accordance with *Privacy Act* legislation, open court principle, and applicable policies and procedures.
- Prepare reports for MPCC management on *Privacy Act* requests and other privacy-related matters, including statistical reports, annual reports to Parliament and information required by Info Source.

The MPCC did not provide services related to privacy to other government institutions and was not a party to any services agreements with other government institutions under section 73.1 of the *Privacy Act*.

3. Delegation Order

Pursuant to *section 73(1) of the Privacy Act*, the Chairperson delegated certain powers, duties and functions under the *Privacy Act* and Regulations to the Senior Director, Corporate Services, the Manager, Corporate Reporting, ATIP and Administration and the Administrative Services Officer. The delegation order in effect on March 31, 2026, was signed in October 2023 and is included in Appendix A.

4. Performance 2025-26

During the reporting period, the MPCC received 15 *Privacy Act* requests, carried forward two requests from the previous reporting period and completed all 17 requests. Of the 17 requests completed, three resulted in partial disclosure, representing 17.6% of completed requests, with a total of 601 pages released; one request was abandoned; and no records existed in response to 13 requests. No completed request resulted in all records being disclosed, representing 0% of completed requests.

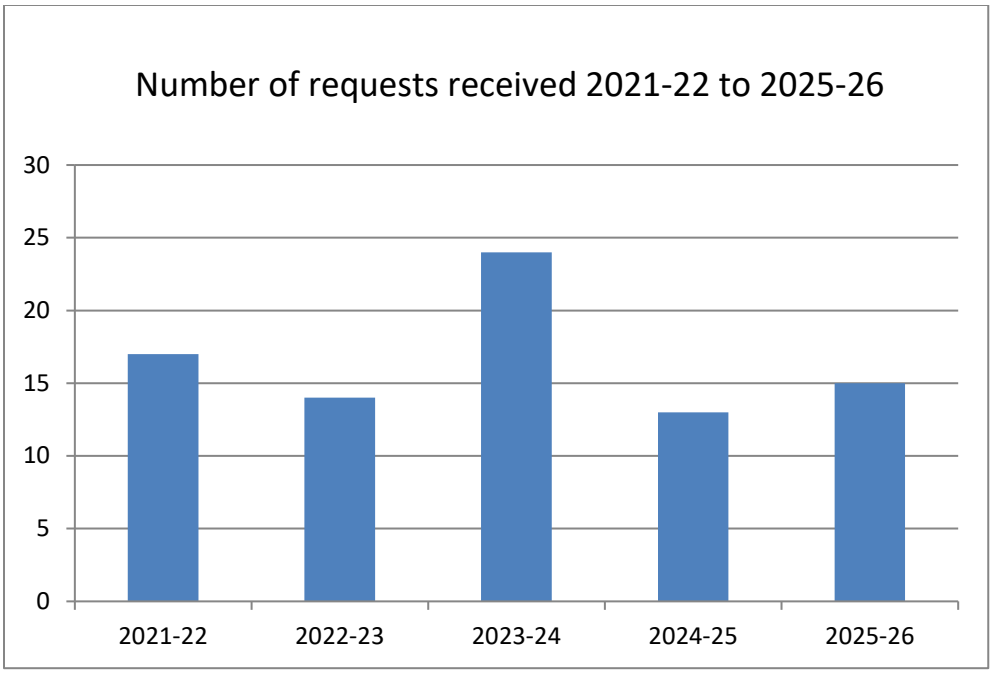
The MPCC responded to 100% of the *Privacy Act* requests within the legislated timeline and completed 14 requests within 1-15 days, and three were completed within 31-60 days. Three extensions were taken because consultations were necessary and could not reasonably be completed within the original time limit. All active requests were closed by March 31, 2026, and no requests remained outstanding.

The MPCC received and completed one consultation request relating to the *Privacy Act* from another government institution. The consultation was completed within 15-days.

No complaints relating to the *Privacy Act* were received during this reporting period and no complaints remained outstanding.

Graph 1: Number of *Privacy Act* requests received between 2021-22 to 2025-26

Graph 1 shows the number of *Privacy Act* requests the MPCC received each year from 2021-22 to 2025-26.



The graph above illustrates fluctuations in the number of *Privacy Act* requests received by the MPCC over the past five years. In the 2021-22 reporting period, the MPCC received 17 requests, which decreased slightly to 14 in 2022-23. The number of requests then increased significantly to 24 in 2023-24 before declining to 13 in 2024-25. In 2025-26, the MPCC received 15 *Privacy Act* requests. As demonstrated in the graph, the volume of *Privacy Act* requests varies from year to year, making it difficult to predict the number of requests that will be received in any given reporting period.

Some requests submitted to the MPCC are intended for the Department of National Defence (DND), particularly requests seeking military police documents. This may occur when a requester searches for “military police” in the ATIP portal and selects the MPCC rather than DND. The MPCC continues to assist requesters in identifying the appropriate institution. This is one of the reasons why the MPCC is seeking to change the name of our organization through legislative change.

5. Training and Awareness

The MPCC’s learning directive requires all new employees to complete two mandatory online courses through the Canada School of Public Service: *Fundamentals of Information Management* (COR501) and *Access to Information and Privacy Fundamentals* (COR502). These courses support the proper management of information, the processing of requests and the protection of personal information. Managers and Human Resources ensure that the mandatory training is completed within the prescribed timeframe.

New employees attend an internal awareness session within their first weeks at the MPCC. The session provides an overview of the proper handling of information and privacy requests and of employees’ roles and responsibilities relating to the *Privacy Act*.

Employees with functional or delegated ATIP responsibilities complete the Canada School of Public Service courses: *Access to Information in the Government of Canada* (COR503) and *Privacy in the Government of Canada* (COR504). These courses provide an overview of the roles and responsibilities of ATIP specialists in administering the *Access to Information Act* and *Privacy Act*.

Furthermore, the ATIP team continued work toward completing the training recommended in the Access to Information and Privacy Implementation Notice 2023-01: Advancing Reconciliation with Indigenous Peoples by Providing Culturally Appropriate Services as part of its ongoing commitment to reconciliation and culturally appropriate service delivery.

6. Policies, Guidelines and Procedures

During the reporting period, the ATIP unit did not implement any new policies, guidelines or procedures. However, the MPCC continued to maintain and strengthen privacy protections through its established procurement and contract management practices.

The MPCC incorporates privacy safeguards into contracts, agreements and arrangements involving personal information through the application of the Government of Canada General Conditions and, where applicable, privacy-related clauses included in the Contract Management Initiative (CMI) clause library. These provisions require contractors to comply with applicable laws, safeguard confidential information, limit the use and disclosure of information to contract-related purposes, and support Canada's obligations under access to information and privacy legislation.

In addition, suppliers providing investigative and legal services are required to sign non-disclosure agreements to further safeguard sensitive and personal information. Privacy risks are considered during the procurement process and additional privacy-related clauses are included when warranted by the nature of the requirement. The CMI clause library is regularly updated to reflect current policy and legislative requirements, helping to ensure privacy protections remain current and appropriate.

Responsibility for monitoring compliance with contractual requirements rests with the designated business owners responsible for contract management. Any privacy-related issues identified through contract administration are addressed through and escalated to appropriate authorities as required.

7. Initiatives and Projects to Improve Privacy

The following internal initiatives to improve Privacy were implemented during the reporting period:

- The ATIP team actively participated in events organized by the Access to Information and Privacy Community Development Office (APCDO) to maintain current knowledge and remain informed of best practices.

8. Summary of Key Issues and Actions Taken on Complaints

During the reporting period, no complaints were received or concluded against the MPCC with the Office of the Privacy Commissioner of Canada (OPC).

9. Material Privacy Breaches

No material privacy breaches occurred at the MPCC during the reporting period.

10. Privacy Impact Assessments

No Privacy Impact Assessments were completed during the reporting period.

11. Public Interest Disclosures

During the reporting period, the MPCC did not disclose any personal information pursuant to subsection 8(2)(m) of the *Privacy Act*.

12. Monitoring Compliance

The Manager, Corporate Reporting, ATIP and Administration regularly monitors the timelines associated with the processing of requests through ongoing communications with OPIs and the Senior Director of Corporate Services. From the receipt to the closure of all Privacy requests, the MPCC monitors processing times by promptly entering all actions and activities in its internal ATIP status report (which includes both Access to Information and Privacy requests). Legislated timelines are also carefully entered into the status report to prevent any delays in the processing of the requests received and to ensure that requests are dealt with in a timely manner.

Throughout the year, the Senior Director of Corporate Services / ATIP Coordinator submitted quarterly ATIP status reports to the Executive Committee as an information item on their meeting agendas. The Executive Committee consists of the Chairperson (Deputy Head), the Senior General Counsel and Director General, the Senior Director Corporate Services / ATIP Coordinator and the General Counsel and Senior Director of Operations.

APPENDIX A

Privacy Act Delegation Order

Military Police Complaints Commission of Canada
270 Albert Street, 10th Floor
Ottawa, Ontario K1P 5G8

Commission d'examen des plaintes concernant la police militaire du Canada
270, rue Albert, 10e étage
Ottawa (Ontario) K1P 5G8

Access to Information Act and *Privacy Act* Delegation Order

The Chairperson of the Military Police Complaints Commission of Canada, pursuant to section 95(1) of the *Access to Information Act* and section 73(1) of the *Privacy Act*, hereby designates the persons holding the positions set out in the schedule hereto, or the persons occupying on an acting basis those positions, to exercise certain powers, duties and functions of the Chairperson as the head of Military Police Complaints Commission of Canada, under the provisions of the Act and related regulations set out in the schedule opposite each position. This designation replaces all previous delegation orders.

Arrêté de délégation en vertu de la *Loi sur l'accès à l'information* et de la *Loi sur la protection des renseignements personnels*

En vertu du paragraphe 95(1) de la *Loi sur l'accès à l'information* et du paragraphe 73(1) de la *Loi sur la protection des renseignements personnels*, la présidente de la Commission d'examen des plaintes concernant la police militaire du Canada délègue aux titulaires des postes mentionnés à l'annexe ci-après, ainsi qu'aux personnes occupant à titre intérimaire lesdits postes, certaines attributions dont la présidente est, en qualité de responsable d'une institution fédérale, investie par les dispositions de la Loi ou de son règlement mentionnées en regard de chaque poste. Le présent document remplace et annule tout arrêté antérieur.

La présidente de
La Commission d'examen des plaintes concernant la police militaire du Canada

Me Tammy Tremblay, MSM, CD, LL.M
Chairperson
Military Police Complaints Commission of Canada

Signed in Ottawa, Ontario, Canada this 13th day of October, 2023
Signé à Ottawa, Ontario, Canada le 13ème jour d'octobre 2023

Schedule
***Privacy Act* Delegation Order**

The Chairperson of the Military Police Complaints Commission of Canada, pursuant to section 73(1) of the *Privacy Act*, hereby designates the persons holding the positions set out in the schedule hereto or the persons occupying on an acting basis those positions, to exercise the powers, duties and functions of the Chairperson as the head of the Military Police Complaints Commission of Canada, under the provisions of the Act and related regulations set out in the schedule opposite each position. This designation replaces all previous designation orders.

Privacy Act

Provision	Description	Chairperson	Senior Director of Corporate Services	Manager, Corporate Reporting, ATIP and Administration	Administrative Services Officer
8(2)(e)	Disclose to investigative body	•	•		
8(2)(j)	Disclosure for research or statistical purposes	•	•		
8(2)(m)	Disclosure in the public interest or in the interest of the individual	•	•		
8(4)	Copies of requests under paragraph 8(2)(e)	•	•	•	•
8(5)	Notice of disclosure under paragraph 8(2)(m)	•	•		
9(1)	Record of disclosures	•	•		
9(4)	Consistent uses	•	•		
10	Personal information banks	•	•		
14	Notice where access requested	•	•	•	•
15	Extension of time limits	•	•		
16(1)(a) & (b)	Where access is refused	•	•		
17(2)(b)	Language of access	•	•	•	•
17(3)(b)	Access in an alternative format	•	•	•	•
Exemption Provisions of the *Privacy Act*					
18(2)	Exemption – Exempt banks	•	•		
19(1)	Exemption – Personal information obtained in confidence	•	•		

Provision	Description	Chairperson	Senior Director of Corporate Services	Manager, Corporate Reporting, ATIP and Administration	Administrative Services Officer
19(2)	Exemption – Where disclosure authorized	●	●		
20	Exemption – Federal-provincial affairs	●	●		
21	Exemption – International affairs and defence	●	●		
22	Exemption - Law enforcement and investigations	●	●		
22.3	Exemption - *Public Servants Disclosure Protection Act*	●	●		
23	Exemption - Security clearances	●	●		
24	Exemption - Individuals sentenced for an offence	●	●		
25	Exemption - Safety of individuals	●	●		
26	Exemption - Information about another individual	●	●		
27	Exemption – Protected information – solicitors, advocates and notaries	●			
28	Exemption - Medical record	●	●		
Other Provisions of the *Privacy Act*					
33(2)	Right to make representations	●	●		
35(1)(b)	Notice of actions to implement recommendations of Commissioner	●	●	●	●
35(4)	Access to be given to complainant	●	●	●	●
36(3)(b)	Notice of actions to implement recommendations of Commissioner concerning exempt banks	●	●	●	●
51(2)(b)	Special rules for hearings	●	●		
51(3)	*Ex parte représentations*	●	●		
72	Annual report to Parliament	●	●		

Provision	Description	Chairperson	Senior Director	Manager, Corporate Reporting, ATIP and Administration	Administrative Services Officer
Privacy Regulations					
9	Examination of information	●	●	●	●
11(2)	Notification that correction to personal information has been made	●	●	●	●
11(4)	Notification that correction to personal information has been refused	●	●	●	●
14	Examination in presence of medical practitioner or psychologist	●	●		

Dated at the City of Ottawa this 13th day of October 2023

Me Tammy Tremblay, MSM, CD, LL.M
Chairperson
Military Police Complaints Commission of Canada