



Canadian Radio-television and  
Telecommunications Commission

Conseil de la radiodiffusion et des  
télécommunications canadiennes

Canada

# ***Privacy Act***

CRTC Annual Report

## **2016-2017**

CRTC.GC.CA

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## TABLE OF CONTENT

<b>CRTC MANDATE AND RESPONSIBILITIES .....</b>	<b>4</b>
<b>ADMINISTRATION .....</b>	<b>4</b>
<b>DELEGATION ORDER .....</b>	<b>5</b>
<b>2016-2017 STATISTICAL REPORT: INTERPRETATION.....</b>	<b>5</b>
Part 1: Requests under the <i>Privacy Act</i> .....	5
Part 2: Requests Closed During the Reporting Period .....	6
Part 3: Disclosures under Subsections 8(2) and 8(5) .....	7
Part 4: Requests for Correction of Personal Information and Notation .....	7
Part 5: Extensions .....	7
Part 6: Consultations Received from Other Institutions and Organizations .....	8
Part 7: Completion Time of Consultations on Cabinet Confidences .....	8
Part 8: Complaints and Investigations Notices Received .....	8
Part 9: Privacy Impact Assessments .....	8
Part 10: Resources Related to the <i>Privacy Act</i> .....	8
<b>TRAINING .....</b>	<b>9</b>
<b>INSTITUTION SPECIFIC POLICIES, GUIDELINES AND PROCEDURES.....</b>	<b>9</b>
<b>COMPLAINTS .....</b>	<b>9</b>
<b>MONITORING OF PROCESSING TIME.....</b>	<b>9</b>
<b>PRIVACY BREACHES .....</b>	<b>9</b>
<b>PRIVACY IMPACT ASSESSMENTS (PIA).....</b>	<b>9</b>
<b>PUBLIC INTEREST DISCLOSURES UNDER 8(2)(M).....</b>	<b>10</b>
<b>APPENDIX A: DELEGATION ORDER .....</b>	<b>I</b>
<b>APPENDIX B: STATISTICAL REPORT .....</b>	<b>II</b>

## Introduction

The Canadian Radio-television and Telecommunications Commission (CRTC) is pleased to present to Parliament, in accordance with section 72<sup>1</sup> of the *Privacy Act* (the *Act*) its Annual Report. The report describes the activities that support compliance with the *Act* for the fiscal year commencing April 1, 2016 and ending March 31, 2017.

### **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 within the Government of Canada that is responsible for regulating and supervising Canada's communication system in the public interest.

The CRTC operates under a number of legislative authorities and Acts of Parliament. These include the following: the CRTC Act, the Bell Canada Act, the Broadcasting Act, the Telecommunications Act, Canada's Anti-Spam Legislation (CASL) and the Canada Elections Act, which includes provisions that established the Voter Contact Registry (VCR).

At the heart of our mandate is the duty to serve the public interest by putting Canadians at the centre of the communication system. To this end, our role encompasses consulting Canadians on communication issues of importance to them, dealing with the many applications we receive by making decisions and rules, responding to enquiries and complaints, as well as reporting to Canadians on the progress and outcomes of our work. The CRTC promotes and enforces compliance with its regulatory policies and decisions. It encourages and facilitates industry co-regulation and self-regulation through consultations, committees and working groups with various industry stakeholders. The CRTC also plays a key role in resolving industry disputes. Finally, in the current dynamic and evolving communication environment, the CRTC collaborates with various domestic and international stakeholders to leverage capacity and intelligence on a host of interrelated policy issues and questions.

The CRTC delivers its mandate from offices in the National Capital Region and regional offices throughout Canada.

## 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.

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<sup>1</sup> 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.

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. In addition, 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.

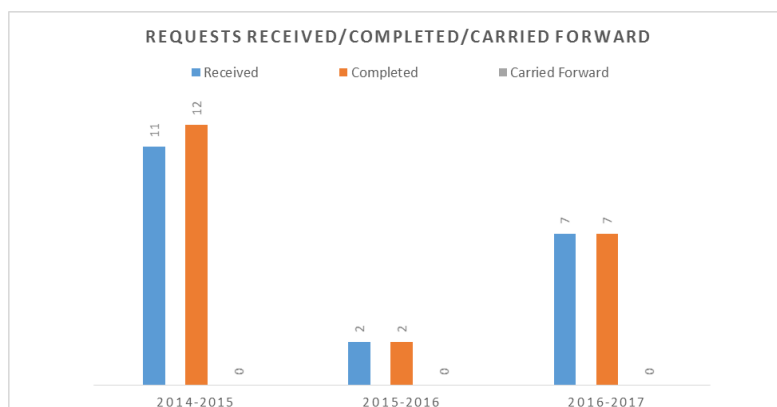
## Delegation Order

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 and CEO of the CRTC on June 10, 2013. A copy of the delegation order is in [Appendix A](#) of this Report.

## 2016-2017 Statistical Report: Interpretation

### Part 1: Requests under the *Privacy Act*

The CRTC received seven Privacy requests in the reporting period, which is a considerable increase compared to the previous year where two requests were received and processed. No requests for corrections to personal files were received this fiscal year.

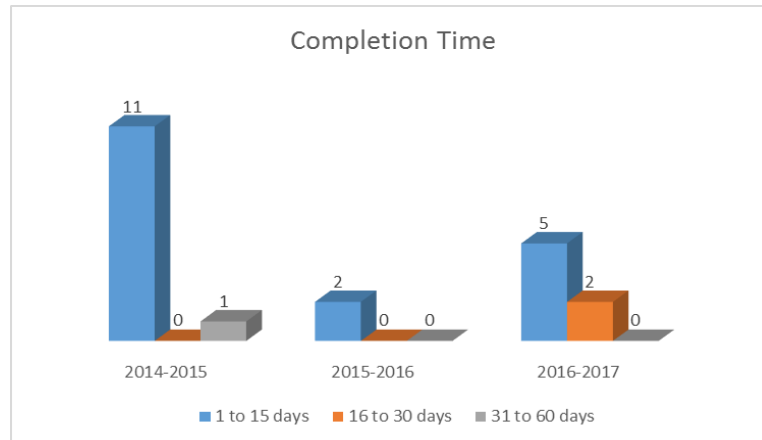


See [Appendix B](#) for the Statistical Report on the *Privacy Act*.

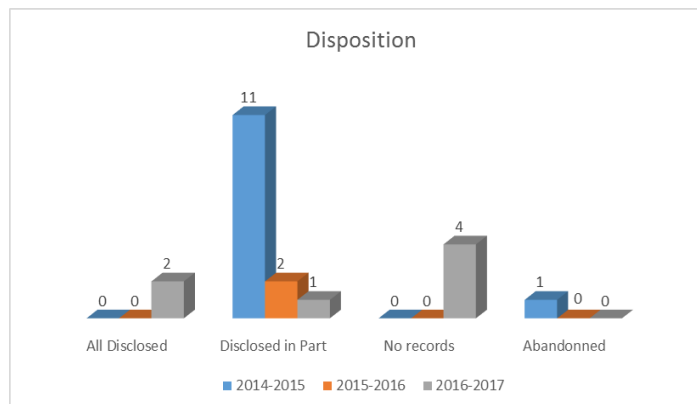
## Part 2: Requests Closed During the Reporting Period

### 2.1 Disposition and completion time

Out of the seven Privacy requests received during this reporting period, five were closed within 15 days and two were closed between 16 and 30 days.



Amongst the seven Privacy requests received, records were fully disclosed in two files, disclosed in part in one file and the remaining four requests had no responding records.



### 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 within the two files, section 22(1)(a)(ii), which protects information that was obtained or prepared by any government institution, or part of any government institution, that is an investigative body specified in the regulations in the course of lawful investigations pertaining to the enforcement of any law of Canada or a province.

### 2.3 Exclusions

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

## **2.4 Format of information released**

Amongst the three releases sent to requesters, two were sent in paper format and one was sent electronically.

## **2.5 Complexity**

### **2.5.1 Relevant pages processed and disclosed**

The closed requests consisted of 310 pages. Two requests were disclosed in full and one of was disclosed in part.

### **2.5.2 Relevant pages processed and disclosed by size of requests**

The average amount of pages by request equals to 103 pages.

### **2.5.3 Other complexities**

No complexities were highlighted within the processed Privacy requests.

## **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 it meets 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. There were no disclosures under section 8(2)(m).

In the course of the last reporting period, the CRTC received one request where the records were released pursuant to subsection 8(2)(e) of the *Privacy Act*.

## **Part 4: Requests for Correction of Personal Information and Notation**

There were no requests for corrections 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 seven requests received at the CRTC for personal information, no extensions were necessary in order to respond to the requests.

## **5.2 Length of extensions**

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

## **Part 6: Consultations Received from Other Institutions and Organizations**

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

### **7.2 Requests with Privy Council Office**

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

## **Part 8: Complaints and Investigations Notices Received**

In 2016-2017, two complaints were received (Section 31), for which the CRTC made representations to the Office of the Privacy Commissioner (OPC). One of the complaints was closed, the report of finding states that the OPC found the complaint as “Well-founded-resolved”. However as of the end of the reporting period, the ATIP Office is waiting on the second OPC report of finding.

## **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 0.3 indeterminate resources devoted to activities related to the *Act*. During 2016-2017, the ATIP Office incurred an estimated \$19,867.90 in salary. These costs



do not include the resources expended by the program areas of the CRTC to meet the requirements of this *Act*.

## **Training**

During 2016–2017, several training sessions were offered to CRTC employees and management. The ATIP office held 13 sessions in both official languages. A total of 215 out of the 450 CRTC employees attended the sessions.

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

## **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 2016-2017.

## **Complaints**

During the reporting period, the CRTC received two complaints related to Privacy requests. One was resolved and the ATIP Office is working with the OPC in solving the remaining complaint. The Commission is committed to protecting individuals' personal information.

## **Monitoring of Processing Time**

The CRTC is committed to 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 review priorities and any issues. In addition, the Coordinator meets weekly with each of the analysts to review on-time performance.

## **Privacy Breaches**

No Privacy Breaches were reported during the reporting period.

## **Privacy Impact Assessments (PIA)**

No Privacy Impact Assessments were undertaken in the reporting period.

## **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.

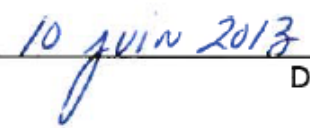
## Appendix A: Delegation Order

### 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



Government  
of Canada

Gouvernement  
du Canada

### Statistical Report on the *Privacy Act*

Name of institution: CRTC

Reporting period: 2016-04-01 to 2017-03-31

#### Part 1: Requests Under the *Privacy Act*

	Number of Requests
Received during reporting period	7
Outstanding from previous reporting period	0
<b>Total</b>	<b>7</b>
Closed during reporting period	7
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	1	0	0	0	0	0	2
Disclosed in part	0	1	0	0	0	0	0	1
All exempted	0	0	0	0	0	0	0	0
All excluded	0	0	0	0	0	0	0	0
No records exist	4	0	0	0	0	0	0	4
Request abandoned	0	0	0	0	0	0	0	0
Neither confirmed nor denied	0	0	0	0	0	0	0	0
<b>Total</b>	<b>5</b>	<b>2</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>7</b>

## 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)	1	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	0
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	2	0	0
Disclosed in part	0	1	0
Total	2	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	86	86	2
Disclosed in part	224	224	1
All exempted	0	0	0
All excluded	0	0	0
Request abandoned	0	0	0
Neither confirmed nor denied	0	0	0
Total	310	310	3

## 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	2	86	0	0	0	0	0	0	0	0
Disclosed in part	0	0	1	224	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
Request 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
<b>Total</b>	<b>2</b>	<b>86</b>	<b>1</b>	<b>224</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>

## 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
Request abandoned	0	0	0	0	0
Neither confirmed nor denied	0	0	0	0	0
<b>Total</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>

## 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 Subsections 8(2) and 8(5)

Paragraph 8(2)(e)	Paragraph 8(2)(m)	Subsection 8(5)	Total
1	0	0	1

## 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 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 of Canada institutions and other 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

Recommendation	Number of Days Required to Complete Consultation Requests							
	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	Total
All disclosed	0	0	0	0	0	0	0	0
Disclosed in part	0	0	0	0	0	0	0	0
All exempted	0	0	0	0	0	0	0	0
All excluded	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	More Than 365 Days	
All disclosed	0	0	0	0	0	0	0	0
Disclosed in part	0	0	0	0	0	0	0	0
All exempted	0	0	0	0	0	0	0	0
All excluded	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
2	0	0	0	2

**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
Overtime		\$0
Goods and Services		\$0
• Professional services contracts	\$0	
• Other	\$0	
Total		\$0

**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

Note: Enter values to two decimal places.