

- 96) The Committee recommends that the *CSIS Act* be amended to permit SIRC to initiate its own complaints against the Service.
- 97) The Committee recommends that section 42 of the *CSIS Act* be amended to allow the Review Committee to receive and investigate a complaint from any individual who, by reason of failure of the Service to complete a security assessment within a reasonable period after a request is received by the Service, is denied employment or is dismissed, demoted, or transferred or denied promotion or transfer, or is denied a contract to provide goods or services to the Government of Canada.
- 98) The Committee recommends that if the delay by CSIS in providing a security assessment amounts to constructive denial of employment to the complainant, then SIRC may forward a recommendation to a deputy head under section 52 of the *CSIS Act* and that recommendation shall have binding effect upon the deputy head concerned.
- 99) The Committee recommends that section 42(1) and (2) of the *CSIS Act* be repealed and replaced by:
- 42.(1) When a security clearance, required by the Government of Canada for an individual for any purpose, is denied or is granted at a lower level than that required or is downgraded to a lower level than that required, the deputy head or other person making that decision shall send, within ten days after the decision is made, a notice informing the individual of the denial of a security clearance at the required level, and of the individual's right under this section to complain to the Security Intelligence Review Committee.
- 100) The Committee recommends that subsection 52(2) of the *CSIS Act* be amended to provide that SIRC rulings in respect of security clearances are final and binding upon a deputy head.
- 101) The Committee recommends that the Government study the feasibility of authorizing the Review Committee to provide legal or financial assistance to any person who, it is felt, requires such assistance to present his or her case before the Review Committee.
- 102) The Committee recommends that the *CSIS Act* be amended so that SIRC may award costs to a complainant who was successful in his or her application before the Review Committee.
- 103) The Committee recommends that the *Federal Court Act* be amended to provide that, in the event of judicial review, the Federal Court of Appeal have exclusive