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# Certification Guide

for

## Seafarer Recruitment and Placement Service Providers

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## ***GENERAL***

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### **Scope**

The International Labour Organization adopted the Maritime Labour Convention 2006 (MLC, 2006) in February 2006. The MLC, 2006 requires that seafarers have access to an efficient and well-regulated seafarer recruitment and placement system.

The *Marine Personnel Regulations* (MPR) require any person operating a seafarer recruitment and placement service in Canada to hold a Seafarer Recruitment and Placement Service (SRPS) Licence issued by Transport Canada (TC).

This Guide applies to all SRPS responsible for recruiting or placing seafarers for work on Canadian vessels, including fishing vessels on a near coastal voyage, Class 1 or an unlimited voyage, or foreign vessels.

This Guide **does not apply** to a SRPS operated by a trade union certified by the Canada Industrial Relations Board under the *Canada Labour Code*.

## ***TERMS AND DEFINITIONS***

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*Audit:* A systematic, independent, and documented process for obtaining and evaluating samples of objective evidence to determine the extent to which “audit criteria” are fulfilled.

*Authorized representative:* For a Canadian vessel, the person referred to in subsection 14(1) of the *Canada Shipping Act, 2001* and, for a foreign vessel, this is the master.

*Certification:* Transport Canada’s decision that a SRPS’s management system meets the applicable requirements set out in TC’s Certification Guide for Seafarer Recruitment and Placement Services.

*Convention:* The International Labour Organization Maritime Labour Convention, 2006 (MLC, 2006).

*Major Nonconformity:* The identifiable deviation that gives grounds to believe that there exists a serious breach of the *Canada Shipping Act, 2001* (CSA 2001) and the MPR requirements (including seafarers’ rights), or represents a significant danger to seafarers’ safety, health, and/or security.

*Management System:* The interrelated or interacting processes used to direct and control a SRPS.

*Procedure:* The specified way to carry out an activity or a process.

*Requirement:* A need or expectation generally stated, generally implied, or obligatory.

*Seafarer:* Any person employed, engaged or working on board a vessel in any capacity.

*Seafarer Recruitment and Placement Service (SRPS):* Any service that is engaged in recruiting or placing persons for work on vessels.

*Vessel:* A boat, ship or craft designed, used or capable of being used solely or partly for navigation in, on, through or immediately above water, without regard to method or lack of propulsion, and includes such a vessel that is under construction. It does not include a floating object of a prescribed class.

*Top Management:* The person(s) who direct(s) or controls a SRPS.

*Transport Canada (TC):* TC's Marine Safety and Security Program



## **APPLICATION AND CERTIFICATION**

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### **1. Application**

#### **1.1 Seafarer Recruitment and Placement Service Licence**

A Seafarer Recruitment and Placement Service (SRPS) that meets the requirements of the Maritime Labour Convention, 2006 (MLC, 2006) the *Canada Shipping Act, 2001* (CSA 2001), and the *Marine Personnel Regulations* (MPR), may receive a SRPS licence.

A SRPS licence is valid for 5 years, subject to the SRPS complying with the requirements for periodical audits.

Transport Canada (TC) will renew the licence following a satisfactory renewal audit.

#### **1.2 Application Requirements**

TC will assess an application for a SRPS licence once it receives a completed application with all mandatory supporting documents. The completed application will include:

- a) Application for a SRPS Licence, TC form # 82-0714E (English) available at <http://wwwapps.tc.gc.ca/Corp-Serv-Gen/5/Forms-Formulaire/searchrs.aspx?formnumber=82-0714E>
- b) Supporting Documents
  - i. declaration for compliance with Part 1 of the *Personal Information Protection and Electronic Documents Act*
  - ii. credentials of supervisory staff
  - iii. quality management system manual
  - iv. certificate of insurance

##### **1.2.1 Declaration for compliance with Part 1 of the *Personal Information Protection and Electronic Documents Act***

Part 1, Protection of Personal Information in the Private Sector, of the *Personal Information Protection and Electronic Documents Act* (PIPEDA) applies to all personal information an organization collects, uses or discloses in the course of commercial activities.

Your application must include documented personal information management practices that address the ten principles of Schedule 1 of the PIPEDA that businesses must follow. These include:

1. Accountability
2. Identifying purposes
3. Consent
4. Limiting collection
5. Limiting use, disclosure and retention
6. Accuracy
7. Safeguards
8. Openness
9. Individual access
10. Challenging compliance

To learn more, you may consult the following documents:

- *Personal Information Protection and Electronic Documents Act*  
<http://laws-lois.justice.gc.ca/PDF/P-8.6.pdf>
- A Guide for Businesses and Organizations  
[http://www.priv.gc.ca/information/02\\_05\\_d\\_08\\_e.asp](http://www.priv.gc.ca/information/02_05_d_08_e.asp)
- The PIPEDA Self-Assessment Tool  
[http://www.priv.gc.ca/information/pub/ar-vr/pipeda\\_sa\\_tool\\_200807\\_e.asp](http://www.priv.gc.ca/information/pub/ar-vr/pipeda_sa_tool_200807_e.asp)

**Note:**

*You will find a checklist and declaration for compliance with Part 1 of PIPEDA in Annex A. Once completed, this will satisfy the requirement for ensuring that personal information management practices comply with Part 1 of PIPEDA. You must submit the completed Annex A to TC with your application, for review.*

## **1.2.2 Credentials of supervisory staff**

### **Trained or Certified Seafarers**

All staff responsible for supervising a public or private SRPS for a vessel's crew with responsibility for the vessel's safe navigation and pollution prevention operations must:

- be trained in those operations, and have minimum sea-service experience required for certification under Part 1 of the MPR; and
- have knowledge of the maritime industry, including:
  - the Standards of Training, Certification and Watchkeeping for Seafarers (STCW) Convention;
  - the MLC, 2006; and
  - recommendations published by the International Labour Organization.

Minimum certification requirement for a STCW certificate of competency under Part 1 of the MPR applies:

- Watchkeeping Mate Near Coastal
- Engine-Room Rating

**Note:**

*You must include resumes of all supervisory staff for these operations in your application.*

**Other Seafarers**

All staff responsible for supervising public or private SRPS that hire seafarers who are not part of the vessel's crew with responsibility for the vessel's safe navigation and pollution prevention operations, must have knowledge of the MLC, 2006 and recommendations published by the International Labour Organization.

**Note:**

*You must include resumes of all supervisory staff for these operations in your application.*

### **1.2.3 Quality management system manual**

To meet this standard, your organization must have a documented system of quality standards in force.

**Note:**

*You must include your quality management system manual in your application. Your manual must include documented procedures that define the management processes identified in section 3 of this Guide.*

### **1.2.4 Insurance or other financial arrangements**

You must repatriate seafarers as set out in sections 327 and 328 of the MPR, and reasonably accommodate them in the interim.

You must have a valid certificate of insurance in effect, to sufficiently compensate crew members for monetary loss they may reasonably incur if your organization, the authorized representative of a Canadian vessel or the shipowner, in the case of a foreign vessel, fails to meet its obligations to the crew members under their contracts of employment.

You must provide TC with a copy of the certificate of insurance on an annual basis, to maintain a valid SRPS licence.

**Note:**

*You must include a valid certificate of insurance in your application.*

## **2. Certification**

### **2.1 Principles**

This standard is subject to change without notice. Updates may include, among other things, new requirements or clarification of existing requirements. TC will require certified SRPS providers to comply with the changes within two years after their publication.

#### **2.1.1 Application Review**

TC reviews all applications and supporting documents to verify conformity with the requirements that apply.

The absence of recorded nonconformities does not mean that none exist. This is why TC must have access to all certified locations during normal working hours so we can assess the quality management system to determine compliance with the CSA 2001, the MPR and this standard. We will require corrective action on possible and identified non-conformities.

All SRPS must inform TC in writing of major changes to management system elements so that TC can evaluate them and take appropriate action. Major changes alter the intent or substance of the management system. Examples include: managerial organizational structure; change in supervisory staff; upgrade/downgrade of process capability, location, control or flow.

#### **2.1.2 Implementation audit**

TC will also conduct an implementation audit to verify conformity between the documented and implemented quality management system. We will report all possible non-conformities in writing to the SRPS and require corrective actions. When the corrective actions are complete or a plan for completing corrective actions is available and accepted, TC will recommend certification.

#### **2.1.3 Internal audit**

The SRPS must conduct an internal audit three years after certification to verify the effectiveness of their quality management system.

Auditors should be independent of the SRPS and must ensure the objectivity and impartiality of the audit process.

The SRPS management must:

- bring the results of internal audits to the attention of all personnel with responsibility for audited activities;
- take timely corrective action on audit findings and their causes;
- implement and maintain a documented procedure detailing the requirements for planning and conducting audits as well as taking corrective actions; and
- Maintain and provide TC with audit records and their results.

#### **2.1.4 Renewal audit**

Certified SRPS must satisfactorily complete a TC renewal audit at the end of each five-year certification cycle.

#### **2.1.5 Periodical surveillance audits**

TC may conduct periodical surveillance audits as and when required, to verify ongoing SRPS compliance with the requirements of the CSA 2001, the MPR and this standard and the continual improvement of its management system. We will report possible non-conformities in writing to the SRPS, and require corrective actions within an agreed time.

### **2.2 Certification**

Certification is confirmation that, **at the time of assessment**, TC found the SRPS had established and implemented a quality management system that met the requirements in this standard.

Certification is not proof that the SRPS always complies with its quality management system or that the quality management system addresses all contingencies. Management performance remains the responsibility of the SRPS.

### **2.3 Termination**

Continued certification is conditional upon continued SRPS compliance with the CSA 2001, the MPR and this standard.

TC reserves the right to reconsider, withhold, suspend or cancel the licence for noncompliance with the requirements or refusing access for an implementation or surveillance audit.

## **REQUIREMENTS FOR CERTIFICATION**

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### **3. Management Responsibility**

#### **3.1 Quality Policy**

The SRPS must establish, document and maintain a quality policy that appropriately reflects its management system, and effectively communicate its quality policy and objectives throughout the organization.

Top management shall establish, document, monitor, measure, and analyze organizational objectives and expectations to verify that the SRPS has effectively implemented approved processes.

The quality policy must include a commitment indicating that the SRPS:

- will not use means, mechanisms or lists intended to prevent or deter any seafarers from gaining employment for which they are qualified on board a vessel;
- will not charge the seafarers, directly or indirectly, fees for recruiting, placing, or employing seafarers, other than the cost of the seafarer obtaining a medical certificate, the seafarer's record of sea service or a passport or other similar personal travel documents other than a visa;
- will not recruit or place any person under the age of 16;
- will advise seafarers on the possible problems of signing on a vessel that flies the flag of a State which has not ratified the MLC, 2006;

**Note:**

*The SRPS must clearly publicize costs, if any, it expects the seafarer to assume in the recruitment process.*

## 3.2 Quality Management System

The SRPS must establish, document, implement, maintain, and continually improve a quality management system that meets the requirements set out in this standard.

The quality management system manual must document the management processes for the following:

### 3.2.1 Seafarer register

The SRPS must:

- a) Maintain an up-to-date register of all seafarers they recruit and place.
- b) Maintain full and complete records of the seafarers listed in the register, which should include but not be limited to:
  - i. the seafarers' qualifications and training including validity and any restrictions
  - ii. record of employment
  - iii. personal data relevant to employment
  - iv. medical data relevant to employment, including validity and any restrictions; and
  - v. job postings and work descriptions, as applicable.
- c) Verify that all mandatory certificates, documentary evidence and related documents submitted for employment are up-to-date, valid and not fraudulently obtained.
- d) Verify employment references.
- e) Verify that the seafarers they recruit and place for work on a vessel:
  - i. are qualified and hold the documents required for the position concerned
  - ii. have successfully completed training for personal safety on board vessel, and
  - iii. have a valid medical certificate

**Note:**

*The SRPS must be careful to protect seafarers' right to privacy and confidentiality when collecting, processing and storing personal data and sharing such data with third parties.*

### **3.2.2 Vessel register**

The SRPS must maintain an up-to-date register of the vessels for which they provide seafarers that includes:

- the name of the vessel, including IMO number or Flag state of registry;
- the name of the authorized representative, or in the case of a foreign vessel, the name of the shipowner, and 24-hour emergency contact information.

### **3.2.3 Seafarer complaints**

The SRPS must:

- clearly define the responsibility and authority of all personnel handling seafarer complaints;
- document, receive, examine, and respond to any complaints about their activities;
- maintain records of seafarer complaints, nonconformities, and any subsequent actions taken; and
- document a process for notifying TC of any unresolved complaint(s).

### **3.2.4 Authorized representatives' means**

The SRPS must verify that as far as feasible, the authorized representative of a Canadian vessel or the shipowner, in the case of a foreign vessel, has the means to prevent the seafarer from being stranded in a foreign port.

### **3.2.5 Contracts of employment**

The SRPS must ensure that seafarers:

- have employment contracts that comply with applicable laws and regulations and any collective bargaining agreement;
- can examine their employment contracts before and after they are signed
- receive a copy of the signed contract; and
- understand their rights and obligations under their employment contracts before or in the process of engagement.



**ANNEX A**

**Checklist and Declaration for Compliance with  
Part 1 of the *Personal Information Protection and  
Electronic Documents Act (PIPEDA)*  
and the ten principles of Schedule 1 of PIPEDA**

## ***GENERAL***

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### **Personal Information Holdings**

1. Do you know what personal information is?  
 **Yes**  **No**
2. Do you collect, use or disclose personal information in your day-to-day commercial activities?  
 **Yes**  **No**
3. Do you have an inventory of your personal information holdings?  
 **Yes**  **No**
4. Do you know where your organization holds personal information (physical locations and files)?  
 **Yes**  **No**
5. Do you know in what format(s) your organization keeps the personal information (electronic, paper, etc.)?  
 **Yes**  **No**
6. Does your organization protect all personal information it holds?  
 **Yes**  **No**
7. Do you know who has access to personal information in and outside your organization?  
 **Yes**  **No**

## ***PRINCIPLE 1***

---

### **Accountability**

*An organization is responsible for the personal information under its control. It must designate an individual or individuals who are accountable for the organization's compliance with the ten principles of Schedule 1 of PIPEDA.*

- 1.1** Have you named a privacy officer(s) who is (are) responsible for your organization's overall compliance with the Act?

*(Are any shared responsibilities clearly identified?)*

Yes  No

***If yes, please provide the name and title of this person(s). If shared, identify responsibilities for each.***

***Answer:***

- 1.2** Can your staff respond to internal and external privacy questions on behalf of the organization, or do they know who should respond?

*(For example, responding to requests for personal information, requests for correction, and complaints from the public.)*

Yes  No

***Comments:***

- 1.3** Contracts for third party transfers

- a) Do you use contracts to ensure personal information is protected during transfer to a third party for processing?

Yes  No  N/A

***If yes, please provide a copy of the contract.***

***Comments:***

- b) Does the contract limit the third party's use of information to purposes necessary to fulfill the contract?

Yes  No  N/A

***If yes, please highlight section of the contract.***

***Comments:***

- c) Does the contract require the third party to refer any requests for access or complaints about the information transferred to you?

Yes  No  N/A

*If yes, please highlight section of the contract.*

*Comments:*

- d) Does the contract specify how and when a third party must dispose of or return any personal information it receives?

Yes  No  N/A

*If yes, please highlight section of the contract.*

*Comments:*

- 1.4 Have you developed and implemented personal information policies and procedures?

Yes  No

*If yes, please provide copies of policies and procedures.*

*Answer:*

- 1.5 Do your customers know whom to contact:

- a. to ask questions about their personal information;
- b. to request personal information;
- c. to request corrections to their personal information; or
- d. to file complaints?

Yes  No

*If yes, please provide name(s) of individual(s).*

*Answer:*

- 1.6 Is your privacy officer able to explain to the public the steps and procedures for requesting personal information and filing complaints?

Yes  No

*Comments:*

- 1.7 Has your staff been trained on the PIPEDA?

Yes  No

*If yes, please provide evidence of training (i.e. training presentation).*

*Answer:*

**1.8** Will there be ongoing training?

Yes  No

*Comments:*

**1.9** Will you inform your employees of new privacy issues raised by technological changes, internal reviews, public complaints and court decisions?

Yes  No

*Comments:*

## ***PRINCIPLE 2***

---

### **Identifying Purpose**

*The organization must identify why it is collecting personal information at or before the time it collects the information.*

**2.1** Do you only collect personal information that is essential for recruitment?

Yes  No

*Please provide a copy of the application form.*

*Answer:*

**2.2** Do you have a privacy notice that documents why you collect personal information?

Yes  No

*If yes, please provide a copy of the privacy notice, and state where it is located.*

*Answer:*

**2.3** Do your application forms, questionnaires, survey forms, pamphlets and brochures clearly state why and how you use or disclosure personal information?

Yes  No

*If yes, please provide evidence.*

*Answer:*

## ***PRINCIPLE 3***

---

### **Consent**

*The knowledge and consent of the individual are required for the collection, use or disclosure of personal information, except where inappropriate.*

#### **3.1 Personal information**

- a) Does your staff inform a person, in a meaningful way, why and how you collect, use or disclose personal information?

*(Does your staff collect personal information over the phone, which requires the staff to explain the purposes of collection.)*

Yes  No  N/A

**Comments:**

- b) Do you obtain a person's consent before collecting their personal information?

*(Is your consent statement clear enough for a person to understand why and how you collect, use or disclose personal information?)*

Yes  No  N/A

***If yes, please provide how you obtain consent (i.e. provide a copy of application form).***

**Answer:**

- 3.2** Does your staff know they must obtain a person's consent before any new use or new disclosure of their personal information?

Yes  No

***If applicable, provide evidence showing how you obtain a person's consent before any new use or disclosure of their personal information.***

**Answer:**

- 3.3** Is your staff able to explain to customers when and how they may withdraw consent and the consequences, if any, of such a withdrawal?

Yes  No

**Comments:**

3.4 Do you use express consent whenever possible, and in all cases where the information is sensitive or the person would reasonably expect it?

Yes  No

*Comments:*



## ***PRINCIPLE 4***

---

### **Limiting Collection**

*Your organization must limit its collection of personal information to that which is necessary for defined purposes. You must collect information by fair and lawful means.*

**4.1** Do you collect personal information without discrimination?

Yes  No

*Comments:*

**4.2** Do you take care to not deceive or mislead people about why you are collecting personal information?

Yes  No

*Comments:*

## ***PRINCIPLE 5***

---

### **Limiting Use, Disclosure and Retention**

*Organizations may use or disclose personal information ONLY for the purposes for which it was collected, except with the consent of the person or as required by law. They must keep personal information only as long as necessary to fulfill those purposes.*

- 5.1** Do you disclose personal information only for the purpose for which it was collected, unless the person consents, or its use or disclosure is authorized by PIPEDA?

Yes  No

*Comments:*

- 5.2** Do you have guidelines and procedures in place for keeping and destroying personal information?

*(The guidelines and procedures must also include a timetable for keeping personal information, which is only as long as necessary to fulfill the purposes.)*

Yes  No

*If yes, please provide a copy of the guidelines, procedures and/or retention and disposal schedule.*

*Comments:*

- 5.3** Do you keep personal information you use to make a decision about a person for a reasonable time period?

*(Time enough for the person to obtain the information after the decision and pursue redress.)*

Yes  No

*Comments:*

- 5.4** If you gather and combine personal information from more than one source, do you ensure that the original purposes have not changed?

Yes  No  N/A

*Comments:*

**5.5** When you no longer require personal information for the identified purposes or if it is no longer required by law, do you destroy, erase or make it anonymous?

Yes  No

*Comments:*

## ***PRINCIPLE 6***

---

### **Accuracy**

*Personal information must be as accurate, complete, and up-to-date as is necessary to fulfill its purposes.*

**6.1** Is personal information sufficiently accurate, complete and up to date to minimize the possibility that your organization might use inappropriate information?

Yes  No

*Comments:*

**6.2** Does your organization document when and how it updates personal information to ensure its accuracy?

*(For example, do you have a validation process?)*

Yes  No

*If yes, please provide*

*Comments:*

**6.3** Do you ensure that personal information you receive from a third party is accurate and complete?

Yes  No  N/A

*Comments:*

## ***PRINCIPLE 7***

---

### **Safeguards**

*Personal information must be protected by security safeguards appropriate to the sensitivity of the information.*

**7.1** Do you protect personal information against loss or theft?

Yes  No  N/A

*Comments:*

**7.2** Do you protect information regardless of its format?

Yes  No  N/A

*Comments:*

**7.3** Have you reviewed your physical, technological and organizational security measures to safeguard the information from unauthorized access, disclosure, copying, use or modification?

Yes  No

*Comments:*

**7.4** Do you protect personal information with security safeguards that are appropriate to the:

a) sensitivity of the information?

Yes  No

*Comments:*

b) scale of distribution?

Yes  No

*Comments:*

c) format of the information?

Yes  No

*Comments:*

d) method of storage?

Yes  No

*Comments:*

**7.5** Does your staff only handle the personal information you collect on a “need-to-know” basis necessary to perform assigned functions?

Yes  No

*Comments:*

**7.6** Has your staff been trained about security practices to protect personal information?

*(For example, do they know that they should not leave personal information displayed on their computer screens or desktops in their absence?)*

Yes  No

*Comments:*

**7.7** Is your staff aware that they should properly identify people and establish their right to access the personal information before disclosing?

Yes  No

*Comments:*

**7.8** Do you have rules about who may add, change or delete personal information?

Yes  No

*If yes, please provide evidence of rules.*

*Answer:*

**7.9** Does your organization assign user accounts, access rights and security authorizations for individual users of your IT network?

Yes  No

*Comments:*

**7.10** Do you ensure that no unauthorized parties may dispose of, access, modify or destroy personal information?

Yes  No

*Comments:*

## ***PRINCIPLE 8***

---

### **Openness**

*An organization must make specific information about its policies and practices about managing personal information readily available.*

**8.1** Do your policies and practices for managing personal information include how to:

a) collect personal information?

Yes  No

*If yes, please provide evidence.*

*Answer:*

b) correct personal information?

Yes  No

*Comments:*

c) make an inquiry or complaint?

Yes  No

*Comments:*

**8.2** Do the policies and procedures describe personal information that your organization:

a) holds and how you use it?

Yes  No

*Comments:*

b) discloses to subsidiaries and other third parties?

Yes  No

*Comments:*

**8.3** Do you have a privacy policy for your Web site?

Yes  No



*If yes, please provide evidence of policy.*

*Answer:*

**8.4** Is your privacy policy prominent and easy to find?

Yes  No

*Comments:*

**8.5** Is your privacy policy easy to understand?

Yes  No

*Comments:*

**8.6** Do you review the policies and procedures regularly to ensure they are accurate, complete and up to date, including the current name or title of the person responsible for overseeing compliance with PIPEDA?

Yes  No

*Comments:*

## ***PRINCIPLE 9***

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### **Individual Access**

*Upon request, an organization must inform a person of the existence, use, and disclosure of his or her personal information and be given access to that information. A person must be able to challenge the accuracy and completeness of the information and have it amended, as appropriate.*

**9.1** When asked, do you inform a person if you have any personal information about them?

Yes  No

*Comments:*

**9.2** Do you explain how you use or have used their personal information; and provide a list of any organizations to which it has been disclosed?

Yes  No

*Comments:*

**9.3** Do you give people access to their information?

Yes  No

*Comments:*

**9.4** Do you correct or amend any personal information if its accuracy and completeness is challenged and found to be deficient?

Yes  No

*Comments:*

**9.5** Does your organization note any such disagreements on the personal file and advise third parties where appropriate?

Yes  No

*Comments:*

**9.6** Is your staff aware of the time limits the law allows to respond to access requests (refer to subsection 8(3) of PIPEDA)?

Yes  No

*Comments:*

**9.7** Can you retrieve personal information to respond to individual access requests with a minimal disruption to operations?

Yes  No

*Comments:*

**9.8** Do your information systems make it easy to retrieve and accurately report a person's personal information, including disclosures to third party organizations?

Yes  No

*Comments:*

**9.9** Do you provide personal information to the person at minimal or no cost?

Yes  No

*If there are costs, explain why.*

*Answer:*

**9.10** Do you advise people of costs, if any, before you retrieve their personal information? If so, do you document all such communication?

Yes  No  N/A

*Comments:*

**9.11** Do you provide personal information in a form that is easy to understand?

*(For example, do you explain abbreviations?)*

Yes  No  N/A

*Comments:*

**9.12** Does your organization have procedures for responding to requests for personal information in an alternate format (such as Braille or audiotapes)?

Yes  No  N/A

*Comments:*

## ***PRINCIPLE 10***

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### **Challenging Compliance**

*A person must be able to address a challenge concerning an organization's compliance with the above principles, to the designated individual or individuals accountable for the organization's compliance.*

**10.1** Do you have simple and easily accessible complaint procedures?

Yes  No

**Comments:**

**10.2** Do you inform complainants of their avenues for recourse?

*(These include complaint procedures of your organization, industry associations, regulatory bodies and the Office of the Privacy Commissioner of Canada.)*

Yes  No

**Comments:**

**10.3** Can a person easily find out how to file a complaint with you?

Yes  No

**Comments:**

**10.4** Do you deal with complaints in a timely fashion?

Yes  No

**Comments:**

**10.5** Do you investigate every complaint you receive?

Yes  No

**Comments:**

**10.6** Are your customer assistance and other front-line staff able to distinguish a complaint under the law from a general inquiry? If unsure, do they discuss this with the person?

Yes  No

**Comments:**

**10.7** Do you review staff responses to public inquiries, requests and complaints to ensure they are handled fairly, accurately and quickly?

Yes  No

*Comments:*

**10.8** When a complaint is found to be justified, do you take appropriate corrective measures, such as changing your policies and advising staff of the outcome?

Yes  No

*Comments:*

### DECLARATION OF COMPLIANCE

\_\_\_\_\_  
Company Name

*As top management, and on behalf of the above company, I declare that we have personal information management practices that address the ten principles of Schedule 1 of the PIPEDA.*

\_\_\_\_\_  
Name (printed)

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

**Transport Canada**

*Reviewed by:*

\_\_\_\_\_  
Name (printed)

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

*Approved by:*

\_\_\_\_\_  
Name (printed)

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date