

Canadian Security Intelligence Service Act, RSC 1985, c C-23.

Authorized disclosure of information

Offence to disclose identity

18 (1) Subject to subsection (2), no person shall knowingly disclose any information that they obtained or to which they had access in the course of the performance of their duties and functions under this Act or their participation in the administration or enforcement of this Act and from which could be inferred the identity of an employee who was, is or is likely to become engaged in covert operational activities of the Service or the identity of a person who was an employee engaged in such activities.

Exceptions

(2) A person may disclose information referred to in subsection (1) for the purposes of the performance of duties and functions under this Act or any other Act of Parliament or the administration or enforcement of this Act or as required by any other law or in the circumstances described in any of paragraphs 19(2)(a) to (d).

Authorized disclosure of information

19 (1) Information obtained in the performance of the duties and functions of the Service under this Act shall not be disclosed by the Service except in accordance with this section.

Idem

(2) The Service may disclose information referred to in subsection (1) for the purposes of the performance of its duties and functions under this Act or the administration or enforcement of this Act or as required by any other law and may also disclose such information...

...

(b) where the information relates to the conduct of the international affairs of Canada, to the Minister of Foreign Affairs or a person designated by the Minister of Foreign Affairs for the purpose;

...

(d) where, in the opinion of the Minister, disclosure of the information to any minister of the Crown or person in the federal public administration is essential in the public interest and that interest clearly outweighs any invasion of privacy that could result from the disclosure, to that minister or person.

Communications Security Establishment Act, SC 2019, c 13, s 76.

Urgent circumstances

46 (1) The Establishment may use and analyse information relating to a Canadian or a person in Canada if it has reasonable grounds to believe that there is an imminent danger of death or serious bodily harm to any individual and that the information will be relevant to the imminent danger.

Urgent circumstances — disclosure

(2) The Establishment may disclose the information to any appropriate person if its disclosure may help prevent the death or serious bodily harm.

Prohibition on disclosure

55 (1) It is prohibited, in a proceeding before a court, person or body with jurisdiction to compel the production of information, to disclose the identity of a person or entity that has assisted or is assisting the Establishment on a confidential basis, or any information from which the identity of such a person or entity could be inferred.

Exceptions

(2) Subsection (1) does not apply when

(a) the information or identity is disclosed by the person or entity to their solicitor or, in Quebec, advocate in connection with a proceeding, if the information is relevant to that proceeding;

(b) the information or identity is disclosed to enable the Attorney General of Canada, a judge or a court hearing an appeal from, or a review of, an order of the judge to discharge their responsibilities under this section; or

(c) the information or identity is disclosed to the Commissioner or to the Review Agency.

Exception — consent

(3) The identity of a person or entity that has assisted or is assisting the Establishment on a confidential basis, or any information from which the identity of such a person or entity could be inferred, may be disclosed in a proceeding referred to in subsection (1) if the person or entity and the Chief consent to the disclosure.

Access to Information Act, RSC, 1985, c A-1.

Information obtained in confidence

13 (1) Subject to subsection (2), the head of a government institution shall refuse to disclose any record requested under this Part that contains information that was obtained in confidence from

- (a) the government of a foreign state or an institution thereof;
- (b) an international organization of states or an institution thereof;
- (c) the government of a province or an institution thereof;
- (d) a municipal or regional government established by or pursuant to an Act of the legislature of a province or an institution of such a government; or
- (e) an aboriginal government.

Where disclosure authorized

(2) The head of a government institution may disclose any record requested under this Part that contains information described in subsection (1) if the government, organization or institution from which the information was obtained

- (a) consents to the disclosure; or
- (b) makes the information public.