



House of Commons  
CANADA

# **Standing Committee on Access to Information, Privacy and Ethics**

---

ETHI • NUMBER 044 • 1st SESSION • 39th PARLIAMENT

---

**EVIDENCE**

**Thursday, May 3, 2007**

**Chair**

**Mr. Tom Wappel**

Also available on the Parliament of Canada Web Site at the following address:

**<http://www.parl.gc.ca>**

## Standing Committee on Access to Information, Privacy and Ethics

Thursday, May 3, 2007

• (0900)

[English]

**The Chair (Mr. Tom Wappel (Scarborough Southwest, Lib.):** Good morning. I'd like to call the meeting to order.

This is our 44th meeting. Pursuant to Standing Order 81(4), we're considering the main estimates, vote 45, specifically of the Office of the Privacy Commissioner under Justice, which was referred to the committee on Tuesday, April 25, 2007.

Before I introduce our witnesses, there's just a small matter I'm seeking the guidance of the committee on. I presented the report of the committee on our statutory review of PIPEDA yesterday in the House of Commons. About an hour before that, it was brought to my attention that, in the opinion entitled "Dissenting Opinion" of the Conservative members, in the last sentence of section 4.0, under "No Stakeholder Input Before the Committee", the last sentence reads "Minister Day's letter is attached as an annex to this dissenting opinion." When the dissenting opinion was received by the clerk, that letter was not in fact attached. The dissenting opinion was sent to the printer without that letter because it wasn't attached, so this document I presented to the House did not contain that letter.

In addition, if the letter were to be attached, it would exceed the five pages for a dissenting opinion this committee decided upon. I am just inquiring whether the committee would have any objection if, in the 350 copies we're going to print for general distribution, notwithstanding the previous discussions and agreement by the committee, we could agree to simply annex the minister's letter as referenced by the Conservative members in their dissenting opinion on recommendation 14. Would that be all right?

**Hon. Jim Peterson (Willowdale, Lib.):** Can we just stick it inside?

**The Chair:** We'll print it up properly so it's attached.

**Hon. Jim Peterson:** Are you going to have to reprint 350 copies?

**The Chair:** No, they haven't been printed. There were only the ones I submitted.

**Hon. Jim Peterson:** No problem.

**The Chair:** That's okay for everybody? Then we'll do it that way.

Thank you very much. That takes care of that.

Now we have with us this morning, from the Office of the Privacy Commissioner of Canada, the commissioner herself, Jennifer Stoddart; the director general and chief financial officer, corporate services division, Tom Pulcine; and Wayne Watson, director general, investigation and inquiries branch. Welcome to you all.

I know, Madame, that you have an opening statement, so *allez-y*.

**Ms. Jennifer Stoddart (Privacy Commissioner, Office of the Privacy Commissioner of Canada):** Thank you very much, Mr. Chairman and honourable members.

I do have an opening statement that is being distributed to you, as well as some supplementary information we have prepared, given our past appearances before this committee, to try to clarify some rather complex budgetary points for the honourable members.

Mr. Chairman, with your permission, I won't read my opening statement; all the honourable members do have a copy in both official languages. I'd just like to highlight some points in it and perhaps give the honourable members more time for questions on budgetary issues that interest them.

First of all, I'd like to thank the committee for the report they brought down on PIPEDA yesterday afternoon. It looks like an excellent report, and I see that many of the recommendations we made to this committee have been retained. I thank you for your interest in such practical matters as employment, information rights, due diligence, international cooperation, and so on. However, given that I was out of the office on communication responsibilities yesterday, I haven't had the chance to read it. Also, I will reserve any comments for later.

Once again, thank you for your work on what I know is a very complex topic.

• (0905)

[Translation]

I am here today with regard to the Main Estimates. I first want to say that our top priority continues to be tackling our complaints backlog. Mr. Watson is here with me to answer your questions in this regard, should you have any. We are also putting increased emphasis on education and prevention, as well as leaks and gaps with regard to protecting confidential information.

[English]

We are now in the second year of the two-year implementation schedule for our office's comprehensive business plan, and that's why you see we're now in the second set of bars in that graph we have done to illustrate the evolution of our budgetary status.

I'd just like to remind the honourable members of how the environment in which we work is constantly changing because of the technological backdrop to all the work we do, and this accounts for a large part of our work. International data flows have caused us to give increased attention to the issue of international cooperation, and I can mention GPS, biometrics, RFIDs, ongoing security questions—think of the do-not-fly list—the Anti-terrorist Act, and so on.

Our budget is underpinning five strategic priorities we have outlined in the material put before you. I'll just remind you of them. There's improving and expanding our service delivery, that is, answering complaints and requests for information and responding to the communication needs of Canadians and Canadian organizations. There's engaging with you on privacy issues, and I must say I'm very happy to be appearing before you, I think next Tuesday, on the issue of identity theft. I am really happy that you have taken up that issue, and we're busy putting together a presentation for you on Tuesday.

Then there's Privacy Act reform and PIPEDA reform, which you've just dealt with. I understand you may be looking at Privacy Act reform in the fall again, and I really welcome that. We'd be very happy to do whatever would be appropriate and useful for this committee in your study of the Privacy Act.

We are hosting the 29th International Conference of Data Protection and Privacy Commissioners in Montreal in late September. This is a huge international conference. We expect some five hundred people, and it is a kind of convergence of many privacy players throughout the world. There'll be a whole week of meetings on privacy, including on privacy in various provinces, hosted by provincial commissioners. That is clearly our primary focus from here until the end of September.

We're continuing to build our organizational capacity in terms of staffing, training, and structuring our office. Overall, we're trying to become more and more proactive and less complaint-driven, that is, less passive—by waiting for problems to come to us—but rather going out and trying to find privacy problems and bring a solution to them as they occur.

• (0910)

[Translation]

If you are interested, Mr. Watson can give you more specific figures on our complaints backlog. In any case, I want to draw the attention of committee members to the fact that we have our cut complaint backlog by approximately 50% over the past year. We are very proud of our efforts, and we hope to be able to eliminate this backlog completely by the end of the current fiscal year.

[English]

We will of course use many means, including new technology and new procedures, in streamlining the complaint system.

In keeping with our wish to become more proactive and more preventive in our approach, we're increasing the number of audits, and we were funded to support an expanded audit capacity. I think we're doubling the number of audits we're doing in the public and private sectors. You will also remember that we have a new audit responsibility for FINTRAC, our national money laundering agency, and by legislation we audit FINTRAC every two years.

This committee has been particularly concerned about—and I understand has given me directions to enhance—public education, communication, and outreach to Canadians and companies. So I'm happy to say that we have completed an interactive e-learning tool for retailers in conjunction with the Retail Council of Canada and the Canadian Federation of Independent Business. We have a PIPEDA-101 DVD, we're looking at drafting breach notification guidelines, and of course we'll take into account the direction you've given us in your report.

Several other of the priorities for this year include continuing to dialogue with this committee or other committees of Parliament in order to work on fundamental reforms to the Privacy Act. I remind you that the Privacy Act has standards that are far below what we now expect of the public sector, and we'll talk a bit more about this in the fall.

That, Mr. Chairman, is an overview of our priorities, and the budget we hope you will vote for us is in support of those priorities. I'd be very happy to answer any questions on our work or any of our particular projects or our past expenditures.

**The Chair:** Thank you very much, Commissioner.

Yes, I believe you are scheduled to appear on Tuesday in connection with the identity theft study. I regret I will not be able to be here; I have a commitment in the riding. Mr. Tilson will be taking the chair, but you can be assured that I'll be reviewing your comments. It's a very important issue. We're looking forward to hearing what you have to say, but we'll deal with it Tuesday. Today we're looking at your estimates.

We'll start with Mr. Peterson, followed by Monsieur Vincent and Mr. Martin.

**Hon. Jim Peterson:** Thank you.

In what area are the largest number of complaints you have?

**Ms. Jennifer Stoddart:** As a single group?

**Hon. Jim Peterson:** Yes.

**Ms. Jennifer Stoddart:** I stand to be corrected by Mr. Watson, but I would say probably, under the Privacy Act, it's complaints against large information-handling organizations such as Correctional Service Canada, Revenue Canada—these are organizations that touch a lot of Canadians—and possibly the RCMP, as single organizations that are the focus of complaints.

**Hon. Jim Peterson:** How long does it take you to investigate complaints?

**Ms. Jennifer Stoddart:** Most unfortunately, right now it takes us over a year, but it depends on the type of complaint. Some complaints, for example on time limits—that is, complaining that the organization didn't respond in the required time under the Privacy Act—take I think under a year now, so it varies.

**Hon. Jim Peterson:** In an ideal world, what would that time be?

**Ms. Jennifer Stoddart:** Well, again, it depends on the subject matter, honourable member. PIPEDA directs us to answer the complaints in less than a year, and that is certainly our target, to comply with the law. I'd say as fast as possible. Ideally you'd have a turnaround in a couple of months.

**Hon. Jim Peterson:** In your statement you said the privacy standards of the private sector are higher than those applied to the federal government. Could you just give me a brief indication of how that happens?

● (0915)

**Ms. Jennifer Stoddart:** Yes. It sounds like, if we look back, it happens because the Privacy Act has not been reviewed since 1983; the act reflects the state of our knowledge about personal information protection in the early eighties. PIPEDA was drafted in 1999-2000 and reflects a more modern understanding of what it takes to protect personal information.

One example, honourable member, is the fact that the Privacy Act only allows Canadians to look at or have access to the personal information holdings the government or a government agency has on them. It doesn't give them a right of correction or even a right of redress. Consumers have both of these under PIPEDA.

**Hon. Jim Peterson:** Thank you.

When do you think your backlog will be resolved?

**Ms. Jennifer Stoddart:** Our goal is to do it over the course of the coming year.

**Hon. Jim Peterson:** Do you believe you can achieve that with your current budget?

**Ms. Jennifer Stoddart:** The budget is not a problem, honourable member; we're happy with our budgetary levels. Our challenge is demographics. It's hiring the employees to do that job. There are several reasons I could give you for the scarcity of qualified employees.

**Hon. Jim Peterson:** Why would that be?

**Ms. Jennifer Stoddart:** There are a couple of reasons. First of all, we have a cohort of skilled investigators who are retiring. They've been there for twenty years and so on, and some of them are taking retirement. With all the developments in the federal public service—you could think of Bill C-2 and so on—there is a growing need for investigators in the federal government, so several agencies are competing for people with investigator skills.

There is also the problem of our being a small agency, which tends to mean that people who want promotion are attracted to larger departments where they can proceed up the promotion scale. Some of our able people move on to well-deserved promotions elsewhere that we can't give them because of our size. All of that means we're 40% understaffed in the investigation area.

**Mr. Wayne Watson (Director General, Investigation and Inquiries Branch, Office of the Privacy Commissioner of Canada):** Approximately, yes.

**Hon. Jim Peterson:** You mentioned that you're happy with your budget. If you were given more money, what would you do with it?

**Ms. Jennifer Stoddart:** I've rarely been asked that, Mr. Chairman.

**Mr. Sukh Dhaliwal (Newton—North Delta, Lib.):** He's looking for a job. That's why he's saying it, right?

**Some hon. members:** Oh, oh!

**Ms. Jennifer Stoddart:** Honourable member, I can't answer that question at the moment. I'm just trying to spend the money I have, honestly.

I think hiring new employees is our big target, and we also have added responsibilities under our new access to information and money laundering responsibilities. We're currently evaluating those new responsibilities. If we need more money for them, we will come back to you; that might be a place where we do need some money.

**Hon. Jim Peterson:** Is there generally a problem in the civil service as a whole in terms of hiring right now? We've seen reports of the Auditor General with respect to Foreign Affairs, for example.

**Ms. Jennifer Stoddart:** Mr. Chairman, yes. I'm a member of a group called the Small Agency Administrators' Network, and throughout small agencies—I don't know about big departments—yes, we're all having problems hiring qualified people because of this demographic crunch and the difficulty of hiring people from outside into the public service.

**Hon. Jim Peterson:** Is it a question of pay levels?

**Ms. Jennifer Stoddart:** It's partly, as I said, a question of pay levels in small organizations. The classification schemes of the federal government work best in large departments, I would say, so it's very hard to give the appropriate pay levels in small agencies even though you need highly expert people. That particular issue is an ongoing debate, shall we say, for small agencies.

**Hon. Jim Peterson:** Have you taken that up with Treasury Board?

**Ms. Jennifer Stoddart:** We've taken that up within the small agency network, yes, and we as a group dialogue with Treasury Board about that.

**Hon. Jim Peterson:** Are there any ways to get around it?

**Ms. Jennifer Stoddart:** I won't answer for Treasury Board or for the agency whose acronym is PSHRMAC, which is responsible for personnel policies and classification policies. I hope there would be, but I think they're the best ones to answer that for you.

• (0920)

**The Chair:** Thank you, Mr. Peterson.

Just before we get to Monsieur Vincent, I'll ask for a clarification, Madam Commissioner. In your opening remarks—which, as you quite rightly pointed out, you didn't read—you said “Meeting our goal of eliminating the backlog by the end of this year is directly related to our ability to find investigators to fill current vacancies.” You talked to Mr. Peterson about that.

My question is, how many investigators do you need, in your view, to clear the backlog, and what is the likelihood of getting that number within the year in order to meet your goal of clearing the backlog within the year?

**Ms. Jennifer Stoddart:** Mr. Chairman, may I ask the director of investigations to give you those details?

**Mr. Wayne Watson:** Right now we're in the hiring process to obtain more investigators. I am confident that if we are able to fill our vacancies at this time, by the end of this fiscal year we will have taken care of the backlog.

**The Chair:** How many are you looking to hire?

**Mr. Wayne Watson:** I have 10 vacancies.

**The Chair:** And what is your best guesstimate as to whether you'll be able to hire 10 people?

**Mr. Wayne Watson:** We have some posters out right now, and we have a considerable number of people who have applied. We're going through the process of elimination and the exams and the interviews. It will only be at that point that I'll be able to determine whether or not we'll be able to fill all the vacancies.

The last time we went through this process we were able to fill, I believe, six out of the 10 vacancies that existed at that time.

**The Chair:** It's not to prolong this, but your report on plans and priorities said you were going to look for 29 FTEs. Are the 10 part of those 29, or have the 29 now been ramped down to 10, or are we talking about two different things?

**Mr. Wayne Watson:** I would suspect that the 29 would be within the whole OPC organization. I'm talking specifically about the investigation branch.

**The Chair:** Okay, so 10 of those proposed 29 would be for your branch. Is that right?

**Mr. Wayne Watson:** Yes.

**The Chair:** Thank you.

*Monsieur Vincent, s'il vous plaît.*

[Translation]

**Mr. Robert Vincent (Shefford, BQ):** Thank you, Mr. Chairman.

Will the renewed budgets allow you to continue to operate adequately or, on the contrary, would you need supplementary funding to, among other things, address the arrival of new employees? Do you have any comments for us in this regard?

**Ms. Jennifer Stoddart:** We are extremely pleased with the funding we have been allocated.

**Mr. Robert Vincent:** It's not too much?

**Ms. Jennifer Stoddart:** No, because we do have new responsibilities.

**Mr. Robert Vincent:** I apologize for interrupting you, but I thought I had understood that your responsibilities had increased. In what regard?

**Ms. Jennifer Stoddart:** Like a number of other government organizations, we must now comply with access to information obligations, in accordance with Bill C-2. As a result, we had to create an access to information unit. This led to expenditures that had not been contemplated when Parliament approved our budget.

**Mr. Robert Vincent:** What else will be you be doing in terms of access to information? Could you give me some more details in this regard?

**Ms. Jennifer Stoddart:** Yes, of course. Access to information is referenced in the Federal Accountability Act and applies to a number of organizations. Personally, I feel that it is important for government organizations to be transparent, even officers of Parliament responsible for privacy. For several years, we have voluntarily cooperated with individuals requesting access to our files. We now have official obligations in this regard; that is why we expect to receive more such requests.

In accordance with this statute, we must also assign an individual to the access to information unit. I believe that the average complaint is expected to take 30 days to process. Four or five people will be required. There are already three or four. We will reserve our opinions and our forecasts in this regard. Should the number of access to information requests increase significantly over the course of the year and we need to assign 10 people to process such requests, so as to do so within the required time period, we would appear before you. We do not anticipate that this will be the case. For now and for the coming months, we think that we will be able to operate as expected.

Our second new responsibility is to conduct reviews of measures taken by FINTRAC, the organization responsible for monitoring money laundering activities. We were given this additional responsibility in December 2006. Since we have yet to conduct a single review of FINTRAC, it's too early to know how many additional people we will need. Should this number exceed the resources at our disposal, we reserve the right to come and request additional resources from you.

• (0925)

**Mr. Robert Vincent:** You had a privacy commissioner, did you not?

**Ms. Jennifer Stoddart:** Yes.

**Mr. Robert Vincent:** Can you tell me why you have been made responsible for conducting reviews of FINTRAC. Why did you inherit this new mission?

**Ms. Jennifer Stoddart:** Under the Privacy Act, we have the power to conduct audits of all Canadian government agencies and departments. We felt that this was an important power. That's why I asked for resources to bolster such efforts. I mentioned that we were going from four to eight audits this year. The processing of personal information by FINTRAC is central to privacy in Canada.

**Mr. Robert Vincent:** Could you give us an example?

**Ms. Jennifer Stoddart:** Yes. If you transfer or deposit \$10,000 or more into your bank account, a report on you is sent to this organization, which monitors for money laundering. The agency processes the report and verifies whether the funds you deposited were obtained as a result of illegal activities or in order to finance a terrorist network.

The creation of this agency gave rise to much debate with regard to civil liberties. It has far-reaching powers, and can examine the financial transactions of all Canadians. I believe that it was the people at FINTRAC themselves who wanted us to audit their organization every two years, but solely with regard to privacy protection. We do not have the power to examine anything else.

**Mr. Robert Vincent:** Under what circumstances was this mandate regarding money laundering given to you? How was it that you were given this mandate rather than someone else? Is it in accordance with a new bill? Was the decision made to create a new organization or service to investigate individuals depositing \$10,000 or more in their bank account? I think this is a violation of privacy. Your mandate is specifically to protect privacy, but you are investigating when deposits of over \$10,000 are made to a bank account. I find this contradictory.

**Ms. Jennifer Stoddart:** We are not the ones investigating such deposits. Last December, changes were made to this agency, which was created in 1998 if I remember correctly. These changes were passed by the House of Commons.

Last fall, we were informed that, under the Privacy Act, we would be responsible—and this is a statutory responsibility, not a discretionary one—for reviewing the management of personal information within this organization. We agreed with this mandate. In fact, for many years now we have felt that it is important, with regard to such sensitive transactions, to ensure proper management of personal information. I appeared before a Senate committee on this matter.

• (0930)

**The Chair:** Thank you, Mr. Vincent.

[English]

Mr. Martin.

**Mr. Pat Martin (Winnipeg Centre, NDP):** Thank you, Mr. Chair.

Thank you, Commissioner.

I don't have a lot of questions. Does your budget have any kind of automatic escalator for cost-of-living allowance increases or for a rise in the CPI index or anything along those lines?

**Ms. Jennifer Stoddart:** I don't think so, honourable member, but perhaps the director general could respond.

**Mr. Tom Pulcine (Director General, Chief Financial Officer, Corporate Services Branch, Office of the Privacy Commissioner of Canada):** There's a small nuance to that. In terms of a regular increase, no. In the case of a contract signed for the employees, yes. So if there's a contract signed for employees, we automatically get the increase associated with that contract for a classification group.

**Mr. Pat Martin:** I see. So there's no overall escalator to help you meet a cost-of-living increase, yet you do say you find the current budget adequate and you're not approaching us with any kind of request for expanding or increasing your budget.

**Ms. Jennifer Stoddart:** No, not at this time. I'm very grateful for our budgets. You remember the all-party parliamentary review panel that was instituted last year. I'm very happy with the amounts they have given us. I asked for those amounts, I was granted those amounts, and I'm going to try to spend them wisely. I'm not asking for any more at this time.

**Mr. Pat Martin:** Looking back over the last number of years, even at the previous administration of your office, rounding it off to the nearest million, can you tell us what the budget has been? Has it increased since the days of the previous commissioner? I don't have the figures here, but just as a ballpark figure, did it go from \$5 million to \$6 million to \$7 million? How did it rise?

**Ms. Jennifer Stoddart:** There were basically three phases, and I'll ask the director general, who has a better grasp of figures than I do, to also respond. It was a small budget of I think around \$5 million before 2000, because the Privacy Commissioner of Canada only had the responsibility for the one law, the Privacy Act. When PIPEDA came in, the office was then granted a supplementary budget for a period of three years with a possibility of carry-over. It then jumped from \$5 million to about \$10 million, I think, and then there was a kind of period of uncertainty, as you know, and we carried on at that level. Then we went before the parliamentary panel and got another significant increase to the levels you see in this graph, honourable member.

**Mr. Pat Martin:** That's what I was wondering, because I remember the days when roughly \$5 million was the total budget of the Privacy Commissioner, but I was aware that PIPEDA brought a huge new volume of work.

Do you not anticipate another volume of work, so then maybe when the time comes you'll look for an increased budget? I really sense that you may be looking at an increased volume of activity with the public awareness and interest stemming from the PIPEDA review we just did, as the duty-to-notify issue becomes a more top-of-mind issue and as the identity theft work of this committee generates some national interest. What kind of preparations are you making in anticipation of what could be a dramatic increase in volume?

**Ms. Jennifer Stoddart:** You're quite right, honourable member, certainly with respect to the duty to notify. From just what I've been able to read in your recommendations, for example, the functions this committee has recommended would lead to a tremendous increase in the workload. One of the things we'll certainly do is to sit down with your recommendations and cost them out. I think this committee also recommended more attention to education. We've been trying to do that, but certainly there's room for more.

Given the difficulty of hiring people and given the fact that you have to have the appropriate structures there in order to prepare the way for increased activities, which is a fairly incremental process, I'd rather not ask for money ahead of time when it's not clear I absolutely need it, because it's public money. I agree with you, but I'm waiting to see that I can use it appropriately, and I will come back at that time.

**Mr. Pat Martin:** The development of a do-not-fly list interests me. I myself was on the old do-not-fly list of the Americans, and I found it terribly frustrating to try to get off the do-not-fly list because I was dealing with an American office, an American bureaucracy, etc. What consultation was there with your office in the development of the made in Canada do-not-fly list?

• (0935)

**Ms. Jennifer Stoddart:** There was a certain amount of consultation, Mr. Chairman. On our website last summer we posted the 24 questions we asked the Minister of Transport as he developed the do-not-fly list. The minister has responded to those questions—I think after a year.

The Minister of Transport also did—

**Mr. Pat Martin:** Excuse me, did you say “after a year”? Did it take a year to get the response?

**Ms. Jennifer Stoddart:** I understand it took a year for them to respond to those questions.

They also did what's called a PIA, a privacy impact assessment, which we have reviewed and sent back to them. We keep in touch with them on a regular basis, and we met with them in February 2007. I understand they have worked on and instituted a redress mechanism: if one finds oneself on the do-not-fly list, there is a process for challenging that.

**Mr. Pat Martin:** I see. That's very interesting.

Will your office be involved on a case-by-case basis? If a person says their right to privacy has been compromised by being on that list, is that something to bring to the Privacy Commissioner, or would that be within the new avenue of recourse contemplated for that list?

**Ms. Jennifer Stoddart:** Well, I would think they could make a complaint about that, so we may very well be investigating such cases.

**Mr. Pat Martin:** I'm just thinking of the increased volume for your office in the context of your budget.

**Ms. Jennifer Stoddart:** It could be, yes, but again, we have to find these investigators, so we're going to concentrate on that. We may need more.

**The Chair:** Thank you, Mr. Martin.

Considering you didn't have too many questions, you still used up your seven minutes.

Mr. Tilson.

**Mr. David Tilson (Dufferin—Caledon, CPC):** Mr. Chairman, thank you.

Madam Commissioner, first of all, I want to congratulate you on the work you do and the advice you give this committee. I personally am quite pleased with the work you do.

As you know, we went through a study of PIPEDA, and I'm pleased you like our results.

One of the issues that came out was the topic of Canadians finding out that there even is a Privacy Commissioner and the legal rights they have. Of course, much of your time is spent trying to educate the public, and a large part of your budget deals with that. I'd like you to talk about that.

And I applaud that. I think that's part of what your role is, educating the public and organizations as to what their rights are.

But on the other hand, there comes a limit to what the taxpayer can afford. How far should the taxpayer go in educating the public? I know you have a web page and you send out literature and you do all those sorts of things, but somewhere along the line there's a limit. Could you comment on that issue?

**Ms. Jennifer Stoddart:** You're right. There is a limit to how much taxpayers can pay for government services generally. That's why we're not asking for money we're not sure we can spend, why we want to make sure we're really going to use it wisely before we ask you for it. It's also why, particularly in the realm of communications, which this committee has stressed to me several times as being important, we're trying to focus on activities that have an exponential effect, going to industry associations in order that they may then carry through with the education.

You've mentioned the website. We continue to think our website is crucial, and we are now up to I think a 30% increase in visits to our website over last year. We continue to encourage links with the written and electronic media because for the taxpayer those are relatively inexpensive and, again, are widely followed. We are increasingly going to electronic means over the traditional paper means. All those are very cost-effective ways of communicating.

• (0940)

**Mr. David Tilson:** You've explained how there was a substantial increase in your budget last year. I think it went from \$6 million to \$16 million; mind you, some famous person in this country once said, “What's a million?” Part of that increase was from adding on to the public part of your functions, and that's why I understand that increase.

This year the increase over last year is about \$3.5 million, if I'm reading this correctly. Assuming I have interpreted those figures correctly, what was the reaction to that increase from the advisory panel you appeared before?

**Ms. Jennifer Stoddart:** Do you mean the initial increase or the phased-in one, honourable member, or both?



**Mr. David Tilson:** Well, I don't know. Maybe I'm not reading it correctly, and I'll grant you that.

I am looking at the estimates booklet, and on page 23 the amount goes from \$16,298,000 to \$19,711,000. That's where I came up with the \$3.5 million. Have I interpreted that correctly?

**Ms. Jennifer Stoddart:** Yes, those are the figures.

If I may, though, honourable member, I'll explain that the year before, because of the unusual type of PIPEDA funding, we didn't go from \$6 million to \$16 million; we went from about \$11 million or \$12 million to \$16 million. It is just the way the money was counted as part of our permanent base funding, so it wasn't really such a huge jump as it seems; it's just the accounting.

**Mr. David Tilson:** Oh, my question is dealing with the \$3.5 million. I am looking at page 23. As you know, this committee spent quite a bit of time trying to encourage the government to have another step before you got to Treasury Board, namely this advisory panel—which is coming to an end, and I have a subsequent question on it—and my question is this: did they react to that \$3.5 million? What was their reaction—or was there one?

**Ms. Jennifer Stoddart:** This kind of staged budget, where there's an escalator effect and it goes up and then back down, was recommended by the committee in discussion with us and Treasury Board to give us extra funds in the short term in order to attack the backlog of complaints. Then it goes back down to a permanent level of roughly \$18,900,000.

**Mr. David Tilson:** It's still a big increase. However, you have talked about trends. You've tried to give some explanation of that, and I understand that, which leads to the next question.

So the advisory panel was not critical of this at all?

**Ms. Jennifer Stoddart:** No. We presented our business case and then developed this in conjunction with the advisory panel and Treasury Board because of the difficulty for a small organization to handle such a big jump in its budget and its personnel all at once. Our budget increase was phased in, the budget will go back to a new plateau, and then it will be reviewed at that time. That was the idea.

**Mr. David Tilson:** I don't understand. You were up to \$16.298 million last year and then it jumped. I understand what you've just said, but we've jumped in fact to \$19.711 million.

**Ms. Jennifer Stoddart:** Could I ask, Mr. Chairman, if the director of finance can perhaps give the details the honourable member is looking for?

● (0945)

**The Chair:** Yes, but before you do that, will you look at this chart you provided us with? It shows that the planned spending is going from \$16.298 million to \$18.346 million, and then in addition you have what you expect to spend on the Federal Accountability Act; that brings it up to \$19.711 million. That's more or less the situation, is it not?

**Ms. Jennifer Stoddart:** Yes.

**The Chair:** Thank you.

Mr. Dhaliwal.

**Mr. Sukh Dhaliwal:** Thank you, Mr. Chair, and welcome, Ms. Privacy Commissioner and directors general.

As I understand it, the privacy standards in the government world are not up to the standards in the private or corporate world. Would you comment on that with respect to the Privacy Act?

**Ms. Jennifer Stoddart:** Absolutely, honourable member.

We have in fact produced a report on the review of the Privacy Act, which we tabled here some time ago.

I have been saying for several years now that Canadians deserve better protection for their personal information in the hands of the government than what they have now. I'm not the first person to say that; every single privacy commissioner has, I believe, called that to the government's attention. I think there's some urgency, and I am very happy that you are considering studying the Privacy Act.

**Mr. Sukh Dhaliwal:** What are some of the challenges we face in getting our privacy standards up to where you feel they should be, aside from the human resources issue?

**Ms. Jennifer Stoddart:** The challenge is to create new standards. I think the challenge is also to look seriously at how personal information is collected, shared, and disseminated by the federal government. It's not a very transparent process, the Privacy Act is not very prescriptive about it, and there is not a lot of public reporting about what happens to Canadians' personal information. These are all things that I think should be strengthened. The government has to turn its mind to how it could be a little more open about how it uses personal information.

**Mr. Sukh Dhaliwal:** In your opinion, when it comes to the Accountability Act, does it truly not put the privacy standards where they should be for Canadians?

**Ms. Jennifer Stoddart:** The Accountability Act dealt with many important things, notably access to information. It also brought quite a few new organizations under the purview of the Privacy Act, but it doesn't deal with the issue of personal information collection and circulation throughout the federal government and its various agencies and corporations.

**Mr. Sukh Dhaliwal:** So if we reviewed the Privacy Act and our recommendations were put in place, do you think you would still be able to manage within the budget estimates you have?

**Ms. Jennifer Stoddart:** I presume that if the Privacy Act is completely overhauled and renewed, there will be added responsibilities for us, but I don't think all of that is likely to happen in the current fiscal year. If that did happen, I would produce a new submission and come back to the all-party parliamentary panel.

**Mr. Sukh Dhaliwal:** You also mentioned that you'd taken care of 25% of the backlog. How long did it take you to do that?

**Ms. Jennifer Stoddart:** May I ask the director of investigations to give you that detail?

**Mr. Wayne Watson:** Since April 1, 2006, the backlog for PIPEDA investigations was reduced by 60% and the backlog for Privacy Act investigations was reduced by 42%. These statistics are for the period between April 1 last year and March 31, 2007.

**Mr. Sukh Dhaliwal:** So in the last year you were able to manage 25%, and now you say you will be able to manage the remaining 75% of the backlog in a year. Won't you feel any challenges managing that 75% backlog?

**Mr. Wayne Watson:** I see that at this point we have 40% of the backlog that needs to be reduced compared to last year as of April 1, 2006.

As we had mentioned before, the fact that we will be hiring more investigators will certainly assist us. We're also looking at changing some processes and hiring some more contractors. We're looking at streamlining some of the processes we have in place right now. We've enhanced our training. We've increased investigative travel. I've requested that the investigators do more travel so as to reduce the time it takes to investigate a file. With all these processes and strategies in place, I'm confident that, with the new personnel, we'll be able to reduce it, as we mentioned before.

• (0950)

**Mr. Sukh Dhaliwal:** Thank you.

Thank you, Mr. Chair.

**The Chair:** Thank you.

Mr. Stanton.

**Mr. Bruce Stanton (Simcoe North, CPC):** Thank you, Mr. Chair, and thank you, Madam Commissioner and staff, for joining us today.

I'm going to pick up where Mr. Dhaliwal left off, because I had a question as well about addressing the backlog. I wonder, over what period of time were you able to manage the 25% reduction? Has it just been in the last year?

**Mr. Wayne Watson:** It has been since April 1. What I've brought as statistics today are for between last April and March 31.

There have been some changes in personnel. We've brought in, as I mentioned, different processes and strategies to reduce it. I'm quite happy with the reduction we were able to make in the last year, and as I mentioned before, I'm confident we'll be able to do it.

**Mr. Bruce Stanton:** I agree, and it would be good to continue to strive to do that. I think that's great progress on something that's obviously very important, and conceivably, as Mr. Martin has suggested, you may in fact encounter some other pressures that come to bear. Realistically, to try to get the remaining 75% done by March of next year might be a stretch, but certainly it's good to set that bar high.

I had a question on the matter of accommodation. I'm looking at page 23 in the RPP with respect to the cost of accommodation that's provided through Public Works. I noticed in the total FTEs since last year that you increase from 125 to 154, and in the paragraph below, talking about the explanation of trends, you refer to the fact that there

were one-time costs for fitting up offices and systems and so on in accordance with that increase in FTEs, I assume. But then I look into the future planning for the coming years, and those accommodation costs don't decline.

I wonder if you could tell me why. From last year to this year, accommodation costs stay the same, even though we've increased by 29 FTEs, and then as we move forward it stays the same. Could you just give us a bit of background on that?

**Ms. Jennifer Stoddart:** Mr. Chairman, could I ask the director of corporate services and finance to give you that detail?

**Mr. Tom Pulcine:** The information that's presented on page 23 in the table you're referring to is actually information that's provided to us by Public Works and Government Services Canada. Those are not actually costs that are borne by the Office of the Privacy Commissioner; they're borne by PWGSC and are associated with costs for the ongoing operations of the space we occupy.

**Mr. Bruce Stanton:** So it doesn't change much.

**Mr. Tom Pulcine:** It doesn't change at all.

**Mr. Bruce Stanton:** It's an allocation that has to show up on your estimates.

**Mr. Tom Pulcine:** That's right.

**Mr. Bruce Stanton:** Okay. I appreciate that.

Finally, this is picking up from Mr. Martin's line of questioning pertaining to the stability of this going forward. We note, for example, that over the last two years there's been a substantial change in the allocation that's been required because of the volume of work you have had to do, and you've made some estimates now in accordance with the relatively new legislation, the FAA.

What I thought I heard was that your estimates for the next year... and they seem to be fairly stable relative to this year's estimates in comparative numbers, around the \$21 million mark going forward for the next two years. Can you verify that those dollars are predicted based on the existing legislation and/or environment you're working in? Should anything else come up, for example, the changes that may come down in response to our report on PIPEDA, these will in all likelihood change the resources you will need, while your budgets for the next two or three years are based on the existing situation. Would that be a fair summary?

**Ms. Jennifer Stoddart:** Yes, you're absolutely correct.

**Mr. Bruce Stanton:** That's all I had, Mr. Chairman.

• (0955)

**The Chair:** Thank you, Mr. Stanton.

[Translation]

Ms. Lavallée, you have the floor.

**Mrs. Carole Lavallée (Saint-Bruno—Saint-Hubert, BQ):** Thank you very much, Mr. Chairman.

Good morning, Ms. Stoddart. It's a pleasure to see you again. We have met several times—and this goes for your colleagues too—at, among other places, the House of Commons Advisory Panel on the Funding of Officers of Parliament. It was on this occasion that I, along with my colleagues from my party and other parties, had the opportunity to look at your budgets. I don't have many questions with regard to your budget. If I recall correctly, one of my colleagues asked you what the average salary of administrative assistants was. I found this quite strange. You were given suggestions on the number of hours that such individuals should work.

But I digress.

Earlier, you talked about FINTRAC, the Financial Transactions and Reports Analysis Centre of Canada.

**Ms. Jennifer Stoddart:** Yes.

**Mrs. Carole Lavallée:** I still don't understand why this is an acronym, because the letters aren't in the right places. No matter, it's not important. I simply wanted to make sure that this was the centre we were referring to.

**Ms. Jennifer Stoddart:** Yes, that's the one.

**Mrs. Carole Lavallée:** I want to talk about your new duty to comply with the Access to Information Act and the Privacy Act, in accordance with Bill C-2. If I remember correctly, 26 new organizations are now subject to the Access to Information Act and the Privacy Act.

The first time I saw you at the advisory panel, this wasn't clear to me. I later realized that all of you were simultaneously looking for the same kind of staff. Some people look for a new job and demand a high price for their experience and knowledge. The 26 agencies in question would benefit from talking to one another. Have you already done so? If so, how? What conclusions have you reached?

**Ms. Jennifer Stoddart:** Madam member, I said that we belonged to a network of mostly small agencies. This is perhaps not exactly the same group to which you were referring. We feel that this group is the most useful forum in which to share problems experienced by small specialized organizations within a government whose principles of staff management, classifications, budgetary and other standards are designed for large departments. This is a problem faced by all small organizations.

Let's take the example of reports. All small organizations have to produce the same 35 reports as the large departments. This is a burden on them.

We all want the same people, particularly for investigations. One of these groups decided to put ads in newspapers throughout Canada to recruit such individuals. This kind of thing costs hundreds of thousands of dollars. The goal is to try to attract a new pool of individuals to work in various departments and agencies of Canada's public service.

**Mrs. Carole Lavallée:** Not all the agencies concerned by Bill C-2, listed in its schedule, are small or directly related to the public service. I am thinking, among others, of the Canadian Wheat Board.

Would it not be in your interest to speak to one another in order to decide in advance the salaries you are prepared to pay for the kind of

employees you are all currently seeking on Parliament Hill or in a normally limited geographic area? Obviously, you may recruit staff outside and convince them to come here. Nevertheless, we are talking about expertise in a very specific area, and there are not that many graduates per year. You are all seeking the same kind of individuals with the same profile.

I don't know the position titles, but I think it would be in your interest to speak to one another, in order to avoid competition. I am thinking of Quebec taxpayers, because they will also have to pay the salaries of these new public servants, who no doubt deserve their salaries, by the way.

● (1000)

**Ms. Jennifer Stoddart:** You are absolutely right, Madam member. A number of these agencies belong to the network I mentioned. I want to reassure you in relation to Quebec and other Canadian taxpayers. Competing bids are not possible unless individuals change agencies.

Classifications are set in accordance with overall standards and are verified from time to time. We can't pay someone more money just because there is a staffing shortage. It is not like in the private sector. All jobs are subject to a classification, and that classification is tied to a set salary scale. This is where organizations such as the large departments, which may have higher classifications, have an advantage. This is the phenomenon I was talking about.

**The Chair:** Thank you both.

[English]

Mr. Wallace.

**Mr. Mike Wallace (Burlington, CPC):** Thank you, Mr. Chairman.

Thank you for appearing today.

If I recall correctly, we may have given you a little bit of a hard time last year on budget day; that's what I call these submissions, though I know some of my colleagues aren't excited about the term.

But first of all I want to congratulate you. I think the presentation you gave us was better than last year's. I'm always looking for improvement, and I appreciate that.

I have a number of questions, and if I don't get them all done in five minutes, you'll hear from me again.

Last year you provided us with figures for full-time equivalents for 2006-07 of 125 people. Did you get to that?

**Ms. Jennifer Stoddart:** Mr. Chairman, honourable member, we're currently at 105 full-time equivalents.

**Mr. Mike Wallace:** We budgeted for that amount; I'm assuming that stays with you until you get to that point. Then in this year's budget it goes from 125 to 154, so you've asked for additional money for that. Is that correct?

**Ms. Jennifer Stoddart:** Yes.

**Mr. Mike Wallace:** So you want to go from 112 to 154 from March 1 to next March, or whatever the date is?

**Ms. Jennifer Stoddart:** Yes, that is what is planned.

**Mr. Mike Wallace:** If I've heard what you've told others correctly, you're having difficulty attracting people to these positions.

**Ms. Jennifer Stoddart:** That is correct.

**Mr. Mike Wallace:** So these positions are created based on what you think the workload will be in these areas. That's accurate?

**Ms. Jennifer Stoddart:** Yes.

**Mr. Mike Wallace:** So what is the realistic opportunity? What did you start at in the year before to get to 112? I want to know how well your recruitment is going.

**Mr. Tom Pulcine:** I think the previous year we had around eighty, so I think the increase would have been something to the tune of 25%.

**Mr. Mike Wallace:** So in a couple of years you're going from 80 to 154, if everything comes together in terms of being able to recruit.

**Ms. Jennifer Stoddart:** That's right, yes.

**Mr. Mike Wallace:** So you're almost doubling. How much of that is for the Accountability Act? On that piece you've provided for us on this chart on page 1, you ramp up a little bit and then you ramp down. I don't understand the ramping-down part.

• (1005)

**Ms. Jennifer Stoddart:** I'll start, and if the chairman would allow, the director of corporate services will give additional details.

The ramping in this graph with the bar charts is because this is an additional amount of money to absorb the backlog we have now unfortunately carried for a couple of years. There's always a backlog, but—

**Mr. Mike Wallace:** The numbers ramp down again, because each year it goes down to 150 from 154.

**Ms. Jennifer Stoddart:** Yes, because the idea is to get rid of the backlog.

**Mr. Mike Wallace:** And that is strictly for backlog purposes, right?

**Ms. Jennifer Stoddart:** Yes.

**Mr. Mike Wallace:** Okay. I really appreciate that.

Another issue I have is, as you heard from this committee, and as we heard through PIPEDA's presentation, that public education on these privacy issues is—and I know you're working on it—not where people think it should be. Maybe the stuff is around here, but....

As part of the increase, I think we have 10 FTEs in there now. I can't tell if that's now or in the future. How many people do you have working on public education, and what is your goal in the next couple of years?

**Ms. Jennifer Stoddart:** If I just look at the chart here, that is the number currently. If I remember correctly, I think our goal is to almost double in the area of communications. Again, we're running a couple of competitions now.

**Mr. Mike Wallace:** Right.

**Ms. Jennifer Stoddart:** Running competitions is a fairly long process.

**Mr. Mike Wallace:** Yes.

**Ms. Jennifer Stoddart:** We hope to I think almost double this, maybe increase this by 80%.

I think your second question, honourable member, was what we plan to do with this.

**Mr. Mike Wallace:** Yes. What are the goals? I'm assuming you've made a determination of what you want to do in new work for these new people.

**Ms. Jennifer Stoddart:** Yes.

**Mr. Mike Wallace:** I'd like to know what that is.

**Ms. Jennifer Stoddart:** We want increased presence, including increased regional presence. I'm concerned that there are areas of the country that are not getting the attention they should in terms of the message, so we would like to be able to send out, for example, speakers—not necessarily me or the assistant commissioner, but perhaps directors or so on—to various key groups that then act as crucial dissemination points for this news across Canada.

We are constantly updating and overhauling our website. Maintaining an attractive website is a very intense activity these days, especially for young people who are going to MySpace and Facebook and so on. So one of our challenges is how to make our website attractive for young people, which would involve considerable revamping and possibly specific activities for them.

**Mr. Mike Wallace:** My experience is that—

**The Chair:** Mr. Wallace, your time has expired. You'll get another chance in another round.

**Mr. Mike Wallace:** You'll put me back on the list?

**The Chair:** Yes, in another round.

We have Mr. St. Amand and then Mr. Tilson.

**Mr. Lloyd St. Amand (Brant, Lib.):** Thank you very much, Mr. Chair.

**The Chair:** You're on. Go ahead.

**Mr. Lloyd St. Amand:** I think your comment, Ms. Stoddart, that the privacy standards in the public sector are lower than in the private sector strikes a worrisome chord in all of us. You've conceded that it's unacceptable.

If there's a comparison to be made, how does the standard, so to speak, of the federal legislation or federal policy compare to commensurate provincial legislation?

**Ms. Jennifer Stoddart:** I don't know that that is a study we've actually undertaken, Mr. Chairman.

I can speak perhaps from my experience of being a provincial commissioner in one province. I think in that province the mechanisms by which personal information circulated within the government were slightly more transparent than they are in the federal government, but then, of course, provincial governments are significantly smaller, so things are, shall we say, easier to follow than they are in the federal government.

•(1010)

**Mr. Lloyd St. Amand:** I have a question on another area—and Mr. Wallace has touched on this—and that is the regional offices. Correct me if I'm wrong—and I'm not diluting the importance of the attractive website, for young people particularly—but it would be of concern to any of us if vulnerable seniors, not computer-fluent in any way, were unaware of the existence of your office. I'm just wondering how a senior who is vulnerable is reached out to by your office. What proactive steps, if any, are being taken by your office to make seniors aware that you exist, that there is a complaints process, and that if they have concerns about their own privacy, you folks should be contacted?

**Ms. Jennifer Stoddart:** That's a very good question. We've been asking ourselves how we can do this better. When we have an increased regional presence, I think this will certainly help us.

Generally we take any opportunity we have to reach out to seniors, although we don't have a particular seniors' program at this time. A member of the office addressed a group of seniors in the consumer movement—I'm sorry, I don't remember their exact name—who were in Ottawa and gave a presentation on protection of personal information, including those aspects that were of greatest interest to seniors. This was a coalition group, so each of those people would then take that information to their area of Canada.

**Mr. Lloyd St. Amand:** So your office is based in Ottawa.

**Ms. Jennifer Stoddart:** Yes, it is.

**Mr. Lloyd St. Amand:** There are no satellite offices anywhere in the country.

**Ms. Jennifer Stoddart:** No. But part of this budget, which the parliamentary panel recommended, is for regional offices. I think we're within weeks or months of being able to announce how we are going to allow Canadians increased access and increased service. There will be one in the Atlantic area and one in the west.

**Mr. Lloyd St. Amand:** Last, you've made the laudable point that mediation and conciliation are the preferred approaches to complaint resolution. Is that triggered by a philosophical outlook, that it's always better to resolve than to fight, or is it triggered by a lack of resources, to go the less expensive route because of budgetary constraints?

**Ms. Jennifer Stoddart:** I think we have to bring whatever it takes to the complaints and their resolution. We don't choose to do one type of approach because of the cost implications.

First of all, I am an ombudsman, who has powers to go to the Federal Court. This presumes that I try to present a conciliatory approach, where the parties are interested in conciliation. That does not mean we force complainants to accept any offer or agreement that they are not happy with. From our experience, most parties want to get to a quick, practical, efficient, realistic settlement; they don't necessarily want to drag themselves through the court. That's why we encourage settlement.

**The Chair:** Thank you, Mr. St. Amand.

Mr. Tilson.

**Mr. David Tilson:** You just mentioned something I hadn't heard before: the issue of regional offices. What do you estimate that might cost?

**Ms. Jennifer Stoddart:** On the organizational chart, which I think is on page 3 of your handouts, you will see the box in the bottom right. Regional offices are \$450,000, and about five person equivalents.

•(1015)

**Mr. David Tilson:** Okay. Does that total mean regional offices plus staff?

**Ms. Jennifer Stoddart:** That means a little under half a million dollars.

**Mr. David Tilson:** Total?

**Ms. Jennifer Stoddart:** Yes.

**Mr. David Tilson:** On my line of questioning with respect to the increase in your current estimates, can you perhaps elaborate on your commission's plans with respect to complying with the Accountability Act?

**Ms. Jennifer Stoddart:** We have set up an ATIP office. We have a person in charge of the ATIP office, as the law and the directives require. We have several employees on a term basis; they're not permanent employees, for the moment. We are processing access to information requests. We are evaluating what our request load will be and whether we will need further resources. But we're not going to jump the gun; we're going to see if we can't handle them with our current level.

We're also looking at the implications of the Privacy Act being extended I think to...is it 150 organizations? The director of corporate services is doing those calculations. I don't know if he wants to say anything.

**Mr. Tom Pulcine:** In terms of the raw numbers presented in the RPP—the blue book—the \$19 million you made reference to earlier is highlighted in the chart on page 1. Of that \$19 million, we have identified \$1.3 million in planned spending in 2007-08, \$1 million in 2008-09, and \$1 million in 2009-10. Those amounts were given to us by the Treasury Board Secretariat, who asked us to insert them into the RPP, based on their analysis and their estimates from their work on the Federal Accountability Act.

It's our intention to present a business case and come forward to the parliamentary panel and, ultimately, to this committee with respect to our funding needs under the Federal Accountability Act.

As Commissioner Stoddart already made reference, there are basically two aspects of it. One is the expanded coverage of the Privacy Act, which we're assuming will not have a significant financial impact on our organization. So at this stage, although the business case is not yet finalized, it is not our intent to seek additional resources for the expanded coverage of the Privacy Act.

The second aspect of Bill C-2 that impacted us is the fact that we are subject to our own act, as well as to the Access to Information Act. Based on that, we know that we will have a need, and will have to set up an ATIP office. This year we've had some money allocated to that out of our base, or from non-additional resources, but it will probably will not be sufficient—though, once again, the business case is not finalized.

**Mr. David Tilson:** So is all of what you've mentioned—the regional offices, the accountability, the increased workload—included in the \$3.5 million increase?

**Mr. Tom Pulcine:** Of the \$3.5 million you're referring to, about \$1.5 million or \$1.4 million relates to the Federal Accountability Act. Once again, those funds are not actually part of the amounts being presented to you today for approval.

**Mr. David Tilson:** That's what I'm getting at. So what you've mentioned is not included in these estimates?

**Mr. Tom Pulcine:** It's in some of the tables to provide you with as much information as possible.

**Mr. David Tilson:** I understand that, but the figure of \$19 million, for example—actually, in excess of \$19 million—doesn't include your proposals for regional offices or the increased service you would be obliged to provide under the accountability legislation.

**Mr. Tom Pulcine:** It actually does. Of the \$19.7 million, \$1.3 million relates to the Federal Accountability Act, and under that is the expanded coverage of the Privacy Act and ATIP.

The funds for the regional offices you're making reference to actually concern funds we sought through the business case we presented to the all-party panel—and these funds were phased in over two years. So some of the increase you're seeing in this fiscal year, 2007-08, is a result of our presentation to that panel back in November 2005, and it was phased in over two years. So you're seeing approximately \$2 million—

**Mr. David Tilson:** So that's part of the old estimates, the \$16 million?

**Mr. Tom Pulcine:** That's right.

**Mr. David Tilson:** Okay, but it's not part of the new increase?

**Mr. Tom Pulcine:** It's actually brought the \$16 million to \$18.3 million. Of the approximate \$3.5 million increase you're referring to, about \$1.5 million is for the Federal Accountability Act—an increase that we are not asking for today. The other \$2 million is related to the business case we presented, bringing us from the \$16.2 million or \$16,298,000 to the \$18,346,000, as you can see in the chart.

• (1020)

**The Chair:** Thank you, Mr. Tilson.

It's my turn, so maybe I'll just carry on from where you were.

On page 2 of the documentation you set out, line B is your estimation for the Federal Accountability Act, at \$1.365 million—which you were just talking about. And you have a little footnote under B saying that you're not asking for it at this time, but that subject to your presentation to the committee, you will come back for supplementary estimates. That's how I'm reading it.

Is that correct?

**Mr. Tom Pulcine:** That's correct.

**The Chair:** Do I therefore take it that when we see the supplementary estimates, we shouldn't see a request for any more than \$1.365 million?

**Mr. Tom Pulcine:** What you will potentially see in the supplementary estimates are two other items. One item would be what I would describe as technical adjustments—though I'm not sure if there will be any—relating to collective bargaining, which is outside our control.

The other thing you will see is the carry-forward provision from 2006-07 to 2007-08. As you know, all government departments and agencies are permitted to carry forward any lapsed funds, up to 5% of the previous year's budget. That was our case. Although we don't have the final numbers yet, we will have lapsed money from 2006-07, and as part of the automatic carry-forward, we will be coming forward through the supplementary estimate process to have that approved.

**The Chair:** Yes, but that won't be extra money; that will be money you've carried forward.

**Mr. Tom Pulcine:** That's right.

**The Chair:** Yes, I've got it. Okay. So we'll watch carefully to make sure you're in the ballpark.

The budget for the Office of the Privacy Commissioner and assistant privacy commissioners, on page 3, is \$1.848 million. Footnote 2 includes a budget for a 2007 privacy conference, which you were talking about, Commissioner. What's the budget for that?

**Ms. Jennifer Stoddart:** The total budget, as I remember, but I stand to be corrected, is a little over \$925,000.

**Mr. Tom Pulcine:** The net cost to the government will be reduced by what we are estimating will be \$500,000 in registration revenue, in essence, or fees.

**The Chair:** What does that mean? Will it be \$900,000 less \$500,000?

**Mr. Tom Pulcine:** That's right.

**The Chair:** Okay, and what is the external advisory committee? Is that different from the strategic alliances, or is that one name, which is also in footnote 2?

**Ms. Jennifer Stoddart:** No, the external advisory committee is a group of about 15 persons—there is quite a bit of information about that on our website—who have been informally advising me, as Privacy Commissioner, since I took over at the end of 2003. They meet in Ottawa once or twice a year, and they give us informal long-term advice on strategic directions and functioning issues. They are all privacy experts in different domains.

**The Chair:** I'm taking it from footnote 2 that they get some sort of salary or honorarium or per diem or something. How much is that in total?

**Ms. Jennifer Stoddart:** It is \$200, I think.

**The Chair:** No, no. I mean in total, because you're including them in your \$1.848 million.

**Ms. Jennifer Stoddart:** Are you asking how much this costs per year?

**The Chair:** How much does the external advisory committee cost your office?

**Ms. Jennifer Stoddart:** My memory is \$15,000, Mr. Chair. We can give you those exact figures.

**The Chair:** And the strategic alliances, how much do they cost your office?

**Ms. Jennifer Stoddart:** "Strategic alliance" is simply a budget—I think we spent about \$60,000 last year—for initiatives that I, particularly, as Privacy Commissioner, might like to take in the course of the year. That is \$60,000.

**The Chair:** So from the \$1.848 million, we take off.... How much was that last figure?

**Ms. Jennifer Stoddart:** It was \$60,000.

**The Chair:** We take off \$15,000 for the external advisory committee and we take off net \$400,000 for the conference. Am I reading that correctly?

**Mr. Tom Pulcine:** You have to take off the full amount of the conference as it relates to the presentation here.

**The Chair:** Okay, but net, it's not going to cost your office \$900,000; it is going to cost \$400,000.

● (1025)

**Mr. Tom Pulcine:** Yes, that's right.

**The Chair:** That leaves us then with what? Is it about \$1.4 million in the first box, approximately? Is that right? Am I correct, roughly speaking?

**Mr. Tom Pulcine:** I think it is part of the note that's there. I think \$871,000 is the amount you're looking for.

**The Chair:** Yes, so what I'm trying to figure out is how much is left in the top box after the privacy conference, the external advisory committee, and the strategic alliances, and I am talking net figures.

**Ms. Jennifer Stoddart:** It is \$871,000.

**The Chair:** It is \$871,000.

**Mr. Tom Pulcine:** That's right.

**The Chair:** How many FTEs does that cover?

**Ms. Jennifer Stoddart:** It covers eight.

**The Chair:** There are eight. So none of the eight that are referenced in the top box has anything to do with the external advisory committee, the strategic alliances, or the privacy conference. Is that correct?

**Ms. Jennifer Stoddart:** That's right. These are permanent employees.

**The Chair:** Oh, I'm out of time. Thanks.

We'll go to Mr. Van Kesteren.

**Mr. Dave Van Kesteren (Chatham-Kent—Essex, CPC):** Thank you, Mr. Chair.

Thank you, Madam Commissioner, for appearing before us again. Thank you for helping us prepare the last report.

I get the impression, at least, that much as in private business, when something new is implemented, it takes a little while to get things just right. But I have a very secure feeling that you have things well under control. There are some concerns about some of the budgetary items, but it looks to me like things are settling in. You have your people in place.

There is only one thing I see that I question, and the reason I raise it is because when we had before us the Office of the Information Commissioner, they testified that their office had partnered with the University of Alberta to create a program for a degree that would fill some of their functions.

I think I was hearing that you're having some trouble, and I would just assume that you're looking for a specially trained person. So I guess my question is whether you have moved along the same way. Have you initiated something like that, or are you looking to investigate that and partner, possibly, with a university to create a course?

**Ms. Jennifer Stoddart:** Yes, absolutely. I don't know if the director of investigations would like to add anything, but the head of that University of Alberta initiative is in fact a member of our advisory committee, about which the chairman was just posing questions. So we are very familiar with that initiative.

One of the themes of the last few years for us has been the professionalization of privacy people and how there should be more standards and recognition of the importance of this kind of work. Often it's the same person who does privacy and access to information.

We have worked with organizations within Canada, and there is an international one that is very present in the field. We are interested in this not only because of the principle of professionalizing privacy work, but also because this provides organizations and government departments with a new group of people who are trained to standards.

**Mr. Wayne Watson:** Concerning this program you're talking about, not only are the investigators encouraged to take it, but I know that presently we are working with the university to see if we can somehow have modules specific to our types of investigations so our investigators can take those courses. There is some dialogue right now with the university.

**Mr. Dave Van Kesteren:** I was thinking, Mr. Watson, more in terms of university graduates. Are you steering young grads into a course, or will there be a course offered by the university that would result in your office...? In private business, when a new opportunity arises you train your people in a certain way and always make sure you have people behind you who can fill the gap. I'm looking more in terms of the people who would fill the gap.

Are we approaching universities and saying that the Office of the Privacy Commissioner is going to need this type of individual who needs this type of training, and can we offer some courses?

**Ms. Jennifer Stoddart:** Yes, I have certainly done that with law faculties. My colleague, who is head of audit and a chartered accountant, has been doing that in his own professional world, saying that this is a field that needs more and more recruits and we're interested in getting their latest recruits. We have had some people come through that avenue.

We hire a lot of students, usually on a part-time basis. Clearly we're trying to encourage young people to move in that direction and we are happy to hire them. It's difficult, for the reasons I've said here, to hire them very quickly through the public service as full-time employees.

• (1030)

**Mr. Dave Van Kesteren:** As we said, we've gone through the report and we're very satisfied. I think we all agreed with the report. There was one area we had concerns with, but for the most part it looks like....

Would you say you feel very comfortable, when you look at the future, that this is going the right way and you have the people in place, or are there areas of concern where you might have problems? I guess I'm looking at nipping it in the bud if there's something out of whack.

**Ms. Jennifer Stoddart:** "Comfortable" sounds like kind of a luxury that as Privacy Commissioner of Canada I don't think is a concept that fits the state of mind. No, I don't feel comfortable.

Technology is constantly changing. We have a huge challenge to try to take a law and the civil service structures and the state they're in and be flexible, proactive, and so on, to meet the challenge. It's not comfortable.

I think we have to be extremely vigilant. And we are stretched, as are commissioners throughout the world, to try to meet these challenges. If you look at what's happening in terms of Internet privacy—and we'll come back to that on Tuesday—the world is just moving so fast.

That being said, I don't think I am hampered in my budget in trying to meet those challenges. The challenges have to do with knowledge acquisition; forming a plan to deal with new challenges; having the team and the members we need on the team; and reacting with speed, which is always a challenge in a bureaucracy—and I don't say that ironically. I think in any big organization within or outside the government, reacting quickly is always a problem. We see a fragmented world in which the actors now can be individuals with computers and websites.

**The Chair:** Thank you.

[Translation]

Does the Bloc have any questions? No.

[English]

Mr. Wallace.

**Mr. Mike Wallace:** Thank you, Mr. Chairman.

I'll continue where I left off. I had a question about this chart that you provided us. If I do my math right, and you show your program spending.... I have to tell you that in my previous life I loved to go

through budgets—sorry about that—and you don't get as much chance around here as I had in the past.

You show 72% for personnel, but the next biggest item is professional and special services. Can you explain to me what special services are? What are you buying?

**Ms. Jennifer Stoddart:** I think this was a question of particular interest to the honourable members at our last appearance on our budget, so we have prepared some additional material. May I ask the director of corporate services to speak to that?

**Mr. Tom Pulcine:** First, in terms of the label that's used, "professional and special services", that's dictated by others; we're just paying for the label.

To give you some sense of what's in there, though, it's a wide variety, a real mixed bag. You have training in there. Of the amount that's identified, the \$2.3 million, \$275,000 has been allocated for training. We have specialized IT consultants. Of that, we've got \$200,000 allocated. Additional accounting and audit work is required—

**Mr. Mike Wallace:** Is that money paid out or is that internal?

**Mr. Tom Pulcine:** These are paid out.

**Mr. Mike Wallace:** These are paid out. Thanks.

• (1035)

**Mr. Tom Pulcine:** So that's \$100,000. Legal services is \$350,000; temporary help is \$200,000. As I said, there's a wide variety of stuff in here. Translation is part of this and it's \$325,000.

**Mr. Mike Wallace:** Thank you. I didn't know what it was, and I appreciate that.

Is that line item increasing over last year, or is that about the same?

**Mr. Tom Pulcine:** Only relative to the fact that there was an increase over last year to begin with, so relative to that increase, yes, it is—

**Mr. Mike Wallace:** Percentage basis, but it's not changing that piece.

I have a question for you on your book, and this one isn't exactly about money, but on page 12 you talk about your priorities for 2007-08. You heard from us before about education, and I think I asked a question about it earlier in my previous round.

I don't see education as one of the top five. Am I missing something in one of these spots?

**Ms. Jennifer Stoddart:** No, honourable member, because I know that when we talk about education we're talking about what's happening in bullet number 1, "improving and expanding our service delivery". Education is one of the services we give to the public. One could also argue it's in bullet number 2. When we appear before the committees, these are usually events that have a certain amount of public interest. They take a certain amount of preparation. You deal with very important issues like PIPEDA, like reform of the Privacy Act, ID theft, so that goes in—

**Mr. Mike Wallace:** So you're saying I shouldn't be looking for a box that says "education" or "privacy issues", that it's all part of the activities that are within those priorities?



**Ms. Jennifer Stoddart:** That's right. The conference, if I may say, honourable member, is a huge education event.

**Mr. Mike Wallace:** Can I ask you a little bit about the conference? First of all, who comes to this? Are we invited to this thing, members of Parliament?

**Ms. Jennifer Stoddart:** Sure. Anybody can come.

**Mr. Mike Wallace:** That's my question. Is it all privacy experts, or are there people at these events who are involved in the issues from a political point of view?

**Ms. Jennifer Stoddart:** A cross-section of people come to this, from industry, from government, from civil society, from universities, from the scientific world, from the legal world. So, yes, anybody can come to these events.

**Mr. Mike Wallace:** Okay. In the big book—and you don't have to open it, I just have a question about it—the contribution side says:

Privacy Issues — Research and Policy  
The Personal Information Protection and Electronic Documents Act  
Class Contribution Program.....\$500,000

What is that?

**Ms. Jennifer Stoddart:** That's the money that was allocated in 2000 for what's called a contributions program, which means a research program. Every year we run a research grant program.

**Mr. Mike Wallace:** We actually give money to people who are doing research, based on their input into whatever the research is?

**Ms. Jennifer Stoddart:** That's right. We run a competition, and we select the best ones.

**Mr. Mike Wallace:** And that \$500,000 has been there annually since 2000?

**Ms. Jennifer Stoddart:** It has. I think 2004 was the first year it was used.

**Mr. Mike Wallace:** Do we get enough applications to use up all \$500,000 annually?

**Ms. Jennifer Stoddart:** Last year I think we handed out a little under \$400,000. If the applications don't meet certain criteria, we don't fund them just to spend the \$500,000.

**Mr. Mike Wallace:** I'm glad I asked—

**The Chair:** Sorry, you're at five and a half minutes.

I have myself and Ms. Davidson on the list. If there's anybody else who wants to ask any questions, please put up your hand. I'll take my five minutes.

Going to the pie chart that Mr. Wallace was referring to, item 3, "Information", is \$200,000. Of the boxes listed on page 3, where would we find that \$200,000?

**Ms. Jennifer Stoddart:** It is under "Public Education", Mr. Chairman.

**The Chair:** Now that's what confuses me. For "Public Education and Communications" you've got \$1.7 million. Then under the pie chart you've got, "Information", \$200,000, and then you've got item 2, "Transportation and Communications", \$860,000.

Is item 2, "Communications", part of "Public Education and Communications" at \$1.7 million?

**Mr. Tom Pulcine:** Do you mean item 2, "Communications", under "Transportation and Communications"?

**The Chair:** Yes, it says "Transportation and Communications".

**Mr. Tom Pulcine:** That's for electronic communications like the telephones, Internet services—

**The Chair:** So that's not part of the "Public Education and Communications" box on page 3. Is that correct?

**Mr. Tom Pulcine:** That's correct.

**The Chair:** So then where is the other \$1.5 million on page 3, for the "Public Education and Communications" box?

• (1040)

**Mr. Tom Pulcine:** In terms of all the boxes that are on the chart on page 3, they're both salary and non-salary, for your information. To give you some sense of what I think you're after, if you look in this book...

**The Chair:** I'm not sure I know what I'm after. I'm just trying to read and understand how these things are presented to us.

**Mr. Tom Pulcine:** If you look at page 24, you're just going to get a repeat of that number, whereas the communication branch is the... so it probably doesn't help you. I'm not sure what you're after.

**The Chair:** My point is that it's not entirely clear, because I can't really tell if I'm comparing.... I'm obviously comparing apples and oranges, and that doesn't help me.

So let me move on to something else. You've got acquisition of machinery and equipment at a quarter of a million dollars, and you've got repair and maintenance at half a million dollars. What are you repairing for half a million dollars when you just bought a quarter of a million dollars' worth of stuff?

**Mr. Tom Pulcine:** Do you want me to go with the acquisition first?

**The Chair:** Yes.

**Mr. Tom Pulcine:** The acquisition of the \$252,000 is made up of computer equipment of \$152,000, computer software of \$50,000, and then some office furniture and fixtures for \$50,000. In terms of the purchase repair and maintenance, there's \$50,000 allocated to maintenance of hardware and \$125,000 allocated for maintenance of software.

There was a question earlier that relates to our business case implementation, the cost of our growing. This is included here as well. We've allocated \$100,000 for the business case implementation.

**The Chair:** How is that repair or maintenance?

**Mr. Tom Pulcine:** In terms of accommodating the additional staff, we had some additional space allocated to us by PWGSC, but that wasn't sufficient to accommodate this additional staff. In order for us to accommodate them, we had to retrofit some of our existing space to—

**The Chair:** And you couldn't make a turnkey with your landlord, Government Services?

**Mr. Tom Pulcine:** No.

**The Chair:** That's unfortunate. So I guess that's where utilities comes in. In item 7 you pay utilities?

**Mr. Tom Pulcine:** That's a mixed bag as well.

**The Chair:** Yes.

**Mr. Tom Pulcine:** It's utilities, materials, and supplies. So it's not so much utilities as—

**The Chair:** Don't tell me that \$100,000 is for pens.

**Mr. Tom Pulcine:** Stationery is in there, but also you have magazines and periodicals, books and publications.

**The Chair:** Not to beat a dead horse here, but how much for utilities?

**Mr. Tom Pulcine:** Nothing. We don't pay for the utilities.

**The Chair:** Then why is it there?

**Mr. Tom Pulcine:** It's a standard label: utilities, materials, and supplies. It's a label for what's called a "standard object", as in item 7. It's used across the board.

So if we had responsibility for utilities, which we don't, it would be here.

**The Chair:** Then in fact for all materials and supplies, it's a quarter of a million dollars.

**Mr. Tom Pulcine:** That's right.

**The Chair:** Madam Commissioner, I'm asking you, do you consider that a reasonable expense, a quarter of a million dollars, for materials and supplies for the year?

**Ms. Jennifer Stoddart:** I'll answer that question as best I can.

I think we're cutting down on our use of materials such as paper. We're going to electronic means, not only for costs but in terms of the environment.

An office like ours, which deals in the knowledge economy, has to make sure that its employees are up to date with all the knowledge necessary to do their jobs. One thing we've done is to reorganize our documentation centre to make sure that we do in fact have all the information we need. Given the state of personal information issues and so on, these sources can be worldwide, outside of Canada and so on.

So yes, that seems to me reasonable.

**The Chair:** Thank you.

Ms. Davidson.

**Mrs. Patricia Davidson (Sarnia—Lambton, CPC):** Thank you, Mr. Chairman.

I'd like to thank the commissioner very much for the presentation—

**The Chair:** Can I have a little bit less chat around the table, so that we can hear Ms. Davidson and the answer?

[*Translation*]

**Mrs. Carole Lavallée:** Mr. Chairman, point of order.

• (1045)

[*English*]

**The Chair:** You have a point of order? What is it?

[*Translation*]

**Mrs. Carole Lavallée:** It is 10:45, and there is another item on the agenda, and it happens to be my motion. I would like us to take the time to deal with it. There are only 15 minutes left, and in my opinion, a motion should be given that much time at least.

[*English*]

**The Chair:** Well, I appreciate your bringing to our attention the time, but that's not a point of order.

We do have someone who wants to ask a question. They have five minutes to do so. There is one other person on the list, that being Mr. Tilson. I can't do anything about that.

The first item is the estimates. As long as there are people who are interested in asking questions, we'll deal with item 1.

Ms. Davidson.

**Hon. Jim Peterson:** I have a point of order.

**The Chair:** Mr. Peterson.

**Hon. Jim Peterson:** How this will unravel is to me quite evident.

We will be dealing with the current witnesses until 11 o'clock. There will be no time to bring a motion because we will dissolve automatically at 11 o'clock.

It would be my suggestion that rather than go through that facade, we adjourn right now. Then members can get on to other things.

It's just recognizing the inevitable.

**The Chair:** Again, that's not a point of order.

I remind the committee that we had agreed to provide time to ask the commissioner about her estimates. There are people who are interested in asking the commissioner about her estimates.

I think that's a reasonable thing. We only do this once a year. I think we should get on with it and stop wasting time talking about debating.

Madam Davidson....

On a point of order, Mr. Vincent.

[*Translation*]

**Mr. Robert Vincent:** Listen carefully, so that things are clear and we don't have to repeat them 3, 4 or 10 times. People are not entitled to leave in a rush because it is 11 o'clock. There has to be a vote in order to adjourn the meeting. The clerk can tell me whether I am right or not. That's the first point.

The second point is that you knew that a motion was to be presented and discussed. You've already seen it, since it had been distributed. Yet, you disregarded this.

We will need to talk about the rules and procedures that apply. Here, Mr. Wappel's rules and procedures apply, whereas we should be following the Standing Orders of the House of Commons. We must comply with the Standing Orders. I want the clerk to get involved and to remind us how we need to proceed.

Thank you.

**Mrs. Carole Lavallée:** Mr. Chairman.

**The Chair:** Ms. Lavallée.

**Mrs. Carole Lavallée:** Thank you, Mr. Chairman, for giving me the floor.

All too often, when I introduce a motion, Mr. Tilson, on the other side of the table, takes the floor and filibusters by monopolizing the time until the end of the meeting.

I have consulted specialists, particularly staff at my whip's office. They told me that this was not an acceptable way of proceeding, that this did not comply with the Standing Orders applicable to committees. If Mr. Tilson wants to speak for 20 minutes, he may do so, but when the time comes—

[English]

**The Chair:** If we don't calm down, I'm going to adjourn the meeting.

You have the floor, Madame Lavallée.

Madame Lavallée, you said that the rules of the House are not being abided by. Precisely what rules of the House are not being abided by in this committee?

[Translation]

**Mrs. Carole Lavallée:** I could give you the number of the Standing Order, but what I want to say is that the way that things are proceeding here is not in keeping with the Standing Orders. A tradition has developed: a Conservative Party member starts to speak around 11:00 a.m. or, in most cases, around 5:30 p.m., and monopolizes the rest of the time until the meeting adjourns.

What are you doing with your gavel, Mr. Chairman?

**The Chair:** Ms. Lavallée—

**Mrs. Carole Lavallée:** You are taking your gavel and you are adjourning the meeting. This is not consistent with the Standing Orders. According to the Standing Orders, the debate must continue as long as people wish to speak. If Mr. Tilson wants to speak until tomorrow morning, he may do so, but the meeting may not be adjourned until the majority of members vote to adjourn.

• (1050)

[English]

**The Chair:** Madame Lavallée, first of all, I haven't—

[Translation]

**Mrs. Carole Lavallée:** I would ask that you consult your clerk regarding the Standing Orders before answering my question.

[English]

**The Chair:** First of all, you've indicated that the chair is not abiding by the Standing Orders. I want you to provide me with the Standing Order the chair is not abiding by. That's number one.

Number two, I didn't recognize Mr. Tilson. I recognized Ms. Davidson, and it's Ms. Davidson's opportunity to ask questions of the commissioner.

Number three, the first item on our order of business is the estimates of the commissioner. It's only after that item is completed that we deal with item number two. We have not completed item number one, so we cannot go to item number two.

I'll ask the clerk. Mr. Clerk, are you aware of any rules that require us to skip over any item on our agenda and deal with a motion that has been put forward?

**The Clerk of the Committee (Mr. Richard Rumas):** No, Mr. Chairman.

[Translation]

**Mrs. Carole Lavallée:** That is not what I asked you to ask the clerk, Mr. Chairman. The question was this: Do you decide on your own to adjourn the meeting when the time comes even if other individuals wish to continue to speak? In other words, in order to adjourn, must we not vote?

[English]

**The Chair:** The meeting was called for 9 to 11. There is another meeting scheduled at 11 o'clock in this room, in any event, so we would have to vacate the room at 11 a.m., no matter what, since another committee requires this room.

Mr. Clerk, would you answer Madame Lavallée's question?

**The Clerk:** You are correct, Mr. Chair. The meeting has been called for 9 to 11. That indicates it's a two-hour meeting, in compliance with the block system established by agreement among the whips.

The only way, perhaps, the committee could continue would be if it agreed to do so and to find another room.

**The Chair:** Would the agreement have to be unanimous, or just by—

**The Clerk:** It would have to be unanimous.

**The Chair:** It would have to be unanimous.

Are there any other questions of the clerk before we go to Madam Davidson?

Mr. Vincent.

[Translation]

**Mr. Robert Vincent:** Do you mean a majority vote or a unanimous vote? There is a difference between the two: it is unanimous when everyone agrees to the same thing and it is a majority vote when the majority agree to it.

[English]

**The Chair:** So I—

**The Clerk:** It would have to be unanimous, because the committee meeting was called for 9 to 11.

**The Chair:** So it would have to be—

[Translation]

**Mr. Robert Vincent:** I would like you to identify the Standing Order that states that a unanimous vote is required to adjourn a meeting.

[English]

**The Clerk:** It doesn't exist specifically in the Standing Orders or in Marleau and Montpetit.

[Translation]

**Mr. Robert Vincent:** Where did you get that?

**The Clerk:** It is the tradition in committees.

**Mr. Robert Vincent:** No, it is not the tradition in committees. Tradition can be changed to suit the circumstances.

**The Chair:** Mr. Vincent, pardon me.

[English]

If there's nothing in the Standing Orders, then it is governed by the traditions of the committee.

[Translation]

**Mr. Robert Vincent:** Mr. Chairman, we have some questions, and it is the clerk who represents the House when it comes to the Standing Orders. So he is the one who has to answer.

What usually happens? I sit on the Standing Committee on Industry, Science and Technology, and, there, a vote to adjourn does not have to be unanimous. It is a majority vote. If the majority decides to continue to sit, the committee continues to sit until we decide to vote again to adjourn, and the majority votes for or against. It is not the tradition in committees. I sit on other committees, Mr. Chairman, and that is not how they operate.

**Mrs. Carole Lavallée:** Mr. Chairman, if you want to talk about committee tradition—

**The Chair:** Pardon me, madam.

[English]

Monsieur Vincent, he did answer the question. He said there's no specific rule, which was your first question.

Second, he said it's his understanding that the vision of committees is that to extend the meeting would require unanimous consent. Now, you may not agree, but that's what he said. I did allow him to answer the question, and he answered it.

Go ahead, Madame Lavallée.

[Translation]

**Mrs. Carole Lavallée:** Mr. Chairman, if you want to talk about traditions, we can talk about tradition concerning the chairman's right to speak. Here, we've always been extremely tolerant about your right to speak, but it must be said that, every time, you alone take the time that an entire party gets to speak, meaning seven minutes. We've never objected to that.

[English]

**The Chair:** That's not true.

[Translation]

**Mrs. Carole Lavallée:** Yes, it is true, and we can prove it!

[English]

**The Chair:** No, we have a timer here. I haven't taken seven minutes, and I take the Liberal slot.

[Translation]

**Mrs. Carole Lavallée:** You do not take the Liberals' slot, as you say. You're taking extra time. We will get out the minutes of committee meetings.

[English]

**The Chair:** That's not true. I take the Liberal slot. You can ask the clerk. He keeps the list.

**Mr. Sukh Dhaliwal:** Can you just be polite here? You are in the chair and you are getting excited, so—

**The Chair:** Sometimes I get excited.

Madame Lavallée.

• (1055)

[Translation]

**Mrs. Carole Lavallée:** If you want to talk about traditions and what is done in other committees, I can tell you this is not something that is part of committee tradition and that this is not a common practice in other committees. If you want to talk about tradition, we can talk about it.

That said, I have a motion that I gave notice of in—

[English]

**The Chair:** What is not a common practice?

[Translation]

**Mrs. Carole Lavallée:** Pardon me. Ask your question.

[English]

**The Chair:** What is not a common practice?

[Translation]

**Mrs. Carole Lavallée:** It is not common practice for a chair to speak so long during a committee meeting. I sit on other committees, and you are the chair who takes the most time. In any case, this is not something I've seen on other committees, nor has my colleague, and other colleagues who have come to sit beside me since I've been on this committee have told me the same thing. They are always surprised. I have always told them that you just had to put up with it, but today I've had enough.

That said, I introduced a motion asking the committee to examine the current government's practices regarding the Access to Information Act. If what is currently happening is a dilatory measure to prevent us from looking at this practice as well as everything else regarding the internal report by the Department of Foreign Affairs and International Trade, we will draw the appropriate conclusions, meaning that the Conservative government, through the Conservative members present, are opposed to such a review because they might have something to hide. That is the conclusion that I will draw, Mr. Chairman.

[English]

**The Chair:** First of all, there is no motion in front of the committee. There is notice of a motion. No motion has been moved, because we haven't got to that stage of the proceedings, so let's be absolutely accurate about what we're saying.

Is everybody finished with points of order, none of which I find valid?

We have one minute, Mrs. Davidson. Would you like to ask a question?

**Mrs. Patricia Davidson:** Thank you, Mr. Chair. I'll be very brief.

Commissioner, I think there's always been concern among the public. People wonder how their privacy issues are being dealt with and want to make sure there are security issues in place.

My question is about the regional offices. Are they going to help the public to be reassured? Where are they going to be, and how many of them are there?

**Ms. Jennifer Stoddart:** Chair, we are at the point of deciding exactly where they will be. They may not be offices in a traditional sense, but they will be regional presences, given that the very nature of what we work on is not fixed in one place but is continually moving.

One presence will be in the Atlantic provinces, and it may be that we have systems or a base in several provinces. The other one will be in the western provinces, maybe emphasizing the provinces that don't have substantially similar legislation.

**Mrs. Patricia Davidson:** Thank you.

You also spoke about grants that you gave for privacy work and so on. Do we get a report of how that money is spent, or can we—on where the grant money goes?

**Ms. Jennifer Stoddart:** Yes, absolutely, honourable member. It's on our website. Every year we give the grants. We announce who won the grants, how much was spent, and when the research work is handed in we provide a link on our website to where it's published. That's part of the condition of the grant; you have to publish it so the Canadian public can read that information.

We expect to announce the grants for this year in a few weeks. So that's for 2006-07. If you watch our website, you'll see who will get the grants.

**Mrs. Patricia Davidson:** Thank you very much.

**The Chair:** Thank you.

I want to bring to the attention of the committee that the clerk has contacted the Minister of Justice and advised the Minister of Justice

that we will be prepared to meet with him at any time that is convenient to him. We've been advised by the Minister of Justice that he has no time, possibly at least until the fall. I bring this to your attention only because I've mentioned numerous times before that there are other ways of skinning the cat. So it's up to the committee members to decide if they want to do so.

Eleven o'clock has come. I'd like to thank our witnesses, the Privacy Commissioner and her officials, for appearing here and for answering our questions. We look forward to seeing you on another matter on Tuesday of next week.

Thank you.

The meeting is adjourned.

[Translation]

**Mrs. Carole Lavallée:** Just a minute, Mr. Chairman. I would like to know what you're doing with the second item on the agenda. Is it being postponed to the beginning of the next meeting?

**The Chair:** Clerk, please.

**The Clerk:** Normally, committee business is the second item on the agenda.

**Mrs. Carole Lavallée:** Could we make an exception and consider this item at the beginning of the next meeting?

[English]

**The Chair:** Well, number one, I've adjourned the meeting. Number two, I won't be here, so—

[Translation]

**Mrs. Carole Lavallée:** No, I said that before you raised your gavel.

● (1100)

[English]

**The Chair:** No, no. I banged the gavel. Then you talked to me.

In any event, I won't be here, so if you find some problem with me in the chair, there will be somebody else sitting in the chair who can make that decision.

[Translation]

**Mrs. Carole Lavallée:** You didn't answer my question.

[English]

**The Chair:** The clerk has said that the item is usually the second on the agenda.

The meeting is adjourned.





**Published under the authority of the Speaker of the House of Commons**

**Publié en conformité de l'autorité du Président de la Chambre des communes**

**Also available on the Parliament of Canada Web Site at the following address:  
Aussi disponible sur le site Web du Parlement du Canada à l'adresse suivante :  
<http://www.parl.gc.ca>**

---

**The Speaker of the House hereby grants permission to reproduce this document, in whole or in part, for use in schools and for other purposes such as private study, research, criticism, review or newspaper summary. Any commercial or other use or reproduction of this publication requires the express prior written authorization of the Speaker of the House of Commons.**

**Le Président de la Chambre des communes accorde, par la présente, l'autorisation de reproduire la totalité ou une partie de ce document à des fins éducatives et à des fins d'étude privée, de recherche, de critique, de compte rendu ou en vue d'en préparer un résumé de journal. Toute reproduction de ce document à des fins commerciales ou autres nécessite l'obtention au préalable d'une autorisation écrite du Président.**