



Canadian Radio-television and
Telecommunications Commission

Conseil de la radiodiffusion et des
télécommunications canadiennes



Annual Report

BROADCASTING
TELECOMMUNICATIONS



CRTC Privacy

2007 / 2008

Canada 



June 25, 2008

The Honourable Josée Verner
Minister of Canadian Heritage, Status of Women
And Official Languages
15 Eddy Street
Gatineau, Quebec
K1A 0M5

Dear Minister:

In accordance with the provisions of Section 72 of the *Privacy Act*, the Canadian Radio-television and Telecommunications Commission hereby submits its annual report for the year ending March 31, 2008 for referral to the Standing Committee on Justice and Human Rights.

Yours respectfully,

Robert A. Morin
Secretary General

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THE COMMISSION'S MANDATE

The Canadian Radio-television and Telecommunications Commission (CRTC) was established by Parliament in 1968. It is an independent public authority constituted under the *Canadian Radio-television and Telecommunications Commission Act* (R.S.C. 1985, c. C-22, as amended) and reports to Parliament through the Minister of Canadian Heritage.

The CRTC is vested with the authority to regulate and supervise all aspects of the Canadian broadcasting system, as well as to regulate telecommunications common carriers and service providers that fall under federal jurisdiction. The CRTC derives its regulatory authority over broadcasting from the *Broadcasting Act* (S.C. 1991, c. 11, as amended). Its telecommunications regulatory powers are derived from the *Telecommunications Act* (S.C. 1993, c. 38, as amended) and the *Bell Canada Act* (S.C. 1987, c.19 as amended).

OBJECTIVES

The *Broadcasting Act* requires the Canadian Radio-television and telecommunications Commission to regulate and monitor broadcasters and broadcasting services, including radio, television, cable distribution and direct-to-home satellite systems, through the issuance of licences.

The *Telecommunications Act* requires the Canadian Radio-television and Telecommunications Commission to regulate and supervise the telecommunication industry by approving tariffs and fostering competition. Through this program Canadians have access to reliable telephone and other high quality telecommunications services at reasonable prices through an increased reliance on market forces and the regulation, where required, is effective and efficient.

In carrying out its responsibilities in both broadcasting and telecommunications, the CRTC must act in the public interest consistent with the statutes under which it operates. Through its public activities, including the public hearing process, the CRTC ensures its sensitivity and responsiveness to the public. In finding new ways and mechanisms to enhance public participation, the CRTC is making sure to incorporate public's input into policy formulation. Participation by Canadian citizens in our public proceedings is considered very important.

Recognizing that the public must be armed with the maximum possible amount of information if its participation in the decision-making process is to be meaningful, the CRTC has endeavored, since its inception, to establish rules and procedures which will allow public access to most of the information submitted to the CRTC by applicants and other parties balancing competitive confidentiality impacts with the needs of the public.

These mechanisms facilitate effective citizen engagement and input and are structured using technologies such as video/audio conferencing and conference calls, so that the CRTC can maximize its public accessibility.

Complaints received by the CRTC are generally forwarded to the specific licensee for response and are then placed on each licensee's public file prior to the public hearing at which their license renewal application is considered, with the exception of those complaints that are referred to the Canadian Broadcast Standards Council. Anyone can consult these files upon request. Broadcasting licensees are required to announce the nature of any application before the CRTC over their facilities and to make a copy of their application and any complaints they may have received available to the public at their place of business. Telecommunications carriers regulated by the CRTC are required, in some instance, to notify their customers about their applications through billing inserts, letters or other means of notice.

The CRTC has also developed a number of internal procedures for facilitating public access to documents. Decisions, notices, orders, and other rulings, as well as documents related to public processes, are posted daily on the CRTC website (<http://www.crtc.gc.ca>).

All public documents are also available for viewing in the Documentation Centre at CRTC headquarters in Gatineau or at the Regional offices in Vancouver, Winnipeg, Dartmouth, Regina, Toronto, Montréal and Edmonton.

PRIVACY ACT

1. Introduction

The CRTC has adopted detailed procedures to ensure close adherence to the requirements, set out in the *Privacy Act* (the *Act*).

2. Institutional Policies

- Organization of Activities

The Coordinator controls, and is responsible for, all administrative activities under the *Act*. This includes all contact with the requestor, consultations with other government departments, liaison with Treasury Board and the Office of the Privacy Commissioner and reporting to senior management and the Secretary General of the CRTC.

The Coordinator also registers copies and assigns Privacy requests. All records of time limits, correspondence, etc., are kept by the Coordinator. A meeting of the Review Committee, consisting of the Director General of the Office of Primary Interest and the General Counsel is scheduled by the Coordinator when a recommendation is made to withhold information concerning any given request. The Review Committee provides advice to the Secretary General on any decisions to be made under the *Act*.

- Formal and Informal Interface

Requests for personal information are handled informally when there is no obvious concern about the protection of the information.

All requests from CRTC employees for information contained in their personnel files are handled informally by the Human Resources Branch.

- Delegation of Authority

The Chairperson has designated the Secretary General to exercise or perform the powers, duties or functions of the head of the institution under the *Act*. In his absence the powers, duties and functions are delegated to the Senior General Counsel. The responsibility for the general administration of the *Act* rests with the Coordinator.

3. Statistical Report/Interpretation

The CRTC did not receive any request for information under the *Privacy Act* during the reporting period, as outlined in the attached Statistical Report (Appendix II). The CRTC did not receive requests for disclosure under subsection 8(2) e), f), g) and m) of the *Act*.

4. Complaint and Investigation

No complaints were filed with the Office of the Privacy Commissioner of Canada.

5. Appeal to Federal Court

No appeals to Federal Court were filed under the *Privacy Act*.

6. Use and Disclosure

The CRTC employees are made aware of their responsibilities for the proper management of personal information holdings. Responsible sectors are also required to consult with the ATIP Coordinator before collecting any personal information.

The ATIP Coordinator must be notified where personal information in a personal information bank is used or disclosed for a use consistent with the purpose for which the information was obtained or compiled, but was not identified in the statement of consistent uses published in *Info Source*.

7. Privacy Impact Assessment

The CRTC did not produce any Privacy Impact Assessment or Preliminary Privacy Impact Assessments reports.

8. Data matching and data sharing

The CRTC did not participate in any data matching or data sharing activities during the report period.

9. Awareness

Two awareness sessions were offered during the reporting period. Twenty persons participated to those sessions. An electronic version of the presentation was placed on the CRTC Intranet for reference.

