



Bennett Jones

## Defence & Security

Matters of national security and military preparedness are complex, dynamic and reach all aspects of the public and private sectors.

Fast changing public policy, procurement priorities, emerging threats, and appetite for strong defences create unprecedented commercial opportunities. Our experienced Defence & Security Practice Group is devoted to representing clients in the defence, technology, consulting, and security industries who provide defence, national security, and related strategic goods and services.

Bennett Jones is consistently ranked as one of Canada's foremost technology procurement law firms, with particular expertise in defence procurement (including market access, bid regulation, and effective success strategies), cybersecurity governance, supply chain & sourcing security, government contracting, and navigating Canada's unique legal and regulatory landscape concerning national security and related public policy.

### Areas of practice

- Military Procurement
- National Security Policy
- Controlled Goods Program Registration and Compliance
- Government Contracts & Tendering Process
- Market Access & International Trade
- Procurement Challenges and Dispute Resolution
- Private Sector Infrastructure Security
- Employee Security: Clearances and Monitoring
- CyberSecurity
- Corporate Governance: Disclosure and Risk Assessment
- Anti-Corruption Compliance and Investigations
- Supply Chain Integrity and Security Risk Management
- Secured Communications and IT
- Export Controls and Permits
- Cross-border Transactions, Tax, Customs, Immigration, Competition and National Treatment Practices

### Select Experience

- All Canadian defense and national security laws, regulations, policies and program analysis and guidance, including concerning: Defense Production Act; Public Works and Government Services Canada's procurement services, such as EMTS Program



(Electronic, Munitions and Tactical Systems), Controlled Goods Directorate (CGD), and Industrial Security Program (ISP); The Department of National Defense and Canadian Forces; Public Safety Canada (including emergency management, national security, and cyber tracking); The Privy Council Office's Advisory Council on National Security; Communications Security Establishment Canada (CSEC) (Canada's national cryptologic agency); Canadian Security Intelligence Services (CSIS); Treasury Board of Canada "Policy on Government Security" and "Guidelines for Invoking National Security Exemptions"; Shared Services Canada (created in August, 2011 with a broad appropriations procurement mandate to securely transform and standardize the government of Canada's IT infrastructure services relating to email, networks/telecommunications and data centers systems); Foreign Affairs and International Trade Canada (e.g. export and import controls, arms control agreements, and related international relations), including DFAIT's NATO National Security Authority for Canada.

Military goods and services procurement, including federal and provincial governments

- Guidance on defense and national security laws, regulations and policy
- Procurement processes, laws and regulations; including RFI, RFQ, and RFP, contract advice, and proposal contents
- Government contracting, including R&D transactions, development projects, and related commercial transactions
- Export control laws, regulations and policies; all permit applications
- Procurement audits, investigations, challenges, disputes, and related litigation, including CITT bid challenges and judicial review
- Public and private sector corporate governance related to security matters
- Cybersecurity, secured communications, IT security compliance best practices
- ICT supply chain security, integrity, due diligence and related commercial and contractual strategies
- Corporate governance and industrial espionage, including employee clearances and monitoring programs
- Protection of intellectual property assets, trade-secrets, and industrial know-how
- All tax and customs related matters, including transfer pricing, tariffs, and tax treaty matters
- International and domestic anti-corruption compliance, including investigations and prosecutions under the CFPOA and coordination with foreign counsel in FCPA and related matters
- Trade law matters, including all competition law, subsidies and countervail, and market access matters

## Key Contacts

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