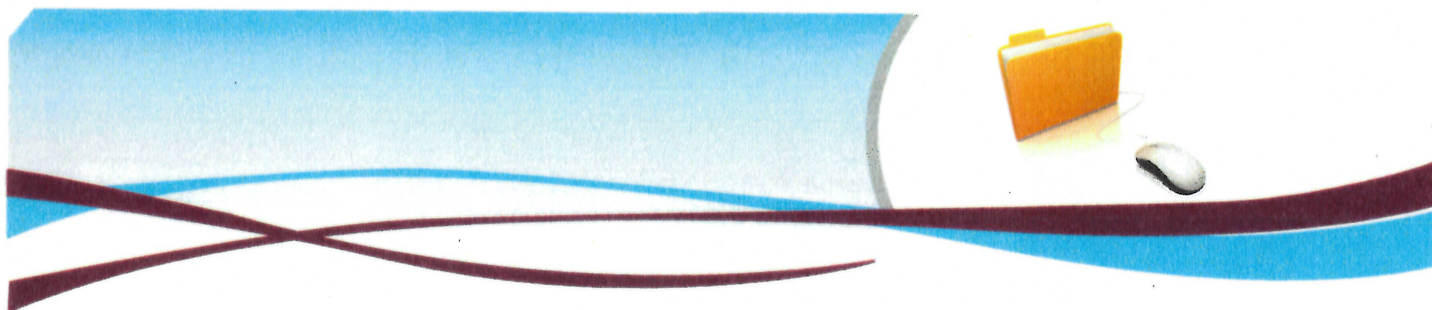




Canadian Radio-television and
Telecommunications Commission

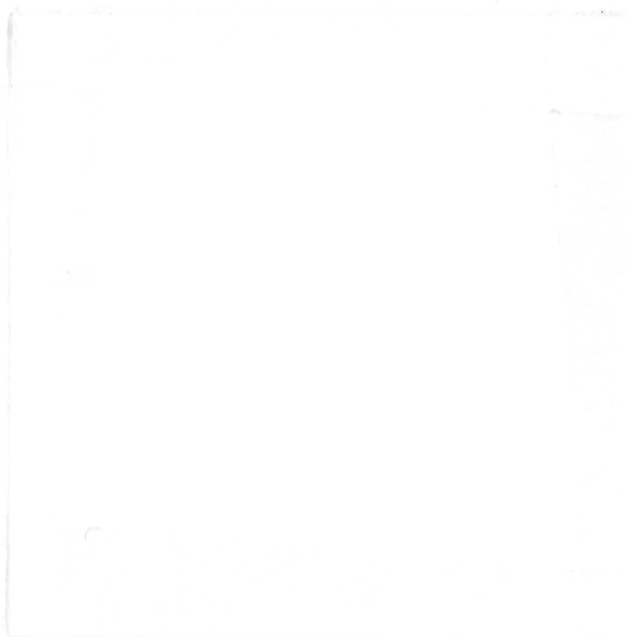
Conseil de la radiodiffusion et des
télécommunications canadiennes



Annual Report

Privacy

2011 / 2012



www.crtc.gc.ca

Canada 



Conseil de la radiodiffusion et des
télécommunications canadiennes

Canadian Radio-television and
Telecommunications Commission

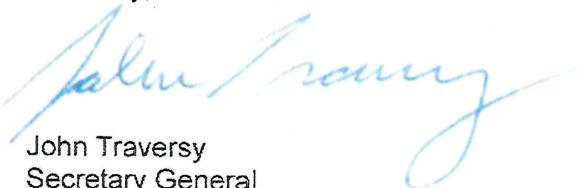
Ottawa, Canada
K1A 0N2

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, 2012 for referral to the Standing Committee on Justice and Human Rights.

Sincerely,



John Traversy
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. BC9-5/2-2012

Table of Contents

Introduction	4
CRTC Mandate and Responsibilities	4
Objectives	4
Administration	5
Delegation Order.....	5
Requests received under the <i>Privacy Act</i>	5
Education and training	6
Use and disclosure	6
Policies and Procedures	6
Complaints	6
Privacy Impact Assessment	6
Disclosures Under Subsections 8(2)(e), (f), (g), and (m) of the <i>Privacy Act</i>	7
Statistical Report of the <i>Privacy Act</i>	7
Appendices:	
A. Delegation Order	
B. Statistical Report	

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 is an independent, quasi-judicial organization that regulates and supervises the Canadian broadcasting and telecommunications systems, according to the policy objectives established in the *Broadcasting Act* of 1991 and the *Telecommunications Act* of 1993.

The CRTC exists under the authority of the *Canadian Radio-television and Telecommunications Commission Act* of 1985. Its mandate is governed by the *Broadcasting Act* and the *Telecommunications Act*. The *Broadcasting Act* seeks to ensure that Canadians have access to a wide variety of high-quality Canadian programming. The *Telecommunications Act* seeks to ensure that Canadians have access to reliable, high-quality telephone and telecommunications services at affordable prices.

The CRTC received an additional mandate under Canada's anti-spam legislation, which addresses, among other things, the sending of commercial electronic messages (e.g., spam), the unauthorized installation of computer programs (e.g., malware) and the unauthorized alteration of transmission data (e.g., network re-routing) without consent. The CRTC is preparing to investigate violations once the law comes into force.

The CRTC works diligently to ensure the communications sector is regulated fairly, effectively and efficiently, and in a manner that fosters increased reliance on market forces. It endeavours to keep its regulatory policies current by taking into account emerging technologies and market developments and consumer interests.

Objectives

The CRTC seeks to balance the needs of Canadians with the interests of the communications industry. Through its regulatory function, the CRTC addresses various economic, social and cultural issues related to the communications industry, including:

- fostering a healthy and competitive communications system that will enable Canadians to participate in, and benefit from, the digital economy
- ensuring that Canadians have access to a wide variety of Canadian-produced television and radio programming that reflects Canada's values, as well as its linguistic, cultural, and regional diversity
- ensuring that Canadians have access to reliable, affordable, and high-quality telecommunications services, and
- protecting Canadians from unsolicited communications and contributing to a more secure online environment for consumers and businesses.

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 one full-time employee and three part-time 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.

During the 2011-2012 reporting period, the ATIP office continued work on the development of 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.

Delegation Order

Decision-making responsibility for the application of the various provisions of the *Privacy Act* has been formally established and is outlined in the Designation Order approved by the Chairman of the CRTC on July 27, 2010. A copy of the designation order is in Appendix A of this Report.

Requests received under the *Privacy Act*

During the reporting period from April 1, 2011 to March 31, 2012, the CRTC received three requests under the *Privacy Act*. These requests were processed during the reporting period as well as one request brought forward from the previous reporting period.

Education and training

During 2011–2012, two training sessions were offered to 23 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.

An overview of legislated Privacy requirements and secure information handling practices was provided at a Commission orientation session for 40 employees. 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.

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*.

Policies and Procedures

There were no new privacy policies or procedures put in place in 2011-2012.

Complaints

There were no privacy complaints in 2011-12.

Privacy Impact Assessment

No Privacy Impact Assessments (PIA) were completed during this reporting 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 2011-2012 period.

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

**Statistical Report on the *Privacy Act***Name of institution: Canadian Radio Television and Telecommunications CommisReporting period: 01/04/2011 to 31/03/2012**PART 1 – Requests under the *Privacy Act***

	Number of Requests
Received during reporting period	3
Outstanding from previous reporting period	1
Total	4
Closed during reporting period	4
Carried over to next reporting period	0

PART 2 – Requests closed during the reporting period**2.1 Disposition and completion time**

Disposition of requests	Completion Time							Total
	1 to 15 days	16 to 30 days	31 to 60 days	61 to 120 days	121 to 180 days	181 to 365 days	More than 365 days	
All disclosed	1	0	0	0	0	0	0	1
Disclosed in part	0	0	2	1	0	0	0	3
All exempted	0	0	0	0	0	0	0	0
All excluded	0	0	0	0	0	0	0	0
No records exist	0	0	0	0	0	0	0	0
Request abandoned	0	0	0	0	0	0	0	0
Total	1	0	2	1	0	0	0	4

2.2 Exemptions

Section	Number of requests	Section	Number of requests	Section	Number of requests
18(2)	0	22(1)(a)(i)	0	23(a)	0
19(1)(a)	0	22(1)(a)(ii)	0	23(b)	0
19(1)(b)	0	22(1)(a)(iii)	0	24(a)	0
19(1)(c)	0	22(1)(b)	0	24(b)	0
19(1)(d)	0	22(1)(c)	0	25	0
19(1)(e)	0	22(2)	0	26	3
19(1)(f)	0	22.1	0	27	2
20	0	22.2	0	28	0
21	0	22.3	0		

2.3 Exclusions

Section	Number of requests	Section	Number of requests	Section	Number of requests
69(1)(a)	0	70(1)(a)	0	70(1)(d)	0
69(1)(b)	0	70(1)(b)	0	70(1)(e)	0
69.1	0	70(1)(c)	0	70(1)(f)	0
				70.1	0

2.4 Format of information released

Disposition	Paper	Electronic	Other formats
All disclosed	1	0	0
Disclosed in part	2	1	0
Total	3	1	0

2.5 Complexity

2.5.1 Relevant pages processed and disclosed

Disposition of requests	Number of pages processed	Number of pages disclosed	Number of requests
All disclosed	55	55	1
Disclosed in part	424	424	3
All exempted	0	0	0
All excluded	0	0	0
Request abandoned	0	0	0

2.5.2 Relevant pages processed and disclosed by size of requests

Disposition	Less than 100 pages processed		101-500 pages processed		501-1000 pages processed		1001-5000 pages processed		More than 5000 pages processed	
	Number of Requests	Pages disclosed	Number of Requests	Pages disclosed	Number of Requests	Pages disclosed	Number of Requests	Pages disclosed	Number of Requests	Pages disclosed
All disclosed	1	55	0	0	0	0	0	0	0	0
Disclosed in part	1	64	2	360	0	0	0	0	0	0
All exempted	0	0	0	0	0	0	0	0	0	0
All excluded	0	0	0	0	0	0	0	0	0	0
Abandoned	0	0	0	0	0	0	0	0	0	0
Total	2	119	2	360	0	0	0	0	0	0

2.5.3 Other complexities

Disposition	Consultation required	Legal Advice Sought	Interwoven Information	Other	Total
All disclosed	0	0	0	0	0
Disclosed in part	0	0	0	0	0
All exempted	0	0	0	0	0
All excluded	0	0	0	0	0
Abandoned	0	0	0	0	0
Total	0	0	0	0	0

2.6 Deemed refusals

2.6.1 Reasons for not meeting statutory deadline

Number of requests closed past the statutory deadline	Principal Reason			
	Workload	External consultation	Internal consultation	Other
0	0	0	0	0

2.6.2 Number of days past deadline

Number of days past deadline	Number of requests past deadline where no extension was taken	Number of requests past deadline where an extension was taken	Total
1 to 15 days	0	0	0
16 to 30 days	0	0	0
31 to 60 days	0	0	0
61 to 120 days	0	0	0
121 to 180 days	0	0	0
181 to 365 days	0	0	0
More than 365 days	0	0	0
Total	0	0	0

2.7 Requests for translation

Translation Requests	Accepted	Refused	Total
English to French	0	0	0
French to English	0	0	0
Total	0	0	0

PART 3 – Disclosures under subsection 8(2)

Paragraph 8(2)(e)	Paragraph 8(2)(m)	Total
0	0	0

PART 4 – Requests for correction of personal information and notations

	Number
Requests for correction received	0
Requests for correction accepted	0
Requests for correction refused	0
Notations attached	0

PART 5 – Extensions

5.1 Reasons for extensions and disposition of requests

Disposition of requests where an extension was taken	15(a)(i) Interference with operations	15(a)(ii) Consultation		15(b) Translation or conversion
		Section 70	Other	
All disclosed	0	0	0	0
Disclosed in part	0	0	0	0
All exempted	0	0	0	0
All excluded	0	0	0	0
No records exist	0	0	0	0
Request abandoned	0	0	0	0
Total	0	0	0	0

5.2 Length of extensions

Length of extensions	15(a)(i) Interference with operations	15(a)(ii) Consultation		15(b) Translation purposes
		Section 70	Other	
1 to 15 days	0	0	0	0
16 to 30 days	0	0	0	0
Total	0	0	0	0

PART 6 – Consultations received from other institutions and organizations

6.1 Consultations received from other government institutions and organizations

Consultations	Other government institutions	Number of pages to review	Other organizations	Number of pages to review
Received during the reporting period	0	0	0	0
Outstanding from the previous reporting period	0	0	0	0
Total	0	0	0	0
Closed during the reporting period	0	0	0	0
Pending at the end of the reporting period	0	0	0	0

6.2 Recommendations and completion time for consultations received from other government institutions

Recommendation	Number of days required to complete consultation requests							Total
	1 to 15 days	16 to 30 days	31 to 60 days	61 to 120 days	121 to 180 days	181 to 365 days	than 365 days	
Disclose entirely	0	0	0	0	0	0	0	0
Disclose in part	0	0	0	0	0	0	0	0
Exempt entirely	0	0	0	0	0	0	0	0
Exclude entirely	0	0	0	0	0	0	0	0
Consult other institution	0	0	0	0	0	0	0	0
Other	0	0	0	0	0	0	0	0
Total	0	0	0	0	0	0	0	0

6.3 Recommendations and completion time for consultations received from other organizations

Recommendation	Number of days required to complete consultation requests							Total
	1 to 15 days	16 to 30 days	31 to 60 days	61 to 120 days	121 to 180 days	181 to 365 days	than 365 days	
Disclose entirely	0	0	0	0	0	0	0	0
Disclose in part	0	0	0	0	0	0	0	0
Exempt entirely	0	0	0	0	0	0	0	0
Exclude entirely	0	0	0	0	0	0	0	0
Consult other institution	0	0	0	0	0	0	0	0
Other	0	0	0	0	0	0	0	0
Total	0	0	0	0	0	0	0	0

PART 7 – Completion time of consultations on Cabinet confidences

Number of days	Number of responses received	Number of responses received past deadline
1 to 15	0	0
16 to 30	0	0
31 to 60	0	0
61 to 120	0	0
121 to 180	0	0
181 to 365	0	0
More than 365	0	0
Total	0	0

PART 8 – Resources related to the *Privacy Act***8.1 Costs**

Expenditures		Amount
Salaries		\$9,967
Overtime		\$0
Goods and Services		\$0
• Contracts for privacy impact assessments	\$0	
• Professional services contracts	\$0	
• Other	\$0	
Total		\$9,967

8.2 Human Resources

Resources	Dedicated full-time	Dedicated part-time	Total
Full-time employees	0.00	1.00	1.00
Part-time and casual employees	0.00	0.00	0.00
Regional staff	0.00	0.00	0.00
Consultants and agency personnel	0.00	0.00	0.00
Students	0.00	0.00	0.00
Total	0.00	1.00	1.00