

MINISTERIAL DIRECTIVE ON RCMP AGREEMENTS

I. INTRODUCTION

- A. This directive is issued by the Solicitor General of Canada to the Commissioner of the Royal Canadian Mounted Police (RCMP) pursuant to authority provided under the Royal Canadian Mounted Police Act, R.S., 1985, c. R-10, s.5.
- B. This directive deals with agreements entered into by the RCMP to provide services, information, assets, or assistance to, or receive same from, other departments, agencies and institutions of municipal, territorial, provincial, federal or foreign governments, or with international organizations.
- C. The purpose of this directive is to provide ministerial guidance to the RCMP regarding accountability and consultation requirements for RCMP agreements.
- D. For the purpose of this directive, the term "agreement" shall be understood to include the terms "arrangement", "understanding", or any other similar term, and to exclude commercial or other contracts and licensing arrangements.
- E. These agreements may take any written form, including an exchange of letters.
- F. The effective date of this directive is the date that is signed by the Solicitor General of Canada.
- G. This directive cancels any other ministerial directive on RCMP law enforcement agreements that may have existed on the effective date.

II. PRINCIPLES AND STANDARDS

- A. The following principles shall govern RCMP agreements:
 - 1. All RCMP agreements shall be supported by legal advice.
 - 2. Advice, from the Department of Foreign Affairs based on Canadian foreign policy considerations, must accompany any RCMP agreement with a foreign entity.
 - 3. Where the Department of Foreign Affairs advises that it would not be in the best interest of Canada's foreign policy either to enter into a proposed agreement or to let an existing RCMP agreement continue in effect with a foreign entity, the RCMP Commissioner shall bring the matter to the attention of the Solicitor General for decision, and shall advise the Solicitor General for decision, and shall advise the Solicitor General with respect to that decision.
 - 4. The RCMP is to keep an inventory of all RCMP agreements, amendments thereto, audit reports and any other correspondence relating to an agreement in a records system so that the above correspondence can easily be reviewed.
 - 5. Except as provided for hereinafter, all RCMP agreements shall be

signed by the Commissioner of the RCMP or his/her delegate.

- B. RCMP agreements must be in written form and contain the following:
1. A statement of the purpose and/or objectives of the agreement.
 2. A full description of the obligations and committed resources of all signatories to the agreement.
 3. The identification, within each organization, of individuals or positions responsible for the discharge of the obligations detailed in the agreement.
 4. Provisions for modification of the agreement by mutual consent of all the signatories.
 5. Provisions for the cancellation of the agreement by any of the signatories.
 6. Any statutory authorities governing the agreement.
 7. Provisions for reviews, audits and evaluations of any aspect of the agreement.

III. CONSULTATION AND SIGNATURE

- A. The RCMP Commissioner shall consult with the Solicitor General of Canada with respect to all RCMP agreements and amendments thereto that fall under the following categories:
1. Where any of the signatories or proposed signatories is a Canadian or foreign elected official, or foreign official, holding an office or having a status equivalent to, or higher than, that of the Solicitor General of Canada.
 2. Where the RCMP Commissioner determines that consultation is required for any reason including the possibility that an agreement may receive attention in Parliament or from the media.
- B. The Solicitor General of Canada may decide to become a signatory to any agreement falling under these categories along with, or in the place of, the RCMP Commissioner or his/her delegate.

(original signed by)
Solicitor General of Canada

5 April 2002
Date