



CHAPTER P-21

CHAPITRE P-21

An Act to extend the present laws of Canada that protect the privacy of individuals and that provide individuals with a right of access to personal information about themselves

Loi visant à compléter la législation canadienne en matière de protection des renseignements personnels et de droit d'accès des individus aux renseignements personnels qui les concernent

SHORT TITLE

TITRE ABRÉGÉ

Short title

1. This Act may be cited as the *Privacy Act*. 1980-81-82-83, c. 111, Sch. II "1".

1. *Loi sur la protection des renseignements personnels*. 1980-81-82-83, ch. 111, ann. II «1».

Titre abrégé

PURPOSE OF ACT

OBJET DE LA LOI

Purpose

2. The purpose of this Act is to extend the present laws of Canada that protect the privacy of individuals with respect to personal information about themselves held by a government institution and that provide individuals with a right of access to that information. 1980-81-82-83, c. 111, Sch. II "2".

2. La présente loi a pour objet de compléter la législation canadienne en matière de protection des renseignements personnels relevant des institutions fédérales et de droit d'accès des individus aux renseignements personnels qui les concernent. 1980-81-82-83, ch. 111, ann. II «2».

Objet

INTERPRETATION

DÉFINITIONS

Definitions

3. In this Act,

3. Les définitions qui suivent s'appliquent à la présente loi.

Définitions

"administrative purpose"
«fins...»

"administrative purpose", in relation to the use of personal information about an individual, means the use of that information in a decision making process that directly affects that individual;

«Commissaire à la protection de la vie privée»
Le commissaire nommé en vertu de l'article 53.

«Commissaire à la protection de la vie privée»
"Privacy..."

"Court"
«Cour»

"Court" means the Federal Court—Trial Division;

«Cour» La Section de première instance de la Cour fédérale.

«Cour»
"Court"

"designated Minister"
«ministre...»

"designated Minister", in relation to any provision of this Act, means such member of the Queen's Privy Council for Canada as is designated by the Governor in Council as the Minister for the purposes of that provision;

«fichier de renseignements personnels» Tout ensemble ou groupement de renseignements personnels défini à l'article 10.

«fichier de renseignements personnels»
"personal information bank"

"government institution"
«institution...»

"government institution" means any department or ministry of state of the Government of Canada listed in the schedule or any body or office listed in the schedule;

«fins administratives» Destination de l'usage de renseignements personnels concernant un individu dans le cadre d'une décision le touchant directement.

«fins administratives»
"administrative..."

«institution fédérale» Tout ministère ou département d'État relevant du gouvernement du

«institution fédérale»
"government..."

“head”
«responsable...»

“head”, in respect of a government institution, means

- (a) in the case of a department or ministry of state, the member of the Queen’s Privy Council for Canada presiding over that institution, or
- (b) in any other case, the person designated by order in council pursuant to this paragraph and for the purposes of this Act to be the head of that institution;

“personal information”
«renseignements...»

“personal information” means information about an identifiable individual that is recorded in any form including, without restricting the generality of the foregoing,

- (a) information relating to the race, national or ethnic origin, colour, religion, age or marital status of the individual,
- (b) information relating to the education or the medical, criminal or employment history of the individual or information relating to financial transactions in which the individual has been involved,
- (c) any identifying number, symbol or other particular assigned to the individual,
- (d) the address, fingerprints or blood type of the individual,
- (e) the personal opinions or views of the individual except where they are about another individual or about a proposal for a grant, an award or a prize to be made to another individual by a government institution or a part of a government institution specified in the regulations,
- (f) correspondence sent to a government institution by the individual that is implicitly or explicitly of a private or confidential nature, and replies to such correspondence that would reveal the contents of the original correspondence,
- (g) the views or opinions of another individual about the individual,
- (h) the views or opinions of another individual about a proposal for a grant, an award or a prize to be made to the individual by an institution or a part of an institution referred to in paragraph (e), but excluding the name of the other individual where it appears with the views or opinions of the other individual, and
- (i) the name of the individual where it appears with other personal information relating to the individual or where the

Canada, ou tout organisme, figurant à l’annexe.

«ministre désigné» Le membre du Conseil privé de la Reine pour le Canada chargé par le gouverneur en conseil de l’application d’une ou de plusieurs dispositions de la présente loi.

«ministre désigné»
“designated...”

«renseignements personnels» Les renseignements, quels que soient leur forme et leur support, concernant un individu identifiable, notamment :

renseignements personnels
“personal information”

a) les renseignements relatifs à sa race, à son origine nationale ou ethnique, à sa couleur, à sa religion, à son âge ou à sa situation de famille;

b) les renseignements relatifs à son éducation, à son dossier médical, à son casier judiciaire, à ses antécédents professionnels ou à des opérations financières auxquelles il a participé;

c) tout numéro ou symbole, ou toute autre indication identificatrice, qui lui est propre;

d) son adresse, ses empreintes digitales ou son groupe sanguin;

e) ses opinions ou ses idées personnelles, à l’exclusion de celles qui portent sur un autre individu ou sur une proposition de subvention, de récompense ou de prix à octroyer à un autre individu par une institution fédérale, ou subdivision de celle-ci visée par règlement;

f) toute correspondance de nature, implicitement ou explicitement, privée ou confidentielle envoyée par lui à une institution fédérale, ainsi que les réponses de l’institution dans la mesure où elles révèlent le contenu de la correspondance de l’expéditeur;

g) les idées ou opinions d’autrui sur lui;

h) les idées ou opinions d’un autre individu qui portent sur une proposition de subvention, de récompense ou de prix à lui octroyer par une institution, ou subdivision de celle-ci, visée à l’alinéa e), à l’exclusion du nom de cet autre individu si ce nom est mentionné avec les idées ou opinions;

i) son nom lorsque celui-ci est mentionné avec d’autres renseignements personnels le concernant ou lorsque la seule divulgation du nom révélerait des renseignements à son sujet;

disclosure of the name itself would reveal information about the individual, but, for the purposes of sections 7, 8 and 26 and section 19 of the *Access to Information Act*, does not include

(j) information about an individual who is or was an officer or employee of a government institution that relates to the position or functions of the individual including,

- (i) the fact that the individual is or was an officer or employee of the government institution,
- (ii) the title, business address and telephone number of the individual,
- (iii) the classification, salary range and responsibilities of the position held by the individual,
- (iv) the name of the individual on a document prepared by the individual in the course of employment, and
- (v) the personal opinions or views of the individual given in the course of employment,

(k) information about an individual who is or was performing services under contract for a government institution that relates to the services performed, including the terms of the contract, the name of the individual and the opinions or views of the individual given in the course of the performance of those services,

(l) information relating to any discretionary benefit of a financial nature, including the granting of a licence or permit, conferred on an individual, including the name of the individual and the exact nature of the benefit, and

(m) information about an individual who has been dead for more than twenty years;

“personal information bank” means a collection or grouping of personal information described in section 10;

“Privacy Commissioner” means the Commissioner appointed under section 53. 1980-81-82-83, c. 111, Sch. II “3”.

“personal information bank”
«fichier...»
“Privacy Commissioner”
«Commissaire...»

COLLECTION, RETENTION AND DISPOSAL OF PERSONAL INFORMATION

4. No personal information shall be collected by a government institution unless it relates directly to an operating program or activity of

Collection of personal information

toutefois, il demeure entendu que, pour l'application des articles 7, 8 et 26, et de l'article 19 de la *Loi sur l'accès à l'information*, les renseignements personnels ne comprennent pas les renseignements concernant :

j) un cadre ou employé, actuel ou ancien, d'une institution fédérale et portant sur son poste ou ses fonctions, notamment :

- (i) le fait même qu'il est ou a été employé par l'institution,
- (ii) son titre et les adresse et numéro de téléphone de son lieu de travail,
- (iii) la classification, l'éventail des salaires et les attributions de son poste,
- (iv) son nom lorsque celui-ci figure sur un document qu'il a établi au cours de son emploi,
- (v) les idées et opinions personnelles qu'il a exprimées au cours de son emploi;

k) un individu qui a conclu un contrat de prestation de services avec une institution fédérale et portant sur la nature de la prestation, notamment les conditions du contrat, le nom de l'individu ainsi que les idées et opinions personnelles qu'il a exprimées au cours de la prestation;

l) des avantages financiers facultatifs, notamment la délivrance d'un permis ou d'une licence accordés à un individu, y compris le nom de celui-ci et la nature précise de ces avantages;

m) un individu décédé depuis plus de vingt ans.

«responsable d'institution fédérale»

«responsable d'institution fédérale»
“head”

a) Le membre du Conseil privé de la Reine pour le Canada sous l'autorité de qui est placé un ministère ou un département d'État;

b) la personne désignée par décret, conformément au présent alinéa, en qualité de responsable, pour l'application de la présente loi, d'une institution fédérale autre que celles mentionnées à l'alinéa a). 1980-81-82-83, ch. 111, ann. II «3»; 1984, ch. 40, art. 79.

COLLECTE, CONSERVATION ET RETRAIT DES RENSEIGNEMENTS PERSONNELS

4. Les seuls renseignements personnels que peut recueillir une institution fédérale sont ceux qui ont un lien direct avec ses programmes ou

Collecte des renseignements personnels

	the institution. 1980-81-82-83, c. 111, Sch. II "4".	ses activités. 1980-81-82-83, ch. 111, ann. II «4».	
Personal information to be collected directly	5. (1) A government institution shall, wherever possible, collect personal information that is intended to be used for an administrative purpose directly from the individual to whom it relates except where the individual authorizes otherwise or where personal information may be disclosed to the institution under subsection 8(2).	5. (1) Une institution fédérale est tenue de recueillir auprès de l'individu lui-même, chaque fois que possible, les renseignements personnels destinés à des fins administratives le concernant, sauf autorisation contraire de l'individu ou autres cas d'autorisation prévus au paragraphe 8(2).	Origine des renseignements personnels
Individual to be informed of purpose	(2) A government institution shall inform any individual from whom the institution collects personal information about the individual of the purpose for which the information is being collected.	(2) Une institution fédérale est tenue d'informer l'individu auprès de qui elle recueille des renseignements personnels le concernant des fins auxquelles ils sont destinés.	Mise au courant de l'intéressé
Exception	(3) Subsections (1) and (2) do not apply where compliance therewith might (a) result in the collection of inaccurate information; or (b) defeat the purpose or prejudice the use for which information is collected. 1980-81-82-83, c. 111, Sch. II "5".	(3) Les paragraphes (1) et (2) ne s'appliquent pas dans les cas où leur observation risquerait : a) soit d'avoir pour résultat la collecte de renseignements inexacts; b) soit de contrarier les fins ou de compromettre l'usage auxquels les renseignements sont destinés. 1980-81-82-83, ch. 111, ann. II «5».	Exceptions
Retention of personal information used for an administrative purpose	6. (1) Personal information that has been used by a government institution for an administrative purpose shall be retained by the institution for such period of time after it is so used as may be prescribed by regulation in order to ensure that the individual to whom it relates has a reasonable opportunity to obtain access to the information.	6. (1) Les renseignements personnels utilisés par une institution fédérale à des fins administratives doivent être conservés après usage par l'institution pendant une période, déterminée par règlement, suffisamment longue pour permettre à l'individu qu'ils concernent d'exercer son droit d'accès à ces renseignements.	Conservation des renseignements personnels utilisés à des fins administratives
Accuracy of personal information	(2) A government institution shall take all reasonable steps to ensure that personal information that is used for an administrative purpose by the institution is as accurate, up-to-date and complete as possible.	(2) Une institution fédérale est tenue de veiller, dans la mesure du possible, à ce que les renseignements personnels qu'elle utilise à des fins administratives soient à jour, exacts et complets.	Exactitude des renseignements
Disposal of personal information	(3) A government institution shall dispose of personal information under the control of the institution in accordance with the regulations and in accordance with any directives or guidelines issued by the designated minister in relation to the disposal of that information. 1980-81-82-83, c. 111, Sch. II "6".	(3) Une institution fédérale procède au retrait des renseignements personnels qui relèvent d'elle conformément aux règlements et aux instructions ou directives applicables du ministre désigné. 1980-81-82-83, ch. 111, ann. II «6».	Retrait des renseignements personnels
	PROTECTION OF PERSONAL INFORMATION	PROTECTION DES RENSEIGNEMENTS PERSONNELS	
Use of personal information	7. Personal information under the control of a government institution shall not, without the consent of the individual to whom it relates, be used by the institution except	7. À défaut du consentement de l'individu concerné, les renseignements personnels relevant d'une institution fédérale ne peuvent servir à celle-ci :	Usage des renseignements personnels

(a) for the purpose for which the information was obtained or compiled by the institution or for a use consistent with that purpose; or

(b) for a purpose for which the information may be disclosed to the institution under subsection 8(2). 1980-81-82-83, c. 111, Sch. II "7".

Disclosure of personal information

8. (1) Personal information under the control of a government institution shall not, without the consent of the individual to whom it relates, be disclosed by the institution except in accordance with this section.

Where personal information may be disclosed

(2) Subject to any other Act of Parliament, personal information under the control of a government institution may be disclosed

(a) for the purpose for which the information was obtained or compiled by the institution or for a use consistent with that purpose;

(b) for any purpose in accordance with any Act of Parliament or any regulation made thereunder that authorizes its disclosure;

(c) for the purpose of complying with a subpoena or warrant issued or order made by a court, person or body with jurisdiction to compel the production of information or for the purpose of complying with rules of court relating to the production of information;

(d) to the Attorney General of Canada for use in legal proceedings involving the Crown in right of Canada or the Government of Canada;

(e) to an investigative body specified in the regulations, on the written request of the body, for the purpose of enforcing any law of Canada or a province or carrying out a lawful investigation, if the request specifies the purpose and describes the information to be disclosed;

(f) under an agreement or arrangement between the Government of Canada or an institution thereof and the government of a province, the government of a foreign state, an international organization of states or an international organization established by the governments of states, or any institution of any such government or organization, for the purpose of administering or enforcing any law or carrying out a lawful investigation;

(g) to a member of Parliament for the purpose of assisting the individual to whom the information relates in resolving a problem;

a) qu'aux fins auxquelles ils ont été recueillis ou préparés par l'institution de même que pour les usages qui sont compatibles avec ces fins;

b) qu'aux fins auxquelles ils peuvent lui être communiqués en vertu du paragraphe 8(2). 1980-81-82-83, ch. 111, ann. II «7».

8. (1) Les renseignements personnels qui relèvent d'une institution fédérale ne peuvent être communiqués, à défaut du consentement de l'individu qu'ils concernent, que conformément au présent article.

Communication des renseignements personnels

(2) Sous réserve d'autres lois fédérales, la communication des renseignements personnels qui relèvent d'une institution fédérale est autorisée dans les cas suivants :

Cas d'autorisation

a) communication aux fins auxquelles ils ont été recueillis ou préparés par l'institution ou pour les usages qui sont compatibles avec ces fins;

b) communication aux fins qui sont conformes avec les lois fédérales ou ceux de leurs règlements qui autorisent cette communication;

c) communication exigée par *subpoena*, mandat ou ordonnance d'un tribunal, d'une personne ou d'un organisme ayant le pouvoir de contraindre à la production de renseignements ou exigée par des règles de procédure se rapportant à la production de renseignements;

d) communication au procureur général du Canada pour usage dans des poursuites judiciaires intéressant la Couronne du chef du Canada ou le gouvernement fédéral;

e) communication à un organisme d'enquête déterminé par règlement et qui en fait la demande par écrit, en vue de faire respecter des lois fédérales ou provinciales ou pour la tenue d'enquêtes licites, pourvu que la demande précise les fins auxquelles les renseignements sont destinés et la nature des renseignements demandés;

f) communication aux termes d'accords ou d'ententes conclus d'une part entre le gouvernement du Canada ou un de ses organismes et, d'autre part, le gouvernement d'une province ou d'un État étranger, une organisation internationale d'États ou de gouvernements, ou un de leurs organismes, en vue de l'appli-

(h) to officers or employees of the institution for internal audit purposes, or to the office of the Comptroller General or any other person or body specified in the regulations for audit purposes;

(i) to the Public Archives for archival purposes;

(j) to any person or body for research or statistical purposes if the head of the government institution

(i) is satisfied that the purpose for which the information is disclosed cannot reasonably be accomplished unless the information is provided in a form that would identify the individual to whom it relates, and

(ii) obtains from the person or body a written undertaking that no subsequent disclosure of the information will be made in a form that could reasonably be expected to identify the individual to whom it relates;

(k) to any association of aboriginal people, Indian band, government institution or part thereof, or to any person acting on behalf of such association, band, institution or part thereof, for the purpose of researching or validating the claims, disputes or grievances of any of the aboriginal peoples of Canada;

(l) to any government institution for the purpose of locating an individual in order to collect a debt owing to Her Majesty in right of Canada by that individual or make a payment owing to that individual by Her Majesty in right of Canada; and

(m) for any purpose where, in the opinion of the head of the institution,

(i) the public interest in disclosure clearly outweighs any invasion of privacy that could result from the disclosure, or

(ii) disclosure would clearly benefit the individual to whom the information relates.

(3) Subject to any other Act of Parliament, personal information under the control of the Public Archives that has been transferred to the Public Archives by a government institution-

cation des lois ou pour la tenue d'enquêtes licites;

g) communication à un parlementaire fédéral en vue d'aider l'individu concerné par les renseignements à résoudre un problème;

h) communication pour vérification interne au personnel de l'institution ou pour vérification comptable au bureau du contrôleur général ou à toute personne ou tout organisme déterminé par règlement;

i) communication aux Archives publiques pour dépôt;

j) communication à toute personne ou à tout organisme, pour des travaux de recherche ou de statistique, pourvu que soient réalisées les deux conditions suivantes :

(i) le responsable de l'institution est convaincu que les fins auxquelles les renseignements sont communiqués ne peuvent être normalement atteintes que si les renseignements sont donnés sous une forme qui permette d'identifier l'individu qu'ils concernent,

(ii) la personne ou l'organisme s'engage par écrit auprès du responsable de l'institution à s'abstenir de toute communication ultérieure des renseignements tant que leur forme risque vraisemblablement de permettre l'identification de l'individu qu'ils concernent;

k) communication à toute association d'autochtones, bande d'Indiens, institution fédérale ou subdivision de celle-ci, ou à leur représentant, en vue de l'établissement des droits des peuples autochtones ou du règlement de leurs griefs;

l) communication à toute institution fédérale en vue de joindre un débiteur ou un créancier de Sa Majesté du chef du Canada et de recouvrer ou d'acquitter la créance;

m) communication à toute autre fin dans les cas où, de l'avis du responsable de l'institution :

(i) des raisons d'intérêt public justifieraient nettement une éventuelle violation de la vie privée,

(ii) l'individu concerné en tirerait un avantage certain.

(3) Sous réserve des autres lois fédérales, les renseignements personnels qui relèvent des Archives publiques et qui y ont été versés pour dépôt ou à des fins historiques par une institu-

for archival or historical purposes may be disclosed in accordance with the regulations to any person or body for research or statistical purposes.

tion fédérale peuvent être communiqués conformément aux règlements pour des travaux de recherche ou de statistique.

Copies of requests under paragraph (2)(e) to be retained

(4) The head of a government institution shall retain a copy of every request received by the government institution under paragraph (2)(e) for such period of time as may be prescribed by regulation, shall keep a record of any information disclosed pursuant to the request for such period of time as may be prescribed by regulation and shall, on the request of the Privacy Commissioner, make those copies and records available to the Privacy Commissioner.

(4) Le responsable d'une institution fédérale conserve, pendant la période prévue par les règlements, une copie des demandes reçues par l'institution en vertu de l'alinéa (2)e) ainsi qu'une mention des renseignements communiqués et, sur demande, met cette copie et cette mention à la disposition du Commissaire à la protection de la vie privée.

Copie des demandes faites en vertu de l'al. (2)e)

Notice of disclosure under paragraph (2)(m)

(5) The head of a government institution shall notify the Privacy Commissioner in writing of any disclosure of personal information under paragraph (2)(m) prior to the disclosure where reasonably practicable or in any other case forthwith on the disclosure, and the Privacy Commissioner may, if the Commissioner deems it appropriate, notify the individual to whom the information relates of the disclosure.

(5) Dans le cas prévu à l'alinéa (2)m), le responsable de l'institution fédérale concernée donne un préavis écrit de la communication des renseignements personnels au Commissaire à la protection de la vie privée si les circonstances le justifient; sinon, il en avise par écrit le Commissaire immédiatement après la communication. La décision de mettre au courant l'individu concerné est laissée à l'appréciation du Commissaire.

Avis de communication dans le cas de l'al. (2)m)

Definition of "Indian band"

(6) In paragraph (2)(k), "Indian band" means

- (a) a band, as defined in the *Indian Act*; or
- (b) a band, as defined in the *Cree-Naskapi (of Quebec) Act*, chapter 18 of the Statutes of Canada, 1984. 1980-81-82-83, c. 111, Sch. II "8"; 1984, c. 18, s. 216.

(6) L'expression « bande d'Indiens » à l'alinéa (2)k) désigne :

- a) soit une bande au sens de la *Loi sur les Indiens*;
- b) soit une bande au sens de la *Loi sur les Cris et les Naskapis du Québec*, chapitre 18 des Statuts du Canada de 1984. 1980-81-82-83, ch. 111, ann. II «8»; 1984, ch. 18, art. 216.

Définition de « bande d'Indiens »

Record of disclosures to be retained

9. (1) The head of a government institution shall retain a record of any use by the institution of personal information contained in a personal information bank or any use or purpose for which that information is disclosed by the institution where the use or purpose is not included in the statements of uses and purposes set forth pursuant to subparagraph 11(1)(a)(iv) and subsection 11(2) in the index referred to in section 11, and shall attach the record to the personal information.

9. (1) Le responsable d'une institution fédérale fait un relevé des cas d'usage, par son institution, de renseignements personnels versés dans un fichier de renseignements personnels, ainsi que des usages ou fins auxquels ils ont été communiqués par son institution si ceux-ci ne figurent pas parmi les usages et fins énumérés dans le répertoire prévu au paragraphe 11(1), en vertu du sous-alinéa 11(1)a)(iv) et du paragraphe 11(2); il joint le relevé aux renseignements personnels.

Relevé

Limitation

(2) Subsection (1) does not apply in respect of information disclosed pursuant to paragraph 8(2)(e).

(2) Le paragraphe (1) ne s'applique pas aux renseignements communiqués en vertu de l'alinéa 8(2)e).

Exception

Record forms part of personal information

(3) For the purposes of this Act, a record retained under subsection (1) shall be deemed

(3) Le relevé mentionné au paragraphe (1) devient lui-même un renseignement personnel

Appartenance du relevé aux renseignements personnels

to form part of the personal information to which it is attached.

qui fait partie des renseignements personnels utilisés ou communiqués.

Consistent uses

(4) Where personal information in a personal information bank under the control of a government institution is used or disclosed for a use consistent with the purpose for which the information was obtained or compiled by the institution but the use is not included in the statement of consistent uses set forth pursuant to subparagraph 11(1)(a)(iv) in the index referred to in section 11, the head of the government institution shall

(4) Dans les cas où des renseignements personnels versés dans un fichier de renseignements personnels relevant d'une institution fédérale sont destinés à un usage, ou communiqués pour un usage, compatible avec les fins auxquelles les renseignements ont été recueillis ou préparés par l'institution, mais que l'usage n'est pas l'un de ceux qui, en vertu du sous-alinéa 11(1)a)(iv), sont indiqués comme usages compatibles dans le répertoire visé au paragraphe 11(1), le responsable de l'institution fédérale est tenu :

Usages compatibles

(a) forthwith notify the Privacy Commissioner of the use for which the information was used or disclosed; and

a) d'aviser immédiatement le Commissaire à la protection de la vie privée de l'usage qui a été fait des renseignements ou pour lequel ils ont été communiqués;

(b) ensure that the use is included in the next statement of consistent uses set forth in the index. 1980-81-82-83, c. 111, Sch. II "9"; 1984, c. 21, s. 89.

b) de faire insérer une mention de cet usage dans la liste des usages compatibles énumérés dans l'édition suivante du répertoire. 1980-81-82-83, ch. 111, ann. II «9»; 1984, ch. 21, art. 89.

PERSONAL INFORMATION BANKS

FICHIERS DE RENSEIGNEMENTS PERSONNELS

Personal information to be included in personal information banks

10. (1) The head of a government institution shall cause to be included in personal information banks all personal information under the control of the government institution that

10. (1) Le responsable d'une institution fédérale veille à ce que soient versés dans des fichiers de renseignements personnels tous les renseignements personnels qui relèvent de son institution et qui :

Renseignements personnels versés dans les fichiers de renseignements personnels

(a) has been used, is being used or is available for use for an administrative purpose; or
(b) is organized or intended to be retrieved by the name of an individual or by an identifying number, symbol or other particular assigned to an individual.

a) ont été, sont ou peuvent être utilisés à des fins administratives;

b) sont marqués de façon à pouvoir être retrouvés par référence au nom d'un individu ou à un numéro, symbole ou autre indication identificatrice propre à cet individu.

Exception for Public Archives

(2) Subsection (1) does not apply in respect of personal information under the control of the Public Archives that has been transferred to the Public Archives by a government institution for archival or historical purposes. 1980-81-82-83, c. 111, Sch. II "10".

(2) Le paragraphe (1) ne s'applique pas aux renseignements personnels qui relèvent des Archives publiques et qui y ont été versés par une institution fédérale pour dépôt ou à des fins historiques. 1980-81-82-83, ch. 111, ann. II «10».

Exception dans le cas des Archives publiques

PERSONAL INFORMATION INDEX

RÉPERTOIRE DE RENSEIGNEMENTS PERSONNELS

Index of personal information

11. (1) The designated Minister shall cause to be published on a periodic basis not less frequently than once each year, an index of

11. (1) Le ministre désigné fait publier, selon une périodicité au moins annuelle, un répertoire :

Publication du répertoire

(a) all personal information banks setting forth, in respect of each bank,

a) d'une part, de tous les fichiers de renseignements personnels, donnant, pour chaque fichier, les indications suivantes :

- (i) the identification and a description of the bank, the registration number assigned to it by the designated Minister pursuant to paragraph 71(1)(b) and a description of the class of individuals to whom personal information contained in the bank relates,
- (ii) the name of the government institution that has control of the bank,
- (iii) the title and address of the appropriate officer to whom requests relating to personal information contained in the bank should be sent,
- (iv) a statement of the purposes for which personal information in the bank was obtained or compiled and a statement of the uses consistent with those purposes for which the information is used or disclosed,
- (v) a statement of the retention and disposal standards applied to personal information in the bank, and
- (vi) an indication, where applicable, that the bank was designated as an exempt bank by an order under section 18 and the provision of section 21 or 22 on the basis of which the order was made; and

(b) all classes of personal information under the control of a government institution that are not contained in personal information banks, setting forth in respect of each class

- (i) a description of the class in sufficient detail to facilitate the right of access under this Act, and
- (ii) the title and address of the appropriate officer for each government institution to whom requests relating to personal information within the class should be sent.

Statement of uses and purposes

(2) The designated Minister may set forth in the index referred to in subsection (1) a statement of any of the uses and purposes, not included in the statements made pursuant to subparagraph (1)(a)(iv), for which personal information contained in any of the personal information banks referred to in the index is used or disclosed on a regular basis.

Index to be made available

(3) The designated Minister shall cause the index referred to in subsection (1) to be made available throughout Canada in conformity with the principle that every person is entitled

- (i) sa désignation, son contenu, la cote qui lui a été attribuée par le ministre désigné, conformément à l'alinéa 71(1)b), ainsi que la désignation des catégories d'individus sur qui portent les renseignements personnels qui y sont versés,
- (ii) le nom de l'institution fédérale de qui il relève,
- (iii) les titre et adresse du fonctionnaire chargé de recevoir les demandes de communication des renseignements personnels qu'il contient,
- (iv) l'énumération des fins auxquelles les renseignements personnels qui y sont versés ont été recueillis ou préparés de même que l'énumération des usages, compatibles avec ces fins, auxquels les renseignements sont destinés ou pour lesquels ils sont communiqués,
- (v) l'énumération des critères qui s'appliquent à la conservation et au retrait des renseignements personnels qui y sont versés,
- (vi) s'il y a lieu, le fait qu'il a fait l'objet d'un décret pris en vertu de l'article 18 et la mention de la disposition des articles 21 ou 22 sur laquelle s'appuie le décret;

b) d'autre part, de toutes les catégories de renseignements personnels qui relèvent d'une institution fédérale mais ne sont pas versés dans des fichiers de renseignements personnels, donnant, pour chaque catégorie, les indications suivantes :

- (i) son contenu, en termes suffisamment précis pour faciliter l'exercice du droit d'accès prévu par la présente loi,
- (ii) les titre et adresse du fonctionnaire de l'institution chargé de recevoir les demandes de communication des renseignements personnels qu'elle contient.

Énumération des usages et fins

(2) Le ministre désigné peut insérer, dans le répertoire, des usages ou fins non prévus au sous-alinéa (1)a)(iv) mais s'appliquant, dans le cadre de communications courantes, à des renseignements personnels versés dans les fichiers de renseignements personnels.

Diffusion

(3) Le ministre désigné est responsable de la diffusion du répertoire dans tout le Canada, étant entendu que toute personne a le droit d'en

to reasonable access to the index. 1980-81-82-83, c. 111, Sch. II "11".

prendre normalement connaissance. 1980-81-82-83, ch. 111, ann. II «11».

ACCESS TO PERSONAL INFORMATION

ACCÈS AUX RENSEIGNEMENTS PERSONNELS

*Right of Access**Droit d'accès*

Right of access

12. (1) Subject to this Act, every individual who is a Canadian citizen or a permanent resident within the meaning of the *Immigration Act* has a right to and shall, on request, be given access to

12. (1) Sous réserve des autres dispositions de la présente loi, tout citoyen canadien et tout résident permanent, au sens de la *Loi sur l'immigration*, a le droit de se faire communiquer sur demande :

Droit d'accès

(a) any personal information about the individual contained in a personal information bank; and

a) les renseignements personnels le concernant et versés dans un fichier de renseignements personnels;

(b) any other personal information about the individual under the control of a government institution with respect to which the individual is able to provide sufficiently specific information on the location of the information as to render it reasonably retrievable by the government institution.

b) les autres renseignements personnels le concernant et relevant d'une institution fédérale, dans la mesure où il peut fournir sur leur localisation des indications suffisamment précises pour que l'institution fédérale puisse les retrouver sans problèmes sérieux.

Other rights relating to personal information

(2) Every individual who is given access under paragraph (1)(a) to personal information that has been used, is being used or is available for use for an administrative purpose is entitled to

(2) Tout individu qui reçoit communication, en vertu de l'alinéa (1)a), de renseignements personnels qui ont été, sont ou peuvent être utilisés à des fins administratives, a le droit :

Autres droits

(a) request correction of the personal information where the individual believes there is an error or omission therein;

a) de demander la correction des renseignements personnels le concernant qui, selon lui, sont erronés ou incomplets;

(b) require that a notation be attached to the information reflecting any correction requested but not made; and

b) d'exiger, s'il y a lieu, qu'il soit fait mention des corrections qui ont été demandées mais non effectuées;

(c) require that any person or body to whom that information has been disclosed for use for an administrative purpose within two years prior to the time a correction is requested or a notation is required under this subsection in respect of that information

c) d'exiger :

(i) que toute personne ou tout organisme à qui ces renseignements ont été communiqués pour servir à des fins administratives dans les deux ans précédant la demande de correction ou de mention des corrections non effectuées soient avisés de la correction ou de la mention,

(i) be notified of the correction or notation, and

(ii) que l'organisme, s'il s'agit d'une institution fédérale, effectuée la correction ou porte la mention sur toute copie de document contenant les renseignements qui relèvent de lui.

(ii) where the disclosure is to a government institution, the institution make the correction or notation on any copy of the information under its control.

Extension of right of access by order

(3) The Governor in Council may, by order, extend the right to be given access to personal information under subsection (1) to include individuals not referred to in that subsection and may set such conditions as the Governor in Council deems appropriate. 1980-81-82-83, c. 111, Sch. II "12".

(3) Le gouverneur en conseil peut, par décret, étendre, conditionnellement ou non, le droit d'accès visé au paragraphe (1) à des individus autres que ceux qui y sont mentionnés. 1980-81-82-83, ch. 111, ann. II «12».

Extension par décret

Requests for Access

Demandes de communication

Request for access under paragraph 12(1)(a)

13. (1) A request for access to personal information under paragraph 12(1)(a) shall be made in writing to the government institution that has control of the personal information bank that contains the information and shall identify the bank.

13. (1) La demande de communication des renseignements personnels visés à l'alinéa 12(1)a) se fait par écrit auprès de l'institution fédérale de qui relève le fichier de renseignements personnels où ils sont versés et doit comporter la désignation du fichier.

Demande de communication prévue à l'al. 12(1)a)

Request for access under paragraph 12(1)(b)

(2) A request for access to personal information under paragraph 12(1)(b) shall be made in writing to the government institution that has control of the information and shall provide sufficiently specific information on the location of the information as to render it reasonably retrievable by the government institution. 1980-81-82-83, c. 111, Sch. II "13".

(2) La demande de communication des renseignements personnels visés à l'alinéa 12(1)b) se fait par écrit auprès de l'institution fédérale de qui relèvent les renseignements; elle doit contenir sur leur localisation des indications suffisamment précises pour que l'institution puisse les retrouver sans problèmes sérieux. 1980-81-82-83, ch. 111, ann. II «13».

Demande de communication prévue à l'al. 12(1)b)

Notice where access requested

14. Where access to personal information is requested under subsection 12(1), the head of the government institution to which the request is made shall, subject to section 15, within thirty days after the request is received,

14. Le responsable de l'institution fédérale à qui est faite une demande de communication de renseignements personnels en vertu du paragraphe 12(1) est tenu, dans les trente jours suivant sa réception, sous réserve de l'article 15 :

Notification

(a) give written notice to the individual who made the request as to whether or not access to the information or a part thereof will be given; and

a) d'aviser par écrit la personne qui a fait la demande de ce qu'il sera donné ou non communication totale ou partielle des renseignements personnels;

(b) if access is to be given, give the individual who made the request access to the information or the part thereof. 1980-81-82-83, c. 111, Sch. II "14".

b) le cas échéant, de procéder à la communication. 1980-81-82-83, ch. 111, ann. II «14».

Extension of time limits

15. The head of a government institution may extend the time limit set out in section 14 in respect of a request for

15. Le responsable d'une institution fédérale peut proroger le délai mentionné à l'article 14 :

Prorogation du délai

(a) a maximum of thirty days if

a) d'une période maximale de trente jours dans les cas où :

(i) meeting the original time limit would unreasonably interfere with the operations of the government institution, or

(i) l'observation du délai entraverait de façon sérieuse le fonctionnement de l'institution,

(ii) consultations are necessary to comply with the request that cannot reasonably be completed within the original time limit, or

(ii) les consultations nécessaires pour donner suite à la demande rendraient pratiquement impossible l'observation du délai;

(b) such period of time as is reasonable, if additional time is necessary for translation purposes,

b) d'une période qui peut se justifier dans les cas de traduction.

by giving notice of the extension and the length of the extension to the individual who made the request within thirty days after the request is received, which notice shall contain a statement that the individual has a right to make a complaint to the Privacy Commissioner about the extension. 1980-81-82-83, c. 111, Sch. II "15".

Dans l'un ou l'autre de ces cas, le responsable de l'institution fédérale envoie à la personne qui a fait la demande, dans les trente jours suivant sa réception, un avis de prorogation de délai en lui faisant part du nouveau délai ainsi que de son droit de déposer une plainte à ce propos auprès du Commissaire à la protection de la vie privée. 1980-81-82-83, ch. 111, ann. II «15».

Where access is refused

16. (1) Where the head of a government institution refuses to give access to any personal information requested under subsection 12(1), the head of the institution shall state in the notice given under paragraph 14(a)

(a) that the personal information does not exist, or

(b) the specific provision of this Act on which the refusal was based or the provision on which a refusal could reasonably be expected to be based if the information existed,

and shall state in the notice that the individual who made the request has a right to make a complaint to the Privacy Commissioner about the refusal.

Existence not required to be disclosed

(2) The head of a government institution may but is not required to indicate under subsection (1) whether personal information exists.

Deemed refusal to give access

(3) Where the head of a government institution fails to give access to any personal information requested under subsection 12(1) within the time limits set out in this Act, the head of the institution shall, for the purposes of this Act, be deemed to have refused to give access. 1980-81-82-83, c. 111, Sch. II "16".

Access

Form of access

17. (1) Subject to any regulations made under paragraph 77(1)(o), where an individual is to be given access to personal information requested under subsection 12(1), the government institution shall

(a) permit the individual to examine the information in accordance with the regulations; or

(b) provide the individual with a copy thereof.

Language of access

(2) Where access to personal information is to be given under this Act and the individual to whom access is to be given requests that access be given in a particular one of the official languages of Canada,

(a) access shall be given in that language, if the personal information already exists under the control of a government institution in that language; and

(b) where the personal information does not exist in that language, the head of the government institution that has control of the

16. (1) En cas de refus de communication de renseignements personnels demandés en vertu du paragraphe 12(1), l'avis prévu à l'alinéa 14a) doit mentionner, d'une part, le droit de la personne qui a fait la demande de déposer une plainte auprès du Commissaire à la protection de la vie privée et, d'autre part :

a) soit le fait que le dossier n'existe pas;

b) soit la disposition précise de la présente loi sur laquelle se fonde le refus ou sur laquelle il pourrait vraisemblablement se fonder si les renseignements existaient.

Refus de communication

(2) Le paragraphe (1) n'oblige pas le responsable de l'institution fédérale à faire état de l'existence des renseignements personnels demandés.

Dispense de divulgation de l'existence du document

(3) Le défaut de communication de renseignements personnels demandés en vertu du paragraphe 12(1) dans les délais prévus par la présente loi vaut décision de refus de communication. 1980-81-82-83, ch. 111, ann. II «16».

Présomption de refus

Exercice de l'accès

17. (1) Sous réserve des règlements pris en vertu de l'alinéa 77(1)(o), une institution fédérale donne communication des renseignements personnels de la façon suivante :

a) soit par la permission de consulter les renseignements conformément aux règlements;

b) soit par la délivrance de copies.

Exercice de l'accès

(2) Un individu reçoit communication des renseignements personnels dans la langue officielle qu'il a précisé dans les cas suivants :

a) il en existe une version dans cette langue et elle relève d'une institution fédérale;

b) il n'en existe pas de version dans cette langue mais le responsable de l'institution fédérale dont ils relèvent juge nécessaire de les faire traduire ou de fournir à l'individu les services d'un interprète afin qu'il puisse les comprendre. 1980-81-82-83, ch. 111, ann. II «17».

Version de la communication

personal information shall cause it to be translated or interpreted for the individual if the head of the institution considers a translation or interpretation to be necessary to enable the individual to understand the information. 1980-81-82-83, c. 111, Sch. II "17".

EXEMPTIONS

Exempt Banks

Governor in Council may designate exempt banks

18. (1) The Governor in Council may, by order, designate as exempt banks certain personal information banks that contain files all of which consist predominantly of personal information described in section 21 or 22.

Disclosure may be refused

(2) The head of a government institution may refuse to disclose any personal information requested under subsection 12(1) that is contained in a personal information bank designated as an exempt bank under subsection (1).

Contents of order

(3) An order made under subsection (1) shall specify

- (a) the section on the basis of which the order is made; and
- (b) where a personal information bank is designated that contains files that consist predominantly of personal information described in subparagraph 22(1)(a)(ii), the law concerned. 1980-81-82-83, c. 111, Sch. II "18".

Responsibilities of Government

Personal information obtained in confidence

19. (1) Subject to subsection (2), the head of a government institution shall refuse to disclose any personal information requested under subsection 12(1) that was obtained in confidence from

- (a) the government of a foreign state or an institution thereof;
- (b) an international organization of states or an institution thereof;
- (c) the government of a province or an institution thereof; or
- (d) a municipal or regional government established by or pursuant to an Act of the legislature of a province or an institution of such a government.

Where disclosure authorized

(2) The head of a government institution may disclose any personal information request-

EXCEPTIONS

Fichiers inconsultables

18. (1) Le gouverneur en conseil peut, par décret, classer parmi les fichiers de renseignements personnels inconsultables, dénommés fichiers inconsultables dans la présente loi, ceux qui sont formés de dossiers dans chacun desquels dominent les renseignements visés aux articles 21 ou 22.

Fichiers inconsultables

(2) Le responsable d'une institution fédérale peut refuser la communication des renseignements personnels demandés en vertu du paragraphe 12(1) qui sont versés dans des fichiers inconsultables.

Autorisation de refuser

(3) Tout décret pris en vertu du paragraphe (1) doit porter :

Éléments que doit contenir le décret

- a) une mention de l'article sur lequel il se fonde;
- b) de plus, dans le cas d'un fichier de renseignements personnels formé de dossiers dans chacun desquels dominent des renseignements visés au sous-alinéa 22(1)a(ii), la mention de la loi dont il s'agit. 1980-81-82-83, ch. 111, ann. II «18».

Responsabilités de l'État

19. (1) Sous réserve du paragraphe (2), le responsable d'une institution fédérale est tenu de refuser la communication des renseignements personnels demandés en vertu du paragraphe 12(1) qui ont été obtenus à titre confidentiel :

Renseignements personnels obtenus à titre confidentiel

- a) des gouvernements des États étrangers ou de leurs organismes;
- b) des organisations internationales d'États ou de leurs organismes;
- c) des gouvernements provinciaux ou de leurs organismes;
- d) des administrations municipales ou régionales constituées en vertu de lois provinciales ou de leurs organismes.

(2) Le responsable d'une institution fédérale peut donner communication des renseigne-

Cas où la divulgation est autorisée

ed under subsection 12(1) that was obtained from any government, organization or institution described in subsection (1) if the government, organization or institution from which the information was obtained

- (a) consents to the disclosure; or
- (b) makes the information public. 1980-81-82-83, c. 111, Sch. II "19".

Federal-provincial affairs

20. The head of a government institution may refuse to disclose any personal information requested under subsection 12(1) the disclosure of which could reasonably be expected to be injurious to the conduct by the Government of Canada of federal-provincial affairs. 1980-81-82-83, c. 111, Sch. II "20".

International affairs and defence

21. The head of a government institution may refuse to disclose any personal information requested under subsection 12(1) the disclosure of which could reasonably be expected to be injurious to the conduct of international affairs, the defence of Canada or any state allied or associated with Canada, as defined in subsection 15(2) of the *Access to Information Act*, or the efforts of Canada toward detecting, preventing or suppressing subversive or hostile activities, as defined in subsection 15(2) of the *Access to Information Act*, including, without restricting the generality of the foregoing, any such information listed in paragraphs 15(1)(a) to (i) of the *Access to Information Act*. 1980-81-82-83, c. 111, Sch. II "21".

Law enforcement and investigation

22. (1) The head of a government institution may refuse to disclose any personal information requested under subsection 12(1)

- (a) 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
 - (i) the detection, prevention or suppression of crime,
 - (ii) the enforcement of any law of Canada or a province, or
 - (iii) activities suspected of constituting threats to the security of Canada within the meaning of the *Canadian Security Intelligence Service Act*,

if the information came into existence less than twenty years prior to the request;

ments personnels visés au paragraphe (1) si le gouvernement, l'organisation, l'administration ou l'organisme qui les a fournis :

- a) consent à la communication;
- b) rend les renseignements publics. 1980-81-82-83, ch. 111, ann. II «19».

20. Le responsable d'une institution fédérale peut refuser la communication des renseignements personnels demandés en vertu du paragraphe 12(1) dont la divulgation risquerait vraisemblablement de porter préjudice à la conduite par le gouvernement du Canada des affaires fédéro-provinciales. 1980-81-82-83, ch. 111, ann. II «20».

Affaires fédéro-provinciales

21. Le responsable d'une institution fédérale peut refuser la communication des renseignements personnels demandés en vertu du paragraphe 12(1) dont la divulgation risquerait vraisemblablement de porter préjudice à la conduite des affaires internationales, à la défense du Canada ou d'États alliés ou associés avec le Canada, au sens du paragraphe 15(2) de la *Loi sur l'accès à l'information*, ou à ses efforts de détection, de prévention ou de répression d'activités hostiles ou subversives, au sens du paragraphe 15(2) de la même loi, notamment les renseignements visés à ses alinéas 15(1)a) à i). 1980-81-82-83, ch. 111, ann. II «21».

Affaires internationales et défense

22. (1) Le responsable d'une institution fédérale peut refuser la communication des renseignements personnels demandés en vertu du paragraphe 12(1) :

- a) soit qui remontent à moins de vingt ans lors de la demande et qui ont été obtenus ou préparés par une institution fédérale, ou par une subdivision d'une institution, qui constitue un organisme d'enquête déterminé par règlement, au cours d'enquêtes licites ayant trait :

- (i) à la détection, la prévention et la répression du crime,
- (ii) aux activités destinées à faire respecter les lois fédérales ou provinciales,
- (iii) aux activités soupçonnées de constituer des menaces envers la sécurité du Canada au sens de la *Loi sur le Service canadien du renseignement de sécurité*;

Enquêtes

(b) the disclosure of which could reasonably be expected to be injurious to the enforcement of any law of Canada or a province or the conduct of lawful investigations, including, without restricting the generality of the foregoing, any such information

(i) relating to the existence or nature of a particular investigation,

(ii) that would reveal the identity of a confidential source of information, or

(iii) that was obtained or prepared in the course of an investigation; or

(c) the disclosure of which could reasonably be expected to be injurious to the security of penal institutions.

b) soit dont la divulgation risquerait vraisemblablement de nuire aux activités destinées à faire respecter les lois fédérales ou provinciales ou au déroulement d'enquêtes licites, notamment :

(i) des renseignements relatifs à l'existence ou à la nature d'une enquête déterminée,

(ii) des renseignements qui permettraient de remonter à une source de renseignements confidentielle,

(iii) des renseignements obtenus ou préparés au cours d'une enquête;

c) soit dont la divulgation risquerait vraisemblablement de nuire à la sécurité des établissements pénitentiaires.

Policing services for provinces or municipalities

(2) The head of a government institution shall refuse to disclose any personal information requested under subsection 12(1) that was obtained or prepared by the Royal Canadian Mounted Police while performing policing services for a province or municipality pursuant to an arrangement made under section 20 of the *Royal Canadian Mounted Police Act*, where the Government of Canada has, on the request of the province or municipality, agreed not to disclose such information.

(2) Le responsable d'une institution fédérale est tenu de refuser la communication des renseignements personnels demandés en vertu du paragraphe 12(1) qui ont été obtenus ou préparés par la Gendarmerie royale du Canada, dans l'exercice de fonctions de police provinciale ou municipale, qui lui sont conférées par une entente conclue sous le régime de l'article 20 de la *Loi sur la Gendarmerie royale du Canada*, si, à la demande de la province ou de la municipalité, le gouvernement du Canada a consenti à ne pas divulguer ces renseignements.

Fonctions de police provinciale ou municipale

Definition of "investigation"

(3) For the purposes of paragraph (1)(b), "investigation" means an investigation that

(a) pertains to the administration or enforcement of an Act of Parliament;

(b) is authorized by or pursuant to an Act of Parliament; or

(c) is within a class of investigations specified in the regulations. 1980-81-82-83, c. 111, Sch. II "22"; 1984, c. 21, s. 90, c. 40, s. 79.

(3) Pour l'application de l'alinéa (1)b), «enquête» s'entend de celle qui :

a) se rapporte à l'application d'une loi fédérale;

b) est autorisée sous le régime d'une loi fédérale;

c) fait partie d'une catégorie d'enquêtes précisée dans les règlements. 1980-81-82-83, ch. 111, ann. II «22»; 1984, ch. 21, art. 90.

Définition de «enquête»

Security clearances

23. The head of a government institution may refuse to disclose any personal information requested under subsection 12(1) that was obtained or prepared by an investigative body specified in the regulations for the purpose of determining whether to grant security clearances

(a) required by the Government of Canada or a government institution in respect of individuals employed by or performing services for the Government of Canada or a government institution, individuals employed by or performing services for a person or

23. Le responsable d'une institution fédérale peut, dans les cas où leur communication risquerait vraisemblablement d'entraîner la divulgation de l'identité de l'informateur à l'origine des renseignements en question, refuser la communication des renseignements personnels demandés en vertu du paragraphe 12(1) et qui ont été recueillis ou préparés, par un organisme d'enquête déterminé par règlement, lors des enquêtes de sécurité :

a) qu'exige le gouvernement fédéral ou une institution fédérale à l'égard des individus qu'ils emploient ou qu'emploient des person-

Enquêtes de sécurité

body performing services for the Government of Canada or a government institution, individuals seeking to be so employed or seeking to perform those services, or

(b) required by the government of a province or a foreign state or an institution thereof,

if disclosure of the information could reasonably be expected to reveal the identity of the individual who furnished the investigative body with the information. 1980-81-82-83, c. 111, Sch. II "23".

Individuals sentenced for an offence

24. The head of a government institution may refuse to disclose any personal information requested under subsection 12(1) that was collected or obtained by the Canadian Penitentiary Service, the National Parole Service or the National Parole Board while the individual who made the request was under sentence for an offence against any Act of Parliament, if the disclosure could reasonably be expected to

(a) lead to a serious disruption of the individual's institutional, parole or mandatory supervision program; or

(b) reveal information about the individual originally obtained on a promise of confidentiality, express or implied. 1980-81-82-83, c. 111, Sch. II "24".

Safety of individuals

25. The head of a government institution may refuse to disclose any personal information requested under subsection 12(1) the disclosure of which could reasonably be expected to threaten the safety of individuals. 1980-81-82-83, c. 111, Sch. II "25".

Personal Information

Information about another individual

26. The head of a government institution may refuse to disclose any personal information requested under subsection 12(1) about an individual other than the individual who made the request, and shall refuse to disclose such information where the disclosure is prohibited under section 8. 1980-81-82-83, c. 111, Sch. II "26".

Solicitor-Client Privilege

Solicitor-client privilege

27. The head of a government institution may refuse to disclose any personal information requested under subsection 12(1) that is subject

nes ou organismes qui leur prêtent leurs services, des individus qui prêtent leurs services au gouvernement ou à l'institution ou à ces personnes ou organismes ou de ceux qui sont candidats à ces emplois ou désireux de prêter ces services;

b) qu'exigent des administrations provinciales ou étrangères ou leurs organismes. 1980-81-82-83, ch. 111, ann. II «23».

24. Le responsable d'une institution fédérale peut refuser à un individu la communication des renseignements personnels demandés en vertu du paragraphe 12(1) qui ont été recueillis ou obtenus par le Service canadien des pénitenciers, le Service national des libérations conditionnelles ou la Commission nationale des libérations conditionnelles pendant qu'il était sous le coup d'une condamnation à la suite d'une infraction à une loi fédérale, dans les cas où la communication risquerait vraisemblablement :

a) soit d'avoir de graves conséquences sur son programme pénitentiaire, sa libération conditionnelle ou sa surveillance obligatoire;

b) soit d'entraîner la divulgation de renseignements qui, à l'origine, ont été obtenus expressément ou implicitement à titre confidentiel. 1980-81-82-83, ch. 111, ann. II «24».

Individus condamnés pour une infraction

25. Le responsable d'une institution fédérale peut refuser la communication des renseignements personnels demandés en vertu du paragraphe 12(1) dont la divulgation risquerait vraisemblablement de nuire à la sécurité des individus. 1980-81-82-83, ch. 111, ann. II «25».

Sécurité des individus

Renseignements personnels

26. Le responsable d'une institution fédérale peut refuser la communication des renseignements personnels demandés en vertu du paragraphe 12(1) qui portent sur un autre individu que celui qui fait la demande et il est tenu de refuser cette communication dans les cas où elle est interdite en vertu de l'article 8. 1980-81-82-83, ch. 111, ann. II «26».

Renseignements concernant un autre individu

Secret professionnel des avocats

27. Le responsable d'une institution fédérale peut refuser la communication des renseignements personnels demandés en vertu du para-

Secret professionnel des avocats

to solicitor-client privilege. 1980-81-82-83, c. 111, Sch. II "27".

graphie 12(1) qui sont protégés par le secret professionnel qui lie un avocat à son client. 1980-81-82-83, ch. 111, ann. II «27».

Medical Records

Medical record

28. The head of a government institution may refuse to disclose any personal information requested under subsection 12(1) that relates to the physical or mental health of the individual who requested it where the examination of the information by the individual would be contrary to the best interests of the individual. 1980-81-82-83, c. 111, Sch. II "28".

Dossiers médicaux

Dossiers médicaux

28. Le responsable d'une institution fédérale peut refuser la communication des renseignements personnels demandés en vertu du paragraphe 12(1) qui portent sur l'état physique ou mental de l'individu qui en demande communication, dans les cas où la prise de connaissance par l'individu concerné des renseignements qui y figurent desservirait celui-ci. 1980-81-82-83, ch. 111, ann. II «28».

COMPLAINTS

Receipt and investigation of complaints

29. (1) Subject to this Act, the Privacy Commissioner shall receive and investigate complaints

- (a) from individuals who allege that personal information about themselves held by a government institution has been used or disclosed otherwise than in accordance with section 7 or 8;
- (b) from individuals who have been refused access to personal information requested under subsection 12(1);
- (c) from individuals who allege that they are not being accorded the rights to which they are entitled under subsection 12(2) or that corrections of personal information requested under paragraph 12(2)(a) are being refused without justification;
- (d) from individuals who have requested access to personal information in respect of which a time limit has been extended pursuant to section 15 where they consider the extension unreasonable;
- (e) from individuals who have not been given access to personal information in the official language requested by the individuals under subsection 17(2);
- (f) from individuals who have been required to pay a fee that they consider inappropriate;
- (g) in respect of the index referred to in subsection 11(1); or
- (h) in respect of any other matter relating to
 - (i) the collection, retention or disposal of personal information by a government institution,

PLAINTES

Réception des plaintes et enquêtes

29. (1) Sous réserve des autres dispositions de la présente loi, le Commissaire à la protection de la vie privée reçoit les plaintes et fait enquête sur les plaintes :

- a) déposées par des individus qui prétendent que des renseignements personnels les concernant et détenus par une institution fédérale ont été utilisés ou communiqués contrairement aux articles 7 ou 8;
- b) déposées par des individus qui se sont vu refuser la communication de renseignements personnels, demandés en vertu du paragraphe 12(1);
- c) déposées par des individus qui se prétendent lésés des droits que leur accorde le paragraphe 12(2) ou qui considèrent comme non fondé le refus d'effectuer les corrections demandées en vertu de l'alinéa 12(2)a);
- d) déposées par des individus qui ont demandé des renseignements personnels dont les délais de communication ont été prorogés en vertu de l'article 15 et qui considèrent la prorogation comme abusive;
- e) déposées par des individus qui n'ont pas reçu communication de renseignements personnels dans la langue officielle qu'ils ont demandée en vertu du paragraphe 17(2);
- f) déposées par des individus qui considèrent comme contre-indiqué le versement exigé en vertu des règlements;
- g) portant sur le répertoire visé au paragraphe 11(1);
- h) portant sur toute autre question relative à :

(ii) the use or disclosure of personal information under the control of a government institution, or

(iii) requesting or obtaining access under subsection 12(1) to personal information.

(i) la collecte, la conservation ou le retrait par une institution fédérale des renseignements personnels,

(ii) l'usage ou la communication des renseignements personnels qui relèvent d'une institution fédérale,

(iii) la demande ou l'obtention de renseignements personnels en vertu du paragraphe 12(1).

Complaints submitted on behalf of complainants

(2) Nothing in this Act precludes the Privacy Commissioner from receiving and investigating complaints of a nature described in subsection (1) that are submitted by a person authorized by the complainant to act on behalf of the complainant, and a reference to a complainant in any other section includes a reference to a person so authorized.

(2) Le Commissaire à la protection de la vie privée peut recevoir les plaintes visées au paragraphe (1) par l'intermédiaire d'un représentant du plaignant. Dans les autres articles de la présente loi, les dispositions qui concernent le plaignant concernent également son représentant.

Entremise de représentants

Privacy Commissioner may initiate complaint

(3) Where the Privacy Commissioner is satisfied that there are reasonable grounds to investigate a matter under this Act, the Commissioner may initiate a complaint in respect thereof. 1980-81-82-83, c. 111, Sch. II "29".

(3) Le Commissaire à la protection de la vie privée peut lui-même prendre l'initiative d'une plainte s'il a des motifs raisonnables de croire qu'une enquête devrait être menée sur une question relative à l'application de la présente loi. 1980-81-82-83, ch. 111, ann. II «29»; 1984, ch. 40, art. 79.

Plaintes émanant du Commissaire

Written complaint

30. A complaint under this Act shall be made to the Privacy Commissioner in writing unless the Commissioner authorizes otherwise. 1980-81-82-83, c. 111, Sch. II "30".

30. Les plaintes sont, sauf dispense accordée par le Commissaire à la protection de la vie privée, déposées devant lui par écrit. 1980-81-82-83, ch. 111, ann. II «30».

Plaintes écrites

INVESTIGATIONS

ENQUÊTES

Notice of intention to investigate

31. Before commencing an investigation of a complaint under this Act, the Privacy Commissioner shall notify the head of the government institution concerned of the intention to carry out the investigation and shall inform the head of the institution of the substance of the complaint. 1980-81-82-83, c. 111, Sch. II "31".

31. Le Commissaire à la protection de la vie privée, avant de procéder aux enquêtes prévues par la présente loi, avise le responsable de l'institution fédérale concernée de son intention d'enquêter et lui fait connaître l'objet de la plainte. 1980-81-82-83, ch. 111, ann. II «31».

Avis d'enquête

Regulation of procedure

32. Subject to this Act, the Privacy Commissioner may determine the procedure to be followed in the performance of any duty or function of the Commissioner under this Act. 1980-81-82-83, c. 111, Sch. II "32".

32. Sous réserve des autres dispositions de la présente loi, le Commissaire à la protection de la vie privée peut établir la procédure à suivre dans l'exercice de ses pouvoirs et fonctions. 1980-81-82-83, ch. 111, ann. II «32».

Procédure

Investigations in private

33. (1) Every investigation of a complaint under this Act by the Privacy Commissioner shall be conducted in private.

33. (1) Les enquêtes menées sur les plaintes par le Commissaire à la protection de la vie privée sont secrètes.

Secret des enquêtes

Right to make representation

(2) In the course of an investigation of a complaint under this Act by the Privacy Commissioner, the person who made the complaint and the head of the government institution concerned shall be given an opportunity to

(2) Au cours d'une enquête relative à une plainte, le plaignant et le responsable de l'institution fédérale concernée doivent avoir la possibilité de présenter leurs observations au Commissaire à la protection de la vie privée;

Droit de présenter des observations

make representations to the Commissioner, but no one is entitled as of right to be present during, to have access to or to comment on representations made to the Commissioner by any other person. 1980-81-82-83, c. 111, Sch. II "33".

toutefois, nul n'a le droit absolu d'être présent lorsqu'une autre personne présente des observations au Commissaire, ni d'en recevoir communication ou de faire des commentaires à leur sujet. 1980-81-82-83, ch. 111, ann. II «33».

Powers of
Privacy
Commissioner
in carrying out
investigations

34. (1) The Privacy Commissioner has, in relation to the carrying out of the investigation of any complaint under this Act, power

- (a) to summon and enforce the appearance of persons before the Privacy Commissioner and compel them to give oral or written evidence on oath and to produce such documents and things as the Commissioner deems requisite to the full investigation and consideration of the complaint, in the same manner and to the same extent as a superior court of record;
- (b) to administer oaths;
- (c) to receive and accept such evidence and other information, whether on oath or by affidavit or otherwise, as the Privacy Commissioner sees fit, whether or not the evidence or information is or would be admissible in a court of law;
- (d) to enter any premises occupied by any government institution on satisfying any security requirements of the institution relating to the premises;
- (e) to converse in private with any person in any premises entered pursuant to paragraph (d) and otherwise carry out therein such inquiries within the authority of the Privacy Commissioner under this Act as the Commissioner sees fit; and
- (f) to examine or obtain copies of or extracts from books or other records found in any premises entered pursuant to paragraph (d) containing any matter relevant to the investigation.

Access to
information

(2) Notwithstanding any other Act of Parliament or any privilege under the law of evidence, the Privacy Commissioner may, during the investigation of any complaint under this Act, examine any information recorded in any form under the control of a government institution, other than a confidence of the Queen's Privy Council for Canada to which subsection 70(1) applies, and no information that the Commissioner may examine under this subsection may be withheld from the Commissioner on any grounds.

34. (1) Le Commissaire à la protection de la vie privée a, pour l'instruction des plaintes déposées en vertu de la présente loi, le pouvoir :

- a) d'assigner et de contraindre des témoins à comparaître devant lui, à déposer verbalement ou par écrit sous la foi du serment et à produire les pièces qu'il juge indispensables pour instruire et examiner à fond les plaintes dont il est saisi, de la même façon et dans la même mesure qu'une cour supérieure d'archives;
- b) de faire prêter serment;
- c) de recevoir des éléments de preuve ou des renseignements par déclaration verbale ou écrite sous serment ou par tout autre moyen qu'il estime indiqué, indépendamment de leur admissibilité devant les tribunaux;
- d) de pénétrer dans les locaux occupés par une institution fédérale, à condition de satisfaire aux normes de sécurité établies par l'institution pour ces locaux;
- e) de s'entretenir en privé avec toute personne se trouvant dans les locaux visés à l'alinéa d) et d'y mener, dans le cadre de la compétence que lui confère la présente loi, les enquêtes qu'il estime nécessaires;
- f) d'examiner ou de se faire remettre des copies ou des extraits des livres ou autres documents contenant des éléments utiles à l'enquête et trouvés dans les locaux visés à l'alinéa d).

Pouvoirs du
Commissaire à
la protection de
la vie privée
pour la tenue
des enquêtes

(2) Nonobstant toute autre loi fédérale ou toute immunité reconnue par le droit de la preuve, le Commissaire à la protection de la vie privée a, pour les enquêtes qu'il mène en vertu de la présente loi, accès à tous les renseignements, quels que soient leur forme et leur support, qui relèvent d'une institution fédérale, à l'exception des renseignements confidentiels du Conseil privé de la Reine pour le Canada auxquels s'applique le paragraphe 70(1); aucun des renseignements auxquels il a accès en vertu du

Accès aux
renseignements

Evidence in other proceedings

(3) Except in a prosecution of a person for an offence under section 133 of the *Criminal Code* (false statements in extra-judicial proceedings) in respect of a statement made under this Act, in a prosecution for an offence under this Act or in a review before the Court under this Act or an appeal therefrom, evidence given by a person in proceedings under this Act and evidence of the existence of the proceedings is inadmissible against that person in a court or in any other proceedings.

présent paragraphe ne peut, pour quelque motif que ce soit, lui être refusé.

(3) Sauf les cas où une personne est poursuivie soit pour une infraction visée à l'article 133 du *Code criminel* (fausses déclarations dans des procédures extrajudiciaires) se rapportant à une déclaration faite en vertu de la présente loi, soit pour infraction à la présente loi, ou sauf les cas de recours en révision prévus par la présente loi devant la Cour ou les cas d'appel de la décision rendue par la Cour, les dépositions faites au cours de procédures prévues par la présente loi ou le fait de l'existence de ces procédures ne sont pas admissibles contre le déposant devant les tribunaux ni dans aucune autre procédure.

Inadmissibilité de la preuve dans d'autres procédures

Witness fees

(4) Any person summoned to appear before the Privacy Commissioner pursuant to this section is entitled in the discretion of the Commissioner to receive the like fees and allowances for so doing as if summoned to attend before the Federal Court.

(4) Les témoins assignés à comparaître devant le Commissaire à la protection de la vie privée en vertu du présent article peuvent recevoir, si le Commissaire le juge indiqué, les frais et indemnités accordés aux témoins assignés devant la Cour fédérale.

Frais des témoins

Return of documents, etc.

(5) Any document or thing produced pursuant to this section by any person or government institution shall be returned by the Privacy Commissioner within ten days after a request is made to the Commissioner by that person or government institution, but nothing in this subsection precludes the Commissioner from again requiring its production in accordance with this section. 1980-81-82-83, c. 111, Sch. II "34".

(5) Les personnes ou les institutions fédérales qui produisent des pièces demandées en vertu du présent article peuvent exiger du Commissaire à la protection de la vie privée qu'il leur renvoie ces pièces dans les dix jours suivant la requête qu'elles lui présentent à cette fin, mais rien n'empêche le Commissaire d'en réclamer une nouvelle production. 1980-81-82-83, ch. 111, ann. II «34».

Renvoi des documents, etc.

Findings and recommendations of Privacy Commissioner

35. (1) If, on investigating a complaint under this Act in respect of personal information, the Privacy Commissioner finds that the complaint is well-founded, the Commissioner shall provide the head of the government institution that has control of the personal information with a report containing

35. (1) Dans les cas où il conclut au bien-fondé d'une plainte portant sur des renseignements personnels, le Commissaire à la protection de la vie privée adresse au responsable de l'institution fédérale de qui relèvent les renseignements personnels un rapport où :

Conclusions et recommandations du Commissaire à la protection de la vie privée

(a) the findings of the investigation and any recommendations that the Commissioner considers appropriate; and

a) il présente les conclusions de son enquête ainsi que les recommandations qu'il juge indiquées;

(b) where appropriate, a request that, within a time specified therein, notice be given to the Commissioner of any action taken or proposed to be taken to implement the recommendations contained in the report or reasons why no such action has been or is proposed to be taken.

b) il demande, s'il le juge à propos, au responsable de lui donner avis, dans un délai déterminé, soit des mesures prises ou envisagées pour la mise en œuvre de ses recommandations, soit des motifs invoqués pour ne pas y donner suite.

Report to complainant

(2) The Privacy Commissioner shall, after investigating a complaint under this Act, report to the complainant the results of the investigation, but where a notice has been requested

(2) Le Commissaire à la protection de la vie privée rend compte au plaignant des conclusions de son enquête; toutefois, dans les cas prévus à l'alinéa (1)b), le Commissaire à la

Compte rendu au plaignant

under paragraph (1)(b) no report shall be made under this subsection until the expiration of the time within which the notice is to be given to the Commissioner.

protection de la vie privée ne peut faire son compte rendu qu'après l'expiration du délai imparti au responsable de l'institution fédérale.

Matter to be included in report to complainant

(3) Where a notice has been requested under paragraph (1)(b) but no such notice is received by the Commissioner within the time specified therefor or the action described in the notice is, in the opinion of the Commissioner, inadequate or inappropriate or will not be taken in a reasonable time, the Commissioner shall so advise the complainant in his report under subsection (2) and may include in the report such comments on the matter as he thinks fit.

(3) Le Commissaire à la protection de la vie privée mentionne également dans son compte rendu au plaignant, s'il y a lieu, le fait que, dans les cas prévus à l'alinéa (1)b), il n'a pas reçu d'avis dans le délai imparti ou que les mesures indiquées dans l'avis sont, selon lui, insuffisantes, inadaptées ou non susceptibles d'être prises en temps utile. Il peut en outre y inclure tous commentaires qu'il estime utiles.

Éléments à inclure dans le compte rendu

Access to be given

(4) Where, pursuant to a request under paragraph (1)(b), the head of a government institution gives notice to the Privacy Commissioner that access to personal information will be given to a complainant, the head of the institution shall give the complainant access to the information forthwith on giving the notice.

(4) Dans les cas où il fait suite à la demande formulée par le Commissaire à la protection de la vie privée en vertu de l'alinéa (1)b) en avisant le Commissaire qu'il donnera communication de renseignements personnels au plaignant, le responsable d'une institution fédérale est tenu de donner cette communication sur le champ.

Communication accordée

Right of review

(5) Where, following the investigation of a complaint relating to a refusal to give access to personal information under this Act, access is not given to the complainant, the Privacy Commissioner shall inform the complainant that the complainant has the right to apply to the Court for a review of the matter investigated. 1980-81-82-83, c. 111, Sch. II "35".

(5) Dans les cas où l'enquête portait sur un refus de communication et que, à l'issue de l'enquête, communication n'est pas donnée au plaignant, le Commissaire à la protection de la vie privée informe celui-ci de l'existence de son droit de recours en révision devant la Cour. 1980-81-82-83, ch. 111, ann. II «35».

Recours en révision

REVIEW OF EXEMPT BANKS

EXAMEN DES FICHIERS INCONSULTABLES

Investigation of exempt banks

36. (1) The Privacy Commissioner may, from time to time at the discretion of the Commissioner, carry out investigations of the files contained in personal information banks designated as exempt banks under section 18.

36. (1) Le Commissaire à la protection de la vie privée peut, à son appréciation, tenir des enquêtes sur les dossiers versés dans les fichiers inconsultables classés comme tels en vertu de l'article 18.

Enquêtes sur les fichiers inconsultables

Sections 31 to 34 apply

(2) Sections 31 to 34 apply, where appropriate and with such modifications as the circumstances require, in respect of investigations carried out under subsection (1).

(2) Les articles 31 à 34 s'appliquent, si c'est indiqué et compte tenu des adaptations de circonstance, aux enquêtes menées en vertu du paragraphe (1).

Application des art. 31 à 34

Report of findings and recommendations

(3) If, following an investigation under subsection (1), the Privacy Commissioner considers that any file contained in a personal information bank should not be contained therein within the terms of the order designating the bank as an exempt bank, the Commissioner shall provide the head of the government institution that has control of the bank with a report containing

(3) Dans les cas où, à l'issue de son enquête, il considère que les dispositions du décret de classement ne justifient pas la présence de certains dossiers dans le fichier inconsultable, le Commissaire à la protection de la vie privée adresse au responsable de l'institution fédérale de qui relève le fichier un rapport où :

Rapport des conclusions et recommandations

a) il présente ses conclusions ainsi que les recommandations qu'il juge indiquées;

(a) the findings of the Commissioner and any recommendations that the Commissioner considers appropriate; and

(b) where appropriate, a request that, within a time specified therein, notice be given to the Commissioner of any action taken or proposed to be taken to implement the recommendations or reasons why no such action has been or is proposed to be taken.

Reports to be included in annual or special reports to Parliament

(4) Any report made by the Privacy Commissioner under subsection (3), together with any notice given to the Commissioner in response thereto, may be included in a report made pursuant to section 38 or 39.

Review of exempt banks by Court

(5) Where the Privacy Commissioner requests a notice under paragraph (3)(b) in respect of any file contained in a personal information bank designated under section 18 as an exempt bank and no notice is received within the time specified therefor or the action described in the notice is, in the opinion of the Commissioner, inadequate or inappropriate or will not be taken in a reasonable time, the Privacy Commissioner may make an application to the Court under section 43. 1980-81-82-83, c. 111, Sch. II "36".

REVIEW OF COMPLIANCE WITH SECTIONS 4 TO 8

Investigation in respect of sections 4 to 8

37. (1) The Privacy Commissioner may, from time to time at the discretion of the Commissioner, carry out investigations in respect of personal information under the control of government institutions to ensure compliance with sections 4 to 8.

Sections 31 to 34 apply

(2) Sections 31 to 34 apply, where appropriate and with such modifications as the circumstances require, in respect of investigations carried out under subsection (1).

Report of findings and recommendations

(3) If, following an investigation under subsection (1), the Privacy Commissioner considers that a government institution has not complied with sections 4 to 8, the Commissioner shall provide the head of the institution with a report containing the findings of the investigation and any recommendations that the Commissioner considers appropriate.

Reports to be included in annual or special reports

(4) Any report made by the Privacy Commissioner under subsection (3) may be included in a report made pursuant to section 38 or 39. 1980-81-82-83, c. 111, Sch. II "37".

b) il demande, s'il le juge à propos, de lui donner avis, dans un délai déterminé, soit des mesures prises ou envisagées pour la mise en œuvre de ses recommandations, soit des motifs invoqués pour ne pas y donner suite.

(4) Les rapports établis par le Commissaire à la protection de la vie privée en vertu du paragraphe (3), de même que les réponses qu'il a obtenues, peuvent être incorporés dans les rapports prévus aux articles 38 ou 39.

Incorporation des rapports

(5) Dans les cas où il a demandé l'avis prévu à l'alinéa (3)b), mais qu'il ne l'a pas reçu dans le délai imparti ou que les mesures indiquées dans l'avis sont, selon lui, insuffisantes, inadaptées ou non susceptibles d'être prises en temps utile, le Commissaire à la protection de la vie privée peut exercer un recours devant la Cour en vertu de l'article 43. 1980-81-82-83, ch. 111, ann. II «36».

Révision des fichiers inconsultables par la Cour

CONTRÔLE D'APPLICATION DES ARTICLES 4 À 8

37. (1) Pour le contrôle d'application des articles 4 à 8, le Commissaire à la protection de la vie privée peut, à son appréciation, tenir des enquêtes quant aux renseignements personnels qui relèvent des institutions fédérales.

Enquêtes

(2) Les articles 31 à 34 s'appliquent, si c'est indiqué et compte tenu des adaptations de circonstance, aux enquêtes menées en vertu du paragraphe (1).

Application des art. 31 à 34

(3) Le Commissaire à la protection de la vie privée, s'il considère à l'issue de son enquête qu'une institution fédérale n'a pas appliqué les articles 4 à 8, adresse au responsable de l'institution un rapport où il présente ses conclusions ainsi que les recommandations qu'il juge indiquées.

Rapport des conclusions et recommandations du Commissaire

(4) Les rapports établis par le Commissaire à la protection de la vie privée en vertu du paragraphe (3) peuvent être incorporés dans les rapports prévus aux articles 38 ou 39. 1980-81-82-83, ch. 111, ann. II «37».

Incorporation des rapports

REPORTS TO PARLIAMENT

RAPPORTS AU PARLEMENT

Annual report	38. The Privacy Commissioner shall, within three months after the termination of each financial year, submit an annual report to Parliament on the activities of the office during that financial year. 1980-81-82-83, c. 111, Sch. II "38".	38. Dans les trois mois suivant la fin de chaque exercice, le Commissaire à la protection de la vie privée présente au Parlement le rapport des activités du commissariat au cours de l'exercice. 1980-81-82-83, ch. 111, ann. II «38».	Rapport annuel
Special reports	39. (1) The Privacy Commissioner may, at any time, make a special report to Parliament referring to and commenting on any matter within the scope of the powers, duties and functions of the Commissioner where, in the opinion of the Commissioner, the matter is of such urgency or importance that a report thereon should not be deferred until the time provided for transmission of the next annual report of the Commissioner under section 38.	39. (1) Le Commissaire à la protection de la vie privée peut, à toute époque de l'année, présenter au Parlement un rapport spécial sur toute question relevant de ses pouvoirs et fonctions et dont l'urgence ou l'importance sont telles, selon lui, qu'il serait contre-indiqué d'en différer le compte rendu jusqu'à l'époque du rapport annuel suivant.	Rapports spéciaux
Where investigation made	(2) Any report made pursuant to subsection (1) that relates to an investigation under this Act shall be made only after the procedures set out in section 35, 36 or 37 have been followed in respect of the investigation. 1980-81-82-83, c. 111, Sch. II "39".	(2) Le Commissaire à la protection de la vie privée ne peut présenter de rapport spécial sur des enquêtes qu'après observation des formalités prévues à leur sujet aux articles 35, 36 ou 37. 1980-81-82-83, ch. 111, ann. II «39».	Cas des enquêtes
Transmission of reports	40. (1) Every report to Parliament made by the Privacy Commissioner under section 38 or 39 shall be made by being transmitted to the Speaker of the Senate and to the Speaker of the House of Commons for tabling in those Houses.	40. (1) La présentation des rapports du Commissaire à la protection de la vie privée au Parlement s'effectue par remise au président du Sénat et à celui de la Chambre des communes pour dépôt devant leurs chambres respectives.	Remise des rapports
Reference to Parliamentary committee	(2) Every report referred to in subsection (1) shall, after it is transmitted for tabling pursuant to that subsection, be referred to the committee designated or established by Parliament for the purpose of subsection 75(1). 1980-81-82-83, c. 111, Sch. II "40".	(2) Les rapports visés au paragraphe (1) sont, après leur dépôt, renvoyés devant le comité désigné ou constitué par le Parlement en application du paragraphe 75(1). 1980-81-82-83, ch. 111, ann. II «40».	Renvoi en comité

REVIEW BY THE FEDERAL COURT

RÉVISION PAR LA COUR FÉDÉRALE

Review by Federal Court where access refused	41. Any individual who has been refused access to personal information requested under subsection 12(1) may, if a complaint has been made to the Privacy Commissioner in respect of the refusal, apply to the Court for a review of the matter within forty-five days after the time the results of an investigation of the complaint by the Privacy Commissioner are reported to the complainant under subsection 35(2) or within such further time as the Court may, either before or after the expiration of those forty-five days, fix or allow. 1980-81-82-83, c. 111, Sch. II "41".	41. L'individu qui s'est vu refuser communication de renseignements personnels demandés en vertu du paragraphe 12(1) et qui a déposé ou fait déposer une plainte à ce sujet devant le Commissaire à la protection de la vie privée peut, dans un délai de quarante-cinq jours suivant le compte rendu du Commissaire prévu au paragraphe 35(2), exercer un recours en révision de la décision de refus devant la Cour. La Cour peut, avant ou après l'expiration du délai, le proroger ou en autoriser la prorogation. 1980-81-82-83, ch. 111, ann. II «41».	Révision par la Cour fédérale dans les cas de refus de communication
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Privacy Commissioner may apply or appear

42. The Privacy Commissioner may

(a) apply to the Court, within the time limits prescribed by section 41, for a review of any refusal to disclose personal information requested under subsection 12(1) in respect of which an investigation has been carried out by the Privacy Commissioner, if the Commissioner has the consent of the individual who requested access to the information;

(b) appear before the Court on behalf of any individual who has applied for a review under section 41; or

(c) with leave of the Court, appear as a party to any review applied for under section 41. 1980-81-82-83, c. 111, Sch. II "42".

Application respecting files in exempt banks

43. In the circumstances described in subsection 36(5), the Privacy Commissioner may apply to the Court for a review of any file contained in a personal information bank designated as an exempt bank under section 18. 1980-81-82-83, c. 111, Sch. II "43".

Hearing in summary way

44. An application made under section 41, 42 or 43 shall be heard and determined in a summary way in accordance with any special rules made in respect of such applications pursuant to section 46 of the *Federal Court Act*. 1980-81-82-83, c. 111, Sch. II "44".

Access to information

45. Notwithstanding any other Act of Parliament or any privilege under the law of evidence, the Court may, in the course of any proceedings before the Court arising from an application under section 41, 42 or 43, examine any information recorded in any form under the control of a government institution, other than a confidence of the Queen's Privy Council for Canada to which subsection 70(1) applies, and no information that the Court may examine under this section may be withheld from the Court on any grounds. 1980-81-82-83, c. 111, Sch. II "45".

Court to take precautions against disclosing

46. (1) In any proceedings before the Court arising from an application under section 41, 42 or 43, the Court shall take every reasonable precaution, including, when appropriate, receiving representations *ex parte* and conducting hearings *in camera*, to avoid the disclosure by the Court or any person of

(a) any information or other material that the head of a government institution would

42. Le Commissaire à la protection de la vie privée a qualité pour :

- a) exercer lui-même, à l'issue de son enquête et dans les délais prévus à l'article 41, le recours en révision pour refus de communication de renseignements personnels, avec le consentement de l'individu qui les avait demandés;
- b) comparaître devant la Cour au nom de l'individu qui a exercé un recours devant elle en vertu de l'article 41;
- c) comparaître, avec l'autorisation de la Cour, comme partie à une instance engagée en vertu de l'article 41. 1980-81-82-83, ch. 111, ann. II «42».

Exercice du recours par le Commissaire à la protection de la vie privée, etc.

43. Dans les cas visés au paragraphe 36(5), le Commissaire à la protection de la vie privée peut demander à la Cour d'examiner les dossiers versés dans un fichier inconsultable classé comme tel en vertu de l'article 18. 1980-81-82-83, ch. 111, ann. II «43».

Recours concernant les fichiers inconsultables

44. Les recours prévus aux articles 41, 42 ou 43 sont entendus et jugés en procédure sommaire conformément aux règles de pratique spéciales adoptées à leur égard en vertu de l'article 46 de la *Loi sur la Cour fédérale*. 1980-81-82-83, ch. 111, ann. II «44».

Procédure sommaire

45. Nonobstant toute autre loi fédérale ou toute immunité reconnue par le droit de la preuve, la Cour a, pour les recours prévus aux articles 41, 42 ou 43, accès à tous les renseignements, quels que soient leur forme et leur support, qui relèvent d'une institution fédérale, à l'exception des renseignements confidentiels du Conseil privé de la Reine pour le Canada auxquels s'applique le paragraphe 70(1); aucun des renseignements auxquels la Cour a accès en vertu du présent article ne peut, pour quelque motif que ce soit, lui être refusé. 1980-81-82-83, ch. 111, ann. II «45».

Accès aux renseignements

46. (1) À l'occasion des procédures relatives aux recours prévus aux articles 41, 42 ou 43, la Cour prend toutes les précautions possibles, notamment, si c'est indiqué, par la tenue d'audiences à huis clos et l'audition d'arguments en l'absence d'une partie, pour éviter que ne soient divulgués de par son propre fait ou celui de quiconque :

Précautions à prendre contre la divulgation

be authorized to refuse to disclose if it were requested under subsection 12(1) or contained in a record requested under the *Access to Information Act*; or

(b) any information as to whether personal information exists where the head of a government institution, in refusing to disclose the personal information under this Act, does not indicate whether it exists.

a) des renseignements qui justifient un refus de communication de renseignements personnels demandés en vertu du paragraphe 12(1) ou de renseignements contenus dans un document demandé sous le régime de la *Loi sur l'accès à l'information*;

b) des renseignements faisant état de l'existence de renseignements personnels que le responsable d'une institution fédérale a refusé de communiquer sans indiquer s'ils existaient ou non.

Disclosure of offence authorized

(2) The Court may disclose to the appropriate authority information relating to the commission of an offence against any law of Canada or a province on the part of any officer or employee of a government institution, if in the opinion of the Court there is evidence thereof. 1980-81-82-83, c. 111, Sch. II "46".

(2) Dans les cas où, à son avis, il existe des éléments de preuve touchant la perpétration d'infractions aux lois fédérales ou provinciales par un cadre ou employé d'une institution fédérale, la Cour peut faire part à l'autorité compétente des renseignements qu'elle détient à cet égard. 1980-81-82-83, ch. 111, ann. II «46».

Autorisation de dénoncer des infractions

Burden of proof

47. In any proceedings before the Court arising from an application under section 41, 42 or 43, the burden of establishing that the head of a government institution is authorized to refuse to disclose personal information requested under subsection 12(1) or that a file should be included in a personal information bank designated as an exempt bank under section 18 shall be on the government institution concerned. 1980-81-82-83, c. 111, Sch. II "47".

47. Dans les procédures découlant des recours prévus aux articles 41, 42 ou 43, la charge d'établir le bien-fondé du refus de communication de renseignements personnels ou le bien-fondé du versement de certains dossiers dans un fichier inconsultable classé comme tel en vertu de l'article 18 incombe à l'institution fédérale concernée. 1980-81-82-83, ch. 111, ann. II «47».

Charge de la preuve

Order of Court where no authorization to refuse disclosure found

48. Where the head of a government institution refuses to disclose personal information requested under subsection 12(1) on the basis of a provision of this Act not referred to in section 49, the Court shall, if it determines that the head of the institution is not authorized under this Act to refuse to disclose the personal information, order the head of the institution to disclose the personal information, subject to such conditions as the Court deems appropriate, to the individual who requested access thereto, or shall make such other order as the Court deems appropriate. 1980-81-82-83, c. 111, Sch. II "48".

48. La Cour, dans les cas où elle conclut au bon droit de l'individu qui a exercé un recours en révision d'une décision de refus de communication de renseignements personnels fondée sur des dispositions de la présente loi autres que celles mentionnées à l'article 49, ordonne, aux conditions qu'elle juge indiquées, au responsable de l'institution fédérale dont relèvent les renseignements d'en donner communication à l'individu; la Cour rend une autre ordonnance si elle l'estime indiqué. 1980-81-82-83, ch. 111, ann. II «48».

Ordonnance de la Cour dans les cas où le refus n'est pas autorisé

Order of Court where reasonable grounds of injury not found

49. Where the head of a government institution refuses to disclose personal information requested under subsection 12(1) on the basis of section 20 or 21 or paragraph 22(1)(b) or (c) or 24(a), the Court shall, if it determines that the head of the institution did not have reasonable grounds on which to refuse to disclose the personal information, order the head of the institution to disclose the personal information, subject to such conditions as the Court deems

49. Dans les cas où le refus de communication des renseignements personnels s'appuyait sur les articles 20 ou 21 ou sur les alinéas 22(1)b) ou c) ou 24a), la Cour, si elle conclut que le refus n'était pas fondé sur des motifs raisonnables, ordonne, aux conditions qu'elle juge indiquées, au responsable de l'institution fédérale dont relèvent les renseignements d'en donner communication à l'individu qui avait fait la demande; la Cour rend une autre ordon-

Ordonnance de la Cour dans les cas où le préjudice n'est pas démontré

appropriate, to the individual who requested access thereto, or shall make such other order as the Court deems appropriate. 1980-81-82-83, c. 111, Sch. II "49".

Order to
remove file
from exempt
bank

50. Where the Privacy Commissioner makes an application to the Court under section 43 for a review of a file contained in a personal information bank designated as an exempt bank under section 18, the Court shall, if it determines

(a) in the case of a file contained in the bank on the basis of personal information described in paragraph 22(1)(a) or subsection 22(2), that the file should not be included therein, or

(b) in the case of a file contained in the bank on the basis of personal information described in section 21 or paragraph 22(1)(b) or (c), that reasonable grounds do not exist on which to include the file in the bank,

order the head of the government institution that has control of the bank to remove the file from the bank or make such other order as the Court deems appropriate. 1980-81-82-83, c. 111, Sch. II "50"; 1984, c. 40, s. 60.

Actions relating
to international
affairs and
defence

51. (1) Any application under section 41 or 42 relating to personal information that the head of a government institution has refused to disclose by reason of paragraph 19(1)(a) or (b) or section 21, and any application under section 43 in respect of a file contained in a personal information bank designated as an exempt bank under section 18 to contain files all of which consist predominantly of personal information described in section 21, shall be heard and determined by the Associate Chief Justice of the Federal Court or by such other judge of the Court as the Associate Chief Justice may designate to hear the applications.

Special rules
for hearings

(2) An application referred to in subsection (1) or an appeal brought in respect of such application shall

(a) be heard *in camera*; and

(b) on the request of the head of the government institution concerned, be heard and determined in the National Capital Region described in the schedule to the *National Capital Act*.

Ex parte
representations

(3) During the hearing of an application referred to in subsection (1) or an appeal

nance si elle l'estime indiqué. 1980-81-82-83, ch. 111, ann. II «49».

50. La Cour, saisie d'un recours en vertu de l'article 43, ordonne au responsable de l'institution fédérale dont relève le fichier inconsultable qui contient le dossier en litige de retirer celui-ci du fichier, ou rend toute autre ordonnance qu'elle estime indiquée, si elle conclut :

a) dans le cas d'un dossier contenant des renseignements personnels visés à l'alinéa 22(1)a) ou au paragraphe 22(2), que le dossier n'aurait pas dû être versé dans le fichier;

b) dans le cas d'un dossier contenant des renseignements personnels visés à l'article 21 ou aux alinéas 22(1)b) ou c), qu'il n'y a pas de motifs raisonnables justifiant le versement du dossier dans le fichier. 1980-81-82-83, ch. 111, ann. II «50»; 1984, ch. 40, art. 60.

Ordonnance
visant à exclure
des dossiers
d'un fichier

51. (1) Les recours visés aux articles 41 ou 42 et portant sur les cas où le refus de donner communication de renseignements personnels est lié aux alinéas 19(1)a) ou b) ou à l'article 21 et sur les cas concernant la présence des dossiers dans chacun desquels dominent des renseignements visés à l'article 21 dans des fichiers inconsultables classés comme tels en vertu de l'article 18 sont exercés devant le juge en chef adjoint de la Cour fédérale ou tout autre juge de cette Cour qu'il charge de leur audition.

Affaires
internationales
et défense

(2) Les recours visés au paragraphe (1) font, en premier ressort ou en appel, l'objet d'une audition à huis clos; celle-ci a lieu dans la région de la capitale nationale définie à l'annexe de la *Loi sur la capitale nationale* si le responsable de l'institution fédérale concernée le demande.

Règles spéciales

(3) Le responsable de l'institution fédérale concernée a, au cours des auditions en première

Présentation
d'arguments en
l'absence d'une
partie

brought in respect of such application, the head of the government institution concerned shall, on the request of the head of the institution, be given the opportunity to make representations *ex parte*. 1980-81-82-83, c. 111, Sch. II "51".

instance ou en appel et sur demande, le droit de présenter des arguments en l'absence d'une autre partie. 1980-81-82-83, ch. 111, ann. II «51».

Costs

52. (1) Subject to subsection (2), the costs of and incidental to all proceedings in the Court under this Act shall be in the discretion of the Court and shall follow the event unless the Court orders otherwise.

52. (1) Sous réserve du paragraphe (2), les frais et dépens sont laissés à l'appréciation de la Cour et suivent, sauf ordonnance contraire de la Cour, le sort du principal.

Frais et dépens

Idem

(2) Where the Court is of the opinion that an application for review under section 41 or 42 has raised an important new principle in relation to this Act, the Court shall order that costs be awarded to the applicant even if the applicant has not been successful in the result. 1980-81-82-83, c. 111, Sch. II "52".

(2) Dans les cas où elle estime que l'objet du recours a soulevé un principe important et nouveau quant à la présente loi, la Cour accorde les frais et dépens à la personne qui a exercé le recours devant elle, même si cette personne a été déboutée de son recours. 1980-81-82-83, ch. 111, ann. II «52».

Idem

OFFICE OF THE PRIVACY COMMISSIONER

COMMISSARIAT À LA PROTECTION DE LA VIE PRIVÉE

Privacy Commissioner

Commissaire à la protection de la vie privée

Privacy Commissioner

53. (1) The Governor in Council shall, by commission under the Great Seal, appoint a Privacy Commissioner after approval of the appointment by resolution of the Senate and House of Commons.

53. (1) Le gouverneur en conseil nomme le Commissaire à la protection de la vie privée par commission sous le grand sceau, après approbation par résolution du Sénat et de la Chambre des communes.

Commissaire à la protection de la vie privée

Tenure of office and removal

(2) Subject to this section, the Privacy Commissioner holds office during good behaviour for a term of seven years, but may be removed by the Governor in Council at any time on address of the Senate and House of Commons.

(2) Sous réserve des autres dispositions du présent article, le Commissaire à la protection de la vie privée occupe sa charge à titre inamovible pour un mandat de sept ans, sauf révocation par le gouverneur en conseil sur adresse du Sénat et de la Chambre des communes.

Durée du mandat et révocation

Further terms

(3) The Privacy Commissioner, on the expiration of a first or any subsequent term of office, is eligible to be re-appointed for a further term not exceeding seven years.

(3) Le mandat du Commissaire à la protection de la vie privée est renouvelable pour des périodes maximales de sept ans chacune.

Renouvellement du mandat

Absence or incapacity

(4) In the event of the absence or incapacity of the Privacy Commissioner, or if the office of Privacy Commissioner is vacant, the Governor in Council may appoint another qualified person to hold office instead of the Commissioner for a term not exceeding six months, and that person shall, while holding that office, have all of the powers, duties and functions of the Privacy Commissioner under this Act or any other Act of Parliament and be paid such salary or other remuneration and expenses as may be fixed by the Governor in Council. 1980-81-82-83, c. 111, Sch. II "53".

(4) En cas d'absence ou d'empêchement du Commissaire à la protection de la vie privée ou de vacance de son poste, le gouverneur en conseil peut confier à toute personne compétente, pour un mandat maximal de six mois, les pouvoirs et fonctions conférés au titulaire du poste par la présente loi ou une autre loi fédérale et fixer la rémunération et les frais auxquels cette personne aura droit. 1980-81-82-83, ch. 111, ann. II «53».

Absence ou empêchement

Rank, powers and duties generally	<p>54. (1) The Privacy Commissioner shall rank as and have all the powers of a deputy head of a department, shall engage exclusively in the duties of the office of Privacy Commissioner under this Act or any other Act of Parliament and shall not hold any other office under Her Majesty for reward or engage in any other employment for reward.</p>	<p>54. (1) Le Commissaire à la protection de la vie privée a rang et pouvoirs d'administrateur général de ministère; il se consacre exclusivement à la charge que lui confère la présente loi ou une autre loi fédérale, à l'exclusion de toute autre charge rétribuée au service de Sa Majesté ou de tout autre emploi rétribué.</p>	Rang, pouvoirs et fonctions
Salary and expenses	<p>(2) The Privacy Commissioner shall be paid a salary equal to the salary of a judge of the Federal Court, other than the Chief Justice or the Associate Chief Justice of that Court, and is entitled to be paid reasonable travel and living expenses incurred in the performance of duties under this Act or any other Act of Parliament.</p>	<p>(2) Le Commissaire à la protection de la vie privée reçoit le même traitement qu'un juge de la Cour fédérale autre que le juge en chef ou que le juge en chef adjoint; il a droit aux frais de déplacement et de séjour entraînés par l'exercice des fonctions que lui confèrent la présente loi ou une autre loi fédérale.</p>	Traitement et frais
Pension benefits	<p>(3) The provisions of the <i>Public Service Superannuation Act</i>, other than those relating to tenure of office, apply to the Privacy Commissioner, except that a person appointed as Privacy Commissioner from outside the Public Service, as defined in the <i>Public Service Superannuation Act</i>, may, by notice in writing given to the President of the Treasury Board not more than sixty days after the date of appointment, elect to participate in the pension plan provided in the <i>Diplomatic Service (Special) Superannuation Act</i>, in which case the provisions of that Act, other than those relating to tenure of office, apply to the Privacy Commissioner from the date of appointment and the provisions of the <i>Public Service Superannuation Act</i> do not apply.</p>	<p>(3) Les dispositions de la <i>Loi sur la pension de la fonction publique</i> qui ne traitent pas d'occupation de poste s'appliquent au Commissaire à la protection de la vie privée; toutefois, s'il est choisi en dehors de la fonction publique, au sens de la loi mentionnée ci-dessus, il peut, par avis adressé au président du Conseil du Trésor dans les soixante jours suivant sa date de nomination, choisir de cotiser au régime de pension prévu par la <i>Loi sur la pension spéciale du service diplomatique</i>; dans ce cas, il est assujéti aux dispositions de cette loi qui ne traitent pas d'occupation de poste.</p>	Régime de pension
Other benefits	<p>(4) The Privacy Commissioner is deemed to be employed in the public service of Canada for the purposes of the <i>Government Employees Compensation Act</i> and any regulations made under section 9 of the <i>Aeronautics Act</i>. 1980-81-82-83, c. 111, Sch. II "54".</p>	<p>(4) Le Commissaire à la protection de la vie privée est réputé faire partie de l'administration publique fédérale pour l'application de la <i>Loi sur l'indemnisation des agents de l'État</i> et des règlements pris en vertu de l'article 9 de la <i>Loi sur l'aéronautique</i>. 1980-81-82-83, ch. 111, ann. II «54».</p>	Autres avantages
Information Commissioner may be appointed as Privacy Commissioner	<p>55. (1) The Governor in Council may appoint as Privacy Commissioner under section 53 the Information Commissioner appointed under the <i>Access to Information Act</i>.</p>	<p>55. (1) La personne nommée au poste de Commissaire à l'information aux termes de la <i>Loi sur l'accès à l'information</i> peut aussi être nommée par le gouverneur en conseil au poste de Commissaire à la protection de la vie privée en vertu de l'article 53.</p>	Cumul de postes
Salary	<p>(2) In the event that the Information Commissioner is appointed in accordance with subsection (1) as Privacy Commissioner, the Privacy Commissioner shall, notwithstanding subsection 54(2), be paid the salary of the Information Commissioner but not the salary</p>	<p>(2) Dans l'éventualité de l'application du paragraphe (1), le paragraphe 54(2) serait sans effet et le Commissaire à la protection de la vie privée ne recevrait que le traitement prévu pour le Commissaire à l'information. 1980-81-82-83, ch. 111, ann. II «55».</p>	Traitement

of the Privacy Commissioner. 1980-81-82-83, c. 111, Sch. II "55".

Assistant Privacy Commissioner

Commissaires adjoints à la protection de la vie privée

Appointment of Assistant Privacy Commissioner

56. (1) The Governor in Council may, on the recommendation of the Privacy Commissioner, appoint one or more Assistant Privacy Commissioners.

56. (1) Le gouverneur en conseil peut, sur recommandation du Commissaire à la protection de la vie privée, nommer un ou plusieurs commissaires adjoints à la protection de la vie privée.

Nomination

Tenure of office and removal of Assistant Privacy Commissioner

(2) Subject to this section, an Assistant Privacy Commissioner holds office during good behaviour for a term not exceeding five years.

(2) Sous réserve des autres dispositions du présent article, l'adjoint occupe son poste à titre inamovible pour un mandat maximal de cinq ans.

Durée du mandat

Further terms

(3) An Assistant Privacy Commissioner, on the expiration of a first or any subsequent term of office, is eligible to be re-appointed for a further term not exceeding five years. 1980-81-82-83, c. 111, Sch. II "56"; 1984, c. 40, s. 79.

(3) Le mandat de l'adjoint est renouvelable pour des périodes maximales de cinq ans chacune. 1980-81-82-83, ch. 111, ann. II «56».

Renouvellement du mandat

Duties generally

57. (1) An Assistant Privacy Commissioner shall engage exclusively in such duties or functions of the office of the Privacy Commissioner under this Act or any other Act of Parliament as are delegated by the Privacy Commissioner to that Assistant Privacy Commissioner and shall not hold any other office under Her Majesty for reward or engage in any other employment for reward.

57. (1) L'adjoint se consacre exclusivement aux fonctions de la charge du Commissaire à la protection de la vie privée que celui-ci lui délègue, à l'exclusion de toutes autres fonctions rétribuées au service de Sa Majesté ou de tout autre emploi rétribué.

Fonctions

Salary and expenses

(2) An Assistant Privacy Commissioner is entitled to be paid a salary to be fixed by the Governor in Council and such travel and living expenses incurred in the performance of duties under this Act or any other Act of Parliament as the Privacy Commissioner considers reasonable.

(2) L'adjoint reçoit le traitement que fixe le gouverneur en conseil et il a droit aux frais de déplacement et de séjour que le Commissaire à la protection de la vie privée estime entraînés par l'exercice des fonctions que lui confèrent la présente loi ou une autre loi fédérale.

Traitement et frais

Pension benefits

(3) The provisions of the *Public Service Superannuation Act*, other than those relating to tenure of office, apply to an Assistant Privacy Commissioner.

(3) Les dispositions de la *Loi sur la pension de la fonction publique* qui ne traitent pas d'occupation de poste s'appliquent à l'adjoint.

Régime de pension

Other benefits

(4) An Assistant Privacy Commissioner is deemed to be employed in the public service of Canada for the purposes of the *Government Employees Compensation Act* and any regulations made under section 9 of the *Aeronautics Act*. 1980-81-82-83, c. 111, Sch. II "57".

(4) L'adjoint est réputé faire partie de l'administration publique fédérale pour l'application de la *Loi sur l'indemnisation des agents de l'État* et des règlements pris en vertu de l'article 9 de la *Loi sur l'aéronautique*. 1980-81-82-83, ch. 111, ann. II «57».

Autres avantages

Staff

Personnel

Staff of the Privacy Commissioner

58. (1) Such officers and employees as are necessary to enable the Privacy Commissioner to perform the duties and functions of the Commissioner under this Act or any other Act

58. (1) La *Loi sur l'emploi dans la fonction publique* s'applique au personnel dont le Commissaire à la protection de la vie privée a besoin pour l'exercice des pouvoirs et fonctions que lui

Personnel

of Parliament shall be appointed in accordance with the *Public Service Employment Act*.

(2) The Privacy Commissioner may engage on a temporary basis the services of persons having technical or specialized knowledge of any matter relating to the work of the Commissioner to advise and assist the Commissioner in the performance of the duties and functions of the Commissioner under this Act or any other Act of Parliament and, with the approval of the Treasury Board, may fix and pay the remuneration and expenses of such persons. 1980-81-82-83, c. 111, Sch. II "58".

Technical assistance

Delegation

59. (1) Subject to subsection (2), the Privacy Commissioner may authorize any person to exercise or perform, subject to such restrictions or limitations as the Commissioner may specify, any of the powers, duties or functions of the Commissioner under this Act except

(a) in any case other than a delegation to an Assistant Privacy Commissioner, the power to delegate under this section; and

(b) in any case, the powers, duties or functions set out in sections 38 and 39.

(2) The Privacy Commissioner may not, nor may an Assistant Privacy Commissioner, delegate

(a) the investigation of any complaint resulting from a refusal by the head of a government institution to disclose personal information by reason of paragraph 19(1)(a) or (b) or section 21, or

(b) the investigation under section 36 of files contained in a personal information bank designated under section 18 as an exempt bank on the basis of personal information described in section 21

except to one of a maximum of four officers or employees of the Commissioner specifically designated by the Commissioner for the purpose of conducting those investigations.

(3) An Assistant Privacy Commissioner may authorize any person to exercise or perform, subject to such restrictions or limitations as the Assistant Privacy Commissioner may specify, any of the powers, duties or functions of the Privacy Commissioner under this Act that the Assistant Privacy Commissioner is authorized by the Privacy Commissioner to exercise or perform. 1980-81-82-83, c. 111, Sch. II "59".

Delegation by Privacy Commissioner

Delegations of investigations relating to international affairs and defence

Delegation by Assistant Privacy Commissioner

confèrent la présente loi ou une autre loi fédérale.

(2) Le Commissaire à la protection de la vie privée peut retenir temporairement les services d'experts ou de spécialistes dont la compétence lui est utile dans l'exercice des fonctions que lui confèrent la présente loi ou une autre loi fédérale; il peut fixer, avec l'approbation du Conseil du Trésor, leur rémunération et leurs frais. 1980-81-82-83, ch. 111, ann. II «58».

Assistance technique

Délégation

59. (1) Sous réserve du paragraphe (2), le Commissaire à la protection de la vie privée peut, dans les limites qu'il fixe, déléguer les pouvoirs et fonctions que lui confèrent la présente loi ou une autre loi fédérale, sauf :

a) le pouvoir même de délégation, qui ne peut être délégué qu'à un commissaire adjoint;

b) les pouvoirs et fonctions énoncés aux articles 38 et 39, qui ne peuvent être délégués à quiconque.

(2) Le Commissaire à la protection de la vie privée ou un commissaire adjoint ne peuvent déléguer qu'à un de leurs collaborateurs choisis parmi quatre des cadres ou employés du commissariat et que le Commissaire désigne spécialement à cette fin la tenue des enquêtes suivantes :

a) les enquêtes portant sur les cas où le refus de communication de renseignements personnels est lié aux alinéas 19(1)a) ou b) ou à l'article 21;

b) les enquêtes prévues à l'article 36 et portant sur les dossiers versés dans les fichiers inconsultables classés comme tels en vertu de l'article 18 et contenant des renseignements personnels visés à l'article 21.

(3) Un commissaire adjoint à la protection de la vie privée peut, dans les limites qu'il fixe, subdéléguer les pouvoirs et fonctions que lui délègue le Commissaire en vertu de la présente loi ou d'une autre loi fédérale. 1980-81-82-83, ch. 111, ann. II «59».

Pouvoir de délégation

Affaires internationales et défense

Pouvoir de subdélégation de l'adjoint

*Special Studies**Études spéciales*

Special studies **60.** (1) The Privacy Commissioner shall carry out or cause to be carried out such studies as may be referred to the Commissioner by the Minister of Justice

(a) relating to the privacy of individuals,

(b) concerning the extension of the rights to which individuals are entitled under this Act in respect of personal information about themselves, and

(c) relating to the collection, retention, disposal, use or disclosure of personal information by persons or bodies, other than government institutions, that come within the legislative authority of Parliament,

and the Privacy Commissioner shall report thereon to the Minister of Justice from time to time.

60. (1) Le Commissaire à la protection de la vie privée effectue ou fait effectuer les études que lui confie le ministre de la Justice et en fait rapport à celui-ci; ces études peuvent porter sur les sujets suivants :

Études spéciales

- a) la protection de la vie privée;
- b) l'élargissement des droits que la présente loi accorde aux individus quant aux renseignements personnels qui les concernent;
- c) la collecte, la conservation, le retrait, l'utilisation et la communication des renseignements personnels par des personnes ou organismes relevant de la compétence législative du Parlement mais extérieurs aux institutions fédérales.

Reports to be tabled (2) The Minister of Justice shall cause each report by the Privacy Commissioner under subsection (1) to be laid before Parliament on any of the first fifteen days after receipt thereof that either House of Parliament is sitting. 1980-81-82-83, c. 111, Sch. II "60".

(2) Le ministre de la Justice fait déposer devant le Parlement les rapports établis en application du paragraphe (1) dans les quinze premiers jours de séance de l'une ou l'autre chambre qui suivent leur réception. 1980-81-82-83, ch. 111, ann. II «60».

Dépôt des rapports

*General**Dispositions générales*

Principal office **61.** The principal office of the Privacy Commissioner shall be in the National Capital Region described in the schedule to the *National Capital Act*. 1980-81-82-83, c. 111, Sch. II "61".

61. Le siège du Commissariat à la protection de la vie privée est fixé dans la région de la capitale nationale définie à l'annexe de la *Loi sur la capitale nationale*. 1980-81-82-83, ch. 111, ann. II «61».

Siège

Security requirements **62.** The Privacy Commissioner and every person acting on behalf or under the direction of the Commissioner who receives or obtains information relating to any investigation under this Act or any other Act of Parliament shall, with respect to access to and the use of that information, satisfy any security requirements applicable to, and take any oath of secrecy required to be taken by, persons who normally have access to and use of that information. 1980-81-82-83, c. 111, Sch. II "62".

62. Le Commissaire à la protection de la vie privée et les personnes agissant en son nom ou sous son autorité qui reçoivent ou recueillent des renseignements dans le cadre des enquêtes prévues par la présente loi ou une autre loi fédérale sont tenus, quant à l'accès à ces renseignements et leur utilisation, de satisfaire aux normes applicables en matière de sécurité et de prêter les serments imposés à leurs usagers habituels. 1980-81-82-83, ch. 111, ann. II «62».

Normes de sécurité

Confidentiality **63.** Subject to this Act, the Privacy Commissioner and every person acting on behalf or under the direction of the Commissioner shall not disclose any information that comes to their knowledge in the performance of their duties and functions under this Act. 1980-81-82-83, c. 111, Sch. II "63".

63. Sous réserve des autres dispositions de la présente loi, le Commissaire à la protection de la vie privée et les personnes agissant en son nom ou sous son autorité sont tenus au secret en ce qui concerne les renseignements dont ils prennent connaissance dans l'exercice des pouvoirs et fonctions que leur confère la présente loi. 1980-81-82-83, ch. 111, ann. II «63».

Secret

Disclosure
authorized

64. (1) The Privacy Commissioner may disclose or may authorize any person acting on behalf or under the direction of the Commissioner to disclose information

(a) that, in the opinion of the Commissioner, is necessary to

(i) carry out an investigation under this Act, or

(ii) establish the grounds for findings and recommendations contained in any report under this Act; or

(b) in the course of a prosecution for an offence under this Act, a prosecution for an offence under section 133 of the *Criminal Code* (false statements in extra-judicial proceedings) in respect of a statement made under this Act, a review before the Court under this Act or an appeal therefrom.

Disclosure of
offence
authorized

(2) The Privacy Commissioner may disclose to the Attorney General of Canada information relating to the commission of an offence against any law of Canada or a province on the part of any officer or employee of a government institution if in the opinion of the Commissioner there is evidence thereof. 1980-81-82-83, c. 111, Sch. II "64".

Information not
to be disclosed

65. In carrying out an investigation under this Act, in notifying an individual of a disclosure under subsection 8(5) and in any report made to Parliament under section 38 or 39, the Privacy Commissioner and every person acting on behalf or under the direction of the Privacy Commissioner shall take every reasonable precaution to avoid the disclosure of, and shall not disclose,

(a) any information that the head of a government institution would be authorized to refuse to disclose if it were requested under subsection 12(1) or contained in a record requested under the *Access to Information Act*; or

(b) any information as to whether personal information exists where the head of a government institution, in refusing to disclose the personal information under this Act, does not indicate whether it exists. 1980-81-82-83, c. 111, Sch. II "65".

No summons

66. The Privacy Commissioner, or any person acting on behalf or under the direction of the Commissioner, is not a competent or

64. (1) Le Commissaire à la protection de la vie privée peut divulguer, ou autoriser les personnes agissant en son nom ou sous son autorité à divulguer, les renseignements :

a) qui, à son avis, sont nécessaires pour :

(i) mener une enquête prévue par la présente loi,

(ii) motiver les conclusions et recommandations contenues dans les rapports et comptes rendus prévus par la présente loi;

b) dont la divulgation est nécessaire, soit dans le cadre des procédures intentées pour infraction à la présente loi ou pour une infraction visée à l'article 133 du *Code criminel* (fausses déclarations dans des procédures extrajudiciaires) se rapportant à une déclaration faite en vertu de la présente loi, soit lors d'un recours en révision prévu par la présente loi devant la Cour ou lors de l'appel de la décision rendue par celle-ci.

(2) Dans les cas où, à son avis, il existe des éléments de preuve touchant la perpétration d'infractions aux lois fédérales ou provinciales par un cadre ou employé d'une institution fédérale, le Commissaire à la protection de la vie privée peut faire part au procureur général du Canada des renseignements qu'il détient à cet égard. 1980-81-82-83, ch. 111, ann. II «64».

65. Lors des enquêtes prévues par la présente loi, dans la transmission à un individu de l'avis prévu au paragraphe 8(5) et dans la préparation des rapports au Parlement prévus aux articles 38 ou 39, le Commissaire à la protection de la vie privée et les personnes agissant en son nom ou sous son autorité ne peuvent divulguer et prennent toutes les précautions pour éviter que ne soient divulgués :

a) des renseignements qui justifient un refus de communication de renseignements personnels demandés en vertu du paragraphe 12(1) ou de renseignements contenus dans un document demandé sous le régime de la *Loi sur l'accès à l'information*;

b) des renseignements faisant état de l'existence de renseignements personnels que le responsable d'une institution fédérale a refusé de communiquer sans indiquer s'ils existaient ou non. 1980-81-82-83, ch. 111, ann. II «65».

66. En ce qui concerne les questions venues à leur connaissance dans l'exercice, au cours d'une enquête, des pouvoirs et fonctions qui

Divuligation
autoriséeDénonciation
autoriséePrécautions à
prendreNon-assigna-
tion

compellable witness in respect of any matter coming to the knowledge of the Commissioner or that person as a result of performing any duties or functions under this Act during an investigation, in any proceeding other than a prosecution for an offence under this Act, a prosecution for an offence under section 133 of the *Criminal Code* (false statements in extra-judicial proceedings) in respect of a statement made under this Act, a review before the Court under this Act or an appeal therefrom. 1980-81-82-83, c. 111, Sch. II "66".

leur sont conférés en vertu de la présente loi, le Commissaire à la protection de la vie privée et les personnes qui agissent en son nom ou sous son autorité n'ont qualité pour témoigner ou ne peuvent y être contraints que dans les procédures intentées pour infraction à la présente loi ou pour une infraction visée à l'article 133 du *Code criminel* (fausses déclarations dans des procédures extrajudiciaires) se rapportant à une déclaration faite en vertu de la présente loi, ou que lors d'un recours prévu par la présente loi devant la Cour ou lors de l'appel de la décision rendue par celle-ci. 1980-81-82-83, ch. 111, ann. II «66».

Protection of Privacy Commissioner

67. (1) No criminal or civil proceedings lie against the Privacy Commissioner, or against any person acting on behalf or under the direction of the Commissioner, for anything done, reported or said in good faith in the course of the exercise or performance or purported exercise or performance of any power, duty or function of the Commissioner under this Act.

67. (1) Le Commissaire à la protection de la vie privée et les personnes qui agissent en son nom ou sous son autorité bénéficient de l'immunité en matière civile ou pénale pour les actes accomplis, les rapports ou comptes rendus établis et les paroles prononcées de bonne foi dans l'exercice effectif ou censé tel des pouvoirs et fonctions qui lui sont conférés en vertu de la présente loi.

Immunité du Commissaire à la protection de la vie privée

Libel or slander

(2) For the purposes of any law relating to libel or slander,
 (a) anything said, any information supplied or any document or thing produced in good faith in the course of an investigation carried out by or on behalf of the Privacy Commissioner under this Act is privileged; and
 (b) any report made in good faith by the Privacy Commissioner under this Act and any fair and accurate account of the report made in good faith in a newspaper or any other periodical publication or in a broadcast is privileged. 1980-81-82-83, c. 111, Sch. II "67".

(2) Ne peuvent donner lieu à poursuites pour diffamation verbale ou écrite :
 a) les paroles prononcées, les renseignements fournis ou les pièces produites de bonne foi au cours d'une enquête menée par le Commissaire à la protection de la vie privée ou en son nom dans le cadre de la présente loi;
 b) les rapports ou comptes rendus établis de bonne foi par le Commissaire à la protection de la vie privée dans le cadre de la présente loi, ainsi que les relations qui en sont faites de bonne foi par la presse écrite ou audiovisuelle. 1980-81-82-83, ch. 111, ann. II «67».

Diffamation

OFFENCES

INFRACTIONS

Obstruction

68. (1) No person shall obstruct the Privacy Commissioner or any person acting on behalf or under the direction of the Commissioner in the performance of the Commissioner's duties and functions under this Act.

68. (1) Il est interdit d'entraver l'action du Commissaire à la protection de la vie privée ou des personnes qui agissent en son nom ou sous son autorité dans l'exercice des pouvoirs et fonctions qui lui sont conférés en vertu de la présente loi.

Entrave

Offence and punishment

(2) Every person who contravenes this section is guilty of an offence and liable on summary conviction to a fine not exceeding one thousand dollars. 1980-81-82-83, c. 111, Sch. II "68".

(2) Quiconque contrevient au présent article est coupable d'une infraction et passible, sur déclaration de culpabilité par procédure sommaire, d'une amende maximale de mille dollars. 1980-81-82-83, ch. 111, ann. II «68».

Infraction et peine

GENERAL

DISPOSITIONS GÉNÉRALES

Act does not apply to certain materials

69. (1) This Act does not apply to
(a) library or museum material made or acquired and preserved solely for public reference or exhibition purposes; or
(b) material placed in the Public Archives, the National Library or the National Museums of Canada by or on behalf of persons or organizations other than government institutions.

69. (1) La présente loi ne s'applique pas aux documents suivants :

Non-application de la loi

- a) les documents de bibliothèque ou de musée conservés uniquement à des fins de référence ou d'exposition pour le public;
- b) les documents déposés aux Archives publiques, à la Bibliothèque nationale ou aux Musées nationaux du Canada par ou pour des personnes ou organisations extérieures aux institutions fédérales.

Sections 7 and 8 do not apply to certain information

(2) Sections 7 and 8 do not apply to personal information that is publicly available. 1980-81-82-83, c. 111, Sch. II "69".

(2) Les articles 7 et 8 ne s'appliquent pas aux renseignements personnels auxquels le public a accès. 1980-81-82-83, ch. 111, ann. II «69».

Non-application des art. 7 et 8

Confidences of the Queen's Privy Council for Canada

70. (1) This Act does not apply to confidences of the Queen's Privy Council for Canada, including, without restricting the generality of the foregoing, any information contained in

70. (1) La présente loi ne s'applique pas aux renseignements confidentiels du Conseil privé de la Reine pour le Canada, notamment aux :

Renseignements confidentiels du Conseil privé de la Reine pour le Canada

- (a) memoranda the purpose of which is to present proposals or recommendations to Council;
- (b) discussion papers the purpose of which is to present background explanations, analyses of problems or policy options to Council for consideration by Council in making decisions;
- (c) agenda of Council or records recording deliberations or decisions of Council;
- (d) records used for or reflecting communications or discussions between ministers of the Crown on matters relating to the making of government decisions or the formulation of government policy;
- (e) records the purpose of which is to brief ministers of the Crown in relation to matters that are before, or are proposed to be brought before, Council or that are the subject of communications or discussions referred to in paragraph (d); and
- (f) draft legislation.

- a) notes destinées à soumettre des propositions ou recommandations au Conseil;
- b) documents de travail destinés à présenter des problèmes, des analyses ou des options politiques à l'examen du Conseil;
- c) ordres du jour du Conseil ou procès-verbaux de ses délibérations ou décisions;
- d) documents employés en vue ou faisant état de communications ou de discussions entre ministres sur des questions liées à la prise des décisions du gouvernement ou à la formulation de sa politique;
- e) documents d'information à l'usage des ministres sur des questions portées ou qu'il est prévu de porter devant le Conseil, ou sur des questions qui font l'objet de communications ou discussions visées à l'alinéa d);
- f) avant-projets de loi.

Definition of "Council"

(2) For the purposes of subsection (1), "Council" means the Queen's Privy Council for Canada, committees of the Queen's Privy Council for Canada, Cabinet and committees of Cabinet.

(2) Pour l'application du paragraphe (1), «Conseil» s'entend du Conseil privé de la Reine pour le Canada, du Cabinet et de leurs comités respectifs.

Définition de «Conseil»

Exception

(3) Subsection (1) does not apply to
(a) confidences of the Queen's Privy Council for Canada that have been in existence for more than twenty years; or

(3) Le paragraphe (1) ne s'applique pas :
a) aux renseignements confidentiels du Conseil privé de la Reine pour le Canada dont l'existence remonte à plus de vingt ans;

Exception

- (b) discussion papers described in paragraph (1)(b)
 - (i) if the decisions to which the discussion papers relate have been made public, or
 - (ii) where the decisions have not been made public, if four years have passed since the decisions were made. 1980-81-82-83, c. 111, Sch. II "70".

- b) aux documents de travail visés à l'alinéa (1)b), dans les cas où les décisions auxquelles ils se rapportent ont été rendues publiques ou, à défaut de publicité, ont été rendues quatre ans auparavant. 1980-81-82-83, ch. 111, ann. II «70».

Duties and functions of designated Minister

71. (1) Subject to subsection (2), the designated Minister shall

- (a) cause to be kept under review the manner in which personal information banks are maintained and managed to ensure compliance with the provisions of this Act and the regulations relating to access by individuals to personal information contained therein;
- (b) assign or cause to be assigned a registration number to each personal information bank;
- (c) prescribe such forms as may be required for the operation of this Act and the regulations;
- (d) cause to be prepared and distributed to government institutions directives and guidelines concerning the operation of this Act and the regulations; and
- (e) prescribe the form of, and what information is to be included in, reports made to Parliament under section 72.

71. (1) Sous réserve du paragraphe (2), le ministre désigné est responsable :

Responsabilités du ministre désigné

- a) du contrôle des modalités de tenue et de gestion des fichiers de renseignements personnels dans le but d'en assurer la conformité avec la présente loi et ses règlements pour ce qui est de l'accès des individus aux renseignements personnels qui y sont versés;
- b) de l'attribution d'une cote à chacun des fichiers de renseignements personnels;
- c) de l'établissement des formulaires nécessaires à la mise en œuvre de la présente loi et de ses règlements;
- d) de la rédaction des directives nécessaires à la mise en œuvre de la présente loi et de ses règlements et de leur diffusion auprès des institutions fédérales;
- e) de la détermination de la forme et du fond des rapports au Parlement visés à l'article 72.

Exception for Bank of Canada

(2) Anything that is required to be done by the designated Minister under paragraph (1)(a) or (d) shall be done in respect of the Bank of Canada by the Governor of the Bank of Canada.

(2) Les responsabilités du ministre désigné définies aux alinéas (1)a) et d) incombent, dans le cas de la Banque du Canada, au gouverneur de celle-ci.

Exception dans le cas de la Banque du Canada

Review of existing and proposed personal information banks

(3) Subject to subsection (5), the designated Minister shall cause to be kept under review the utilization of existing personal information banks and proposals for the creation of new banks, and shall make such recommendations as he considers appropriate to the heads of the appropriate government institutions with regard to personal information banks that, in the opinion of the designated Minister, are under-utilized or the existence of which can be terminated.

(3) Sous réserve du paragraphe (5), le ministre désigné exerce un contrôle sur l'utilisation des fichiers existants de renseignements personnels ainsi que sur les projets de constitution de nouveaux fichiers et présente aux responsables des institutions fédérales en cause ses recommandations quant aux fichiers qui, à son avis, sont utilisés d'une manière insuffisante ou dont l'existence ne se justifie plus.

Contrôle des fichiers existants ou à constituer

Establishment and modification of personal information banks

(4) Subject to subsection (5), no new personal information bank shall be established and no existing personal information banks shall be substantially modified without approval of the designated Minister or otherwise than in

(4) Sous réserve du paragraphe (5), la constitution de nouveaux fichiers de renseignements personnels de même que toute modification importante des fichiers existants sont subordon-

Constitution ou modification de fichiers

	accordance with any term or condition on which such approval is given.	nées à l'approbation du ministre désigné et à l'observation des conditions qu'il stipule.	
Application of subsections (3) and (4)	(5) Subsections (3) and (4) apply only in respect of personal information banks under the control of government institutions that are departments as defined in section 2 of the <i>Financial Administration Act</i> .	(5) Les paragraphes (3) et (4) ne s'appliquent qu'aux fichiers de renseignements personnels relevant des institutions fédérales qui sont des ministères au sens de l'article 2 de la <i>Loi sur la gestion des finances publiques</i> .	Application des par. (3) et (4)
Delegation to head of government institution	(6) The designated Minister may authorize the head of a government institution to exercise and perform, in such manner and subject to such terms and conditions as the designated Minister directs, any of the powers, functions and duties of the designated Minister under subsection (3) or (4). 1980-81-82-83, c. 111, Sch. II "71".	(6) Le ministre désigné peut, selon les modalités et dans les limites qu'il fixe, déléguer au responsable d'une institution fédérale les pouvoirs et fonctions que lui confèrent les paragraphes (3) et (4). 1980-81-82-83, ch. 111, ann. II «71».	Délégation au responsable d'une institution fédérale
Report to Parliament	72. (1) 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.	72. (1) À la fin de chaque exercice, chacun des responsables d'une institution fédérale établit pour présentation au Parlement le rapport d'application de la présente loi en ce qui concerne son institution.	Rapports au Parlement
Tabling of report	(2) Every report prepared under subsection (1) shall be laid before each House of Parliament within three months after the financial year in respect of which it is made or, if that House is not then sitting, on any of the first fifteen days next thereafter that it is sitting.	(2) Dans les trois mois suivant la fin de chaque exercice, les rapports visés au paragraphe (1) sont déposés devant chaque chambre du Parlement ou, si elle ne siège pas, dans les quinze premiers jours de séance ultérieurs.	Remise des rapports
Reference to Parliamentary committee	(3) Every report prepared under subsection (1) shall, after it is laid before the Senate and the House of Commons, under subsection (2), be referred to the committee designated or established by Parliament for the purpose of subsection 75(1). 1980-81-82-83, c. 111, Sch. II "72".	(3) Les rapports déposés conformément au paragraphe (2) sont renvoyés devant le comité désigné ou constitué par le Parlement en application du paragraphe 75(1). 1980-81-82-83, ch. 111, ann. II «72».	Renvoi en comité
Delegation by the head of a government institution	73. The head of a government institution may, by order, designate one or more officers or employees of that institution to exercise or perform any of the powers, duties or functions of the head of the institution under this Act that are specified in the order. 1980-81-82-83, c. 111, Sch. II "73".	73. Le responsable d'une institution fédérale peut, par arrêté, déléguer certaines de ses attributions à des cadres ou employés de l'institution. 1980-81-82-83, ch. 111, ann. II «73».	Pouvoir de délégation du responsable d'une institution
Protection from civil proceeding or from prosecution	74. Notwithstanding any other Act of Parliament, no civil or criminal proceedings lie against the head of any government institution, or against any person acting on behalf or under the direction of the head of a government institution, and no proceedings lie against the Crown or any government institution, for the disclosure in good faith of any personal information pursuant to this Act, for any consequences that flow from that disclosure, or for the failure to give any notice required under	74. Nonobstant toute autre loi fédérale, le responsable d'une institution fédérale et les personnes qui agissent en son nom ou sous son autorité bénéficient de l'immunité en matière civile ou pénale, et la Couronne ainsi que les institutions fédérales bénéficient de l'immunité devant toute juridiction, pour la communication de renseignements personnels faite de bonne foi dans le cadre de la présente loi ainsi que pour les conséquences qui en découlent; ils bénéficient également de l'immunité dans les	Immunité

this Act if reasonable care is taken to give the required notice. 1980-81-82-83, c. 111, Sch. II "74".

cas où, ayant fait preuve de la diligence nécessaire, ils n'ont pu donner les avis prévus par la présente loi. 1980-81-82-83, ch. 111, ann. II «74».

Permanent review of this Act by Parliamentary committee

75. (1) The administration of this Act shall be reviewed on a permanent basis by such committee of the House of Commons, of the Senate or of both Houses of Parliament as may be designated or established by Parliament for that purpose.

75. (1) Le Parlement désigne ou constitue un comité, soit de la Chambre des communes, soit du Sénat, soit mixte, chargé spécialement de l'examen permanent de l'application de la présente loi.

Examen permanent par un comité parlementaire

Review and report to Parliament

(2) The committee designated or established by Parliament for the purpose of subsection (1) shall, not later than July 1, 1986, undertake a comprehensive review of the provisions and operation of this Act, and shall, within a year after the review is undertaken or within such further time as the House of Commons may authorize, submit a report to Parliament thereon including a statement of any changes the committee would recommend. 1980-81-82-83, c. 111, Sch. II "75".

(2) Le comité prévu au paragraphe (1) entreprend, au plus tard le 1^{er} juillet 1986, un examen approfondi des dispositions de la présente loi ainsi que des conséquences de son application en vue de la présentation d'un rapport au Parlement où seront consignées ses conclusions ainsi que ses recommandations, s'il y a lieu, quant aux modifications qui seraient souhaitables; le rapport doit être présenté au Parlement dans l'année suivant le commencement de l'examen, ce délai pouvant être prorogé par la Chambre des communes. 1980-81-82-83, ch. 111, ann. II «75».

Rapport au Parlement

Binding on Crown

76. This Act is binding on Her Majesty in right of Canada. 1980-81-82-83, c. 111, Sch. II "76".

76. La présente loi lie Sa Majesté du chef du Canada. 1980-81-82-83, ch. 111, ann. II «76».

La Couronne est liée

Regulations

77. (1) The Governor in Council may make regulations

(a) specifying government institutions or parts of government institutions for the purpose of paragraph (e) of the definition "personal information" in section 3;

(b) prescribing the period of time for which any class of personal information is to be retained under subsection 6(1);

(c) prescribing the circumstances and the manner in which personal information under the control of a government institution is to be disposed of under subsection 6(3);

(d) specifying investigative bodies for the purposes of paragraph 8(2)(e) and sections 22 and 23;

(e) prescribing the circumstances in which and the conditions under which personal information may be disclosed under subsection 8(3);

(f) prescribing the period of time for which copies of requests received under paragraph 8(2)(e) and records of information disclosed pursuant to the requests are to be retained under subsection 8(4);

77. (1) Le gouverneur en conseil peut, par règlement :

a) déterminer les institutions fédérales ou subdivisions de celles-ci visées à l'alinéa e) de la définition de «renseignements personnels» à l'article 3;

b) fixer la période pendant laquelle les renseignements personnels visés au paragraphe 6(1), doivent, selon leur catégorie, être conservés;

c) déterminer les circonstances et les modalités du retrait des renseignements personnels relevant d'une institution fédérale et visés au paragraphe 6(3);

d) déterminer les organismes d'enquête prévus à l'alinéa 8(2)e) et aux articles 22 et 23;

e) déterminer les circonstances et les conditions de la communication de renseignements visée au paragraphe 8(3);

f) déterminer pour l'application du paragraphe 8(4), la période de conservation des copies des demandes visées à l'alinéa 8(2)e) et des mentions des renseignements communiqués;

Règlements

- (g) specifying persons or bodies for the purpose of paragraph 8(2)(h);
- (h) prescribing procedures to be followed in making and responding to a request for access to personal information under paragraph 12(1)(a) or (b);
- (i) prescribing procedures to be followed by an individual or a government institution where the individual requests under subsection 12(2) a correction of personal information or a notation of a correction requested, including the period of time within which the correction or notation must be made;
- (j) prescribing any fees, or the manner of calculating any fees, to be paid for being given access to personal information requested under subsection 12(1) or for the making of copies of such personal information;
- (k) prescribing the procedures to be followed by the Privacy Commissioner and any person acting on behalf or under the direction of the Privacy Commissioner in examining or obtaining copies of records relevant to an investigation of a complaint in respect of a refusal to disclose personal information under paragraph 19(1)(a) or (b) or section 21;
- (l) specifying classes of investigations for the purpose of paragraph 22(3)(c);
- (m) prescribing the class of individuals who may act on behalf of minors, incompetents, deceased persons or any other individuals under this Act and regulating the manner in which any rights or actions of individuals under this Act may be exercised or performed on their behalf;
- (n) authorizing the disclosure of information relating to the physical or mental health of individuals to duly qualified medical practitioners or psychologists in order to determine whether disclosure of the information would be contrary to the best interests of the individuals, and prescribing any procedures to be followed or restrictions deemed necessary with regard to the disclosure and examination of the information; and
- (o) prescribing special procedures for giving individuals access, under subsection 12(1) to personal information relating to their physical or mental health and regulating the way in which that access is given.
- g) déterminer les personnes ou organismes prévus à l'alinéa 8(2)h);
- h) établir les formalités à suivre pour les demandes de communication de renseignements personnels présentées en vertu des alinéas 12(1)a) ou b) ainsi que pour les réponses à y apporter;
- i) établir les formalités à suivre par un individu ou une institution fédérale, en vertu du paragraphe 12(2), pour la correction de renseignements personnels ou la mention de corrections non effectuées et fixer le délai de correction ou de mention;
- j) fixer, ou déterminer la façon de calculer, le montant du versement éventuellement exigible pour l'exercice de l'accès aux renseignements personnels demandés en vertu du paragraphe 12(1) ou pour la reproduction de copies à délivrer;
- k) établir les règles à suivre par le Commissaire à la protection de la vie privée et les personnes agissant en son nom ou sous son autorité en ce qui a trait à la consultation et à l'obtention de copies des documents dont il a à prendre connaissance au cours des enquêtes portant sur un refus de communication fondé sur les alinéas 19(1)a) ou b) ou sur l'article 21;
- l) préciser les catégories d'enquêtes pour l'application de l'alinéa 22(3)c);
- m) déterminer les catégories d'individus qui ont qualité pour agir au nom d'autrui, notamment des mineurs, des incapables ou des personnes décédées, et fixer les modalités d'exercice des droits et recours d'un individu par son représentant;
- n) autoriser la communication de renseignements concernant l'état physique ou mental d'un individu à des médecins ou psychologues en situation légale d'exercice pour que soit décidée la question de savoir si la prise de connaissance de ces renseignements par l'individu lui porterait préjudice et établir, en fixant au besoin les restrictions jugées nécessaires, les formalités à suivre pour la consultation et la communication de ces renseignements;
- o) établir des règles spéciales quant à la communication aux individus, en vertu du paragraphe 12(1), des renseignements concernant leur état physique ou mental et fixer les modalités de cette communication.

Additions to
schedule

(2) The Governor in Council may, by order, amend the schedule by adding thereto any department, ministry of state, body or office of the Government of Canada. 1980-81-82-83, c. 111, Sch. II "77".

(2) Le gouverneur en conseil peut, par décret, ajouter à l'annexe tout ministère, département d'État ou organisme de l'administration fédérale. 1980-81-82-83, ch. 111, ann. II «77».

Additions à
l'annexe

SCHEDULE

(Sections 3 and 77)

GOVERNMENT INSTITUTIONS

Departments and Ministries of State

Department of Agriculture
Ministère de l'Agriculture

Department of Communications
Ministère des Communications

Department of Consumer and Corporate Affairs
Ministère des Consommateurs et des Sociétés

Ministry of State for Economic and Regional Development
Département d'État au Développement économique et régional

Department of Employment and Immigration
Ministère de l'Emploi et de l'Immigration

Department of Energy, Mines and Resources
Ministère de l'Énergie, des Mines et des Ressources

Department of the Environment
Ministère de l'Environnement

Department of External Affairs
Ministère des Affaires extérieures

Department of Finance
Ministère des Finances

Department of Fisheries and Oceans
Ministère des Pêches et des Océans

Department of Indian Affairs and Northern Development
Ministère des Affaires indiennes et du Nord canadien

Department of Insurance
Ministère des Assurances

Department of Justice
Ministère de la Justice

Department of Labour
Ministère du Travail

Department of National Defence (including the Canadian Forces)
Ministère de la Défense nationale (y compris les Forces canadiennes)

Department of National Health and Welfare
Ministère de la Santé nationale et du Bien-être social

Department of National Revenue
Ministère du Revenu national

Department of Public Works
Ministère des Travaux publics

Department of Regional Industrial Expansion
Ministère de l'Expansion industrielle régionale

ANNEXE

(articles 3 et 77)

INSTITUTIONS FÉDÉRALES

Ministères et départements d'État

Département d'État au Développement économique et régional
Ministry of State for Economic and Regional Development

Département d'État au Développement social
Ministry of State for Social Development

Département d'État des Sciences et de la Technologie
Ministry of State for Science and Technology

Ministère de la Défense nationale (y compris les Forces canadiennes)
Department of National Defence (including the Canadian Forces)

Ministère de l'Agriculture
Department of Agriculture

Ministère de la Justice
Department of Justice

Ministère de la Santé nationale et du Bien-être social
Department of National Health and Welfare

Ministère de l'Emploi et de l'Immigration
Department of Employment and Immigration

Ministère de l'Énergie, des Mines et des Ressources
Department of Energy, Mines and Resources

Ministère de l'Environnement
Department of the Environment

Ministère de l'Expansion industrielle régionale
Department of Regional Industrial Expansion

Ministère des Affaires extérieures
Department of External Affairs

Ministère des Affaires indiennes et du Nord canadien
Department of Indian Affairs and Northern Development

Ministère des Anciens combattants
Department of Veterans Affairs

Ministère des Approvisionnements et Services
Department of Supply and Services

Ministère des Assurances
Department of Insurance

Ministère des Communications
Department of Communications

Ministère des Consommateurs et des Sociétés
Department of Consumer and Corporate Affairs

Ministère des Finances
Department of Finance

Ministry of State for Science and Technology
Département d'État des Sciences et de la Technologie
 Department of the Secretary of State of Canada
Secrétariat d'État du Canada
 Ministry of State for Social Development
Département d'État au Développement social
 Department of the Solicitor General
Ministère du Solliciteur général
 Department of Supply and Services
Ministère des Approvisionnements et Services
 Department of Transport
Ministère des Transports
 Department of Veterans Affairs
Ministère des Anciens combattants

Other Government Institutions

Agricultural Products Board
Office des produits agricoles
 Agricultural Stabilization Board
Office de stabilisation des prix agricoles
 Atlantic Pilotage Authority
Administration de pilotage de l'Atlantique
 Atomic Energy Control Board
Commission de contrôle de l'énergie atomique
 Bank of Canada
Banque du Canada
 Bilingual Districts Advisory Board
Conseil consultatif des districts bilingues
 Board of Trustees of the Queen Elizabeth II Canadian Fund to
 Aid in Research on the Diseases of Children
*Conseil de fiducie du Fonds canadien de recherches de la
 Reine Élisabeth II sur les maladies de l'enfance*
 Bureau of Pensions Advocates
Bureau de services juridiques des pensions
 Canada Council
Conseil des Arts du Canada
 Canada Deposit Insurance Corporation
Société d'assurance-dépôts du Canada
 Canada Employment and Immigration Commission
Commission de l'emploi et de l'immigration du Canada
 Canada Labour Relations Board
Conseil canadien des relations de travail
 Canada Mortgage and Housing Corporation
Société canadienne d'hypothèques et de logement
 Canada Ports Corporation
Société canadienne des ports

Ministère des Pêches et des Océans
Department of Fisheries and Oceans
 Ministère des Transports
Department of Transport
 Ministère des Travaux publics
Department of Public Works
 Ministère du Revenu national
Department of National Revenue
 Ministère du Solliciteur général
Department of the Solicitor General
 Ministère du Travail
Department of Labour
 Secrétariat d'État du Canada
Department of the Secretary of State of Canada

Autres institutions fédérales

Administrateur de l'Office du transport du grain
Grain Transportation Agency Administrator
 Administration de l'assistance à l'agriculture des Prairies
Prairie Farm Assistance Administration
 Administration de la voie maritime du Saint-Laurent
The St. Lawrence Seaway Authority
 Administration de pilotage de l'Atlantique
Atlantic Pilotage Authority
 Administration de pilotage des Grands Lacs, Limitée
Great Lakes Pilotage Authority, Ltd.
 Administration de pilotage des Laurentides
Laurentian Pilotage Authority
 Administration de pilotage du Pacifique
Pacific Pilotage Authority
 Administration du pipe-line du Nord
Northern Pipeline Agency
 Administration du rétablissement agricole des Prairies
Prairie Farm Rehabilitation Administration
 Agence canadienne de développement international
Canadian International Development Agency
 Agence de surveillance du secteur pétrolier
Petroleum Monitoring Agency
 Agence d'examen de l'investissement étranger
Foreign Investment Review Agency
 Archives publiques
Public Archives
 Banque du Canada
Bank of Canada
 Banque fédérale de développement
Federal Business Development Bank

Canada Post Corporation <i>Société canadienne des postes</i>	Bibliothèque nationale <i>National Library</i>
Canadian Advisory Council on the Status of Women <i>Conseil consultatif canadien de la situation de la femme</i>	Bourse fédérale d'hypothèques <i>Federal Mortgage Exchange Corporation</i>
Canadian Aviation Safety Board <i>Bureau canadien de la sécurité aérienne</i>	Bureau canadien de la sécurité aérienne <i>Canadian Aviation Safety Board</i>
Canadian Centre for Occupational Health and Safety <i>Centre canadien d'hygiène et de sécurité au travail</i>	Bureau de la coordonnatrice de la situation de la femme <i>Office of the Co-ordinator, Status of Women</i>
Canadian Commercial Corporation <i>Corporation commerciale canadienne</i>	Bureau de l'enquêteur correctionnel <i>Office of the Correctional Investigator</i>
Canadian Cultural Property Export Review Board <i>Commission canadienne d'examen des exportations de biens culturels</i>	Bureau de services juridiques des pensions <i>Bureau of Pensions Advocates</i>
Canadian Dairy Commission <i>Commission canadienne du lait</i>	Bureau du commissaire aux langues officielles <i>Office of the Commissioner of Official Languages</i>
Canadian Film Development Corporation <i>Société de développement de l'industrie cinématographique canadienne</i>	Bureau du Conseil privé <i>Privy Council Office</i>
Canadian Government Specifications Board <i>Office des normes du gouvernement canadien</i>	Bureau du contrôleur général <i>Office of the Comptroller General</i>
Canadian Grain Commission <i>Commission canadienne des grains</i>	Bureau du directeur général des élections <i>Office of the Chief Electoral Officer</i>
Canadian Human Rights Commission <i>Commission canadienne des droits de la personne</i>	Bureau du séquestre (biens ennemis) <i>Office of the Custodian of Enemy Property</i>
Canadian Import Tribunal <i>Tribunal canadien des importations</i>	Bureau du vérificateur général du Canada <i>Office of the Auditor General of Canada</i>
Canadian Institute for International Peace and Security <i>Institut canadien pour la paix et la sécurité mondiales</i>	Centre canadien d'hygiène et de sécurité au travail <i>Canadian Centre for Occupational Health and Safety</i>
Canadian International Development Agency <i>Agence canadienne de développement international</i>	Centre de recherches pour le développement international <i>International Development Research Centre</i>
Canadian Livestock Feed Board <i>Office canadien des provendes</i>	Centre d'information sur l'unité canadienne <i>Canadian Unity Information Office</i>
Canadian Patents and Development Limited <i>Société canadienne des brevets et d'exploitation Limitée</i>	Commission canadienne des droits de la personne <i>Canadian Human Rights Commission</i>
Canadian Penitentiary Service <i>Service canadien des pénitenciers</i>	Commission canadienne des grains <i>Canadian Grain Commission</i>
Canadian Pension Commission <i>Commission canadienne des pensions</i>	Commission canadienne des pensions <i>Canadian Pension Commission</i>
Canadian Radio-television and Telecommunications Commission <i>Conseil de la radiodiffusion et des télécommunications canadiennes</i>	Commission canadienne des transports <i>Canadian Transport Commission</i>
Canadian Saltfish Corporation <i>Office canadien du poisson salé</i>	Commission canadienne d'examen des exportations de biens culturels <i>Canadian Cultural Property Export Review Board</i>
Canadian Security Intelligence Service <i>Service canadien du renseignement de sécurité</i>	Commission canadienne du blé <i>Canadian Wheat Board</i>
	Commission canadienne du lait <i>Canadian Dairy Commission</i>

Canadian Transport Commission <i>Commission canadienne des transports</i>	Commission d'appel de l'immigration <i>Immigration Appeal Board</i>
Canadian Unity Information Office <i>Centre d'information sur l'unité canadienne</i>	Commission d'appel des pensions <i>Pension Appeals Board</i>
Canadian Wheat Board <i>Commission canadienne du blé</i>	Commission de contrôle de l'énergie atomique <i>Atomic Energy Control Board</i>
Crown Assets Disposal Corporation <i>Corporation de disposition des biens de la Couronne</i>	Commission de la capitale nationale <i>National Capital Commission</i>
Defence Construction (1951) Limited <i>Construction de défense (1951) Limitée</i>	Commission de la fonction publique <i>Public Service Commission</i>
Director of Soldier Settlement <i>Directeur de l'établissement de soldats</i>	Commission de l'emploi et de l'immigration du Canada <i>Canada Employment and Immigration Commission</i>
The Director, The Veterans' Land Act <i>Directeur des terres destinées aux anciens combattants</i>	Commission d'énergie du Nord canadien <i>Northern Canada Power Commission</i>
Economic Council of Canada <i>Conseil économique du Canada</i>	Commission de réforme du droit du Canada <i>Law Reform Commission of Canada</i>
Energy Supplies Allocation Board <i>Office de répartition des approvisionnements d'énergie</i>	Commission de révision des lois <i>Statute Revision Commission</i>
Export Development Corporation <i>Société pour l'expansion des exportations</i>	Commission des allocations aux anciens combattants <i>War Veterans Allowance Board</i>
Farm Credit Corporation <i>Société du crédit agricole</i>	Commission des champs de bataille nationaux <i>The National Battlefields Commission</i>
Federal Business Development Bank <i>Banque fédérale de développement</i>	Commission des lieux et monuments historiques du Canada <i>Historic Sites and Monuments Board of Canada</i>
Federal Mortgage Exchange Corporation <i>Bourse fédérale d'hypothèques</i>	Commission des relations de travail dans la fonction publique <i>Public Service Staff Relations Board</i>
Federal-Provincial Relations Office <i>Secrétariat des relations fédérales-provinciales</i>	Commission d'indemnisation des marins marchands <i>Merchant Seamen Compensation Board</i>
Fisheries Prices Support Board <i>Office des prix des produits de la pêche</i>	Commission du système métrique <i>Metric Commission</i>
Foreign Investment Review Agency <i>Agence d'examen de l'investissement étranger</i>	Commission du tarif <i>Tariff Board</i>
Freshwater Fish Marketing Corporation <i>Office de commercialisation du poisson d'eau douce</i>	Commission du textile et du vêtement <i>Textile and Clothing Board</i>
Grain Transportation Agency Administrator <i>Administrateur de l'Office du transport du grain</i>	Commission nationale des libérations conditionnelles <i>National Parole Board</i>
Great Lakes Pilotage Authority, Ltd. <i>Administration de pilotage des Grands Lacs, Limitée</i>	Commission sur les pratiques restrictives du commerce <i>Restrictive Trade Practices Commission</i>
Historic Sites and Monuments Board of Canada <i>Commission des lieux et monuments historiques du Canada</i>	Conseil canadien des normes <i>Standards Council of Canada</i>
Immigration Appeal Board <i>Commission d'appel de l'immigration</i>	Conseil canadien des relations de travail <i>Canada Labour Relations Board</i>
International Development Research Centre <i>Centre de recherches pour le développement international</i>	Conseil consultatif canadien de la situation de la femme <i>Canadian Advisory Council on the Status of Women</i>
The Jacques-Cartier and Champlain Bridges Inc. <i>Les Ponts Jacques-Cartier et Champlain Inc.</i>	Conseil consultatif des districts bilingues <i>Bilingual Districts Advisory Board</i>

Laurentian Pilotage Authority <i>Administration de pilotage des Laurentides</i>	Conseil de fiducie du Fonds canadien de recherches de la Reine Élisabeth II sur les maladies de l'enfance <i>Board of Trustees of the Queen Elizabeth II Canadian Fund to Aid in Research on the Diseases of Children</i>
Law Reform Commission of Canada <i>Commission de réforme du droit du Canada</i>	Conseil de la radiodiffusion et des télécommunications canadiennes <i>Canadian Radio-television and Telecommunications Com- mission</i>
Medical Research Council <i>Conseil de recherches médicales</i>	Conseil de recherches en sciences humaines <i>Social Sciences and Humanities Research Council</i>
Merchant Seamen Compensation Board <i>Commission d'indemnisation des marins marchands</i>	Conseil de recherches en sciences naturelles et en génie <i>Natural Sciences and Engineering Research Council</i>
Metric Commission <i>Commission du système métrique</i>	Conseil de recherches médicales <i>Medical Research Council</i>
National Arts Centre Corporation <i>Corporation du Centre national des Arts</i>	Conseil de révision des pensions <i>Pension Review Board</i>
The National Battlefields Commission <i>Commission des champs de bataille nationaux</i>	Conseil des Arts du Canada <i>Canada Council</i>
National Capital Commission <i>Commission de la capitale nationale</i>	Conseil des sciences du Canada <i>Science Council of Canada</i>
National Design Council <i>Conseil national de l'esthétique industrielle</i>	Conseil des subventions au développement régional <i>Regional Development Incentives Board</i>
National Energy Board <i>Office national de l'énergie</i>	Conseil économique du Canada <i>Economic Council of Canada</i>
National Farm Products Marketing Council <i>Conseil national de commercialisation des produits de ferme</i>	Conseil national de commercialisation des produits de ferme <i>National Farm Products Marketing Council</i>
National Film Board <i>Office national du film</i>	Conseil national de l'esthétique industrielle <i>National Design Council</i>
National Library <i>Bibliothèque nationale</i>	Conseil national de recherches du Canada <i>National Research Council of Canada</i>
National Museums of Canada <i>Musées nationaux du Canada</i>	Construction de défense (1951) Limitée <i>Defence Construction (1951) Limited</i>
National Parole Board <i>Commission nationale des libérations conditionnelles</i>	Corporation commerciale canadienne <i>Canadian Commercial Corporation</i>
National Parole Service <i>Service national des libérations conditionnelles</i>	Corporation de disposition des biens de la Couronne <i>Crown Assets Disposal Corporation</i>
National Research Council of Canada <i>Conseil national de recherches du Canada</i>	Corporation du Centre national des Arts <i>National Arts Centre Corporation</i>
Natural Sciences and Engineering Research Council <i>Conseil de recherches en sciences naturelles et en génie</i>	Directeur de l'établissement de soldats <i>Director of Soldier Settlement</i>
Northern Canada Power Commission <i>Commission d'énergie du Nord canadien</i>	Directeur des terres destinées aux anciens combattants <i>The Director, The Veterans' Land Act</i>
Northern Pipeline Agency <i>Administration du pipe-line du Nord</i>	Gendarmerie royale du Canada <i>Royal Canadian Mounted Police</i>
Northwest Territories Water Board <i>Office des eaux des Territoires du Nord-Ouest</i>	Institut canadien pour la paix et la sécurité mondiales <i>Canadian Institute for International Peace and Security</i>
Office of the Auditor General of Canada <i>Bureau du vérificateur général du Canada</i>	
Office of the Chief Electoral Officer <i>Bureau du directeur général des élections</i>	

PRIVACY ACT

R.S.C. 1985, Chap. P-21

Administered by the President of the Treasury Board and the Department of Justice

- Amended R.S.C. 1985, c. 22 (1st Supp.), s. 11
- Amended R.S.C. 1985, c. 27 (1st Supp.), s. 187
- Amended R.S.C. 1985, c. 44 (1st Supp.), s. 5
- Amended SOR/86-136, *Can. Gaz., Part II*, February 5, 1986
- Amended R.S.C. 1985, c. 8 (2nd Supp.), s. 27
- Amended R.S.C. 1985, c. 19 (2nd Supp.), s. 52
- Amended R.S.C. 1985, c. 20 (2nd Supp.), s. 13
- Amended R.S.C. 1985, c. 1 (3rd Supp.), s. 12(5)
- Amended R.S.C. 1985, c. 3 (3rd Supp.), s. 2
- Amended R.S.C. 1985, c. 18 (3rd Supp.), s. 39
- Amended R.S.C. 1985, c. 20 (3rd Supp.), s. 39
- Amended R.S.C. 1985, c. 24 (3rd Supp.), s. 53
- Amended R.S.C. 1985, c. 28 (3rd Supp.), s. 308
- Amended SOR/88-110, *Can. Gaz., Part II*, February 3, 1988
- Amended R.S.C. 1985, c. 1 (4th Supp.), s. 48
- Amended R.S.C. 1985, c. 7 (4th Supp.), s. 7
- Amended R.S.C. 1985, c. 10 (4th Supp.), s. 22
- Amended R.S.C. 1985, c. 11 (4th Supp.), s. 15
- Amended R.S.C. 1985, c. 21 (4th Supp.), s. 5
- Amended R.S.C. 1985, c. 28 (4th Supp.), s. 36
- Amended R.S.C. 1985, c. 31 (4th Supp.), s. 101
- Amended R.S.C. 1985, c. 41 (4th Supp.), s. 53
- Amended R.S.C. 1985, c. 47 (4th Supp.), s. 52
- Amended 1989, c. 3, s. 47; brought into force March 29, 1990 by SI/90-63, *Can. Gaz., Part II*, April 11, 1990
- Amended 1989, c. 27, s. 22; brought into force February 23, 1990 by SI/90-41, *Can. Gaz., Part II*, March 14, 1990
- Amended 1990, c. 1, s. 31; brought into force February 23, 1990 by SI/90-40, *Can. Gaz., Part II*, March 14, 1990
- Amended 1990, c. 3, s. 32; brought into force April 1, 1990 by SI/90-53, *Can. Gaz., Part II*, April 11, 1990 but P.C. 1990-249 of February 15, 1990 (SI/90-53) revoked by SI/90-62, *Can. Gaz., Part II*, April 11, 1990; brought into force July 1, 1990 by SI/90-86, *Can. Gaz., Part II*, August 18, 1990
- Amended 1990, c. 13, s. 25; brought into force December 14, 1990
- Amended SOR/90-326, *Can. Gaz., Part II*, June 20, 1990
- Amended SOR/90-345, *Can. Gaz., Part II*, July 4, 1990
- Amended 1991, c. 3, s. 12; brought into force April 21, 1991 by SI/91-58, *Can. Gaz., Part II*, May 8, 1991
- Amended 1991, c. 6, s. 24; brought into force September 9, 1991
- Amended 1991, c. 16, s. 23; brought into force December 1, 1991 by SI/91-158, *Can. Gaz., Part II*, December 4, 1991
- Amended 1991, c. 38, ss. 29 and 38; s. 29 brought into force November 26, 1991 by SI/91-161, *Can. Gaz., Part II*, December 18, 1991, s. 38 brought into force August 1, 1993
- Amended 1992, c. 1, ss. 114, 143 and 155; in force February 28, 1992
- Amended 1992, c. 21, ss. 34 to 37; brought into force October 1, 1992 by SI/92-126, *Can. Gaz., Part II*, July 15, 1992
- Amended 1992, c. 33, s. 70; brought into force May 9, 1995 by SI/95-61, *Can. Gaz., Part II*, May 31, 1995

Amended 1992, c. 37, s. 78; brought into force December 22, 1994 by SI/95-3, *Can. Gaz., Part II*, January 11, 1995

Amended 1993, c. 1, ss. 10, 20, 32 and 42; ss. 20 and 42 brought into force March 31, 1993; s. 32 brought into force March 15, 1993; s. 10 brought into force March 26, 1993
Amended 1993, c. 3, ss. 17 and 18; in force February 25, 1993

Amended 1993, c. 28, Sch. III, ss. 121 and 122; s. 121 brought into force November 27, 1997 by SI/97-136, *Can. Gaz., Part II*, December 10, 1997; s. 122 in force April 1, 1999
Amended 1993, c. 31, s. 26; brought into force April 28, 1994
Amended 1993, c. 34, ss. 104 and 148; in force June 23, 1993
Amended 1994, c. 26, ss. 56 to 58; in force June 23, 1994
Amended 1994, c. 31, s. 20; in force June 23, 1994

Amended 1994, c. 35, s. 39; brought into force February 14, 1995 by SI/95-19, *Can. Gaz., Part II*, February 22, 1995 (see s. 40)

Amended 1994, c. 38, ss. 21 and 22; brought into force January 12, 1995 by SI/95-9, *Can. Gaz., Part II*, January 25, 1995

Amended 1994, c. 41, ss. 29 and 30; brought into force January 12, 1995 by SI/95-10, *Can. Gaz., Part II*, January 25, 1995

Amended 1994, c. 43, s. 91; brought into force February 14, 1995 by SI/95-19, *Can. Gaz., Part II*, February 22, 1995

Amended 1995, c. 1, ss. 54 to 56; brought into force March 29, 1995 by SI/95-48, *Can. Gaz., Part II*, April 19, 1995

Amended 1995, c. 5, ss. 20 and 21; brought into force May 13, 1995 by SI/95-65, *Can. Gaz., Part II*, May 31, 1995
Amended 1995, c. 11, ss. 31 and 32; brought into force July 12, 1996 by SI/96-68

Amended 1995, c. 12, s. 11; brought into force July 25, 1995 by SI/95-80, *Can. Gaz., Part II*, August 9, 1995

Amended 1995, c. 18, ss. 89 and 90; brought into force September 15, 1995 by SI/95-108, *Can. Gaz., Part II*, October 4, 1995
Amended 1995, c. 28, ss. 54 and 55; in force July 13, 1995

Amended 1995, c. 29, ss. 15, 31, 35, 75 and 84; s. 84 deemed in force April 1, 1995; ss. 15, 31, 35 and 75 brought into force November 1, 1995 by SI/95-115, *Can. Gaz., Part II*, November 15, 1995
Amended 1995, c. 45, s. 24; brought into force March 1, 1996 by SI/96-23

Amended 1996, c. 6, ss. 27 and 28; brought into force July 12, 1996 by SI/96-69, *Can. Gaz., Part II*, July 24, 1996

Amended 1996, c. 9, s. 28; brought into force April 21, 1997 by SI/97-46, *Can. Gaz., Part II*, May 14, 1997

Amended 1996, c. 10, ss. 253 and 254; brought into force July 1, 1996 by SI/96-53, *Can. Gaz., Part II*, June 26, 1996

Amended 1996, c. 11, ss. 77 to 80; brought into force July 12, 1996 by SI/96-70, *Can. Gaz., Part II*, July 24, 1996

Amended 1996, c. 16, ss. 46 to 48; brought into force July 12, 1996 by SI/96-67, *Can. Gaz., Part II*, July 24, 1996
Amended SOR/96-357, *Can. Gaz., Part II*, July 9, 1996
Amended SOR/96-539, *Can. Gaz., Part II*, December 5, 1996

Amended 1997, c. 6, s. 84; brought into force April 1, 1997 by SI/97-37, *Can. Gaz., Part II*, April 16, 1997

Amended 1997, c. 9, ss. 112 and 113; brought into force May 31, 2000 by SI/2000-42, *Can. Gaz., Part II*, June 7, 2000
Amended 1997, c. 20, s. 55; in force January 1, 1997

Amended SOR/98-119, *Can. Gaz., Part II*, February 13, 1998; in force February 23, 1998
Amended SOR/98-150, *Can. Gaz., Part II*, March 12, 1998

Laurentian Pilotage Authority <i>Administration de pilotage des Laurentides</i>	Conseil de fiducie du Fonds canadien de recherches de la Reine Élisabeth II sur les maladies de l'enfance <i>Board of Trustees of the Queen Elizabeth II Canadian Fund to Aid in Research on the Diseases of Children</i>
Law Reform Commission of Canada <i>Commission de réforme du droit du Canada</i>	Conseil de la radiodiffusion et des télécommunications canadiennes <i>Canadian Radio-television and Telecommunications Commission</i>
Medical Research Council <i>Conseil de recherches médicales</i>	Conseil de recherches en sciences humaines <i>Social Sciences and Humanities Research Council</i>
Merchant Seamen Compensation Board <i>Commission d'indemnisation des marins marchands</i>	Conseil de recherches en sciences naturelles et en génie <i>Natural Sciences and Engineering Research Council</i>
Metric Commission <i>Commission du système métrique</i>	Conseil de recherches médicales <i>Medical Research Council</i>
National Arts Centre Corporation <i>Corporation du Centre national des Arts</i>	Conseil de révision des pensions <i>Pension Review Board</i>
The National Battlefields Commission <i>Commission des champs de bataille nationaux</i>	Conseil des Arts du Canada <i>Canada Council</i>
National Capital Commission <i>Commission de la capitale nationale</i>	Conseil des sciences du Canada <i>Science Council of Canada</i>
National Design Council <i>Conseil national de l'esthétique industrielle</i>	Conseil des subventions au développement régional <i>Regional Development Incentives Board</i>
National Energy Board <i>Office national de l'énergie</i>	Conseil économique du Canada <i>Economic Council of Canada</i>
National Farm Products Marketing Council <i>Conseil national de commercialisation des produits de ferme</i>	Conseil national de commercialisation des produits de ferme <i>National Farm Products Marketing Council</i>
National Film Board <i>Office national du film</i>	Conseil national de l'esthétique industrielle <i>National Design Council</i>
National Library <i>Bibliothèque nationale</i>	Conseil national de recherches du Canada <i>National Research Council of Canada</i>
National Museums of Canada <i>Musées nationaux du Canada</i>	Construction de défense (1951) Limitée <i>Defence Construction (1951) Limited</i>
National Parole Board <i>Commission nationale des libérations conditionnelles</i>	Corporation commerciale canadienne <i>Canadian Commercial Corporation</i>
National Parole Service <i>Service national des libérations conditionnelles</i>	Corporation de disposition des biens de la Couronne <i>Crown Assets Disposal Corporation</i>
National Research Council of Canada <i>Conseil national de recherches du Canada</i>	Corporation du Centre national des Arts <i>National Arts Centre Corporation</i>
Natural Sciences and Engineering Research Council <i>Conseil de recherches en sciences naturelles et en génie</i>	Directeur de l'établissement de soldats <i>Director of Soldier Settlement</i>
Northern Canada Power Commission <i>Commission d'énergie du Nord canadien</i>	Directeur des terres destinées aux anciens combattants <i>The Director, The Veterans' Land Act</i>
Northern Pipeline Agency <i>Administration du pipe-line du Nord</i>	Gendarmerie royale du Canada <i>Royal Canadian Mounted Police</i>
Northwest Territories Water Board <i>Office des eaux des Territoires du Nord-Ouest</i>	Institut canadien pour la paix et la sécurité mondiales <i>Canadian Institute for International Peace and Security</i>
Office of the Auditor General of Canada <i>Bureau du vérificateur général du Canada</i>	
Office of the Chief Electoral Officer <i>Bureau du directeur général des élections</i>	

Office of the Commissioner of Official Languages <i>Bureau du commissaire aux langues officielles</i>	La Corporation du Pont international de la voie maritime, Ltée <i>The Seaway International Bridge Corporation, Ltd.</i>
Office of the Comptroller General <i>Bureau du contrôleur général</i>	Les Ponts Jacques-Cartier et Champlain Inc. <i>The Jacques-Cartier and Champlain Bridges Inc.</i>
Office of the Co-ordinator, Status of Women <i>Bureau de la coordonnatrice de la situation de la femme</i>	Monnaie royale canadienne <i>Royal Canadian Mint</i>
Office of the Correctional Investigator <i>Bureau de l'enquêteur correctionnel</i>	Musées nationaux du Canada <i>National Museums of Canada</i>
Office of the Custodian of Enemy Property <i>Bureau du séquestre (biens ennemis)</i>	Office canadien des provendes <i>Canadian Livestock Feed Board</i>
Pacific Pilotage Authority <i>Administration de pilotage du Pacifique</i>	Office canadien du poisson salé <i>Canadian Saltfish Corporation</i>
Pension Appeals Board <i>Commission d'appel des pensions</i>	Office de commercialisation du poisson d'eau douce <i>Freshwater Fish Marketing Corporation</i>
Pension Review Board <i>Conseil de révision des pensions</i>	Office de répartition des approvisionnements d'énergie <i>Energy Supplies Allocation Board</i>
Petroleum Compensation Board <i>Office des indemnités pétrolières</i>	Office des eaux des Territoires du Nord-Ouest <i>Northwest Territories Water Board</i>
Petroleum Monitoring Agency <i>Agence de surveillance du secteur pétrolier</i>	Office des eaux du territoire du Yukon <i>Yukon Territory Water Board</i>
Prairie Farm Assistance Administration <i>Administration de l'assistance à l'agriculture des Prairies</i>	Office des indemnités pétrolières <i>Petroleum Compensation Board</i>
Prairie Farm Rehabilitation Administration <i>Administration du rétablissement agricole des Prairies</i>	Office des normes du gouvernement canadien <i>Canadian Government Specifications Board</i>
Privy Council Office <i>Bureau du Conseil privé</i>	Office des prix des produits de la pêche <i>Fisheries Prices Support Board</i>
Public Archives <i>Archives publiques</i>	Office des produits agricoles <i>Agricultural Products Board</i>
Public Service Commission <i>Commission de la fonction publique</i>	Office de stabilisation des prix agricoles <i>Agricultural Stabilization Board</i>
Public Service Staff Relations Board <i>Commission des relations de travail dans la fonction publique</i>	Office national de l'énergie <i>National Energy Board</i>
Public Works Land Company Limited <i>Société immobilière des travaux publics limitée</i>	Office national du film <i>National Film Board</i>
Regional Development Incentives Board <i>Conseil des subventions au développement régional</i>	Secrétariat des relations fédérales-provinciales <i>Federal-Provincial Relations Office</i>
Restrictive Trade Practices Commission <i>Commission sur les pratiques restrictives du commerce</i>	Secrétariat du Conseil du Trésor <i>Treasury Board Secretariat</i>
Royal Canadian Mint <i>Monnaie royale canadienne</i>	Service canadien des pénitenciers <i>Canadian Penitentiary Service</i>
Royal Canadian Mounted Police <i>Gendarmerie royale du Canada</i>	Service canadien du renseignement de sécurité <i>Canadian Security Intelligence Service</i>
The St. Lawrence Seaway Authority <i>Administration de la voie maritime du Saint-Laurent</i>	Service national des libérations conditionnelles <i>National Parole Service</i>
Science Council of Canada <i>Conseil des sciences du Canada</i>	Société canadienne des brevets et d'exploitation Limitée <i>Canadian Patents and Development Limited</i>

The Seaway International Bridge Corporation, Ltd. <i>La Corporation du Pont international de la voie maritime, Ltée</i>	Société canadienne des ports <i>Canada Ports Corporation</i>
Social Sciences and Humanities Research Council <i>Conseil de recherches en sciences humaines</i>	Société canadienne des postes <i>Canada Post Corporation</i>
Standards Council of Canada <i>Conseil canadien des normes</i>	Société canadienne d'hypothèques et de logement <i>Canada Mortgage and Housing Corporation</i>
Statistics Canada <i>Statistique Canada</i>	Société d'assurance-dépôts du Canada <i>Canada Deposit Insurance Corporation</i>
Statute Revision Commission <i>Commission de révision des lois</i>	Société de développement de l'industrie cinématographique canadienne <i>Canadian Film Development Corporation</i>
Tariff Board <i>Commission du tarif</i>	Société du crédit agricole <i>Farm Credit Corporation</i>
Textile and Clothing Board <i>Commission du textile et du vêtement</i>	Société immobilière des travaux publics limitée <i>Public Works Land Company Limited</i>
Treasury Board Secretariat <i>Secrétariat du Conseil du Trésor</i>	Société pour l'expansion des exportations <i>Export Development Corporation</i>
Uranium Canada, Limited <i>Uranium Canada, Limitée</i>	Statistique Canada <i>Statistics Canada</i>
War Veterans Allowance Board <i>Commission des allocations aux anciens combattants</i>	Tribunal canadien des importations <i>Canadian Import Tribunal</i>
Yukon Territory Water Board <i>Office des eaux du territoire du Yukon</i>	Uranium Canada, Limitée <i>Uranium Canada, Limited</i>
1980-81-82-83, c. 111, Sch. II "Sch.", c. 121, s. 17; SOR/83-795; 1980-81-82-83, c. 165, s. 35, c. 167, s. 34, c. 168, s. 72; 1984, c. 21, s. 91, c. 25, s. 107, c. 37, s. 34.	1980-81-82-83, ch. 111, ann. II «ann.», ch. 121, art. 17; DORS/83-795; 1980-81-82-83, ch. 165, art. 35, ch. 167, art. 34, ch. 168, art. 72; 1984, ch. 21, art. 91, ch. 25, art. 107, ch. 37, art. 34, ch. 40, art. 79.

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R.S.C. 1985, Chap. P-21

Administered by the President of the Treasury Board and the Department of Justice

- Amended R.S.C. 1985, c. 22 (1st Supp.), s. 11
- Amended R.S.C. 1985, c. 27 (1st Supp.), s. 187
- Amended R.S.C. 1985, c. 44 (1st Supp.), s. 5
- Amended SOR/86-136, *Can. Gaz., Part II*, February 5, 1986
- Amended R.S.C. 1985, c. 8 (2nd Supp.), s. 27
- Amended R.S.C. 1985, c. 19 (2nd Supp.), s. 52
- Amended R.S.C. 1985, c. 20 (2nd Supp.), s. 13
- Amended R.S.C. 1985, c. 1 (3rd Supp.), s. 12(5)
- Amended R.S.C. 1985, c. 3 (3rd Supp.), s. 2
- Amended R.S.C. 1985, c. 18 (3rd Supp.), s. 39
- Amended R.S.C. 1985, c. 20 (3rd Supp.), s. 39
- Amended R.S.C. 1985, c. 24 (3rd Supp.), s. 53
- Amended R.S.C. 1985, c. 28 (3rd Supp.), s. 308
- Amended SOR/88-110, *Can. Gaz., Part II*, February 3, 1988
- Amended R.S.C. 1985, c. 1 (4th Supp.), s. 48
- Amended R.S.C. 1985, c. 7 (4th Supp.), s. 7
- Amended R.S.C. 1985, c. 10 (4th Supp.), s. 22
- Amended R.S.C. 1985, c. 11 (4th Supp.), s. 15
- Amended R.S.C. 1985, c. 21 (4th Supp.), s. 5
- Amended R.S.C. 1985, c. 28 (4th Supp.), s. 36
- Amended R.S.C. 1985, c. 31 (4th Supp.), s. 101
- Amended R.S.C. 1985, c. 41 (4th Supp.), s. 53
- Amended R.S.C. 1985, c. 47 (4th Supp.), s. 52
- Amended 1989, c. 3, s. 47; brought into force March 29, 1990 by SI/90-63, *Can. Gaz., Part II*, April 11, 1990
- Amended 1989, c. 27, s. 22; brought into force February 23, 1990 by SI/90-41, *Can. Gaz., Part II*, March 14, 1990
- Amended 1990, c. 1, s. 31; brought into force February 23, 1990 by SI/90-40, *Can. Gaz., Part II*, March 14, 1990
- Amended 1990, c. 3, s. 32; brought into force April 1, 1990 by SI/90-53, *Can. Gaz., Part II*, April 11, 1990 but P.C. 1990-249 of February 15, 1990 (SI/90-53) revoked by SI/90-62, *Can. Gaz., Part II*, April 11, 1990; brought into force July 1, 1990 by SI/90-86, *Can. Gaz., Part II*, August 18, 1990
- Amended 1990, c. 13, s. 25; brought into force December 14, 1990
- Amended SOR/90-326, *Can. Gaz., Part II*, June 20, 1990
- Amended SOR/90-345, *Can. Gaz., Part II*, July 4, 1990
- Amended 1991, c. 3, s. 12; brought into force April 21, 1991 by SI/91-58, *Can. Gaz., Part II*, May 8, 1991
- Amended 1991, c. 6, s. 24; brought into force September 9, 1991
- Amended 1991, c. 16, s. 23; brought into force December 1, 1991 by SI/91-158, *Can. Gaz., Part II*, December 4, 1991
- Amended 1991, c. 38, ss. 29 and 38; s. 29 brought into force November 26, 1991 by SI/91-161, *Can. Gaz., Part II*, December 18, 1991, s. 38 brought into force August 1, 1993
- Amended 1992, c. 1, ss. 114, 143 and 155; in force February 28, 1992
- Amended 1992, c. 21, ss. 34 to 37; brought into force October 1, 1992 by SI/92-126, *Can. Gaz., Part II*, July 15, 1992
- Amended 1992, c. 33, s. 70; brought into force May 9, 1995 by SI/95-61, *Can. Gaz., Part II*, May 31, 1995

Amended 1992, c. 37, s. 78; brought into force December 22, 1994 by SI/95-3, *Can. Gaz., Part II*, January 11, 1995

Amended 1993, c. 1, ss. 10, 20, 32 and 42; ss. 20 and 42 brought into force March 31, 1993; s. 32 brought into force March 15, 1993; s. 10 brought into force March 26, 1993
Amended 1993, c. 3, ss. 17 and 18; in force February 25, 1993

Amended 1993, c. 28, Sch. III, ss. 121 and 122; s. 121 brought into force November 27, 1997 by SI/97-136, *Can. Gaz., Part II*, December 10, 1997; s. 122 in force April 1, 1999
Amended 1993, c. 31, s. 26; brought into force April 28, 1994
Amended 1993, c. 34, ss. 104 and 148; in force June 23, 1993
Amended 1994, c. 26, ss. 56 to 58; in force June 23, 1994
Amended 1994, c. 31, s. 20; in force June 23, 1994

Amended 1994, c. 35, s. 39; brought into force February 14, 1995 by SI/95-19, *Can. Gaz., Part II*, February 22, 1995 (see s. 40)

Amended 1994, c. 38, ss. 21 and 22; brought into force January 12, 1995 by SI/95-9, *Can. Gaz., Part II*, January 25, 1995

Amended 1994, c. 41, ss. 29 and 30; brought into force January 12, 1995 by SI/95-10, *Can. Gaz., Part II*, January 25, 1995

Amended 1994, c. 43, s. 91; brought into force February 14, 1995 by SI/95-19, *Can. Gaz., Part II*, February 22, 1995

Amended 1995, c. 1, ss. 54 to 56; brought into force March 29, 1995 by SI/95-48, *Can. Gaz., Part II*, April 19, 1995

Amended 1995, c. 5, ss. 20 and 21; brought into force May 13, 1995 by SI/95-65, *Can. Gaz., Part II*, May 31, 1995

Amended 1995, c. 11, ss. 31 and 32; brought into force July 12, 1996 by SI/96-68

Amended 1995, c. 12, s. 11; brought into force July 25, 1995 by SI/95-80, *Can. Gaz., Part II*, August 9, 1995

Amended 1995, c. 18, ss. 89 and 90; brought into force September 15, 1995 by SI/95-108, *Can. Gaz., Part II*, October 4, 1995
Amended 1995, c. 28, ss. 54 and 55; in force July 13, 1995

Amended 1995, c. 29, ss. 15, 31, 35, 75 and 84; s. 84 deemed in force April 1, 1995; ss. 15, 31, 35 and 75 brought into force November 1, 1995 by SI/95-115, *Can. Gaz., Part II*, November 15, 1995

Amended 1995, c. 45, s. 24; brought into force March 1, 1996 by SI/96-23

Amended 1996, c. 6, ss. 27 and 28; brought into force July 12, 1996 by SI/96-69, *Can. Gaz., Part II*, July 24, 1996

Amended 1996, c. 9, s. 28; brought into force April 21, 1997 by SI/97-46, *Can. Gaz., Part II*, May 14, 1997

Amended 1996, c. 10, ss. 253 and 254; brought into force July 1, 1996 by SI/96-53, *Can. Gaz., Part II*, June 26, 1996

Amended 1996, c. 11, ss. 77 to 80; brought into force July 12, 1996 by SI/96-70, *Can. Gaz., Part II*, July 24, 1996

Amended 1996, c. 16, ss. 46 to 48; brought into force July 12, 1996 by SI/96-67, *Can. Gaz., Part II*, July 24, 1996
Amended SOR/96-357, *Can. Gaz., Part II*, July 9, 1996
Amended SOR/96-539, *Can. Gaz., Part II*, December 5, 1996

Amended 1997, c. 6, s. 84; brought into force April 1, 1997 by SI/97-37, *Can. Gaz., Part II*, April 16, 1997

Amended 1997, c. 9, ss. 112 and 113; brought into force May 31, 2000 by SI/2000-42, *Can. Gaz., Part II*, June 7, 2000
Amended 1997, c. 20, s. 55; in force January 1, 1997

Amended SOR/98-119, *Can. Gaz., Part II*, February 13, 1998; in force February 23, 1998
Amended SOR/98-150, *Can. Gaz., Part II*, March 12, 1998

- Amended 1998, c. 9, ss. 44 and 45; brought into force June 30, 1998 by SI/98-79, *Can. Gaz., Part II*, June 24, 1998
- Amended 1998, c. 10, ss. 190 to 194; ss. 191 and 193 brought into force October 1, 1998 by SI/98-88, *Can. Gaz., Part II*, September 16, 1998; s. 192 brought into force December 1, 1998 by SI/98-117, *Can. Gaz., Part II*, December 9, 1998; s. 194 (the references to the Halifax Port Authority, the Montreal Port Authority and the Vancouver Port Authority) brought into force March 1, 1999 by SI/99-15, *Can. Gaz., Part II*, March 3, 1999; s. 194 (other references) brought into force May 1, 1999 by SI/99-39, *Can. Gaz., Part II*, April 28, 1999; s. 194 (reference to the Toronto Port Authority) brought into force June 8, 1999 by SI/99-55, *Can. Gaz., Part II*, June 9, 1999; s. 190 brought into force November 1, 2000 by para. (i) of SI/2000-93, *Can. Gaz., Part II*, November 8, 2000; s. 194 (reference to the Hamilton Port Authority) brought into force May 1, 2001 by SI/2001-55, *Can. Gaz., Part II*, May 9, 2001 (in force provision under s. 205(1) amended by SI/98-131)
- Amended 1998, c. 25, s. 167; s. 167(1) brought into force December 22, 1998 by SI/99-1, *Can. Gaz., Part II*, January 6, 1999; s. 167(2) brought into force March 31, 2000 by SI/2000-17, *Can. Gaz., Part II*, March 29, 2000
- Amended 1998, c. 26, ss. 77 and 78; brought into force January 1, 1999 by SI/99-2, *Can. Gaz., Part II*, January 6, 1999
- Amended SOR/98-321, *Can. Gaz., Part II*, June 3, 1998; however, repealed by s. 2 of SOR/2001-144, *Can. Gaz., Part II*, April 11, 2001
- Amended SOR/98-567, *Can. Gaz., Part II*, November 19, 1998
- Amended 1998, c. 31, s. 57; brought into force December 21, 1999 by SI/99-4, *Can. Gaz., Part II*, January 6, 1999
- Amended 1998, c. 35, s. 123; as s. 123 pertains to the "Military Police Complaints Commission", brought into force December 1, 1999 by para. (a) of SI/99-134, *Can. Gaz., Part II*, December 8, 1999; as s. 123 pertains to the "Canadian Forces Grievance Board", brought into force March 1, 2000 by para. (b) of SI/99-134, *Can. Gaz., Part II*, December 8, 1999
- Amended 1999, c. 17, ss. 174 and 175; brought into force November 1, 1999 by SI/99-111, *Can. Gaz., Part II*, October 13, 1999
- Amended 1999, c. 31, ss. 177 and 178; in force June 17, 1999
- Amended SOR/99-62, *Can. Gaz., Part II*, July 7, 1999
- Amended SOR/99-63, *Can. Gaz., Part II*, July 7, 1999
- Amended SOR/2000-176, *Can. Gaz., Part II*, May 4, 2000
- Amended 2000, c. 7, s. 26; brought into force May 11, 2000 by SI/2000-38, *Can. Gaz., Part II*, May 24, 2000
- Amended 2000, c. 6, ss. 45 and 46; s. 46 brought into force June 7, 2000 by SI/2000-46, *Can. Gaz., Part II*, June 21, 2000; s. 45 brought into force May 31, 2001 by SI/2001-66, *Can. Gaz., Part II*, June 6, 2001
- Amended 2000, c. 17, s. 90; brought into force July 5, 2000 by SI/2000-55, *Can. Gaz., Part II*, July 19, 2000
- Amended 2000, c. 28, s. 50; brought into force January 2, 2001 by SI/2001-5, *Can. Gaz., Part II*, January 3, 2001
- Amended SOR/2001-144, *Can. Gaz., Part II*, April 11, 2001
- Amended SOR/2001-201, *Can. Gaz., Part II*, June 4, 2001; in force June 4, 2001 as provided by s. 2
- Amended 2001, c. 9, s. 590; brought into force October 24, 2001 by SI/2001-102, *Can. Gaz., Part II*, October 24, 2001
- Amended 2001, c. 22, ss. 18 and 19; in force June 14, 2001
- Amended SOR/2001-330, *Can. Gaz., Part II*, August 28, 2001; in force September 1, 2001, as provided by s. 3
- Amended 2001, c. 27, s. 269; brought into force June 28, 2002 by para. (g) of SI/2002-97, *Can. Gaz., Part II*, June 14, 2002

Amended 2001, c. 33, ss. 25 and 26; brought into force December 21, 2001 by SI/2002-15, *Can. Gaz., Part II*, January 2, 2002
Amended 2001, c. 34, ss. 16(f) and 78; in force December 18, 2001
Amended 2001, c. 41, s. 104; brought into force December 24, 2001 by SI/2002-16, *Can. Gaz., Part II*, January 2, 2002
Amended SOR/2002-44, *Can. Gaz., Part II*, January 15, 2002; in force January 15, 2002, as provided by s. 2
Amended SOR/2002-72, *Can. Gaz., Part II*, February 7, 2002; in force March 31, 2002, as provided by s. 2
Amended 2002, c. 7, ss. 227 and 228; s. 228 brought into force April 1, 2003 by SI/2003-48, *Can. Gaz., Part II*, April 9, 2003; s. 227 to come into force by order of the Governor in Council
Amended 2002, c. 8, ss. 159, 160, 182(1)(z.8) and 183(1)(s); brought into force July 2, 2003 by SI/2003-109, *Can. Gaz., Part II*, June 4, 2003
Amended SOR/2002-175, *Can. Gaz., Part II*, April 25, 2002; in force April 26, 2002 as provided by s. 2
Amended 2002, c. 10, s. 191; in force April 30, 2002
Amended 2002, c. 17, ss. 14(f) and 25; brought into force July 22, 2002 by SI/2002-105, *Can. Gaz., Part II*, July 31, 2002
Amended SOR/2002-292, *Can. Gaz., Part II*, August 6, 2002; in force August 6, 2002 as provided by s. 3
Amended SOR/2002-344, *Can. Gaz., Part II*, September 24, 2002, s. 1; in force September 24, 2002 as provided by s. 2
Amended SOR/2003-149, *Can. Gaz., Part II*, April 11, 2003, s. 1; in force April 14, 2003 as provided by s. 2
Amended 2003, c. 7, s. 129; in force May 13, 2003
Amended 2003, c. 22, ss. 189, 225(z.17), 248, 255 and 256; s. 248 brought into force November 20, 2003 by SI/2003-178, *Can. Gaz., Part II*, December 3, 2003; ss. 255 and 256 brought into force April, 1, 2004 by SI/2004-42, *Can. Gaz., Part II*, April 21, 2004; ss. 189 and 225(z.17) brought into force April 1, 2005 by para. (b) of SI/2005-24, *Can. Gaz., Part II*, April 6, 2005
Amended 2003, c. 23, s. 81; to come into force by order of the Governor in Council
Amended SOR/2003-422, *Can. Gaz., Part II*, December 12, 2003, s. 1; in force December 12, 2003 as provided by s. 2
Amended SOR/2003-427, *Can. Gaz., Part II*, December 12, 2003, s. 1; in force December 12, 2003 as provided by s. 2
Amended SOR/2003-434, *Can. Gaz., Part II*, December 12, 2003, s. 1; in force December 12, 2003 as provided by s. 2
Amended SOR/2003-439, *Can. Gaz., Part II*, December 12, 2003, s. 1; in force December 12, 2003 as provided by s. 2
Amended SOR/2004-23, *Can. Gaz., Part II*, February 16, 2004, s. 1; in force April 1, 2004 as provided by s. 2
Amended 2004, c. 2, s. 75; brought into force January 12, 2006 by SI/2005-42, *Can. Gaz., Part II*, May 18, 2005
Amended 2004, c. 7, s. 35; brought into force May 17, 2004 by SI/2004-52, *Can. Gaz., Part II*, June 2, 2004
Amended 2004, c. 11, ss. 37 to 41; brought into force May 21, 2004 by SI/2004-58, *Can. Gaz., Part II*, June 2, 2004
Amended 2004, c. 17, ss. 18 and 19; brought into force April 1, 2005, *Can. Gaz., Part II*, March 23, 2005
Amended SOR/2004-206, *Can. Gaz., Part II*, September 23, 2004, s. 1; in force September 24, 2004 as provided by s. 2

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- Amended 2005, c. 9, s. 152; brought into force April 1, 2006 by SI/2006-59, *Can. Gaz., Part II*, April 19, 2006
- Amended 2005, c. 10, ss. 30 and 31; brought into force April 4, 2005 by SI/2005-29, *Can. Gaz., Part II*, April 20, 2005
- Amended 2005, c. 27, s. 21; brought into force December 1, 2005 by SI/2005-117, *Can. Gaz., Part II*, November 30, 2005
- Amended 2005, c. 30, s. 90; brought into force October 3, 2005 by SI/2005-92, *Can. Gaz., Part II*, October 19, 2005
- Amended 2005, c. 34, ss. 72 to 74; brought into force October 5, 2005 by SI/2005-99, *Can. Gaz., Part II*, October 19, 2005
- Amended 2005, c. 35, s. 63; brought into force October 5, 2005, by SI/2005-97, *Can. Gaz., Part II*, October 19, 2005
- Amended SOR/2005-252, *Can. Gaz., Part II*, August 31, 2005, s. 1; in force August 31, 2005 as provided by s. 2
- Amended 2005, c. 38, s. 138(p); brought into force December 12, 2005 by SI/2005-119, *Can. Gaz., Part II*, December 14, 2005
- Amended 2005, c. 46, ss. 58 and 58.1; brought into force April 15, 2007 by SI/2007-43, *Can. Gaz., Part II*, April 4, 2007
- Amended SOR/2006-25, *Can. Gaz., Part II*, February 6, 2006, s. 1; in force February 6, 2006 as provided by s. 2
- Amended SOR/2006-29, *Can. Gaz., Part II*, February 6, 2006, s. 1; in force February 6, 2006 as provided by s. 2
- Amended SOR/2006-33, *Can. Gaz., Part II*, February 6, 2006, s. 1; in force February 6, 2006 as provided by s. 2
- Amended SOR/2006-71, *Can. Gaz., Part II*, May 3, 2006, s. 1; in force April 21, 2006
- Amended 2006, c. 4, s. 212; brought into force November 10, 2006 by SI/2006-132, *Can. Gaz., Part II*, November 15, 2006
- Amended SOR/2006-218, *Can. Gaz., Part II*, October 4, 2006, s. 1; in force September 21, 2006 as provided by s. 2
- Amended 2006, c. 9, ss. 97, 98, 118, 140, 181 to 184, 186 to 193 and 224; ss. 118, 140, 181(1), 182 (as it enacts s. 3.1 of the Act) and 224 in force December 12, 2006; s. 182 as it enacts s. 3.01 of the Act and ss. 184, 186, 187 and 189 brought into force March 1, 2007 by SI/2007-19, *Can. Gaz., Part II*, March 7, 2007; ss. 183 and 191 to 193 brought into force April 1, 2007 by SI/2007-20, *Can. Gaz., Part II*, March 7, 2007; ss. 181(2), 188 and 190 brought into force September 1, 2007 by SI/2007-39, *Can. Gaz., Part II*, April 4, 2007; ss. 97 and 98 brought into force July 2, 2008 by SI/2008-41, *Can. Gaz., Part II*, April 30, 2008
- Amended 2006, c. 10, ss. 33 and 34; brought into force November 22, 2007 by SI/2007-91, *Can. Gaz., Part II*, October 17, 2007
- Amended SOR/2007-216, *Can. Gaz., Part II*, September 27, 2007, s. 1; in force September 27, 2007 as provided by s. 2
- Amended SOR/2008-131, *Can. Gaz., Part II*, May 14, 2008, ss. 1 and 2; s. in force June 1, 2008; s. 2 to come into force June 1, 2013
- Amended SOR/2008-136, *Can. Gaz., Part II*, May 14, 2008, s. 1; in force June 1, 2008 as provided by s. 2
- Amended 2008, c. 9, ss. 10 and 11; brought into force August 10, 2008 by SI/2008-92, *Can. Gaz., Part II*, August 20, 2008
- Amended 2008, c. 22, s. 50; in force October 16, 2008
- Amended 2008, c. 28, s. 99; brought into force October 20, 2010 by SI/2010-77, *Can. Gaz., Part II*, October 27, 2010
- Amended 2008, c. 32, s. 30; brought into force April 3, 2009 by SI/2008-147, *Can. Gaz., Part II*, December 24, 2009
- Amended SOR/2009-175, *Can. Gaz., Part II*, June 24, 2009, s. 1; in force July 1, 2009 as provided by s. 2

Amended 2009, c. 18, s. 23; to come into force by order of the Governor in Council
Amended SOR/2009-244, *Can. Gaz., Part II*, September 2, 2009, s. 1; in force August
13, 2009 as provided by s. 2

Amended SOR/2009-249, *Can. Gaz., Part II*, September 2, 2009, s. 1; in force August
18, 2009 as provided by s. 2

Amended 2010, c. 7, ss. 9 and 10; to come into force by order of the Governor in
Council

Amended 2010, c. 12, s. 1677; to come into force by order of the Governor in Council

Generally

Dagg v. Canada (Minister of Finance), [1997] 2 S.C.R. 403, 148 D.L.R. (4th) 385, 132
F.T.R. 55n, 46 Admin. L.R. (2d) 155, 213 N.R. 161, revg [1995] 3 F.C. 199, 95
F.T.R. 158, 124 D.L.R. (4th) 553, 181 N.R. 139 (C.A), revg 70 F.T.R. 54, 22 Admin.
L.R. (2d) 171 (T.D).

The names, signatures and identification numbers of employees on departmental
sign-in logs are personal information. The *Access to Information Act* is not pre-eminent
over this Act as they are on equal footing.

1205273 Ontario Ltd. v. Canada (Customs and Revenue Agency), [2002] 1 C.T.C. 87,
2001 D.T.C. 5580 (F.C.T.D.).

There was no authorization without the taxpayer's consent in either this Act or the
Income Tax Act (Can.) which would enable the applicant to obtain information on a
taxpayer other than himself, without a taxpayer's consent.

Canada (Minister of Public Safety and Emergency Preparedness) v. Kahlon, [2006] 3
F.C.R. 493, 35 Admin. L.R. (4th) 213, 278 F.T.R. 254, 141 A.C.W.S. (3d) 816, 2005
FC 1000.

Order for disclosure made by the Refugee Protection Division.

Section 3

Definition "alternative format" new 1992, c. 21, s. 34:

**"alternative format", with respect to personal information, means a format that
allows a person with a sensory disability to read or listen to the personal
information;**

Definition "Court" amended 2002, c. 8, s. 183(1)(s) by replacing the expression
"Federal Court – Trial Division" with the expression "Federal Court".

Definition "designated Minister" replaced 2006, c. 9, s. 181(1):

**"designated Minister" means a person who is designated as the Minister under
subsection 3.1(1);**

Definition "government institution" replaced 2006, c. 9, s. 181(2):

"government institution" means

**(a) any department or ministry of state of the Government of Canada, or any
body or office, listed in the schedule, and**

**(b) any parent Crown corporation, and any wholly-owned subsidiary of such a
corporation, within the meaning of section 83 of the *Financial Administration Act*;**

Definition "head" replaced 2006, c. 9, s. 181(1):

"head", in respect of a government institution, means

(a) in the case of a department or ministry of state, the member of the Queen's Privy Council for Canada who presides over the department or ministry, or

(b) in any other case, either the person designated under subsection 3.1(2) to be the head of the institution for the purposes of this Act or, if no such person is designated, the chief executive officer of the institution, whatever their title;

Definition "sensory disability" new 1992, c. 21, s. 34:

"sensory disability" means a disability that relates to sight or hearing;

Definition "personal information" *Canada (Information Commissioner) v. Canada (Secretary of State for External Affairs)*, [1990] 1 F.C. 395, 64 D.L.R. (4th) 413, 28 C.P.R. (3d) 301, 32 F.T.R. 161 (T.D.).

Security classifications of positions are not exempt from disclosure pursuant to the *Access to Information Act* since they would constitute information about an individual that relates to services performed under the terms of a contract with the government.

Definition "personal information" *Dagg v. Canada (Minister of Finance)* (1993), 70 F.T.R. 54 (F.C.T.D.), revd [1995] 3 F.C. 199, 124 D.L.R. (4th) 553, 95 F.T.R. 158, 181 N.R. 139 (C.A.), revd [1997] 2 S.C.R. 403, 148 D.L.R. (4th) 385, 132 F.T.R. 55n, 46 Admin. L.R. (2d) 155, 213 N.R. 161.

The names, identification numbers and signatures of departmental employees on sign-in sheets for after-hours access to their workplace are not personal information within this section.

Definition "personal information" *Canada (Information Commissioner) v. Royal Canadian Mounted Police* (1999), 179 F.T.R. 75, 29 Admin. L.R. (3d) 177 (T.D.), affd [2001] 3 F.C. 70, 199 D.L.R. (4th) 309, 29 Admin. L.R. (3d) 193, 11 C.P.R. (4th) 336, 267 N.R. 163 (C.A.), revd [2003] 1 S.C.R. 66, 224 D.L.R. (4th) 1, 47 Admin. L.R. (3d) 1, 24 C.P.R. (4th) 129, 239 F.T.R. 315n, 301 N.R. 41.

The appellant requested disclosure of information pertaining to the employment history of four members of the RCMP. While the information requested constituted "personal information" under s. 3(b) of the Act it qualified as an exception to the exemption to disclosure of personal information under s. 3(j). So long as the information sought is directly related to the general characteristics associated with the position or functions held by the employee, the exception under s. 3(j) applies.

Definition "personal information" *Canada (Information Commissioner) v. Canada (Minister of Citizenship and Immigration)*, [2001] 3 F.C. 384, 33 Admin. L.R. (3d) 250, 202 F.T.R. 112 (T.D.), revd [2003] 1 F.C. 219, 1 Admin. L.R. (4th) 270, 21 C.P.R. (4th) 30, 228 F.T.R. 319n, 291 N.R. 236 (C.A.).

The expansive meaning of the term "personal information" makes it clear that the same information can be "personal" to more than one individual

Definition "personal information" *Van Den Bergh v. National Research Council Canada* (2003), 28 C.P.R. (4th) 257, 239 F.T.R. 299.

The National Research Council was obliged to disclose a list of employees to whom discretionary performance bonuses were awarded in 2000 as the information fell within an exception to personal information otherwise barred from disclosure. The exception related to discretionary financial benefits and fell within s. 3.

Definition "personal information" *Canada (Information Commissioner) v. Canada (Transportation Accident Investigation and Safety Board, Executive Director)* (2005), 40 C.P.R. (4th) 158, [2006] 1 F.C.R. 605, 271 F.T.R. 7, revd [2007] 1 F.C.R. 203, 267 D.L.R. (4th) 451, 49 C.P.R. (4th) 7 (F.C.A.), leave to appeal to

The definition of "personal information" must be given a generous interpretation and the enumeration which follows is not limitative but illustrative only. "Personal information" must be understood as equivalent to information falling within the individual's right of privacy. Privacy connotes concepts of intimacy, identity, dignity and integrity of the individual. Information which may have the effect of permitting or leading to the identification of a person or assist in determining how he or she has performed his or her task in a given situation does not thereby qualify as personal information.

Canada (Information Commissioner) v. Canada (Minister of National Defence), [2009] 2 F.C.R. 86, 87 Admin. L.R. (4th) 1, 326 F.T.R. 237, 168 A.C.W.S. (3d) 453, 2008 FC 766, [2008] F.C.J. No. 939 (QL), appeal allowed in part 178 A.C.W.S. (3d) 3, 2009 FCA 175, appeal allowed in part 178 A.C.W.S. (3d) 586, 2009 FCA 181, leave to appeal to S.C.C. granted [2009] 3 S.C.R. vii, 311 D.L.R. (4th) vii, 403 N.R. 398n.

The *Privacy Act* (Can.), should not be interpreted in a way that would include the Prime Minister within the scope of the Phrase "Officer of a government institution" as used in paragraph (j) of the definition of "personal information" in s. 3 of the Act.

Section 3.01

New 2006, c. 9, s. 182:

3.01 (1) For greater certainty, any provision of this Act that applies to a government institution that is a parent Crown corporation applies to any of its wholly-owned subsidiaries within the meaning of section 83 of the *Financial Administration Act*.

(2) For greater certainty, the Canadian Race Relations Foundation and the Public Sector Pension Investment Board are parent Crown corporations for the purposes of this Act.

Section 3.1

New, with heading 2006, c. 9, s. 182:

DESIGNATION

3.1 (1) The Governor in Council may designate a member of the Queen's Privy Council for Canada to be the Minister for the purposes of any provision of this Act.

(2) The Governor in Council may, by order, designate a person to be the head of a government institution, other than a department or ministry of state, for the purposes of this Act.

Section 8

Subsec. (2)(f) re-enacted 2004, c. 17, s. 18(1); replaced 2006, c. 10, s. 33:

(f) under an agreement or arrangement between the Government of Canada or an institution thereof and the government of a province, the council of the Westbank First Nation, the council of a participating First Nation – as defined in subsection 2(1) of the *First Nations Jurisdiction over Education in British Columbia Act* –, the government of a foreign state, an international organization of states or an international organization established by the governments of states, or any institution of any such government or organization, for the purpose of administering or enforcing any law or carrying out a lawful investigation;

Subsec. (2)(i) re-enacted R.S.C. 1985, c. 1 (3rd Supp.), s. 12(5); replaced 2004, c. 11, s. 37(1):

(i) to the Library and Archives of Canada for archival purposes;

Subsec. (2)(k) replaced 2000, c. 7, s. 26(1):

(k) to any aboriginal government, association of aboriginal people, Indian band, government institution or part thereof, or to any person acting on behalf of such government, association, band, institution or part thereof, for the purpose of researching or validating the claims, disputes or grievances of any of the aboriginal peoples of Canada;

Subsec. (3) re-enacted R.S.C. 1985, c. 1 (3rd Supp.), s. 12(5); replaced 2004, c. 11, s. 37(2):

(3) Subject to any other Act of Parliament, personal information under the custody or control of the Library and Archives of Canada that has been transferred there by a government institution for historical or archival purposes may be disclosed in accordance with the regulations to any person or body for research or statistical purposes.

Subsec. (6) amended R.S.C. 1985, c. 20 (2nd Supp.), s. 13 by striking out the word "or" at the end of para. (a), by adding the word "or" at the end of para. (b) and by enacting para. (c); amended 1994, c. 35, s. 39 by striking out the word "or" at the end of para. (b), by adding the word "or" at the end of para. (c) and by adding new para. (d):

(c) the Band, as defined in the *Sechelt Indian Band Self-Government Act*, chapter 27 of the Statutes of Canada, 1986, or

(d) a first nation named in Schedule II to the *Yukon First Nations Self-Government Act*.

Subsec. (7) enacted 2000, c. 7, s. 26(2); re-enacted 2004, c. 17, s. 18(2); re-enacted 2005, c. 1, s. 106; re-enacted 2005, c. 1, s. 109; amended 2005, c. 27, s. 21 (as this amendment was replaced 2005, c. 27, s. 25(1); in force August 4, 2005) by striking out the word "or" at the end of para. (b), by adding the word "or" at the end of para. (c) and by enacting para. (d); amended 2006, c. 33(2) by striking out the word "or" at the end of para. (c), by adding the word "or" at the end of para. (d) and by enacting para. (e); amended 2008, c. 32, s. 30 by striking out the word "or" at the end of para. (d), by adding the word "or" at the end of para. (e) and by adding para. (f); amended 2009, c. 18, s. 23 (to come into force by order of the Governor in Council):

(7) The expression "aboriginal government" in paragraph (2)(k) means

(a) Nisga'a Government, as defined in the *Nisga'a Final Agreement* given effect by the *Nisga'a Final Agreement Act*;

(b) the council of the Westbank First Nation;

(c) the Tlicho Government, as defined in section 2 of the *Tlicho Land Claims and Self-Government Act*;

(d) the Nunatsiavut Government, as defined in section 2 of the *Labrador Inuit Land Claims Agreement Act*;

(e) the council of a participating First Nation as defined in subsection 2(1) of the *First Nations Jurisdiction over Education in British Columbia Act*,

(f) the Tsawwassen Government, as defined in subsection 2(2) of the *Tsawwassen First Nation Final Agreement Act*.

Subsec. (8) new 2004, c. 17, s. 18(2):

(8) The expression council of the Westbank First Nation in paragraphs (2)(f) and (7)(b) means the council, as defined in the Westbank First Nation Self-Government Agreement given effect by the *Westbank First Nation Self-Government Act*.

Rafferty v. Power (1993), 15 C.P.C. (3d) 48 (B.C.S.C.).

Where another Act of Parliament provided for the release of information only if the Minister deemed release to be advisable, there is no power under this provision to compel the release.

Lord v. Matsqui Institution (1998), 76 A.C.W.S. (3d) 1039 (B.C.S.C.), revd 194 W.A.C. 105 (B.C.C.A.).

This Act does not establish that breach of its provisions give rise to tort.

AB v. Canada (Minister of Citizenship and Immigration), [2003] 1 F.C. 3, 41 Admin. L.R. (3d) 126, 20 C.P.R. (4th) 84, 23 Imm. L.R. (3d) 135 (T.D.).

The application was allowed and the CRDD's decision was set aside. The decision to disclose AB's personal information was unlawful in that the disclosure was for a purpose and to an extent not permitted under the Act. The proposed use was not a use consistent with the purpose for which the information was obtained in the first place such that the exemption in s. 8(2)(a) did not apply.

Subsec. (2) *Privacy Act (Can.), s. 8 and Customs Act (Can.), s. 108 (Re)*, [2001] 3 S.C.R. 905, 210 D.L.R. (4th) 279, 17 C.P.R. (4th) 417, 216 F.T.R. 262n, 280 N.R. 199 sub nom. *Privacy Commissioner (Can.) v. Canada (Attorney General)*.

This section permitted the disclosure of personal information to persons not connected to the disclosing institution and for purposes other than those for which the information was collected. Paragraph (b) gave the Minister wide discretion for disclosing information. The appeal was dismissed.

Section 10

Subsec. (2) re-enacted R.S.C. 1985, c. 1 (3rd Supp.), s. 12(5); replaced 2004, c. 11, s. 38:

(2) Subsection (1) does not apply in respect of personal information under the custody or control of the Library and Archives of Canada that has been transferred there by a government institution for historical or archival purposes.

Section 12

Amended 2001, c. 27, s. 269 by replacing subsec. (1):

12. (1) Subject to this Act, every individual who is a Canadian citizen or a permanent resident within the meaning of subsection 2(1) of the *Immigration and Refugee Protection Act* has a right to and shall, on request, be given access to

Subsec. (1)(b) *Canada (Privacy Commissioner) v. Canada (Labour Relations Board)* (2000), 25 Admin. L.R. (3d) 305, 2000 C.L.L.C. 220-037, 180 F.T.R. 313n, 257 N.R. 66 (F.C.A.).

Notes taken by administrative tribunal board members, not forming part of the official records of the board, are not information under the control of a government institution within this provision, and thus are exempt from disclosure.

Section 14

Murchison v. Export Development Canada (2009), 175 A.C.W.S. (3d) 260, 2009 FC 77.

The institution did not lose or waive the right to claim any exemption from disclosure on the basis that it failed to respond within the 30-day period provided for in ss. 14 and 16 of the Act. It would require clear and express language in the Act to find that personal information of others, government secrets and confidences, and documents subject to solicitor-client privilege, had to be disclosed merely because the institution failed to assert an exemption within the 30-day period. Considerations in play were simply too important to be forfeited through what might be inadvertence or delay on the part of the institution.

Section 15

Para. (b) replaced 1992, c. 21, s. 35:

(b) such period of time as is reasonable, if additional time is necessary for translation purposes or for the purposes of converting the personal information into an alternative format,

Section 16

Murchison v. Export Development Canada, supra, s. 14.

Section 17

Subsec. (3) new 1992, c. 21, s. 36:

(3) Where access to personal information is to be given under this Act and the individual to whom access is to be given has a sensory disability and requests that access be given in an alternative format, access shall be given in an alternative format if

(a) the personal information already exists under the control of a government institution in an alternative format that is acceptable to the individual; or

(b) the head of the government institution that has control of the personal information considers the giving of access in an alternative format to be necessary to enable the individual to exercise the individual's right of access under this Act and considers it reasonable to cause the personal information to be converted.

Section 19

Subsec. (1) amended 2004, c. 17, s. 19 by striking out the word "or" at the end of para. (c), by adding the word "or" at the end of para. (d) and by adding para (e); amended 2006, c. 10, s. 34 by striking out the word "or" at the end of para. (d), by adding the word "or" at the end of para. (e) and by adding para (f):

(The next page is P12-11)

(e) the council, as defined in the Westbank First Nation Self-Government Agreement given effect by the *Westbank First Nation Self-Government Act*; or

(f) the council of a participating First Nation as defined in subsection 2(1) of the *First Nations Jurisdiction over Education in British Columbia Act*.

Subsec. (2)(a) *Cemerlic v. Canada (Solicitor General)* (2003), 24 C.P.R. (4th) 514, 228 F.T.R. 1 (T.D.).

The CSIS did not establish protocol for release of personal information. The CSIS could not merely assert that information was received in confidence from foreign government to meet obligations under this section.

Section 22

Amended 2005, c. 46, s. 58 (to come into force by order of the Governor in Council); however, not yet in force and 2005, c. 46, s. 58 re-enacted so that s. 58 no longer amends this section.

Subsec. (1)(a) *Maydak v. Canada (Solicitor General)* (2004), 133 A.C.W.S. (3d) 380 (F.C.), rev'd 255 D.L.R. (4th) 64, 337 N.R. 249 *sub nom. Canada (Minister of Public Safety and Emergency Preparedness) v. Maydak* (F.C.A.).

The word "investigation" must be given broad meaning. The R.C.M.P.'s activities, which consisted in monitoring the respondent's progress throughout the extradition process and gathering information regarding that process, constitutes an investigation within the meaning of this subsec. (1)(a).

Subsec. (1)(b) *Lavigne v. Canada (Office of the Commissioner of Official Languages)* (1998), 157 F.T.R. 15 (T.D.), aff'd 186 F.T.R. 160n, 261 N.R. 19 (F.C.A.), aff'd [2002] 2 S.C.R. 773, 214 D.L.R. (4th) 1, 228 F.T.R. 319n, 289 N.R. 282.

This provision, which exempted from disclosure personal information, disclosure of which could be reasonably injurious to conduct of lawful investigation, ceased to apply once the investigation in question was over.

The protection of this provision relates to pending investigations, and does not justify non-disclosure in respect of an investigation which has been concluded.

Subsec. (1)(b) *Ruby v. Canada (Solicitor General); Ruby v. Royal Canadian Mounted Police* (1994), 22 C.R.R. (2d) 324, 80 F.T.R. 81 (F.C.T.D.), [1996] 3 F.C. 134, 136 D.L.R. (4th) 74, 113 F.T.R. 13 (F.C.T.D.), [1998] 2 F.C. 351, 11 Admin. L.R. (3d) 132, 140 F.T.R. 42 (F.C.T.D.), appeal allowed in part [2000] 3 F.C. 589, 187 D.L.R. (4th) 675, 42 Admin. L.R. (3d) 214, 6 C.P.R. (4th) 289, 184 F.T.R. 159n, 256 N.R. 278 (F.C.A.), appeal allowed in part [2002] 4 S.C.R. 3, 219 D.L.R. (4th) 385, 49 Admin. L.R. (3d) 1, 22 C.P.R. (4th) 289, 7 C.R. (6th) 88, 99 C.R.R. (2d) 324, 295 N.R. 353 (S.C.C.).

The second judge of first instance was correct in holding that s. 22(1)(b) applies to investigations in general and that CSIS had established a reasonable expectation of probable injury to investigations in general.

Section 22.1

New 2006, c. 9, s. 183:

22.1 (1) The Privacy Commissioner shall refuse to disclose any personal information requested under this Act that was obtained or created by the Commissioner or on the Commissioner's behalf in the course of an investigation conducted by, or under the authority of, the Commissioner.

(2) However, the Commissioner shall not refuse under subsection (1) to disclose any personal information that was created by the Commissioner or on the Commissioner's behalf in the course of an investigation conducted by, or under the authority of, the Commissioner once the investigation and all related proceedings, if any, are finally concluded.

Section 22.2

New 2005, c. 46, s. 58, itself re-enacted by 2006, c. 9, s. 224:

22.2 The Public Sector Integrity Commissioner shall refuse to disclose any personal information requested under subsection 12(1) that was obtained or created by him or her or on his or her behalf in the course of an investigation into a disclosure made under the *Public Servants Disclosure Protection Act* or an investigation commenced under section 33 of that Act.

Section 22.3

New 2005, c. 46, s. 58, itself re-enacted by 2006, c. 9, s. 224:

22.3 The head of a government institution shall refuse to disclose personal information requested under subsection 12(1) that was created for the purpose of making a disclosure under the *Public Servants Disclosure Protection Act* or in the course of an investigation into a disclosure under that Act.

Section 24

Amended 1994, c. 26, s. 56 by replacing the portion before para. (b):

24. The head of a government institution may refuse to disclose any personal information requested under subsection 12(1) that was collected or obtained by the Correctional Service of Canada or the National Parole Board while the individual who made the request was under sentence for an offence against any Act of Parliament, if the disclosure could reasonably be expected to

(a) lead to a serious disruption of the individual's institutional, parole or statutory release program; or

Section 26

Gardiner v. Canada (Attorney General) (2004), 250 F.T.R. 131 (F.C.).

This section prevented the disclosure of personal information of a third party without his consent unless a privacy concern was outweighed by public interest.

Section 27

Gauthier v. Canada (Minister of Justice) (2004), 14 Admin. L.R. (4th) 106, 252 F.T.R. 81 (F.C.).

The term "solicitor-client" privilege is not defined. The common law principles of this term should be applied.

Section 29

Amended 1992, c. 21, s. 37 by adding subsec. (1)(e.1):

(e.1) from individuals who have not been given access to personal information in an alternative format pursuant to a request made under subsection 17(3);

Section 34

Amended R.S.C. 1985, c. 27 (1st Supp.), s. 187 by replacing subsec. (3):

(3) Except in a prosecution of a person for an offence under section 131 of the *Criminal Code* (perjury) in respect of a statement made under this Act, in a prosecution for an offence under this Act or in a review before the Court under this Act or an appeal therefrom, evidence given by a person in proceedings under this Act and evidence of the existence of the proceedings is inadmissible against that person in a court or in any other proceedings.

Moar v. Canada (Privacy Commissioner), [1992] 1 F.C. 501, 2 Admin. L.R. (2d) 59, 45 F.T.R. 57 (T.D.).

Since the Privacy Commissioner's decision to uphold a refusal to disclose information is an integral part of the scheme of the Act, and triggers an application to the court, the Commissioner can properly be a respondent on such application.

Section 35

Murdoch v. Royal Canadian Mounted Police, [2005] 4 F.C.R. 340, 271 F.T.R. 278.

The Privacy Commissioner only had limited power to remedy breaches of the Act, as outlined in ss. 35 and 37. The proper reading of the Act and especially s. 35 made it clear that the legislator wanted the Privacy Commissioner to be limited to power of recommendation and no more.

Section 41

Galipeau v. Canada (Attorney General) (2003), 124 A.C.W.S. (3d) 617 (F.C.A.), leave to appeal to S.C.C. refused 325 N.R. 395n.

The power to intervene that is given to the court in s. 48 is in sequence with the remedy provided in s. 41. It is limited to ordering the disclosure of information that had been requested. It did not extend to destroying that information.

Section 44

Amended 2002, c. 8, s. 182(1)(z.8) by replacing the expression "*Federal Court Act*" with the expression "*Federal Courts Act*".

Section 46

Amended 2006, c. 9, s. 184 by replacing subsec. (2):

(2) The Court may disclose to the appropriate authority information relating to the commission of an offence against a law of Canada or a province by a director, an officer or an employee of a government institution if, in the Court's opinion, there is evidence of such an offence.

Subsec. (2) *Gardiner v. Canada (Attorney General)*, (2004), 250 F.T.R. 131 (F.C.).

This section did not permit collateral or abusive attacks. It merely permitted the court to report offences if discovered in the course of *ex parte* or *in camera* hearings conducted under the authority of s. 46(1).

Section 48

Kelly v. Canada (Solicitor General) (1992), 6 Admin. L.R. (2d) 54, 53 F.T.R. 147 (T.D.), affd 13 Admin. L.R. (2d) 304, 63 F.T.R. 188n, 154 N.R. 319 (C.A.).

In reviewing the decision of an institution head under ss. 24 to 26, the court should show deference to the factual decision as to whether the material is within these provisions, and should then determine whether the discretion as to whether to order disclosure was properly exercised.

Galipeau v. Canada (Attorney General) (2003), 124 A.C.W.S. (3d) 617 (F.C.A.), leave to appeal to S.C.C. refused 325 N.R. 395n, see s. 41 *supra*.

Section 51

Amended 2002, c. 8, s. 159 by replacing subsec. (1):

51. (1) Any application under section 41 or 42 relating to personal information that the head of a government institution has refused to disclose by reason of paragraph 19(1)(a) or (b) or section 21, and any application under section 43 in respect of a file contained in a personal information bank designated as an exempt bank under section 18 to contain files all of which consist predominantly of personal information described in section 21, shall be heard and determined by the Chief Justice of the Federal Court or by any other judge of the Court that the Chief Justice may designate to hear the applications.

Subsec. (1)(b) *Ruby v. Canada (Solicitor General); Ruby v. Royal Canadian Mounted Police* (1994), 22 C.R.R. (2d) 324, 80 F.T.R. 81 (T.D.), [1996] 3 F.C. 134, 136 D.L.R. (4th) 74, 113 F.T.R. 13 (F.C.T.D.), [1998] 2 F.C. 351, 11 Admin. L.R. (3d) 132, 140 F.T.R. 42 (T.D.), appeal allowed in part [2000] 3 F.C. 589, 187 D.L.R. (4th) 675, 42 Admin. L.R. (3d) 214, 6 C.P.R. (4th) 289, 184 F.T.R. 159n, 256 N.R. 278 (F.C.A.), appeal allowed in part [2002] 4 S.C.R. 3, 219 D.L.R. (4th) 385, 49 Admin. L.R. (3d) 1, 22 C.P.R. (4th) 289, 7 C.R. (6th) 88, 99 C.R.R. (2d) 324, 295 N.R. 353.

The mandatory nature of this provision infringes on the applicant's right to freedom of expression as guaranteed by s. 2(b) of the *Constitution Act, 1982*. The remedy for this infringement is to read down s. 51(2)(a) so that only *ex parte* submissions must be conducted *in camera*. The remainder of the hearings, or parts of them, can then be conducted in public, *in camera* or *in camera* and *ex parte*, in accordance with the discretion of the reviewing court.

Section 53

Amended 2006, c. 9, s. 118(1) and (2), as to subsec. (1) by replacing subssecs. (1) and (2) and as to subsec. (2) by replacing subsec. (4):

53. (1) The Governor in Council shall, by commission under the Great Seal, appoint a Privacy Commissioner after consultation with the leader of every recognized party in the Senate and House of Commons and approval of the appointment by resolution of the Senate and House of Commons.

(2) Subject to this section, the Privacy Commissioner holds office during good behaviour for a term of seven years, but may be removed for cause by the Governor in Council at any time on address of the Senate and House of Commons.

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(4) In the event of the absence or incapacity of the Privacy Commissioner, or if that office is vacant, the Governor in Council may appoint any qualified person to hold that office in the interim for a term not exceeding six months, and that person shall, while holding office, be paid the salary or other remuneration and expenses that may be fixed by the Governor in Council.

Section 54

Amended 2002, c. 8, s. 160 by replacing subsec. (2); amended 2003, c. 22, s. 225(z.17) by replacing the expression "Public Service" with the expression "public service", other than in the expressions "Public Service corporation", "*Public Service Employment Act*", "Public Service Pension Fund" and "*Public Service Superannuation Act*" in subsec. (3):

(2) The Privacy Commissioner shall be paid a salary equal to the salary of a judge of the Federal Court, other than the Chief Justice, and is entitled to be paid reasonable travel and living expenses incurred in the performance of duties under this Act or any other Act of Parliament

Section 64

Amended R.S.C. 1985, c. 27 (1st Supp.), s. 187 by replacing subsec. (1)(b); amended 2006, c. 9, s. 186 by replacing subsec. (2):

(1)(b) in the course of a prosecution for an offence under this Act, a prosecution for an offence under section 131 of the *Criminal Code* (perjury) in respect of a statement made under this Act, a review before the Court under this Act or an appeal therefrom.

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(2) The Privacy Commissioner may disclose to the Attorney General of Canada information relating to the commission of an offence against a law of Canada or a province by a director, an officer or an employee of a government institution if, in the Commissioner's opinion, there is evidence of such an offence.

Section 66

Replaced R.S.C. 1985, c. 27 (1st Supp.), s. 187:

66. The Privacy Commissioner or any person acting on behalf or under the direction of the Commissioner is not a competent or compellable witness, in respect of any matter coming to the knowledge of the Commissioner or that person as a result of performing any duties or functions under this Act during an investigation, in any proceeding other than a prosecution for an offence under this Act, a prosecution for an offence under section 131 of the *Criminal Code* (perjury) in respect of a statement made under this Act, a review before the Court under this Act or an appeal therefrom.

Section 69

Amended R.S.C. 1985, c. 1 (3rd Supp.), s. 12(5) by re-enacting subsec. (1)(b); amended 1990, c. 3, s. 32 by re-enacting subsec. (1)(b); amended 1992, c. 1, s. 143 by replacing subsec. (1)(a); amended 2004, c. 11, s. 39 by re-enacting subsec. (1)(b); amended 2006, c. 9, s. 187 by replacing the heading before the section; amended 2008, c. 9, s. 10 by replacing subsec. (1)(b):

EXCLUSIONS

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(a) library or museum material preserved solely for public reference or exhibition purposes; or

(b) material placed in the Library and Archives of Canada, the National Gallery of Canada, the Canadian Museum of Civilization, the Canadian Museum of Nature, the National Museum of Science and Technology or the Canadian Museum

for Human Rights by or on behalf of persons or organizations other than government institutions.

Section 69.1

New 2006, c. 9, s. 188:

69.1 This Act does not apply to personal information that the Canadian Broadcasting Corporation collects, uses or discloses for journalistic, artistic or literary purposes and does not collect, use or disclose for any other purpose.

Section 70.1

New 2001, c. 41, s. 104:

70.1 (1) Where a certificate under section 38.13 of the *Canada Evidence Act* prohibiting the disclosure of personal information of a specific individual is issued before a complaint is filed by that individual under this Act in respect of a request for access to that information, the provisions of this Act respecting that individual's right of access to his or her personal information do not apply to the information that is subject to the certificate.

(2) Notwithstanding any other provision of this Act, where a certificate under section 38.13 of the *Canada Evidence Act* prohibiting the disclosure of personal information of a specific individual is issued in respect of personal information after the filing of a complaint under this Act in relation to a request for access to that information,

(a) all proceedings under this Act in respect of that information, including an investigation, audit, appeal or judicial review, are discontinued;

(b) the Privacy Commissioner shall not disclose the information and shall take all necessary precautions to prevent its disclosure; and

(c) the Privacy Commissioner shall, within 10 days after the certificate is published in the *Canada Gazette*, return the information to the head of the government institution that controls the information.

(3) The Privacy Commissioner and every person acting on behalf or under the direction of the Privacy Commissioner, in carrying out their functions under this Act, shall not disclose information subject to a certificate issued under section 38.13 of the *Canada Evidence Act* and shall take every reasonable precaution to avoid the disclosure of that information.

(4) The Privacy Commissioner may not, nor may an Assistant Privacy Commissioner, delegate the investigation of any complaint respecting information subject to a certificate issued under section 38.13 of the *Canada Evidence Act* except to one of a maximum of four officers or employees of the Commissioner specifically designated by the Commissioner for the purpose of conducting that investigation.

Section 71

Amended 2006, c. 9, s. 189 by adding the heading before the section:

GENERAL

Schedule

Amended R.S.C. 1985, c.22 (1st Supp.), s. 11 by deleting the reference to "Crown Assets Disposal Corporation".

Amended R.S.C. 1985, c. 44 (1st Supp.), s. 5 by deleting the reference to "Uranium Canada Limited".

Amended SOR/86-136, *Can. Gaz., Part II*, February 5, 1986 by adding immediately after the reference to "Office of the Custodian of Enemy Property" under the heading "Other Government Institutions", a reference to "Office of the Inspector General of the Canadian Security Intelligence Service" and by adding, immediately after the reference to "Science Council of Canada", a reference to "Security Intelligence Review Committee".

Amended R.S.C. 1985, c. 8 (2nd Supp.), s. 52 by deleting the reference to "Other Government Institutions", references to "Royal Canadian Mounted Police External Review Committee" and "Royal Canadian Mounted Police Public Complaints Commission".

Amended R.S.C. 1985, c. 19 (2nd Supp.), s. 52 by deleting the reference to "Restrictive Trade Practices Commission" and by adding, under the heading "Other Government Institutions", a reference to "Office of the Director of Investigation and Research".

Amended R.S.C. 1985, c. 1 (3rd Supp.), s. 12(5) by deleting the reference to "Public Archives" and by adding, under the heading "Other Government Institutions", a reference to "National Archives of Canada".

Amended R.S.C. 1985, c. 3 (3rd Supp.), s. 2 by adding "Canada-Newfoundland Offshore Petroleum Board" under the heading "Other Government Institutions".

Amended R.S.C. 1985, c. 18 (3rd Supp.), s. 39 by adding "Office of the Superintendent of Financial Institutions" under the heading "Departments and Ministries of State".

Amended R.S.C. 1985, c. 20 (3rd Supp.), s. 39 by deleting "Pension Review Board" and "War Veterans Allowance Board" and by adding "Veterans Appeal Board" all under the heading "Other Government Institutions".

Amended R.S.C. 1985, c. 24 (3rd Supp.), s. 53 by adding "Hazardous Materials Information Review Commission" under the heading "Other Government Institutions".

(The next page is P12-17)

Amended R.S.C. 1985, c. 28 (3rd Supp.), s. 308(1) and (2), as to subsec. (1) by deleting the reference to "Canadian Transport Commission", as to subsec. (2) by adding "National Transportation Agency" under the heading "Other Government Institutions".

Amended by SOR/88-110, *Can. Gaz., Part II*, February 3, 1988 by adding "Fisheries and Oceans Research Advisory Council" and "Office of Privatization and Regulatory Affairs" under the heading "Other Government Institutions".

Amended R.S.C. 1985, c. 1 (4th Supp.), s. 48(1) and (2), as to subsec. (1) by striking out "Ministry of State for Economic and Regional Development" and "Ministry of State for Social Development" under the heading "Departments and Ministries of State", as to subsec. (2) by striking out "Foreign Investment Review Agency" and "National Design Council" under the heading "Other Government Institutions".

Amended R.S.C. 1985, c. 7 (4th Supp.), s. 7 by deleting "Northern Canada Power Commission" under the heading "Other Government Institutions".

Amended R.S.C. 1985, c. 10 (4th Supp.), s. 22 by adding "Copyright Board" under the heading "Other Government Institutions".

Amended R.S.C. 1985, c. 11 (4th Supp.), s. 15 by adding "Department of Western Economic Diversification" under the heading "Departments and Ministries of State".

Amended R.S.C. 1985, c. 21 (4th Supp.), s. 5 (proclaimed in force December 22, 1989) by adding "Canada-Nova Scotia Offshore Petroleum Board" under the heading "Other Government Institutions".

Amended R.S.C. 1985, c. 31 (4th Supp.), s. 101(1) and (2), as to subsec. (1) by deleting "Office of the Commissioner of Official Languages", as to subsec. (2) by adding "Office of the Commissioner of Official Languages" under the heading "Other Government Institutions".

Amended R.S.C. 1985, c. 41 (4th Supp.), s. 53 by adding "Atlantic Canada Opportunities Agency" under the heading "Other Government Institutions".

Amended R.S.C. 1985, c. 47 (4th Supp.), s. 52 by deleting "Canadian Import Tribunal", "Tariff Board", "Textile and Clothing Board" and adding "Canadian International Trade Tribunal" all under the heading "Other Government Institutions".

Amended 1989, c. 3, s. 47(1) and (2), as to subsec. (1) by "Canadian Aviation Safety Board" under the heading "Other Government Institutions", as to subsec. (2) by adding "Canadian Transportation Accident Investigation and Safety Board" under the heading "Other Government Institutions".

Amended 1989, c. 27, s. 22 by adding "Department of Forestry" under the heading "Departments and Ministries of State".

Amended 1990, c. 1, s. 31(1) and (2), as to subsec. (1) by striking out "Department of Regional Industrial Expansion" and "Ministry of State for Science and Technology" under the heading "Departments and Ministries of State", as to subsec. (2) by adding "Department of Industry, Science and Technology" under the heading "Departments and Ministries of State".

Amended SOR/90-326, *Can. Gaz., Part II*, June 20, 1990 by adding "International Centre for Human Rights and Democratic Development" under the heading "Other Government Institutions".y" under the heading "Departments and Ministries of State".

Amended SOR/90-345, *Can. Gaz., Part II*, July 4, 1990 by adding "Patented Medicine Prices Review Board" under the heading "Other Government Institutions".

Amended 1990, c. 3, s. 32 by deleting "National Museums of Canada" and by adding "Canadian Museum of Civilization, Canadian Museum of Nature, National of Canada,

national Museum of Science and Technology" under the heading "Other Government Institutions".

Amended 1990, c. 13, s. 25 by adding "Canadian Space Agency" under the heading "Other Government Institutions".

Amended 1991, c. 3, s. 12 by "Department of Multiculturalism and Citizenship" under the heading "Departments and Ministries of State".

Amended SOR/91-592, *Can. Gaz., Part II*, November 6, 1991 by adding "Procurement Review Board of Canada" under the heading "Other Government Institutions".

Amended 1991, c. 6, s. 24 by adding "Canadian Polar Commission" under the heading "Other Government Institutions".

Amended 1991, c. 16, s. 23 by adding "Canadian Centre for Management Development" under the heading "Other Government Institutions".

Amended 1991, c. 38, s. 29 by deleting "Canadian Livestock Feed Board" under the heading "Other Government Institutions".

Amended 1991, c. 38, s. 38 by deleting "Canadian Patents and Development Limited" under the heading "Other Government Institutions".

Amended 1992, c. 1, s. 114(1) and (2), as to subsec. (1) by striking out "Office of the Superintendent of Financial Institutions" under the heading "Departments and Ministries of State", as to subsec. (2) by adding "Office of the Superintendent of Financial Institutions" under the heading "Other Government Institutions".

Amended 1992, c. 1, s. 155(1) and (2), as to subsec. (1) by striking out "Department of Insurance" under the heading "Departments and Ministries of State", as to subsec. (2) by striking out "Canadian Unity Information Office", "Office of the Director of Investigation and Research" and "Prairie Farm Assistance Administration" under the heading "Other Government Institutions".

Amended 1992, c. 33, s. 70 by adding "Canadian Artists and Producers Professional Relations Tribunal" under the heading "Other Government Institutions".

Amended 1992, c. 37, s. 78 by adding "Canadian Environmental Assessment Agency" under the heading "Other Government Institutions".

Amended 1993, c. 1, ss. 10, 20, 32 and 42, as to s. 10 by striking out "Canadian Institute for International Peace and Security", as to s. 20 by striking out "Economic Council of Canada", as to s. 32 by striking out "Law Reform Commission of Canada", as to s. 42 by striking out "Science Council of Canada", all under the heading "Other Government Institutions".

Amended 1993, c. 3, ss. 17 and 18, as to s. 17 by striking out "National Farm Products Marketing Council", as to s. 18 by adding "National Farm Products Council", both under the heading "Other Government Institutions".

Amended 1993, c. 28, Sch. III, ss. 121 and 122; as to s. 121 by adding "Office of the Interim Commissioner of Nunavut" under the heading "Other Government Institutions"; as to s. 122 by striking out the reference to "Office of the Interim Commissioner of Nunavut" under the heading "Other Government Institutions".

Amended 1993, c. 31, s. 26 by adding "National Round Table on the Environment and the Economy" under the heading "Other Government Institutions".

Amended 1993, c. 34, s. 104(1) and (2) by striking out and replacing "Canada Labour Relations Board" under the heading "Other Government Institutions".

Amended 1993, c. 34, s. 148 by deleting "Agricultural Stabilization Board", "Bilingual Districts Advisory Board", "Federal Mortgage Exchange Corporation" and "Metric Commission", all under the heading "Other Government Institutions".

Amended 1994, c. 26, ss. 57 and 58, as to s. 57 by striking out "Canadian Penitentiary Service", "National Parole Service" and "Office of the Correctional Investigator" under the heading "Other Government Institutions" and as to s. 58 by adding "Correctional Service of Canada" and "Office of the Correctional Investigator of Canada" under the heading "Other Government Institutions".

Amended 1994, c. 31, s. 20 by adding "Department of Citizenship and Immigration" under the heading "Departments and Ministries of State".

Amended 1994, c. 41, ss. 29 and 30, as to s. 29 by striking out "Department of Energy, Mines and Resources" and "Department of Forestry", both under the heading "Departments and Ministries of State", and as to s. 30 by adding "Department of Natural Resources" under the heading "Departments and Ministries of State".

Amended 1994, c. 43, s. 91 by adding "Yukon Surface Rights Board" under the heading "Other Government Institutions".

Amended 1995, c. 1, ss. 54 to 56, as to s. 54 by striking out "Department of Industry, Science and Technology" under the heading "Departments and Ministries of State", as to s. 55 by adding "Department of Industry" under the heading "Departments and Industries of State", and as to s. 56 by striking out "Investment Canada" under the heading "Other Government Institutions".

Amended 1995, c. 5, ss. 20 and 21, as to s. 20 by striking out "Department of External Affairs" and as to s. 21 by adding "Department of Foreign Affairs and International Trade" both under the heading "Departments and Ministries of State".

Amended 1995, c. 11, ss. 31 and 32 by striking out "Department of Communications" and "Department of Multiculturalism and Citizenship" and adding "Department of Canadian Heritage", all under the heading "Departments and Ministries of State".

Amended 1995, c. 12, s. 11 by adding "Ethics Counsellor" under the heading "Other Government Institutions".

Amended 1995, c. 18, ss. 89 and 90, as to s. 89 by striking out "Bureau of Pensions Advocates", "Canadian Pension Commission" and "Veterans Appeal Board", all under the heading "Other Government Institutions" and as to s. 90 by adding "Veterans Review and Appeal Board" under the heading "Other Government Institutions".

Amended 1995, c. 28, s. 54 and 55, as to s. 54 by striking out "Federal Business Development Bank" under the heading "Other Government Institutions" and as to s. 55 by adding "Business Development Bank of Canada" under the heading "Other Government Institutions".

Amended 1995, c. 29, ss. 15, 31, 35, 75 and 84; as to s. 15 by striking out "Procurement Review Board of Canada", as to s. 31 by striking out "Emergency Preparedness Canada", as to s. 35 by striking out "Fisheries and Oceans Research Advisory Council" as to s. 75 by striking out "Board of Trustees of the Queen Elizabeth II Canadian Fund to Aid in Research on the Diseases of Children", as to s. 84 by striking out "Canadian Saltfish Corporation", all under the heading "Other Government Institutions".

Amended 1995, c. 45, s. 24 by adding the phrase "British Columbia Treaty Commission" under the heading "Other Government Institutions".

Amended 1990, c. 8, ss. 27 and 28 by striking out "Department of Consumer and Corporate Affairs" and "Department of National Health and Welfare" and adding "Department of Health", all under the heading "Departments and Ministries of State".

Amended 1996, c. 9, s. 28 by adding a reference to the "Law Commission of Canada" under the heading "Other Government Institutions".

Amended 1996, c. 10, ss. 253 and 254 by striking out "National Transportation Agency" and adding "Canadian Transportation Agency", both under the heading "Other Government Institutions".

Amended 1996, c. 11, ss. 77 to 80 by striking out the references to "Department of Employment and Immigration", "Department of Labour" and "Department of the Secretary of State of Canada" under the heading "Departments and Ministries of State" and "Canada Employment and Immigration Commission" under the heading "Other Government Institutions", and by adding "Department of Human Resources Development" under the heading "Departments and Ministries of State" and "Canada Employment Insurance Commission" under the heading "Other Government Institutions".

Amended SOR/96-356, *Can. Gaz., Part II*, July 9, 1996 by adding a reference to "Canada Information Office" under the heading "Other Government Institutions".

Amended 1996, c. 16, ss. 46 to 48 by striking out the references to the "Department of Public Works" and "Department of Supply and Services" and adding a reference to the "Department of Public Works and Government Services" all under the heading "Departments and Ministries of State" and by striking out the reference to the "Office of the Custodian of Enemy Property" under the heading "Other Government Institutions".

Amended SOR/96-539, *Can. Gaz., Part II*, December 5, 1996 by adding "Human Rights Tribunal Panel" under the heading "Other Government Institutions".

Amended 1997, c. 6, s. 84 by adding "Canadian Food Inspection Agency" under the heading "Other Government Institutions".

Amended 1997, c. 9, ss. 112 and 113, as to s. 112 by striking out the reference to "Atomic Energy Control Board" under the heading "Other Government Institutions", and as to s. 113 by adding the reference "Canadian Nuclear Safety Commission" under the heading "Other Government Institutions", in alphabetical order.

Amended 1997, c. 20, s. 55 by striking out the reference to the "Agricultural Products Board" under the heading "Other Government Institutions".

Amended SOR/98-119, *Can. Gaz., Part II*, February 13, 1998 (in force February 23, 1998) by striking out the reference to the "Federal Office of Regional Development-Quebec" and by adding, in alphabetical order, the reference "Economic Development Agency of Canada for the Regions of Quebec" under the heading "Other Government Institutions".

Amended SOR/98-150, *Can. Gaz., Part II*, March 12, 1998 by adding "Millennium Bureau of Canada" in alphabetical order under the heading "Other Government Institutions".

Amended 1998, c. 9, ss. 44 and 45 by striking out the reference to "Human Rights Tribunal Panel" and adding the reference to "Canadian Human Rights Tribunal" under the heading "Other Government Institutions".

Amended 1998, c. 10, s. 194 by adding the references "Halifax Port Authority", "Montreal Port Authority", "Vancouver Port Authority", "Fraser River Port Authority", "Prince Rupert Port Authority", "Quebec Port Authority", "Saguenay Port Authority", "Saint John Port Authority", "Sept-Iles Port Authority", "St. John's Port Authority", "Trois-Rivieres Port Authority", "Toronto Port Authority", "Nanaimo Port Authority",

"North Fraser Port Authority", "Port Alberni Port Authority", "Thunder Bay Port Authority", "Windsor Port Authority" and "Hamilton Port Authority" under the heading "Other Government Institutions".

Amended 1998, c. 10, s. 190 by striking out "Canada Ports Corporation" under the heading "Other Government Institutions".

Amended 1998, c. 10, ss. 191 and 193 by striking out the name "Great Lakes Pilotage Authority, Ltd." under the heading "Other Government Institutions" and replacing it with the name "Great Lakes Pilotage Authority".

Amended 1998, c. 10, s. 192 by striking out the name "The St. Lawrence Seaway Authority" under the heading "Other Government Institutions".

Amended 1998, c. 25, s. 167(1) and (2), as to subsec. (1) by adding "Gwich'in Land Use Planning Board", "Gwich'in Land and Water Board", "Mackenzie Valley Environmental Impact Review Board", "Sahtu Land and Water Board" and "Sahtu Land Use Planning Board" under the heading "Other Government Institutions", and as to subsec. (2) by adding the reference to "Mackenzie Valley Land and Water Board" under the heading "Other Government Institutions" in alphabetical order.

Amended 1998, c. 26, ss. 77 and 78 by striking out the reference to "Canada Labour Relations Board" under the heading "Other Government Institutions" and by adding the reference to "Canada Industrial Relations Board" under the heading "Other Government Institutions".

Amended SOR/98-321, *Can. Gaz., Part II*, June 3, 1998, ss. 1 and 2; however, repealed by s. 2 of SOR/2001-144, *Can. Gaz., Part II*, April 11, 2001.

Amended SOR/98-567, *Can. Gaz., Part II*, November 19, 1998 by adding "The Federal Bridge Corporation Limited" under the heading "Other Government Institutions" (in force December 1, 1998).

Amended 1998, c. 31, s. 57 by adding the reference "Parks Canada Agency" in alphabetical order under the heading "Other Government Institutions".

Amended 1998, c. 35, s. 123 by adding "Military Police Complaints Commission" (in force December 1, 1999) and "Canadian Forces Grievance Board" (in force March 1, 2000) in alphabetical order under the heading "Other Government Institutions".

Amended 1999, c. 17, ss. 174 and 175, as to s. 174 by striking out "Department of National Revenue" under the heading "Departments and Ministries of State", and as to s. 175 by adding, in alphabetical order, "Canada Customs and Revenue Agency" under the heading "Other Government Institutions".

Amended 1999, c. 31, ss. 177 and 178, as to s. 177 by striking out "Public Works Land Company Limited" under the heading "Other Government Institutions", and as to s. 178 by adding "Canada Lands Company Limited" under the heading "Other Government Institutions" in alphabetical order.

Amended SOR/2000-176, *Can. Gaz., Part II*, May 4, 2000 by adding the reference "Belledune Port Authority" in alphabetical order under the heading "Other Government Institutions".

Amended 2000, c. 6, ss. 45 and 46; as to s. 46 by adding "Canadian Institutes of Health Research" under the heading "Other Government Institutions"; and s. 45 by striking out "Medical Research Council" under the heading "Other Government Institutions".

Amended 2000, c.17, s. 90 by adding, in alphabetical order, the reference to "Financial Transactions and Reports Analysis Centre of Canada" under the heading "Other Government Institutions".

Amended 2000, c. 28, s. 50 by adding "Canadian Tourism Commission" under the heading "Other Government Institutions", in alphabetical order.

Amended SOR/2001-144, *Can. Gaz., Part II*, April 11, 2001 by striking out "The Leadership Network" under the heading "Other Government Institutions".

Amended SOR/2001-201, *Can. Gaz., Part II*, June 4, 2001 by adding, in alphabetical order, "Office of Indian Residential Schools Resolution of Canada" under the heading "Other Government Institutions".

Amended 2001, c. 22, ss. 18 and 19, as to s. 18 by striking out "Farm Credit Corporation" under the heading "Other Government Institutions", and as to s. 19 by adding "Farm Credit Canada", in alphabetical order, under the heading "Other Government Institutions".

Amended 2001, c. 9, s. 590 by adding, in alphabetical order, "Financial Consumer Agency of Canada" under the heading "Other Government Institutions".

Amended SOR/2001-330, *Can. Gaz., Part II*, August 28, 2001, ss. 1 and 2, as to s. 1 by striking out "Canada Information Office" under the heading "Other Government Institutions", and as to s. 2 by adding, in alphabetical order, "Communication Canada" under the heading "Other Government Institutions".

Amended 2001, c. 33, ss. 25 and 26, as to s. 25 by striking out "Export Development Corporation" under the heading "Other Government Institutions", and as to s. 26 by adding, in alphabetical order, "Export Development Canada" under the heading "Other Government Institutions".

Amended 2001, c. 34, s. 16(f) by replacing "Canada Council" with "Canada Council for the Arts" under the heading "Other Government Institutions".

Amended 2001, c. 34, s. 78 by striking out "Petroleum Monitoring Agency" under the heading "Other Government Institutions".

Amended SOR/2002-44, *Can. Gaz., Part II*, January 15, 2002, s. 1 by adding, in alphabetical order, "Office of Infrastructure and Crown Corporations of Canada" under the heading "Departments and Ministries of State".

Amended SOR/2002-72, *Can. Gaz., Part II*, February 7, 2002, s. 1 by striking out "Millennium Bureau of Canada" under the heading "Other Government Institutions".

Amended 2002, c. 7, ss. 227 and 228, as to s. 227 (to come int force by order of the Governor in Council), and as to s. 228 by striking out "Yukon Territory Water Board" under the heading "Other Government Institutions".

Amended SOR/2002-175, *Can. Gaz., Part II*, April 25, 2002 by adding, in alphabetical order "Blue Water Bridge Authority" under the heading "Other Government Institutions".

Amended 2002, c. 10, s. 191 by adding, in alphabetical order "Nunavut Surface rights Tribunal" and "Nunavut Water Board" under the heading "Other Government Institutions".

Amended 2002, c. 17, ss. 14(f) and 25; as to s. 14(f) by replacing "Canadian Film Development Corporation" under the heading "Other Government Institutions" with "Telefilm Canada"; and as to s. 25 by striking out "Fisheries Prices Support Board" under the heading "Other Government Institutions".

Amended SOR/2002-292, *Can. Gaz., Part II*, August 6, 2002 ss. 1 and 2; as to s. 1 by striking out "Office of Infrastructure and Crown Corporations of Canada" under the heading "Department and Ministries of State"; and as to s. 2 by adding, in alphabetical order "Office of Infrastructure of Canada" under the heading "Other Government Institutions".

Amended SOR/2002-344, *Can. Gaz., Part II*, September 24, 2002, s. 1 by adding "Canadian Air Transport Security Authority" in alphabetical order under the heading "Other Government Institutions".

Amended SOR/2003-149, *Can. Gaz., Part II*, April 11, 2003, s. 1 by adding "Canadian Firearms Centre" in alphabetical order under the heading "Other Government Institutions".

Amended 2003, c. 7, s. 129 by adding "Yukon Environmental and Socio-economic Assessment Board" in alphabetical order under the heading "Other Government Institutions".

Amended 2003, c. 22, s. 189 by replacing the reference to "Public Service Staff Relations Board" with a reference to "Public Service Labour Relations Board".

Amended 2003, c. 22, s. 248 by adding "Public Service Staffing Tribunal" in alphabetical order under the heading "Other Government Institutions".

Amended 2003, c. 22, ss. 255 and 256, as to s. 255 by striking out "Canadian Centre for Management Development" and as to s. 256 by adding "Canadian School of Public Service", under the heading "Other Government Institutions"

Amended 2003, c. 23, s. 81 (to come into force by order of the Governor in Council).

Amended SOR/2003-422, *Can. Gaz., Part II*, December 12, 2003 by adding "Department of Human Resources and Skills Development" in alphabetical order under the heading "Other Government Institutions".

Amended SOR/2003-427, *Can. Gaz., Part II*, December 12, 2003 by adding "Department of International Trade" in alphabetical order under the heading "Other Government Institutions".

Amended SOR/2003-434, *Can. Gaz., Part II*, December 12, 2003 by adding "Canada Border Services Agency" in alphabetical order under the heading "Other Government Institutions".

Amended SOR/2003-439, *Can. Gaz., Part II*, December 12, 2003 by adding "Public Service Human Resources Management Agency of Canada" in alphabetical order under the heading "Other Government Institutions".

Amended SOR/2004-23, *Can. Gaz., Part II*, February 16, 2004 by striking out "Communication Canada" under the heading "Other Government Institutions".

Amended 2004, c. 2, s. 75 by adding "Assisted Human Reproduction Agency of Canada" in alphabetical order under the heading "Other Government Institutions".

Amended 2004, c. 7, s. 35 by striking out "Ethics Counsellor" under the heading "Other Government Institutions".

Amended 2004, c. 11, s. 40 by striking out "National Archives of Canada" and "National Library" under the heading "Other Government Institutions".

Amended 2004, c. 11, s. 41 by adding "Library and Archives of Canada" under the heading "Other Government Institutions".

Amended SOR/2004-206, *Can. Gaz., Part II*, September 23, 2004 by adding in alphabetical order "Public Health Agency of Canada" under the heading "Other Government Institutions".

Amended 2005, c. 9, s. 152 by adding "First Nations Management Board", "First Nations Statistical Institute" and "First Nations Tax Commission" in alphabetical order under the heading "Other Government Institutions".

Amended 2005, c. 10, ss. 30 and 31, as to s. 30 by striking out "Department of the Solicitor General" under the heading "Departments and Ministries of State", and as to s. 31 by adding in alphabetical order, "Department of Public Safety and Emergency Preparedness" under the heading "Departments and Ministries".

Amended 2005, c. 30, s. 90 by adding in alphabetical order "Canada Emission Reduction Incentives Agency" under the heading "Other Government Institutions".

Amended 2005, c. 34, ss. 72 to 74, as to s. 72 by striking out "Department of Human Resources Development" under the heading "Departments and Ministries of State", as to s. 73 by adding in alphabetical order "Department of Human Resources and Skills Development" under the heading "Departments and Ministries of State" and as to s. 74 by striking out "Department of Human Resources and Skills Development" under the heading "Other Government Institutions".

Amended 2005, c. 35, s. 63 by adding "Department of Social Development" in alphabetical order under the heading "Departments and Ministries of State".

Amended SOR/2005-252, *Can. Gaz., Part II*, August 31, 2005, s. 1 by adding "Canada Development Investment Corporation", "Canadian Race Relations Foundation", "Cape Breton Development Corporation", "Cape Breton Growth Fund Corporation", "Enterprise Cape Breton Corporation", "Marine Atlantic Inc.", "Old Port of Montreal Corporation Inc.", "Parc Downsview Park Inc.", "Queens Quay West Land Corporation" and "Ridley Terminals Inc." in alphabetical order under the heading "Other Government Institutions".

Amended 2005, c. 38, s. 138(p) by replacing the reference to the "Canada Customs and Revenue Agency" with a reference to the "Canada Revenue Agency" under the heading "Other Government Institutions".

Amended 2005, c. 46, s. 58.1, itself enacted by 2006, c. 9, s. 224 by adding in alphabetical order "Office of the Public Sector Integrity Commissioner" and "Registry of the Public Servants Disclosure Protection Tribunal" under the heading "Other Government Institutions".

Amended SOR/2006-25, *Can. Gaz., Part II*, February 6, 2006, s. 1 by striking out "Department of Social Development" under the heading "Departments and Ministries of State".

Amended SOR/2006-29, *Can. Gaz., Part II*, February 6, 2006, s. 1 by striking out "Department of International Trade" under the heading "Other Government Institutions".

Amended SOR/2006-33, *Can. Gaz., Part II*, February 6, 2006, s. 1 by adding in alphabetical order "Office of the Registrar of Lobbyists" under the heading "Other Government Institutions".

Amended SOR/2006-71, *Can. Gaz., Part II*, May 3, 2006, s. 1 by adding in alphabetical order "Public Appointments Commission Secretariat" under the heading "Other Government Institutions".

Amended 2006, c. 4, s. 212 by adding, in alphabetical order "Corporation for the Mitigation of Mackenzie Gas Project Impacts under the heading "Other Government Institutions".

Amended SOR/2006-218, *Can. Gaz. Part II*, October 4, 2006, s. 1 by adding in alphabetical order "Office of the Administrator of the Ship-source Oil Pollution Fund" under the heading "Other Government Institutions".

Amended 2006, c. 9, ss. 97 and 98 by striking out "Office of the Registrar of Lobbyists" and adding "Office of the Commissioner of Lobbying" under the heading "Other Government Institutions".

Amended 2006, 9, s. 140 by adding in alphabetical order "Office of the Director of Public Prosecutions" under the heading "Other Government Institutions".

Amended 2006, c. 9, s. 190 by striking out "Atlantic Pilotage Authority", "Bank of Canada", "Blue Water Bridge Authority", "Business Development Bank of Canada", "Canada Council for the Arts", "Canada Deposit Insurance Corporation", "Canada Development Investment Corporation", "Canada Lands Company Limited", "Canada Mortgage and Housing Corporation", "Canada Post Corporation", "Canadian Air Transport Security Authority", "Canadian Commercial Corporation", "Canadian Dairy Commission", "Canadian Museum of Civilization", "Canadian Museum of Nature", "Canadian Race Relations Foundation", "Canadian Tourism Commission", "Cape Breton Development Corporation", "Cape Breton Growth Fund Corporation", "Defence Construction (1951) Limited", "Enterprise Cape Breton Corporation", "Export Development Canada", "Farm Credit Canada", "The Federal Bridge Corporation Limited", "Freshwater Fish Marketing Corporation", "Great Lakes Pilotage Authority", "International Development Research Centre", "The Jacques-Cartier and Champlain Bridges Inc.", "Laurentian Pilotage Authority", "Marine Atlantic Inc.", "National Arts Centre Corporation", "National Capital Commission", "National Gallery of Canada", "National Museum of Science and Technology", "Old Port of Montreal Corporation Inc.", "Pacific Pilotage Authority", "Parc Downsview Park Inc.", "Queens Quay West Land Corporation", "Ridley Terminals Inc.", "Royal Canadian Mint", "The Seaway International Bridge Corporation, Ltd.", "Standards Council of Canada" and "Telefilm Canada" under the heading "Other Government Institutions".

Amended 2006, c. 9, s. 191 by adding in alphabetical order "Asia-Pacific Foundation of Canada", "Canada Foundation for Innovation", "Canada Foundation for Sustainable Development Technology", "Canada Millennium Scholarship Foundation" and "The Pierre Elliott Trudeau Foundation" under the heading "Other Government Institutions".

Amended 2006, c. 9, s. 192 by adding in alphabetical order "Office of the Information Commissioner" under the heading "Other Government Institutions".

Amended 2006, c. 9, s. 193 by adding in alphabetical order "Office of the Privacy Commissioner" under the heading "Other Government Institutions".

Amended SOR/2007-216, *Can. Gaz. Part II*, October 17, 2007, s. 1 by adding in alphabetical order "Federal Public Service Health Care Plan Administration Authority" under the heading "Other Government Institutions".

Amended 2008, c. 9, s. 11 by adding in alphabetical order "Canadian Museum for Human Rights" under the heading "Other Government Institutions".

Amended SOR/2008-131, *Can. Gaz. Part II*, May 14, 2008, s. 1 by adding in alphabetical order "Indian Residential Schools Truth and Reconciliation Commission Secretariat" under the heading "Other Government Institutions".

Amended SOR/2008-131, *Can. Gaz. Part II*, May 14, 2008, s. 2 (to come into force June 1, 2013).

Amended SOR/2008-136, *Can. Gaz. Part II*, May 14, 2008, s. 1 by striking out "Office of Indian Residential Schools Resolution of Canada" under the heading "Other Government Institutions".

Amended 2008, c. 22, s. 50 by adding in alphabetical order "Specific Claims Tribunal" under the heading "Other Government Institutions".

Amended 2008, c. 28, s. 99 by striking out "Canada Millennium Scholarship Foundation" under the heading "Other Government Institutions".

Amended SOR/2009-175, *Can. Gaz. Part II*, June 24, 2009, s. 1 by adding "Indian Residential Schools Truth and Reconciliation Commission" in alphabetical order under the heading "Other Government Institutions".

Amended SOR/2009-244, *Can. Gaz., Part II*, September 2, 2009, s. 1 by adding, in alphabetical order, "Federal Economic Development Agency for Southern Ontario" under the heading "Other Government Institutions".

Amended SOR/2009-249, *Can. Gaz., Part II*, September 2, 2009, s. 1 by adding, in alphabetical order, "Canadian Northern Economic Development Agency" under the heading "Other Government Institutions".

Amended 2010, c. 7, s. 10 (to come into force by order of the Governor in Council).

Amended 2010, c. 12, s. 1677 (to come into force by order of the Governor in Council).