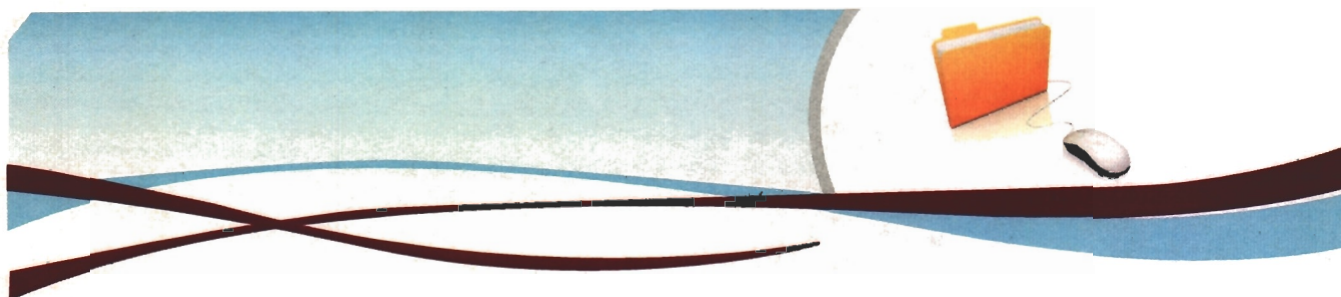




Conseil de la radiodiffusion et des
télécommunications canadiennes

Canadian Radio-television and
Telecommunications Commission



Annual Report

Privacy

2010 / 2011



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Canada 

10/10/10



Canadian Radio-television and
Telecommunications Commission

Conseil de la radiodiffusion et des
télécommunications canadiennes

Ottawa, Canada
K1A 0N2

June 17, 2011

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, 2011 for referral to the Standing Committee on Justice and Human Rights.

Yours respectfully,

Robert A. Morin
Secretary General

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Catalogue no. BC9-5/2-2011E-PDF

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Introduction

This report was prepared pursuant to section 72 of the *Privacy Act* (the *Act*) and will be tabled in Parliament in accordance with the *Act*.

In its day-to-day operations, federal government departments and agencies collect personal information from almost all Canadians. The *Privacy 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 three employees. Their functions are shared between the fulfillment of the CRTC's obligations under the *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 in Appendix A.

During the 2010-2011 reporting period, the ATIP office developed a Privacy Management Framework (PMF). The objective of the PMF is to outline the way in which the CRTC develops policies and procedures to distribute privacy responsibilities, coordinate privacy work, manage privacy risks and ensure compliance with both the *Access to Information* and *Privacy Acts*. The development and approval of the PMF is an ongoing initiative that will be carried on during the 2011-2012 reporting period and reported upon at a later date.

Education and training

During 2010–2011, two training sessions were offered to 25 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.

Two other more targeted training sessions were offered to 27 employees, providing them with an overview of legislated Privacy requirements and secure information handling practices. Upon request, informal information sessions were also given to Commission staff on the ATIP process and roles & responsibilities, specific Privacy considerations, as well as various Information Management (IM) considerations.

Information holdings

A description of the Specific Classes of Records held by the CRTC can be found in the following publication for 2010, *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, 2010 to March 31, 2011, the CRTC received one request under the *Privacy Act*. This request was brought forward to the next reporting period.

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 Assessment (PIA) was completed during this reporting period on the Ownership & Control (OWN) review process and systems. This PIA will be forwarded to the Office of the Privacy Commissioner (OPC) in the course of the new reporting period.

In addition, an addendum to the existing PIA for the National Do-Not-Call-List Program (DNCL) was prepared which will also be forwarded to the OPC in the course of the new reporting period.

As part of the Privacy Management Framework (PMF) project described above under the heading of "Administration", PIA roles & responsibilities and procedures have been developed in the course of 2010-2011. The PMF will be completed and

information sessions will be offered to CRTC staff in 2011-2012.

Data matching and data sharing

There were 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 2010-2011 period.

Costs

During 2010-2011, the ATIP Office incurred an estimated \$6,613 in salary cost and \$58,800 in administrative costs. Administrative costs were incurred to hire a Privacy and Governance expert to help develop the OWN PIA and the Privacy Management Framework.

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

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 2010-04-01 à/à 2011-03-31
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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		1
Outstanding from previous period / En suspens depuis la période antérieure		0
TOTAL		1
Completed during reporting period / Traitées pendant la période visées par le rapport		0
Carried forward / Reportées		1

II Disposition of request completed / Disposition à l'égard des demandes traitées		
1. All disclosed / Communication totale		0
2. Disclosed in part / Communication partielle		0
3. Nothing disclosed (excluded) / Aucune communication (exclusion)		0
4. Nothing disclosed (exempt) / Aucune communication (exemption)		0
5. Unable to process / Traitement impossible		0
6. Abandoned by applicant / Abandon de la demande		0
7. Transferred / Transmission		0
TOTAL		0

III Exemptions invoked / Exceptions invoquées		
S. Art 18(2)		0
S. Art. 19(1)(a)		0
(b)		0
(c)		0
(d)		0
S. Art 20		0
S. Art 21		0
S. Art 22(1)(a)		0
(b)		0
(c)		0
S. Art. 22(2)		0
S. Art. 23 (a)		0
(b)		0
S. Art. 24		0
S. Art 25		0
S. Art. 26		0
S. Art 27		0
S. Art 28		0

IV Exclusions cited / Exclusions citées		
S. Art. 69(1)(a)		0
(b)		0
S. Art. 70(1)(a)		0
(b)		0
(c)		0
(d)		0
(e)		0
(f)		0

V Completion time / Délai de traitement		
30 days or under / 30 jours ou moins		0
31 to 60 days / De 31 à 60 jours		0
61 to 120 days / De 61 à 120 jours		0
121 days or over / 121 jours ou plus		0

VI Extentions / 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	0	0	
Consultation	0	0	
Translation / Traduction	0	0	
TOTAL	0	0	

VII Translations / Traductions		
Translations requested / Traductions demandées		0
Translations prepared /	English to French / De l'anglais au français	0
Traductions préparées	French to English / Du français à l'anglais	0

VIII Method of access / Méthode de consultation		
Copies given / Copies de l'original		0
Examination / Examen de l'original		0
Copies and examination / Copies et examen		0

IX Corrections and notation / Corrections et mention		
Corrections requested / Corrections demandées		0
Corrections made / Corrections effectuées		0
Notation attached / Mention annexée		0

X Costs / Coûts		
Financial (all reasons) / Financiers (raisons)		
Salary / Traitement	\$	6,613
Administration (O and M) / Administration (fonctionnement et maintien)	\$	58,800
TOTAL	\$	65,413
Person year utilization (all reasons) / Années-personnes utilisées (raisons)		
Person year (decimal format) / Années-personnes (nombre décimal)		0.1



Additional Reporting Requirements – *Privacy Act*

Privacy Impact Assessment

- Number of Preliminary Privacy Impact Assessments initiated: 0
- Number of Preliminary Privacy Impact Assessments completed: 0
- Number of Privacy Impact Assessments initiated: 1
- Number of Privacy Impact Assessments completed: 2
- Number of Privacy Impact Assessments forwarded to the Office of the Privacy Commissioner (OPC): 0

Part III – Exemptions invoked

The CRTC did not invoke any of the following exemptions during the reporting period: Subsections 19(1)(e) and (f); 22.1; 22.2; and, 22.3.

Part IV – Exclusions cited

The CRTC did not cite any of the following exclusions during the reporting period: Subsections 69.1; and, 70.1.

