



Canadian Radio-television and
Telecommunications Commission

Conseil de la radiodiffusion et des
télécommunications canadiennes

Canada

Privacy Act

CRTC Annual Report

2015-2016

CRTC.GC.CA

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Introduction

The Canadian Radio-television and Telecommunications Commission (CRTC) is pleased to Parliament, this report in accordance to section 72¹ of the *Privacy Act* (the *Act*) and tabled in Parliament in accordance with the *Act*. The report describes the activities that support compliance with the *Act* for the fiscal year commencing April 1, 2015 and ending March 31, 2016.

The Purpose of the *Privacy Act*

Section 2 of the *Act* sets out its purpose, which is to protect the privacy of individuals with respect to personal information about themselves held by a government institution, and to provide individuals with a right of access to that information.

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 CRTC is an administrative tribunal that regulates and supervises broadcasting and telecommunications in the public interest.

We are dedicated to ensuring that Canadians - as citizens, creators and consumers - have access to a world-class communication system that promotes innovation and enriches their lives

Our mandate is entrusted to us by the Parliament of Canada, and administered through the Minister of Canadian Heritage. It focuses on achieving policy objectives established in the [*Broadcasting Act*](#), [*Telecommunications Act*](#) and [*Canada's anti-spam legislation \(CASL\)*](#)

We do not intervene in newspapers, magazines, the quality and content of TV and radio programs or the retail rates for most communication services.

We deliver our mandate from offices in the National Capital Region and regional offices throughout Canada.

At the CRTC, we engage in a wide range of activities. We supervise and regulate over 2,000 broadcasters, including TV services, AM and FM radio stations, and the companies that bring these services to you. We also regulate telecommunications carriers, including major telephone companies.

¹ As stated in subsection 72(1) of the *Privacy Act*, "The head of every government institution shall prepare for submission to Parliament an annual report on the administration of this *Act* within the institution during each financial year." Privacy Act R.S., 1985, Chapter P-21, pp. 42-43.

Our activities include:

- **Licensing.** We issue, renew and amend broadcasting licences. We also issue licences for international telecommunications services whose networks allow telephone users to make and receive calls outside of Canada.
- **Promoting compliance with regulations.** We promote compliance with the Unsolicited Telecommunications Rules, including the National Do Not Call List, and Canada's anti-spam legislation.
- **Making ownership decisions.** We make decisions on mergers, acquisitions and changes of ownership in the broadcasting sector.
- **Approving tariffs.** We approve tariffs and certain agreements for the telecommunications sector.
- **Encouraging competition.** We encourage competition in telecommunications markets to ensure that Canadians have a choice of innovative and affordable services.
- **Providing information.** We respond to requests for information and concerns about broadcasting and telecommunications issues.

Administration

The CRTC's Access to Information and Privacy (ATIP) office is located within the Information Management section of the Information Management and Information Technologies Directorate.

The activities of the ATIP Office include:

- receiving and processing requests in accordance with the *Act*;
- promoting awareness of the *Act* within the Commission;
- preparing the annual report to Parliament, the annual statistical report and maintaining the Department's *Info Source* chapter;
- monitoring commission compliance with the *Act*; and
- providing professional advice and guidance to senior management and all Commission staff on the *Act*.

The ATIP Office uses the AccessPro Case Management system and an imaging and electronic redaction software solution, AccessPro Redaction.

The ATIP Office works closely with 13 departmental ATIP Liaison officers who are appointed by the sectors. The liaison officers are responsible for ensuring that requests tasked to their groups are handled promptly and that relevant records are forwarded to the ATIP Office on time.

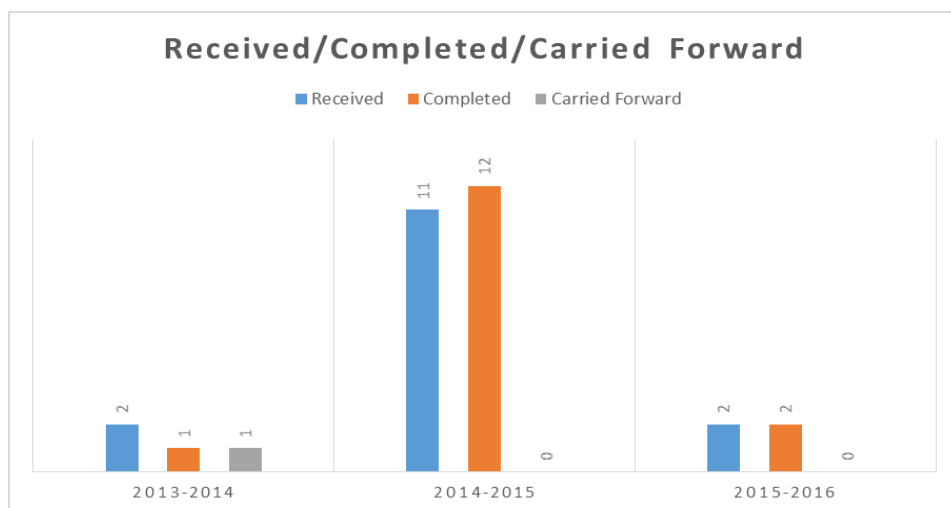
Delegation Order

Decision-making responsibility for the application of the various provisions of the *Privacy Act* has been formally established and is outlined in the Delegation Order approved by the Chairman of the CRTC on June 10, 2013. A copy of the delegation order is in [Appendix A](#) of this Report.

2015-2016 Statistical Report: Interpretation

Part 1: Requests under the *Privacy Act*

The CRTC received 2 Privacy requests in the reporting period, which is a considerable decreased comparatively to the previous year where twelve were received and processed. No requests for correction to personal files were received this fiscal year.

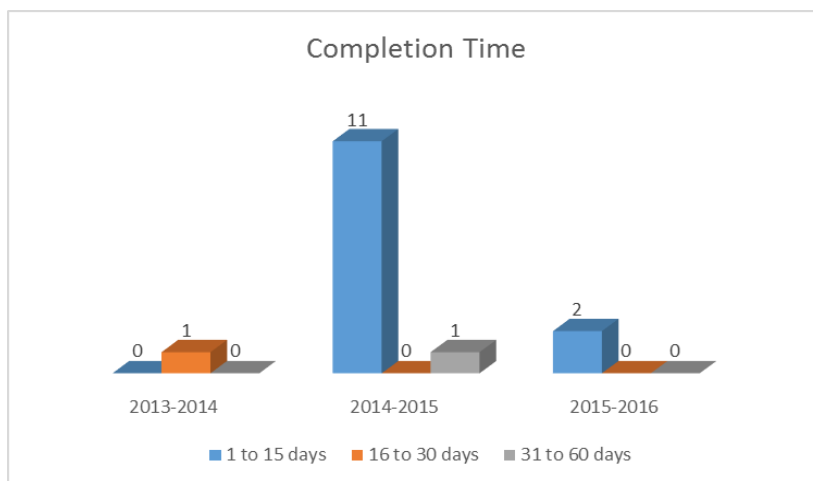


See [Appendix B](#) for the Statistical Report on the *Privacy Act*.

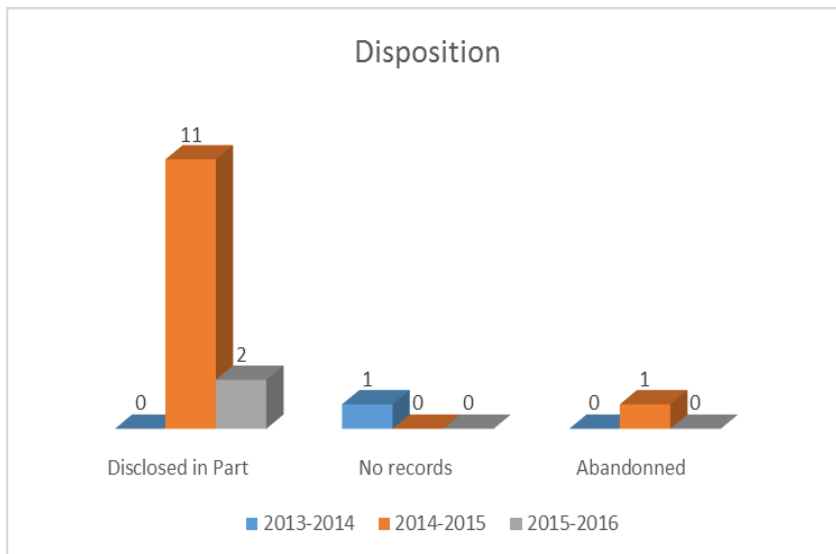
Part 2: Requests Closed During the Reporting Period

2.1 Disposition and completion time

Both privacy requests received during this reporting period were closed within 15 days.



Both Privacy requests resulted in partial disclosure of information.



2.2 Exemptions

Sections 18 through 28 of the *Act* set out the exemptions that can be applied in order to protect information pertaining to a particular public or private interest. The CRTC only used one exemption among the two files; section 26, which protects information about another individual.

2.3 Exclusions

No exclusions were used by the CRTC within the Privacy requests.

2.4 Format of information released

Both files were released in paper format.

2.5 Complexity

2.5.1 Relevant pages processed and disclosed

The requests closed comprised 243 pages processed, of which 177 (73%) were disclosed.

2.5.2 Relevant pages processed and disclosed by size of requests

The average amount of pages processed by request equals to 122 pages.

2.5.3 Other complexities

Both requests involved interwoven information, as personal information of other individuals were found, no other complexities were highlighted.

2.6 Deemed refusals

All Privacy request were completed within the legislative time frame.

2.7 Requests for translation

There were no requests for translation in the reporting period.

Part 3: Disclosures under Subsections 8(2) and 8(5)

Subsection 8(2) of the *Act* states that subject to any other Act of Parliament, personal information under the control of a government institution may be disclosed if they met the conditions listed in paragraphs (a) to (m).

In addition as written in subsection 8(5) the government institution shall notify the Privacy Commissioner in writing of any disclosure of personal information under paragraph (2)(m) prior to the disclosure.

The CRTC made no disclosure pursuant to subsections 8(2) of the *Act* for the reporting period.

Part 4: Requests for Correction of Personal Information and Notation

There were no requests for correction of personal information in the reporting period.

Part 5: Extensions

5.1 Reasons for extensions and disposition of requests

The *Privacy Act* allows departments to extend the legislated deadline of a request if the request cannot be completed within the legislated 30 day time limit. Section 15 of the *Privacy Act* permits extensions if:

- Meeting the original time limit would unreasonably interfere with the operations of the government institution;
- Consultations, including for Cabinet Confidences, are necessary to comply with the request that cannot reasonably be completed within the original time limit; or
- Additional time is necessary for translation purposes or for the purposes of converting the personal information into an alternative format.

Among the two requests received at the CRTC for personal information, no extension were necessary in order to respond to the requests.

5.2 Length of extensions

No extension were taken in the reporting period on the Privacy requests.

Part 6: Consultations Received from Other Institutions and Organizations

The CRTC did not receive any consultations from either another Government of Canada institutions or another organizations in the reporting period.

Part 7: Completion Time of Consultations on Cabinet Confidences

7.1 Requests with Legal Services

No requests related to Cabinet Confidences were sent to Legal Services in this reporting period.

7.2 Requests with Privy Council Office

No requests related to Cabinet Confidences were sent to the Privy Council Office in this reporting period.

Part 8: Complaints and Investigations Notices Received

In 2015-2016, one complaint was received (Section 31), the CRTC made representations to the Office of the Privacy Commissioner (OPC). As of the end of the reporting period, the ATIP Office is waiting on the OPC's report of finding (Section 35).

Part 9: Privacy Impact Assessments

No Privacy Impact Assessments were undertaken in the reporting period.

Part 10: Resources Related to the *Privacy Act*

The CRTC ATIP Office is resourced with 5 indeterminate resources, which one is devoted on a part-time basis to activities related to the *Act*. In addition, the ATIP Office had an additional resource for a limited time during the reporting period, representing 0.25 of the year. During 2015-2016, the ATIP Office incurred an estimated \$371,866 in salary costs and \$2,402 in administrative costs to administer this *Act*. These costs do not include the resources expended by the program areas of the CRTC to meet the requirements of this *Act*.

5. Training

During 2015–2016, several training sessions were offered to new ATIP Liaisons. The CRTC has also developed three new presentation decks (OPI, ATIP Liaison and Senior Management) in

order to increase awareness within the Commission and also to strengthen the internal process. These sessions will be delivered mid-year 2016-2017.

The intranet for the ATIP Office is a tool that is accessible to all employees which describes the ATIP Office's roles and responsibilities and provides information pursuant to the *Privacy Act* and related Commission policies and procedures. Following the implementation of a new process for treating Privacy requests, the ATIP Office has updated its policy documents on the intranet.

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*.

6. Institution Specific Policies, Guidelines and Procedures

The ATIP Office met its reporting obligations for the reporting period by providing timely input to *Info Source* and the publication of the annual reports. The statistical report on the *Privacy Act* was provided to the Treasury Board Secretariat. Internally, the ATIP Office monitored the time to process requests on a daily basis with the ATIP case management system. There were no new privacy policies or procedures put in place in 2015-2016.

7. Complaints

During the reporting period, the CRTC received 1 complaint related to a privacy request. The ATIP Office is working with the OPC in solving the complaint. The Commission is committed in protecting individuals' personal information.

8. Monitoring of Processing Time

The CRTC is committed in responding to every Privacy request completely and in a timely matter. Therefore, the ATIP Office meets as a group on a weekly basis in order to go through priorities and any issues. In addition, the Coordinator meets weekly with each of the analyst to review on-time performance.

9. Privacy Breaches

No Privacy Breaches were reported during the reporting period.

10. Privacy Impact Assessments (PIA)

No Privacy Impact Assessments were undertaken in the reporting period.

11. Public Interest Disclosures Under 8(2)(m)

Paragraph 8(2)(m) of the *Privacy Act* allows the head of the institution to disclose personal information without the consent of the affected individual in cases where, in the opinion of the head, the public interest outweighs any invasion of privacy that could result from the disclosure or when it is clearly in the best interest of the individual to disclose.

During the reporting period, CRTC made no disclosure of personal information under this provision.

Appendix A: Delegation Order

Privacy Act Delegation Order

I, the undersigned, Chairman and Chief Executive Officer 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.



Jean-Pierre Blais
Chairman and Chief Executive Officer



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), 37(3), 51(2), 51(3), 69, 70, 72(1).
2. ATIP Coordinator	8(1), 8(2)(a)(b)(e)(i), 8(4), 9(1), 9(4), 10(1), 14, 15, 16, 17, 19(2), 33(2), 35(4), 69.

Appendix B: Statistical Report

Statistical Report on the *Privacy Act*

Name of Institution: ATIP Office

Reporting Period: 01.04.2015 to 31.03.2016

PART 1 - Requests under the Privacy Act

	Number of Requests
Received during reporting period	2
Outstanding from previous reporting period	0
Total	2
Closed during reporting period	2
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	0	0	0	0	0	0	0	0
Disclosed in part	2	0	0	0	0	0	0	2
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
Abandoned	0	0	0	0	0	0	0	0
Neither confirmed nor denied	0	0	0	0	0	0	0	0
Total	2	0	0	0	0	0	0	2

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	2
19(1)(f)	0	22.1	0	27	0
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)	0	70(1)(d)	0
69(1)(b)	0	70(1)(a)	0	70(1)(e)	0
69.1	0	70(1)(b)	0	70(1)(f)	0
		70(1)(c)	0	70.1	0

2.4 Format of information released

Disposition	Paper	Electronic	Other formats
All disclosed	0	0	0
Disclosed in part	2	0	0
Total	2	0	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	0	0	0
Disclosed in part	243	177	2
All exempted	0	0	0
All excluded	0	0	0
Request Abandoned	0	0	0
Neither confirmed nor denied	0	0	0
Total	243	177	2

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	0	0	0	0	0	0	0	0	0	0
Disclosed in part	1	13	1	164	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
Neither confirmed nor denied	0	0	0	0	0	0	0	0	0	0
Total	1	13	1	164	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	2	0	2
All exempted	0	0	0	0	0
All excluded	0	0	0	0	0
Abandoned	0	0	0	0	0
Neither confirmed nor denied	0	0	0	0	0
Total	0	0	2	0	2

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 Request 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)	Subsection 8(5)	Total
0	0	0	0

PART 4 - Requests for correction of personal information and notations

Disposition for Correction Requests Received	Number
Notations attached	0
Requests for correction accepted	0
Total	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 or conversion
		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 of Canada 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 of Canada Institutions

Recommendations	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	More 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

Recommendations	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	More 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

7.1 Requests with Legal Services

Number of Days	Fewer 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
1 to 15	0	0	0	0	0	0	0	0	0	0
16 to 30	0	0	0	0	0	0	0	0	0	0
31 to 60	0	0	0	0	0	0	0	0	0	0
61 to 120	0	0	0	0	0	0	0	0	0	0
121 to 180	0	0	0	0	0	0	0	0	0	0
181 to 365	0	0	0	0	0	0	0	0	0	0
More than 365	0	0	0	0	0	0	0	0	0	0
Total	0	0	0	0	0	0	0	0	0	0

7.2 Requests with Privy Council Office

Number of Days	Fewer 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
1 to 15	0	0	0	0	0	0	0	0	0	0
16 to 30	0	0	0	0	0	0	0	0	0	0
31 to 60	0	0	0	0	0	0	0	0	0	0
61 to 120	0	0	0	0	0	0	0	0	0	0
121 to 180	0	0	0	0	0	0	0	0	0	0
181 to 365	0	0	0	0	0	0	0	0	0	0
More than 365	0	0	0	0	0	0	0	0	0	0
Total	0	0	0	0	0	0	0	0	0	0

PART 8 - Complaints and Investigations Notices Received

Section 31	Section 33	Section 35	Court action	Total
1	0	0	0	1

PART 9 - Privacy Impact Assessments (PIAs)

Number of PIA(s) completed	0
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PART 10 - Resources related to the *Privacy Act***10.1 Costs**

Expenditures		Amount
Salaries		\$ 0.00
Overtime		\$ 0.00
Goods and Services		\$ 0.00
• Contracts for privacy impact assessments	\$ 0.00	
• Professional services contracts	\$ 0.00	
• Other	\$ 0.00	
Total		\$ 0.00

10.2 Human Resources

Resources	Person Years Dedicated to Privacy Activities
Full-time employees	0.00
Part-time and casual employees	0.00
Regional staff	0.00
Consultants and agency personnel	0.00
Students	0.00
Total	0.00