

Minister  
of National Defence



Ministre  
de la Défense nationale

Ottawa, Canada K1A 0K2

SECRET//SI//CEO

CERRID # 1088863

## MINISTERIAL AUTHORIZATION

### COMMUNICATIONS SECURITY ESTABLISHMENT CYBER DEFENCE ACTIVITIES

**In the matter of subsection 273.65(3) of the *National Defence Act*:**

1. In the exercise of the power conferred on me, I have read the submission of John Forster, Chief, Communications Security Establishment (CSE), and I am satisfied that the conditions enunciated in subsection 273.65(4) of the *National Defence Act* have been met.
2. I therefore authorize CSE to engage in cyber defence activities on computer systems and networks of the Government of Canada that risk the interception of private communications where the sole purpose of those activities is to protect those computer systems and networks from mischief, unauthorized use or interference.
3. As required by the *National Defence Act*:
  - a) This Ministerial Authorization authorizes CSE to intercept private communications to the extent necessary to identify, isolate or prevent harm to Government of Canada computer systems and networks.
  - b) Activities carried out pursuant to this Ministerial Authorization shall be subject, as a minimum, to measures to protect the privacy of Canadians, contained in the following operational policies and other operational policies referred to therein:
    - (i) OPS-1 – “Protecting the Privacy of Canadians and Ensuring Legal Compliance in the Conduct of CSEC Activities”; and
    - (ii) OPS-1-14 – “Operational Procedures for Cyber Defence Operations Conducted under Ministerial Authorization”.
  - c) For the purpose of paragraph 273.65(4)(d) of the *National Defence Act*, a private communication intercepted pursuant to this Ministerial Authorization shall only be used or retained if it is essential to identify, isolate or prevent harm to Government of Canada computer systems or networks.

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4. Prior to engaging in activities associated with this authorization, CSE shall inform me of the receipt of any new "Letter of Request" signed by an appropriate individual acting on behalf of the requesting federal institution.
5. Any private communications copied but not used or retained by CSE under the authority of this Ministerial Authorization may be held for a period of up to twelve months from the date that private communication was copied.
6. After expiration of this Ministerial Authorization or at any time upon request, CSE shall provide me with a report that specifies, on a per federal institution basis, the number of private communications used or retained that, pursuant to this Ministerial Authorization, contained information that was essential to identify, isolate or prevent harm to Government of Canada computer systems or networks.
7. Pursuant to subsection 273.65(5) of the *National Defence Act*, I consider it advisable, for the protection of the privacy of Canadians, that the following additional measure apply to the interception of private communications carried out in accordance with this Ministerial Authorization:
  - a) The activities carried out pursuant to this Ministerial Authorization shall be in strict compliance with the current versions of the Ministerial Directives "Privacy of Canadians" and "Accountability Framework".
8. Pursuant to section 273.63 and subsection 273.65(8) of the *National Defence Act*, the Commissioner of CSE is charged with the review of activities carried out under this Ministerial Authorization to ensure they are in compliance with the law and authorized, and the Establishment shall support and assist the Commissioner in carrying out such reviews.
9. This Ministerial Authorization shall have effect for one year, from 1 December 2012 to 30 November 2013.

Dated at Ottawa, Ont, this 20<sup>th</sup> day of November 2012.



The Honourable Peter MacKay, P.C., M.P.  
Minister of National Defence