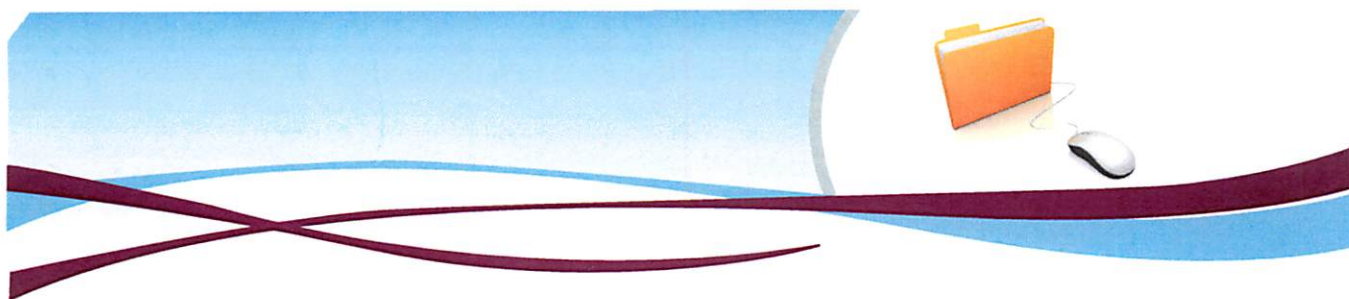




Conseil de la radiodiffusion et des
télécommunications canadiennes

Canadian Radio-television and
Telecommunications Commission



Annual Report

Privacy

2009 / 2010



www.crtc.gc.ca

Canada 

June 30, 2010

The Honourable James Moore
Minister of Canadian Heritage
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, 2010 for referral to the Standing Committee on Justice and Human Rights.

Yours respectfully,

A handwritten signature in black ink, appearing to read 'R. Morin', with a large, stylized initial 'R'.

Robert A. Morin
Secretary General

Access to Information & Privacy Coordinator
CRTC
1, Promenade du Portage
Central Building, Les Terrasses de la Chaudière
Hull, Quebec
(819) 997 4274

mailing address:
Ottawa, Ontario
K1A 0N2

or

Toll free 1-877-249-2782
TDD – Toll free 1-877-909-2782
Tel: (819) 997-0313
TDD – (819) 994-0423
Internet Address: <http://www.crtc.gc.ca>

Catalogue no. BC9-5/2-2010E-PDF
ISBN 978-1-100-16464-9

Table of Contents

Introduction.....	4
CRTC Mandate and Responsibilities	4
Objectives.....	4
Administration.....	5
Education and training	5
Information holdings	5
Requests received under the Privacy Act	5
Use and disclosure	6
Data matching and data sharing	6
Disclosures Under Subsections 8(2)(e), (f), (g), and (m) of the <i>Privacy Act</i>	6
Costs	6
Statistical Report of the <i>Privacy Act</i>	6

Appendices:

- A. Delegation Orders
- B. Statistical Report

Introduction

In its day-to-day operations, federal government departments and agencies collect personal information from almost all Canadians. The *Privacy Act* (the *Act*) gives Canadian citizens and people present in Canada the right to have access to information about them that is held by the federal government. It also protects against unauthorized disclosure of that personal information. In addition, it strictly controls how the government will collect, use, store, disclose, and dispose of any personal information.

CRTC Mandate and Responsibilities

The Canadian Radio-television and Telecommunications Commission (CRTC) is an independent public authority and reports to Parliament through the Minister of Canadian Heritage.

The CRTC mandate is to regulate and supervise the broadcasting and telecommunications industries in accordance with the policy objectives set out in sections 3 and 5 of the *Broadcasting Act* and in section 7 of the *Telecommunications Act*.

The *Broadcasting Act* seeks to ensure that all Canadians have access to a wide variety of high-quality Canadian programming.

The *Telecommunications Act* seeks to ensure, among other things: that increased reliance on market forces for the provision of telecommunications services is fostered; that regulation, where required, is efficient and effective; and that Canadians have access to reliable telephone and other telecommunications services at reasonable prices.

Objectives

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 proceedings the CRTC ensures its sensitivity and responsiveness to the public. The CRTC makes sure to incorporate public input into its policy formulation. Participation by Canadian citizens in our public proceedings is considered very important.

Complaints of a broadcasting nature 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 licence renewal application is considered, with the exception of those complaints that are resolved through the Canadian Broadcast Standards Council. Anyone can consult these files upon request.

Complaints of a telecommunications nature should be directed to the telephone company directly. If not satisfied, complainants may file a complaint with the Commissioner for Complaints for Telecommunications Services (CCTS) if their

service provider is a member, or with the CRTC where appropriate. The CRTC web site (<http://www.crtc.gc.ca>) offers public access to public documents related to public proceedings, including Notices of consultation, Decisions, Information Bulletins, Orders and Regulatory Policies.

Administration

The Access to Information and Privacy (ATIP) Office is located within the Information Management section of the Information Management and Technologies Directorate. The ATIP Office currently has two employees. Their functions are shared between the fulfillment of the CRTC's obligations under *Privacy Act* and the *Access to Information Act* as well as the management of information policies at the CRTC.

The Secretary General and the ATIP Coordinator have delegated authority to oversee the administration of the *Act* within the CRTC and to ensure compliance with the legislation. Copies of the Delegation Order can be found at Appendix A.

Education and training

During 2009–2010, two training sessions were offered to 27 employees, providing them with an overview of the *Access to Information Act* and the *Privacy Act*, and a better understanding of their obligations and the processes within the CRTC.

Information holdings

A description of the Specific Classes of Records held by the CRTC can be found in the following publication for 2009, *Info Source: Sources of Federal Government Information*. The CRTC does not have any exempt banks.

Info Source can be accessed through public and academic libraries and constituency offices of federal members of Parliament as well as on the Internet at <http://www.infosource.gc.ca>.

Requests received under the Privacy Act

During the reporting period from April 1, 2009 to March 31, 2010, the CRTC received no requests under the *Privacy Act*.

The ATIP Office however acted as a resource for CRTC officials and offered advice and guidance on the provisions of the legislation. The ATIP Office was consulted on issues relating to matters such as information management, privacy impact assessments, security of information and privacy caveats.

Use and disclosure

Through training and information sessions, 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*.

Privacy Impact Assessment

One Privacy Impact Assessments (PIA) was completed and forwarded to the Office of the Privacy Commissioner (OPC) for 2009-2010. This PIA is a joint initiative with the National Do Not Call List operator. A second PIA was initiated and almost completed during this reporting period on the Ownership & Control review process and systems. This PIA will be forwarded to the OPC in the course of the new reporting period. In addition, the CRTC is planning the development of an integrated risk management framework/practice with built-in privacy management component.

Data matching and data sharing

There was no data matching and data sharing activities during the report period.

Disclosures Under Subsections 8(2)(e), (f), (g), and (m) of the *Privacy Act*

There were no disclosures pursuant to subsections 8(2) (e), (f), (g) or (m) for the 2009-2010 period.

Costs

During 2009-2010, the ATIP Office incurred an estimated \$4,117 in salary cost and \$945 in administrative costs. Administrative costs were incurred to hire Temporary Help while the ATIP Coordinator position was being re-staffed.

Statistical Report of the *Privacy Act*

The report can be found at Appendix B.

Appendix A: Delegation Order

Privacy Act Delegation Order

I, the undersigned, Chairman of the Canadian Radio-Television and Telecommunications Commission (CRTC), pursuant to section 73 of the **Privacy Act***, hereby designate the person or persons holding the position or positions set out in the schedule hereto to exercise and perform the powers, duties and functions of the Chairman, as the head of the government institution, under the sections of the Act set out in the attached schedule for each position.

This Delegation Order supersedes all previous Delegation Orders with respect to the CRTC, or any portion thereof.



Konrad von Finckenstein, Q.C.
Chairman of the CRTC

JUL 27 2010

Date

*R.S.C. 1985, Ch. P-21

SCHEDULE

Privacy Act Designation Order

Position	Sections of Privacy Act
1. Secretary General	8(1), 8(2), 8(4), 8(5), 9(1), 9(4), 10(1), 14, 15, 16, 17, 18(2), 19, 20, 21, 22, 22.3, 23, 24, 25, 26, 27, 28, 33(2), 35(1), 35(4), 36(3), 51(2), 51(3), 69, 70, 72(1), 77
2. ATIP Coordinator	8(1), 8(2)(a)(b)(e)(i), 8(4), 8(5), 9(1), 9(4), 10(1), 14, 15, 16, 17, 19(2), 33(2), 35(4), 69, 77

Appendix B: Statistical Report



REPORT ON THE PRIVACY ACT
RAPPORT CONCERNANT LA LOI SUR LA PROTECTION
DES RENSEIGNEMENTS PERSONNELS

Institution Conseil de la radiodiffusion et des télécommunications canadiennes / Canadian Radio-television and Telecommunications Commission

Reporting period / Période visée par le rapport
2009-04-01 à/à 2010-03-31

**I Requests under the Privacy Act /
Demandes en vertu de la Loi sur la protection
des renseignements personnels**

Received during reporting period / Reçues pendant la période visée par le rapport	0
Outstanding from previous period / En suspens depuis la période antérieure	0
TOTAL	0
Completed during reporting period / Traitées pendant la période visées par le rapport	0
Carried forward / Reportées	0

**II Disposition of request completed /
Disposition à l'égard des demandes traitées**

1. All disclosed / Communication totale	n/a
2. Disclosed in part / Communication partielle	n/a
3. Nothing disclosed (excluded) / Aucune communication (exclusion)	n/a
4. Nothing disclosed (exempt) / Aucune communication (exemption)	n/a
5. Unable to process / Traitement impossible	n/a
6. Abandoned by applicant / Abandon de la demande	n/a
7. Transferred / Transmission	n/a
TOTAL	n/a

**III Exemptions invoked /
Exceptions invoquées**

S. Art. 18(2)	n/a
S. Art. 19(1)(a)	n/a
(b)	n/a
(c)	n/a
(d)	n/a
S. Art. 20	n/a
S. Art. 21	n/a
S. Art. 22(1)(a)	n/a
(b)	n/a
(c)	n/a
S. Art. 22(2)	n/a
S. Art. 23 (a)	n/a
(b)	n/a
S. Art. 24	n/a
S. Art. 25	n/a
S. Art. 26	n/a
S. Art. 27	n/a
S. Art. 28	n/a

**IV Exclusions cited /
Exclusions citées**

S. Art. 69(1)(a)	n/a
(b)	n/a
S. Art. 70(1)(a)	n/a
(b)	n/a
(c)	n/a
(d)	n/a
(e)	n/a
(f)	n/a

**V Completion time /
Délai de traitement**

30 days or under / 30 jours ou moins	n/a
31 to 60 days / De 31 à 60 jours	n/a
61 to 120 days / De 61 à 120 jours	n/a
121 days or over / 121 jours ou plus	n/a

**VI Extensions /
Prorogations des délais**

	30 days or under / 30 jours ou moins	31 days or over / 31 jours ou plus
Interference with operations / Interruption des opérations	n/a	n/a
Consultation	n/a	n/a
Translation / Traduction	n/a	n/a
TOTAL	n/a	n/a

**VII Translations /
Traductions**

Translations requested / Traductions demandées	n/a
Translations prepared / Traductions préparées	English to French / De l'anglais au français n/a French to English / Du français à l'anglais n/a

**VIII Method of access /
Méthode de consultation**

Copies given / Copies de l'original	n/a
Examination / Examen de l'original	n/a
Copies and examination / Copies et examen	n/a

**IX Corrections and notation /
Corrections et mention**

Corrections requested / Corrections demandées	n/a
Corrections made / Corrections effectuées	n/a
Notation attached / Mention annexée	n/a

**X Costs /
Coûts**

Financial (all reasons) / Financiers (raisons)	
Salary / Traitement	\$ 4,117
Administration (O and M) / Administration (fonctionnement et maintien)	\$ 945
TOTAL	\$ 5,062
Person year utilization (all reasons) / Années-personnes utilisées (raisons)	
Person year (decimal format) / Années-personnes (nombre décimal)	0.05

