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Directive on Open Government

1. Effective Date

1.1 This directive takes effect on October 9, 2014.

2. Application

2.1 This directive applies to departments as defined in Section 2 of the *Financial Administration Act*, unless excluded by specific acts, regulations, or orders-in-council.

2.2 All other federal institutions are encouraged to use this directive to define their own open government policies and practices.

2.3 This directive is to be applied to government information of business value required to support the delivery of programs and services by departments as of the effective date above in order to determine eligibility and facilitate planning for release.

2.4 Sections 7.3 and 8.2 do not apply with respect to the Office of the Auditor General, the Office of the Privacy Commissioner, the Office of the Information Commissioner, the Office of the Chief Electoral Officer, the Office of the Commissioner of Lobbying, the Office of the Commissioner of Official Languages, and the Office of the Public Sector Integrity

Commissioner. The deputy heads of these organizations are solely responsible for monitoring and ensuring compliance with the directive within their organizations, as well as for responding to cases of non-compliance in accordance with any Treasury Board instruments that provide principles and guidance on the management of compliance.

3. Context

3.1 The Government of Canada's commitment to open government is founded on the strong history of transparency and accountability first established with the enactment of the Access to Information Act in 1983 followed by the Federal Accountability Act in 2006 which introduced proactive disclosure. In 2012 the Government joined the Open Government Partnership and in June 2013 the Government endorsed the G8 Charter on Open Data.

3.2 The expectations of Canadians for increased access to, and the proactive release of, federal data and information will require government departments and agencies to make their information resources that are eligible for release to be more easily discoverable and reusable.

3.3 Strong information management practices are the cornerstone of the Government of Canada's open government activities. These practices increase efficiency, reduce costs, improve services, safeguard personal, classified and confidential information, and ensure the availability of high-quality, authoritative information, ultimately enabling departments to be more responsive and accountable to Canadians.

3.4 This directive supports the *Policy on Information Management* by promoting information management practices which enable the proactive and ongoing release of government information.

3.5 This directive is to be read in conjunction with the *Directive on Recordkeeping* and the *Communications Policy of the Government of Canada*. In addition, this directive will be reinforced by additional guidance, tools, and resources, including guidance on licences and release criteria.

3.6 This directive is issued under the authority of Section 7 of the *Financial Administration Act*.

4. Definitions

For definition of terms used in this directive, refer to Appendix A.

5. Directive Statement

5.1 Objective

The objective of the directive is to maximize the release of government information and data of business value to support transparency, accountability, citizen engagement, and socio-economic benefits through reuse, subject to applicable restrictions associated with privacy, confidentiality, and security.

5.2 Expected Results

The expected results of this directive are the following:

- Canadians are able to find and use Government of Canada information and data to support accountability, to facilitate value-added analysis, to drive socio-economic benefits through reuse, and to support meaningful engagement with their government.

6. Requirements

The departmental Information Management Senior Official is responsible for the following:

6.1 Maximizing the release of Government of Canada open data (structured data) and open information (unstructured documents and multi-media assets) under an open and unrestrictive licence designated by the Treasury Board of Canada Secretariat as outlined in Appendix B.

6.2 Ensuring that open data and open information is released in accessible and reusable formats via Government of Canada websites and services designated by the Treasury Board of Canada Secretariat.

6.3 Establishing and maintaining comprehensive inventories of data and information resources of business value held by the department to determine their eligibility and priority, and to plan for their effective release.

6.4 Developing, posting to the designated website, implementing, and annually updating a departmental Open Government Implementation Plan (OGIP) as outlined in Appendix C.

6.5 Maximizing the removal of access restrictions on departmental information resources of enduring value prior to transfer to Library and Archives Canada as part of planned disposition activities.

6.6 Ensuring that open government requirements in sections 6.1 to 6.5 of this directive are integrated in any new plans for procuring, developing, or modernizing departmental information applications, systems, or solutions in support of the delivery of programs and services.

7. Monitoring and Reporting Requirements

7.1 Departmental information management senior officials, as designated by the deputy heads, are responsible for the following:

- Overseeing the implementation and monitoring of this directive in their department;
- Working with key stakeholders, including heads of communications, chief information officers (CIOs), departmental security officers (DSOs), data owners, functional specialists, and access to information and privacy coordinators to ensure the implementation of this directive;
- Bringing to the deputy head's attention any significant difficulties, gaps in performance or compliance issues, and developing proposals to address them;
- Ensuring that corrective actions are taken to address instances of non-compliance. Corrective actions can include additional training, changes to procedures and systems, and other measures as appropriate; and
- Reporting any performance or compliance issues to the Chief Information Officer Branch of the Treasury Board of Canada Secretariat.

7.2 The Treasury Board of Canada Secretariat will monitor and report on compliance with all aspects of this directive in a variety of ways, including the following:

- Assessments under the Management Accountability Framework;
- Examinations of Treasury Board submissions, departmental performance reports, and results of audits, evaluations, and studies; and
- Periodic progress reports.

7.3 The Treasury Board of Canada Secretariat will review this directive and its effectiveness at the five-year mark from the effective date of the directive (or earlier if warranted).

8. Consequences

8.1 In instances of non-compliance, deputy heads are responsible for taking corrective measures within their organization with those responsible for implementing the requirements of this directive.

8.2 Consequences of non-compliance with this directive can include any measure allowed by the Financial Administration Act that the Treasury Board would determine as appropriate and acceptable in the circumstances.

8.3 For a range of consequences of non-compliance refer to “Appendix C: Consequences for Institutions” and “Appendix D: Consequences for Individuals” of the Framework for the Management of Compliance.

9. Responsibilities of Government Organizations

Note: This section identifies other departments that have a role in the effective implementation of the *Directive on Open Government*. In and of itself, this section does not confer authority.

9.1 The roles and responsibilities of other government organizations are described in section 8 of the Policy on Information Management.

9.2 In addition, the Treasury Board of Canada Secretariat is responsible for the following:

- Designating open government web sites, services, criteria, and formats for use by departments; and

- Developing and/or designating open licences for use by departments.

9.3 Library and Archives Canada is responsible for establishing criteria in order to make information resources transferred to its care and control available as soon as possible.

10. References

10.1 Relevant Legislation

- *Financial Administration Act*
- *Access to Information Act*
- *Library and Archives of Canada Act*
- *Privacy Act*
- *Security of Information Act*

10.2 Related policy instruments

- *Communications Policy of the Government of Canada*
- *Policy on Access to Information*
- *Policy on Evaluation*
- *Policy on Government Security*
- *Policy on Information Management*
- *Policy on Internal Audit*
- *Policy on Management of Information Technology*
- *Policy on Official Languages*
- *Directive on Recordkeeping*
- *Standard for Managing Metadata*
- *Standard on Web Accessibility*

11. Enquiries

For information on this policy instrument, please contact the Treasury Board of Canada Secretariat Public Enquiries.

Appendix A: Definitions

Access restrictions (*restrictions d'accès*)

Security identification and categorization that ensures that appropriate safeguards are applied to mitigate security risks to the confidentiality, integrity, or availability of information.

Data (*données*)

Reinterpretable representations of information in a formalized manner suitable for communication, interpretation, or processing.

Inventory (*inventaire*)

A detailed, itemized list that describes the volume, scope, and complexity of structured or unstructured information resources of the department.

Machine-readable (*lisible par machine*)

In a form that can be used and understood by a computer.

Open data (*données ouvertes*)

Structured data that is machine-readable, freely shared, used and built on without restrictions.

Open government (*gouvernement ouvert*)

A governing culture that holds that the public has the right to access the documents and proceedings of government to allow for greater openness, accountability, and engagement.

Open information (*information ouvert*)

Unstructured information that is freely shared without restrictions.

Release (*communication*)

Make publicly available online in a downloadable format

Structured information (*information structurée*)

Digital information residing in fixed fields within a repository.

Unstructured information (*information non structurée*)

Digital information that is often created in free-form text using common desktop applications such as e-mail, word-processing, or presentation applications.

Appendix B: Mandatory Release of Government Information

Departments must maximize the release of open data and open information by ensuring that all data and information resources specified below are considered for release.

Open Data:

All data resources of business value held by Government of Canada departments are to be open by default and released as open data unless subject to valid exceptions, such as ownership, security, privacy, and confidentiality, as determined by the department. The Treasury Board of Canada Secretariat will support departments in the development of their decision-making and approval processes with regard to legal and policy issues by providing a release criteria checklist and other guidance tools.

Open Information:

At a minimum, the following information resources of business value are to be open by default and released, subject to valid exceptions, such as ownership, security, privacy, and confidentiality, as determined by the department. The Treasury Board of Canada Secretariat will support departments in the development of their decision-making process to evaluate the legal and policy issues by providing a release criteria checklist and other guidance tools.

- All mandatory reporting documents (e.g. reports to Parliament, proactive disclosure reports); and
- All documents posted online or planned for publication via departmental web sites or print (e.g., statistical reports, educational videos, event photos, organizational charts).

Appendix C: Open Government Implementation Plan

All departments will develop and update on an annual basis, an Open Government Implementation Plan (OGIP) to outline departmental direction, strategies, and initiatives undertaken to meet the requirements of this directive. In addition, departments will be required to post their implementation plan to a Government of Canada website designated by the Treasury Board of Canada Secretariat.

Specifically, the OGIP (Open Government Implementation Plan) should include a description of the activities undertaken to meet the requirements stated in section 6 of this directive, including the following:

- A description of departmental governance structures and decision processes that support open government, including the approval

process for the release of open data and open information resources.

- A summary of activities undertaken to maximize the release of open information and open data;
- A summary of activities undertaken to complete and maintain inventories of data and all other information resources, including a summary of high-value and/or high-priority open data and open information subject to release; and
- A summary of activities undertaken to ensure the removal of access restrictions on departmental information resources prior to transfer to Library and Archives Canada.

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