

9:00 a.m.

Wednesday, June 28, 2006

[Mrs. Ady in the chair]

The Chair: I'd like to begin by calling the meeting for the Select Special Personal Information Protection Act Review Committee. That is our name. We're going to use the word PIPA from now on because I can't remember that many words. So PIPA is the acronym that we're going to use to refer to this committee. I'd remind all members that this is a committee of the Legislative Assembly, so it has a few different rules than perhaps a government committee would have. Some of you have served on them before, so you're aware of them, and we'll encounter those a bit as we go through the day.

Mostly, I'd like to begin today by having introductions so that we know who's in the room. I'll begin with myself, and we'll maybe go this way, so we can see who all the members are. If you have a special interest or reason that, you know, this committee is one that you've always wanted to serve on, maybe you could share that with us at this time.

My name is Cindy Ady. I'm the MLA for Calgary-Shaw. I will be sitting as chair of this committee. I've been a Member of the Legislative Assembly for about five years now, so this will be a very interesting experience because I have not had a lot of contact yet with the information legislation for the province.

Mrs. Sawchuk: Karen Sawchuk, committee clerk.

Mr. Snelgrove: Lloyd Snelgrove. I have always wanted to be on this committee. I just didn't know it until this morning.

[The following members introduced themselves: Mr. Backs, Mr. Johnston, Mr. Liepert, Mr. Lindsay, Mr. Lougheed, and Mr. MacDonald]

[The following departmental support staff introduced themselves: Ms Kreutzer Work, Ms Lynas, and Mr. Thackeray]

[The following staff of the office of the Information and Privacy Commissioner introduced herself: Ms Denham]

Mrs. Kamuchik: Louise Kamuchik, Clerk Assistant, director of House services for the Assembly.

Ms Sales: Tracey Sales, communications consultant with the Clerk's office.

Ms Sorensen: Rhonda Sorensen, communications co-ordinator with the Clerk's office.

Mr. Goudreau: Good morning. Hector Goudreau, Dunvegan-Central Peace.

The Chair: I think it's important to note that Hector will also be serving as the co-chair of this committee, so thank you very much, Hector.

Mr. Goudreau: Thank you, Cindy.

Mr. Martin: Ray Martin, Edmonton-Beverly-Clareview. There are only four of us, and we all have to take committees.

The Chair: Drew the short straw, huh?

Well, thank you very much. The only rule that I ever have for committees that I serve on is that I always try to remind people that suffering is optional; that is the choice that you make. So other than that, I think we'll have a really good review here.

As a first item of business today I'd like to get approval of the agenda. Has everyone had an opportunity to look at the agenda? Any objections? Any additions to the agenda?

Mr. Liepert: So moved.

The Chair: All those in favour? I see an approval of the agenda. Thank you.

Okay. Next up on our agenda is Committee Orientation. For those of you that are unaware, there was a motion that was brought forward on the floor of the House that basically gave the authority for this committee to enact its review. I will be asking you to refer to that if you have any questions as to why this committee has been struck and what it's supposed to be about. That is Motion 22, and it's included in your packet. You also received a copy of the act. Do all of you have a copy of the act? Have you read it? I know you'll be reading it tonight. It's also included in your information.

Then as far as committee support, we have Karen Sawchuk. She is the committee clerk assigned to this committee. She'll be providing administrative, research, and general assistance as required. Corinne Dacyshyn is the committee clerk. She's going to be Karen's backup for the committee. Rhonda Sorensen will be the communications co-ordinator with the Clerk's office, and Tracey Sales, communication consultant, will be providing communication expertise to the committee. The committee can also call upon Louise Kamuchik, Clerk Assistant and director of House services, or Senior Parliamentary Counsel from the Legislative Assembly Office should issues arise which require their assistance, so we thank them for their help today. The committee will also rely on the technical expertise of Tom Thackeray, assistant deputy minister, and other senior staff from Alberta Government Services and from the office of the Information and Privacy Commissioner.

As far as general meeting procedures, meetings are to be held or called by the chair, myself, and generally Karen will be contacting members to be able to determine your availability for the number of dates provided by the chair. Meeting notices will be circulated to members once a meeting date and time is set, and meeting binders will be delivered to your office a week prior to the meeting.

During the meeting I will be attempting to keep track of members wishing to ask questions, and every effort will be made to ensure that members have equal opportunity to participate in discussion and ask questions. These meetings are recorded by *Hansard*, and transcripts are circulated to members and the staff. The legislative committee follows the rules set out by the Standing Orders, and if there are any procedural questions or challenges, Senior Parliamentary Counsel or the Clerk Assistant may be asked to provide assistance. I've often said, you know, that I could just, as she said earlier, get a referee shirt and a whistle. But I am the mother of four boys, I do want to remind the committee, so if I send you to your room, just remember that I might slip back into that role occasionally.

A copy of the committee's approved operating budget is included in the members' meeting binder, and just for information purposes this budget was initially prepared based on an 18-month review period commencing June 2005. The act was subsequently amended to delay the start of the review till June 2006, so this budget only covers the period ending March 31, 2007. Are there any questions regarding budget at this point in time? We do have it later on the agenda. On the amounts? No? Okay. We'll maybe look at that later. No questions, though?

Next, if the committee is comfortable with the rules as I've set them forward and who's going to be supporting us and how that will go forward, I'd like to turn our attention now to the draft terms of reference and the timeline for the review. It's one of the bigger pieces of work that I think we'll be trying to accomplish today. I've asked Tom if he'll help us as we move through that process to ensure that we cover that material appropriately. So if anyone has questions that arise during his presentation, just signal, and I'll write your name down and make sure you get an opportunity to speak.

Tom, please.

Mr. Thackeray: Thank you very much. In the documents that were circulated to the members there's one entitled Select Special Personal Information Protection Act Review Committee Terms of Reference. It has five parts, and with the committee's agreement we'll deal with each part separately.

The first talks about the scope of the review, and the proposal before the committee is as follows:

- To ensure that the Act and its supporting regulation and policy provides an appropriate balance of the right of an individual to have his or her personal information protected and the organization's need to collect, use and disclose personal information for purposes that are reasonable.

Secondly,

- To fulfill the legislated requirement to conduct a comprehensive review of the Personal Information Protection Act and submit to the Legislative Assembly, within 18 months after beginning the review, a report that includes recommendations by the committee.

The third point:

- The review does not encompass matters governed by other legislation including:
 - Access and privacy issues relating to personal information in the custody or control of a public body that is subject to the Freedom of Information and Protection of Privacy Act.
 - Access and privacy issues relating to individual health information within the scope of the Health Information Act.
 - Access and privacy issues relating to personal information in Alberta Registries, including information governed by the [Access to] Motor Vehicle Information Regulation [or AMVIR] and the Land Titles Act.
 - Access and privacy issues relating to information and organizations subject to the federal Personal Information Protection and Electronic Documents Act.

The Chair: Are there any questions at this point in time regarding this portion of the terms of reference from any of the members? We're all pretty clear? I think what it does lay out for us is those other acts that we will not be reviewing or those portions of this information that are covered under other acts. That's what I got from it.

Anyone else?

9:10

Mr. Goudreau: Madam Chairman, I'm just wondering if the word "organization" will be defined and brought out clearer. It uses the word "organization," and I know there's a definition in the act. I think that will need to be discussed as we move forward.

The Chair: Thank you.

Any others?

Mr. Thackeray: The second point under the terms of reference is

the proposed format of the review process. What is being recommended to the committee is as follows:

- The committee will hold initial meetings to discuss the terms of reference, scope of the review and budget, and also to receive orientation and discuss the public consultation process.

That is basically the agenda of today's meeting.

- The communications team will develop a communications plan to create awareness of the review and general input from stakeholders.

And that, as well, is on the agenda today.

- A discussion guide will be prepared, posted to a Web site and proactively distributed to known stakeholders, as well as distributed to any individual or group upon request.
- The Committee will meet and discuss issues with key stakeholders, such as the Information and Privacy Commissioner, and other recognized organizations that the Committee selects.
- The Committee will review written submissions and hear presentations from invited stakeholders at its regular meetings.
- The Committee will analyze and discuss issues and release a preliminary report.
- The preliminary report will be posted to a Web site and distributed to all parties who made a submission and any others who request the document.
- Upon review of any further submissions responding to the preliminary report, the Committee may amend its report.
- The Committee will submit a final report to the Legislature.

The Chair: Okay. That's what I'll call the nuts and bolts of what we're going to be doing. So as you've read through those items, are there any questions, issues?

Mr. Martin: Well, it says, "The Committee will review written submissions and hear presentations from invited stakeholders at its regular meetings." Do we anticipate that there will be sort of public hearings for people to come forward or just on request? I guess that is the only question I have.

The Chair: My understanding is that after we have reviewed the written submissions, if the committee at that time feels that it needs to bring other groups forward in order to ask questions or for clarifications or those types of things, we will have a public portion of this particular committee, and that will happen sometime in the fall. Okay?

Hugh.

Mr. MacDonald: Yes. This question, I guess, is directed to the entire committee, Madam Chairman, and it would be this: Do you think that the 15th of September is an adequate deadline, considering the summer vacation period, for submissions to be made from the public? Do you think we should change that to, perhaps, November 15, the proposed timelines for the review?

The Chair: Are you referring to the time period for written submissions, Hugh?

Mr. MacDonald: It doesn't clarify whether they're written or oral submissions, but certainly further down the proposed timeline schedule it indicates that early September 2007 would be the deadline for submissions from the public. That's a long time away, but the deadline for submissions from the public for the first look by this committee would be September 15. I'm of the view that September 15, 2006, is far too soon, considering the summer schedule and the fact that it's already near the end of June.

The Chair: Okay.

Mr. Liepert: With due respect, I thought we were doing these by clusters. Aren't we under the proposed format of the review process, and we'll be getting to the timelines?

The Chair: Yeah. We will be talking to timeline later. So would you be okay with us waiting to talk about timeline later? What we're looking at right now is the idea of what the review will look like, and then we can talk about timelines at the end of this section.

Mr. MacDonald: Yes. We can certainly wait, but the public consultation process, the timeline is all about that. But certainly we can wait if you'd like. Sure. But it's an important issue, and I think we should extend the deadline.

The Chair: Okay.
Dan, please.

Mr. Backs: Thank you, Madam Chairman. Just referring to the invited stakeholders, what is the process to determine which stakeholders will be invited to the nonpublic portion of the meetings?

The Chair: I'll ask Tom if he can maybe give us some information on this. We think we have a very, very comprehensive list of those that would be interested in this particular issue, but I'll let Tom maybe add to that.

Mr. Thackeray: First, I would like to just mention that all of the meetings of the committee are public, so anyone can come to any of the meetings of this select special committee unless the committee goes in camera.

The experience that we've had in reviewing similar legislation, be it the Freedom of Information and Protection of Privacy Act or the Health Information Act, is that there are some organizations that will be requesting the opportunity to make a presentation to the committee. At the last review of the FOIP Act, I believe Mr. MacDonald will recall, there was a decision of the committee that the oral presentations would be as much as possible restricted to larger clusters of organizations – for example, organizations like the Law Society of Alberta, the Canadian Federation of Independent Business, the Better Business Bureau, organizations that represent a lot of stakeholders that are impacted by the legislation – rather than trying to accommodate requests from every small business operator in the province and trying to get them to go through their associations or their organizations to bring forward any issues.

We anticipate that when we receive submissions as a result of the discussion guide, there will be some specific organizations that will request the opportunity to come before the committee and elaborate on what they put in their written submission. We also anticipate that there may be some organizations that the committee may want to call upon to come and make a presentation. But we were of the view that that discussion would probably be more appropriate after we've seen some of the submissions, and that decision could be taken when the committee reconvenes in the fall.

Mr. Backs: Just an extra question there if I could, Madam Chair. The nature of the groups that are brought by invitation: will that decision be made by the committee or be brought to the committee before they're decided? How will that work?

The Chair: Well, it is our stakeholders list, and it is on the agenda.

I'm wondering if the member needs to add to that list or has a name that he wants added to that list that we would bring up for consideration by the committee.

Mr. Backs: No. I'm just asking the question in general. If we're looking at groups as clusters, you know, with the larger, more representative groups, if they come forward – and we see some that are there – will that decision be made here in committee?

The Chair: Yes. I think so. I don't think we're looking to shut any group out from participating in this consultation. I think we have as comprehensive a group as we can see at this time. There might be others that come along that obviously can participate, but that is the list as we have it today.

So I'd like to kind of go back to where we were on the terms of reference, which is the proposed format. I know that Ron had an issue. Has it been covered, or would you like to bring it up?

Mr. Liepert: Well, that is the issue. Under the agenda we have Draft Communications Plan, and if the hon. member would review the draft communications plan, there's an extensive stakeholder list there. Okay? So that surely is the starting point for stakeholders.

Then I would just comment that with respect to his last question, bullet 5 says clearly that "the Committee will review written submissions and hear presentations from invited stakeholders." So it's fairly clear what the committee would do.

Mr. Backs: Just a clarification. My question was to the nature of how we invite.

Thank you.

The Chair: Okay. Thank you.

If we could return to the format of the review process, does the committee have comfort with the proposed, at this point in time, review format? Do I see a motion to accept? Well, we're not doing a motion yet, just that we have some degree of comfort. Okay.

Tom, then I'll have you move on to 3.

9:20

Mr. Thackeray: Point 3 is pretty self-explanatory. I don't think I need to go into any detail there. It basically talks about who is on the committee.

The Chair: We're all in agreement that we're all on the committee? Okay. Great.

Move to 4.

Mr. Thackeray: If you go to point 4, the deliverables, we see that the recommendation to the committee is that there be a discussion guide, which is on the agenda for later today. There would be a preliminary report based on the submissions that are received by the committee and the discussion that the committee has on those submissions. Then the final deliverable would be the final report, to be tabled in the Legislative Assembly within 18 months of the establishment of the committee.

The Chair: Okay. Any questions? We're all comfortable with that?

I just got a clarification. We don't have to do a preliminary report, but it is very useful. It kind of is helpful in the work that we do. But we do have to do the final report to the Legislative Assembly.

Okay. According to the sheet that I'm looking at, we have now moved to timelines. Would you like to cover timelines initially and make explanations? Then we'll take questions after that.

Mr. Thackeray: Sure. Thank you. The proposed timeline for the review that is being recommended to the committee: June 28, '06, which is today, the meeting of the committee to receive orientation and provide approval to the terms of reference, the proposed timelines, and the discussion guide. We're suggesting that the deadline for submissions from the public for the discussion guide would be September 15, 2006. In October of '06 the technical resource team would analyze those submissions and prepare materials to present to the committee.

From November '06 to April '07 the committee would have several meetings to review the submissions, receive presentations from the technical resource team on issues identified by the committee, and receive presentations from invited stakeholders. The committee would make the decision as to who would be invited.

Mid-May '07 would be the finalization of the preliminary report. The first week of June '07 the committee would issue the preliminary report for comment; in early September of '07 the deadline for submissions from the public on the preliminary report. By the end of September the committee would meet to review the submissions responding to the preliminary report and review a draft final report.

The first week of October '07 would be the final meeting of the committee to approve the final report, and we're allowing about four weeks to print the report once it's approved by the committee. Then in early November '07 the final report would be ready to be tabled in the Legislative Assembly.

The Chair: Thank you, Tom.

Mr. Goudreau: Just a question to Tom and maybe to the staff, Madam Chair. Certainly, under the second section of the terms of reference it talks about developing a communications plan and putting together a discussion guide. I'm just wondering how much time is required for the staff and ourselves to put that together. That will determine, maybe, some of the other dates that we could deal with.

Mr. Thackeray: The discussion guide is part of the package. We have put together the first draft of the discussion guide, and that is what we are hoping to have the committee review, provide input on, and approve today. Also, Rhonda has put the communications plan together, and it is part of the package. We would also be looking for the committee to discuss that, make whatever amendments they believe are necessary, and then approve it so that we can start working, basically getting the discussion guide out next week.

Mr. Goudreau: Thank you.

The Chair: Great.

Mr. Snelgrove: I think that Mr. MacDonald made a good point when he talked about time for public submissions, but I think that can work both ways. If we find as a committee that we have tremendous interest and a lot of public involvement and we need to extend this time for public submissions past September 15, then I think we should. If we find that we don't or we find that it's a very consistent concern coming back from the public and business and we're able to maintain September 15 and move ahead your other discussion things, we should. I think this should be called a guideline instead of a timeline and that we need to spend the time that's necessary but no more.

So to answer Hugh's question, if there is more public or business interest than the staff can handle or if we have requests for extensions from them, I think we need to be flexible in understanding

them because what matters here is to do the right thing, not necessarily the quickest or the slowest. So I think we need to be flexible on these timelines as we feel our way through.

The Chair: Any other questions or issues that you'd like to raise about the timeline? Hugh, please.

Mr. MacDonald: Yes. I have two questions that are related to the timeline, and they are dealing directly with our communications plan after today's meeting. When will the advertisements be placed? Did someone say next week?

The Chair: Hugh, that is on the agenda for just a bit later.

Mr. MacDonald: Yes, but if we don't know what the communications plan is and how long it's going to take to come into force and act, how can we determine that this narrow time frame through to September 15 is adequate?

The Chair: I think our answer came earlier – and maybe you can supplement it – that it is ready at this time. They are ready today to present that communications plan to us for our approval. So I think a lot of that work has already been accomplished. If you'd like to add to that, Rhonda.

Ms Sorensen: Yes. If the ad and the communications plan are accepted today, then, yes, we can run the advertisements next week.

Mr. MacDonald: Next week?

Ms Sorensen: Yes.

Mr. MacDonald: When would the website be put up?

Ms Sorensen: The website we can put up probably by the end of this week.

Mr. MacDonald: Okay.

The Chair: So does that answer all your questions, Hugh?

Mr. MacDonald: Yes, it does, and I appreciate that, but I'm not satisfied that September 15 is an adequate time frame, and at the appropriate time I would like to make a motion that we extend this by 60 days, through to mid-November.

The Chair: Okay. I think we should probably take that motion into consideration at this time since we're considering the timelines at this point. Would you like to make that motion formally?

Mr. MacDonald: Yes, Madam Chair. I move that we extend the deadline for submissions from the public from September 15, 2006, to November 15, 2006. Thank you.

The Chair: Thank you.
Ron.

Mr. Liepert: Yes. I'd just briefly speak in opposition to that. I believe that Mr. Snelgrove had the appropriate approach. As a committee we will have the ability to extend it if so needed, but I don't believe that we should drag this out any longer than we have to. I would like it to be flexible, and I would speak against the motion.

The Chair: Anyone else to speak for or against the motion? Dan.

Mr. Backs: Thank you, Madam Chair. I'll speak for the motion. I don't think this should be dragged out in any way. I think the timeline should be maintained within the overall length of time, and even that may be a little bit long. The nature of trying to communicate with people on summer holidays, July and August, and hope that they're going to have some submission in by September 15, with all the vacation schedules and everything that's happening, will make it very, very difficult, I think, to have proper communication and proper knowledge of this within the public and notice of it by the public even if there are out there a number of website materials and notices in the newspapers and other media and whatever. It's just very difficult in that timeline. We saw the same thing with another proposal for some changes last year, and it bogged down because it was coming in over the summer and into September. I think that there's some difficulty with the September 15 deadline.

The Chair: Thank you.

Mr. Snelgrove: There may be, but this is a review, much different than developing a new act or changing legislation. I think that if we get to September 15 and we need to extend it, we should do it at that time. I'm not a fan of open-ended, you know. I think that primarily we're dealing with business issues here. Granted, most businesses are run by individuals. The concern is from a business point of view. I think the concerns will be pretty consistent, and I think that business will be ready to respond to the request for concerns much quicker than it would be in a broader public consultation about health information or stuff like that, that we've also done, that would be more difficult.

So I would also vote against it and say that we need to be flexible. If we find as we near September 15 that we should extend it, I'll be in complete agreement that we extend it. If we find that it's not necessary, we should stick to that time.

The Chair: Is this in response to Lloyd?

Mr. Backs: A response.

The Chair: Okay. Go ahead, Dan, and then Rob.

9:30

Mr. Backs: Thank you. I agree that, you know, the nature of individual businesses must be taken into account here, especially if we're looking at the major responses and things coming from clusters. For example, if a business is going to be responding to the chamber of resources or the chamber of commerce in their area and they go to their Alberta chamber, many of them will not be meeting in the summer and will not be able to come up with a good response and submission with a deadline of September 15. The reality is that in Alberta and Canada in my experience much of this type of work gets done in the fall and the spring months. To try and get this activated through the summer is, I think, kind of pushing these organizations in a way that they do not respond to and do not respond to very well.

The Chair: Thank you.

Mr. Lougheed: I expect that a lot of these organizations would have had interest in the act, if they have any interest at all. It couldn't have been much of a surprise – the motion was back in May – as I know that all people do read *Hansard* rigorously and would've

known that was in there. So there is probably lots of advance notice out there to interested parties at any rate.

The Chair: Okay. Thank you.

Anyone else?

I have had a suggestion that I would like to put in front of the committee. [interjection] Oh. I've got to do the motion first. Excuse me.

We will deal with the motion first, and then I'll make a suggestion. All those that are in favour of the motion, please raise your hand. All those opposed? The motion is defeated.

I'm wondering if we could consider as a committee this wording as we look at the proposed timelines. If you look under September 15, 2006: deadlines for submission from the public, with the possibility of extension if determined necessary by the committee. No?

Mr. Snelgrove: We've talked about that. We agreed.

The Chair: Okay. So the motion is defeated, and we will let this stand. The timeline will then stand.

Before we do that – let me not get ahead of myself here – is there any more conversation on the timeline before I move on?

Mr. Thackeray: What we could do is ensure that the committee members are kept up to date as to how many submissions are coming and when they're coming in so that as we approach September 15, we'll have a pretty good idea as to the number of submissions we have and the types of organizations that have put in the submissions and whether we're anticipating any problem with that deadline date.

The Chair: Okay. That's fair.

Well, I see no more hands coming up on this discussion. What I'd like to do now is have two motions moved: first on the agenda and then on the timeline.

So, first of all, I'd like to have a motion to approve the terms of reference.

Would somebody like to put that forward? Ray put forward a motion. All those in favour? All those opposed? The motion carries.

Also, I'd like to have a motion to approve the proposed timeline for the review.

Fred? All those in favour? All those opposed? The motion carries. Thank you.

All right. Moving right along, we are now moving to item number 5 on the agenda. It's the Orientation to the Personal Information Protection Act so that you can know better the act that you're reviewing. We're going to have this done today for us by Tom, Hilary, and Kim. There are three individuals. We figure it'll be about 25 minutes to 30 minutes in total.

If you could please save your questions, I will be keeping a list up here for anyone that has questions at the end to kind of keep things as organized as possible. Unless your question is just burning. Then indicate to the chair, and we'll see if we can find an answer for you.

Tom, please.

Mr. Thackeray: Today we'll be giving you a brief overview of the Personal Information Protection Act or, as we affectionately call it, PIPA, including some background that will explain why we have this legislation and the key principles of the act. While PIPA is substantially similar to the federal PIPEDA legislation, there are some differences, which we will highlight as we go along. You should note that we will be making some generalizations today in the

interest of keeping our overview brief. As you can appreciate, there are technicalities in the act which we will not go into today.

Privacy is not a new issue, and there are many different definitions of privacy. The more current concepts of privacy are about the control of personal information. The question has become: who makes the decisions of how personal information is used by a business, and who else receives this information?

When I deal with a business, I can decide whether I provide my name, phone number, and any other personal information, but once the business has collected the information, I don't necessarily know what they do with it. Do they create mailing lists that they sell to charities for fundraising or to a data broker or to a business partner? Are the computer systems protected from hackers or even from curious employees? Are outdated documents shredded, or are they just thrown into the dumpster in the alley? I can't know this for all the businesses I deal with.

This legislation sets standards that businesses must follow so that the customer has some assurance that businesses are required to handle personal information responsibly. The Supreme Court of Canada has recognized privacy as a fundamental right that goes to human dignity and is essential for the well-being of an individual.

Canadians are increasingly concerned about privacy. In a 2005 Ekos survey 62 per cent of the Canadians polled felt that they had less personal privacy in their daily lives than they did 10 years ago, and 67 per cent believed that protecting the personal privacy of Canadians will be one of the most important issues facing the country over the next 10 years.

Ms Lynas: Technology has played a large role in creating a demand for privacy protection. It used to be that our personal information was kept in paper records. Businesses only collected what they needed and there was limited storage space, so when files were out of date, they were either destroyed or sent off to some warehouse for storage.

Nowadays these files are stored electronically, and it's much easier to create electronic dossiers of people. In the old days for someone to create a dossier about you, they would have had to go to a number of different offices, retrieve records, make some notes. Nowadays it's so much easier to compile all that information because of customer relationship management software and the ease of using computer programs. An editorial in the *Ottawa Citizen* this spring put it this way:

Privacy invasion in the 21st century does not come as a single, massive assault. It comes in pinpricks . . . Requests for personal information are commonplace these days, so it's easy to forget that answering them is voluntary. Personal information has value to marketers, but it doesn't belong to them. It belongs to us.

9:40

You may remember this story about Jennifer Stoddart's cell phone records. We provided a copy in your package. The lesson here is that no one is immune from threats to privacy, not even the federal Privacy Commissioner. Her personal phone records were bought over the Internet from a U.S. data broker for \$200. In 2005 over 11,000 Canadians were the victims of identity theft and together suffered an estimated loss of 8 and a half million dollars. Nine hundred of these victims were Albertans.

The issue of protecting personal information first arose in the early 1970s, when computers were starting to play an important role in governments and large businesses and industries such as banking and credit reporting. This led to the development of guidelines for protecting data or personal information. These fair information principles developed by the OECD have become the root document for most privacy legislation and codes around the world, including Alberta's PIPA and the federal PIPEDA legislation.

In 1995 the European Union passed tough data protection legislation, and it demanded that its member states implement their own, similar legislation. This legislation prohibited the members from transferring personal information to other countries and jurisdictions that didn't have similar protection. This created issues for countries like Canada and also the U.S., where things like Visa processing are done across a border. The position that the EU took had great impact because of the need for information to flow across borders in a global economy.

Quebec was the first Canadian jurisdiction to enact private-sector privacy legislation. At the national level the Canadian Standards Association set up a committee to develop a Canadian standard for data protection. This committee included consumer representatives, federal and provincial governments, business reps, unions, and professional associations. This led to the CSA model code, that embodies these principles and became the foundation for the federal act, the Personal Information Protection and Electronic Documents Act, which we call PIPEDA.

PIPEDA was implemented in Canada in stages. In 2001 it applied to federally regulated businesses, including such things as banks, telephone companies, cable companies, and railways. It also applied to any personal information that flowed across provincial borders. As of 2004 the act was extended to apply to personal information collected, used, and disclosed in the course of a commercial activity by organizations in all provinces with the exception of Alberta, B.C., and Quebec. It also applies to personal information that is transferred across a provincial or national border. It does apply to Alberta businesses when they transfer personal information across a border for a commercial purpose.

A review of PIPEDA is expected to begin this fall by a federal committee of Parliament, and the B.C. act is scheduled to be reviewed starting in January 2007.

Mr. Thackeray: A decision was made to develop private-sector privacy legislation in Alberta after consultation with Alberta businesses and individuals in 2002. That consultation indicated support for made-in-Alberta legislation. If Alberta did not enact its own legislation, the federal PIPEDA would apply to Alberta businesses.

There were some inherent problems with PIPEDA. Those most notably were that the act is very difficult to read and understand because the CSA code was not drafted in the form of legislation but attached to the end of PIPEDA as an appendix. In the code "shall" is a requirement; "should" is a recommendation. PIPEDA was also designed for big business. It wasn't designed for the small or medium-sized businesses that predominate the private sector in Alberta.

B.C. was also developing its own legislation at the same time as Alberta, and in a somewhat unique situation I sat in Victoria and gave drafting instructions to Legislative Counsel in B.C. to ensure that whatever approach B.C. took and Alberta took, there was harmonization between the two provinces.

Another result of the Ekos survey that I mentioned earlier shows that privacy legislation matters. Ekos found that 74 per cent of the individuals polled believe that it is very important to have strong laws to protect Canadians' personal information.

PIPA is about protecting the personal information held by the private-sector organizations in Alberta. The act governs how those organizations may collect, use, and disclose personal information about their customers, clients, and employees. The act does this by balancing the right of an individual to have his or her personal information protected with the need of organizations to collect, use, and disclose personal information for reasonable business purposes.

The act also allows an individual to ask an organization what personal information it has about the individual. The act does not allow an individual to request information about someone else or to request the organization's business information.

Ms Kreutzer Work: The act applies to all organizations in Alberta that are not federally regulated, from companies to an individual who is operating a home-based business. There are certain types of personal information and entities to which the act does not apply. The act does not apply to a person who is acting in a domestic capacity, such as compiling a party invitation list or researching a family tree. It doesn't apply to a newspaper that is collecting personal information for a journalistic purpose. The act does not apply to public bodies that are subject to the FOIP Act. So government ministries, public schools, and municipalities remain under the FOIP Act by itself.

The act does not apply to health information that's covered by the Health Information Act. The act also doesn't apply to personal information under the control of a public body even if it is in the hands of a private-sector organization. For example, the FOIP Act continues to apply when a city uses a private-sector company to produce paycheques.

The act does not apply to the personal information that a registered constituency association or a political party handles or when personal information is collected for an election campaign.

As Tom mentioned, the act applies only to personal information. The information does not have to be recorded, so it applies when information is collected over a telephone. Personal information is information that identifies an individual, such as a name, an address, a telephone number, an e-mail address with a user password, a unique identifying number such as a SIN number or an account number, an employee number, a photograph, or biometric information. Personal information is also information about that individual; for example, birthdate, gender, race, religion, education, employment history, financial history, medical history.

There are general responsibilities under the act. You may have noticed a privacy statement in the newspaper, you may have received an insert with your bill from a bank or utility company that contains a privacy policy, or you may have seen a link to a privacy policy on a website. The organization must make someone within the organization responsible for the privacy of that organization. This is someone the public should be able to direct their questions to. An organization must also develop a privacy policy and make it available to the public upon request.

The act requires organizations to act in a reasonable manner. Reasonable means what a reasonable person would consider appropriate in the circumstances. For example, it would be reasonable for a customer renting a video to have to provide her name and telephone number or address to the video store, but the reasonable person would not consider it appropriate for the store to ask for that individual's social insurance number. The reasonable person test is an objective test, and it's been one that has existed in law for years.

9:50

Ms Lynas: One of the key principles underlying PIPA is consent. An organization must get consent before collecting, using, or disclosing personal information unless the act allows otherwise. The form of consent to be used in any circumstance depends on the type of information involved and the purpose for the collection, use, or disclosure.

There are limits on what information an organization can collect even with consent. They can collect information only for reasonable purposes and only the information it reasonably needs to fulfill those

purposes. Normally, personal information is collected directly from the individual the information is about, and before the information is collected, the organization must tell the individual the purpose for the collection. Similarly, an organization may only use and disclose personal information with consent unless permitted otherwise, and again the use or disclosure must be for a reasonable purpose and be limited to the information reasonably required to fulfill the purpose.

The act does permit organizations to collect, use, and disclose personal information without the consent of the individual in limited circumstances. Some of the key exceptions are when another act of Alberta or Canada or a regulation authorizes it or when personal information is being disclosed to a law enforcement agency or is for an investigation or a legal proceeding or when a public body under the FOIP Act is authorized to collect the information from the organization or authorized to disclose it to the organization.

Both Alberta's and B.C.'s legislation recognizes that the employment relationship requires some special consideration. There are times when an employer could not meet his legal obligations if an employee refused consent. For example, employers are required to provide certain information related to federal income taxes, so there's really no point asking the employee to consent to sending their information to the Canada Revenue Agency.

PIPA contained provisions that specifically addressed the collection, use, and disclosure of personal information of employees and job candidates by an employer, and in this act an employee includes an unpaid volunteer, an apprentice, and a student in a work experience program as well as what we typically think of as employees. The act strikes a balance between an employee's right to privacy and the employer's legitimate need to collect, use, and disclose certain types of personal information about employees in order to operate the business and meet their own legal obligations.

PIPA allows the collection, use, and disclosure of personal employee information without consent subject to some conditions, and the conditions are that the personal information must be reasonably required for the employment relationship, which includes hiring, managing, and terminating employment, and the employer must explain to its current employees why the information is being collected and how it will be used and how it will be disclosed. If the employer does not give this notice to his employees, then he must obtain consent to collect, use, and disclose the information.

Ms Kreutzer Work: Both Alberta's and B.C.'s acts contain special provisions that allow for personal information to be disclosed without consent to the potential purchaser of a business provided that certain controls are in place. For example, during a due diligence investigation only information needed to determine whether to proceed with a transaction can be disclosed. The Canadian Bar Association has recommended that a similar provision be added to PIPEDA.

An individual can make a request to an organization for access to his or her own personal information that is in the custody or the control of the organization. The request can be only for recorded information. An individual can also ask what the information is being used for and to whom the information has been disclosed.

As in the case of the FOIP Act there is a duty to assist the applicant and a time limit for responding. The organization is permitted to charge the individual a reasonable fee. No fee is permitted, however, when the request is for personal employee information.

There are limited circumstances in which the organization may or must refuse the individual access. For example, an organization has the discretion to refuse access if the information is subject to legal privilege or was collected as part of an investigation. The organiza-

tion must refuse access if the disclosure of the information would reveal personal information about another individual.

An individual can also request that an organization correct his or her personal information.

An organization must reasonably ensure that the personal information is accurate for the purpose of the collection, use, or disclosure. The organization must also have reasonable safeguards to protect the information. This includes such things as locking offices and filing cabinets and protecting computer systems from hackers. The information can be kept only for as long as the organization reasonably needs it for legal or business purposes.

Ms Lynas: PIPA is enforced by the Information and Privacy Commissioner of Alberta. The commissioner has oversight for PIPA as well as FOIP and HIA, and his powers to conduct inquiries and issue orders are similar to those under the FOIP Act. Anyone can complain to the commissioner about the personal information practices of an organization. The individual's own personal information doesn't have to be involved. Before investigating a complaint, the commissioner can refer the individual to some kind of alternative complaint process. This may be directing the individual to make their complaint first back to the organization, or there may be an industry-operated complaint system. For example, a professional regulatory organization may have a complaint process, or an industry like insurance has their own process in place.

Over the past two and a half years that the act has been operating, the commissioner's office has received over 460 complaints and requests for review. The top five sectors for complaints are retail; health care, including such things as diagnostic labs, optometrists, dentists, private treatment clinics; the oil and gas industry; professional and technical organizations, including things like legal offices, accountants, engineers, IT companies, and HR professionals; financial and insurance industries.

It is an offence to intentionally breach the act, and there are fines of up to \$10,000 for an individual and \$100,000 for an organization. An individual whose privacy has been breached can sue for damages. They can sue for damages against an organization that was the subject of a commissioner's order or against a person who is guilty of an offence under the act.

PIPA contains special provisions for self-governing professional bodies, or professional regulatory organizations as they're called in the act. The commissioner's powers for investigating complaints and conducting reviews still apply. In B.C. these organizations are covered under the FOIP Act.

There are also special provisions in PIPA for some nonprofit organizations. Nonprofit organizations, including societies, agricultural societies, and organizations registered under part 9 of the Companies Act, must comply with the act only when they collect, use, and disclose personal information in connection with a commercial activity. If they were excluded from PIPA entirely, then they would be subject to PIPEDA. There are other nonprofit organizations who don't fit within these definitions, and they must comply with the act whether or not they're carrying on a commercial activity. In B.C. all nonprofit organizations are fully covered by the act.

10:00

A commercial activity is defined, and this definition is taken from PIPEDA. It includes selling and bartering of donorship or membership lists and also the operation of a private school, a private college, or early childhood services program. The personal information of employees of nonprofit organizations is not protected by the act unless it becomes part of a commercial activity.

That concludes our high-level overview of the act.

The Chair: Thank you very much for that high-level, stimulating overview of the act. I think also very useful for all of us as we're starting to look at reviewing the act is to kind of have a good understanding of at least the basics of what we're looking at, so I thank you for that.

What I would like to do now unless there are questions from the PowerPoint presentation – are there any questions?

Mr. Snelgrove: Two rather simple ones, I think. One, it says that it must have the policies and practices available to the public. Is the government considered public? Do we have a body from the government who goes around checking out whether the businesses have done this?

Secondly, where an individual asks to make corrections to their personal information, if it's an employee record, for example, and we have determined that the employee is somehow not good, sleeps at work or whatever he does, and the employee says, "No, I don't," who decides what's correct?

Ms Lynas: There isn't anybody going around to ensure that everyone has policies in place. However, an individual can ask a company, and if it is not provided, the individual can go to the office of the Information and Privacy Commissioner and make a complaint. That office has the ability to investigate any noncompliance with the act.

In terms of correction of information, information has to be corrected if it's not accurate. If the organization refuses to correct information, again the individual can make a complaint to the office of the Information and Privacy Commissioner, and it would be investigated. Ultimately the commissioner could determine whether the information was in error or not.

Mr. Snelgrove: Okay. Thank you.

Mr. Liepert: Just a quick one under the fines. How many fines, if any, have actually been levied while this act has been in place? I guess that's the question.

Mr. Thackeray: The answer to that would be zero.

Mr. Goudreau: I'm just wondering. It was mentioned a couple of times that we've harmonized this with B.C. As we're going through our review, is B.C. doing the same thing? How do we maintain our relationship to make sure that we're being harmonized a little closer with our counterparts?

Mr. Thackeray: B.C. will be starting their review of their legislation in early '07. We will be consulting and collaborating with B.C. as this process in Alberta proceeds, so they'll be aware of what this committee is considering and what this committee is recommending. I'm fairly confident that whatever comes out of this review will be front and centre in the review in British Columbia.

Mr. Goudreau: Maybe another question. There are a lot of landlord/tenant relationships across the province with many individuals renting out their basements or a single room or those kinds of things where they maybe have access to another individual's information, and I don't see much discussion surrounding that within the act. You know, I might get a phone call, if I own a duplex, for instance, and I'm renting half of it to somebody, from an individual saying: "So-and-so rented your place. What kind of character is he?" How much limitation is there for me to provide information, and what am I allowed and vice versa? Is it covered here?

Ms Denham: That's a really good question. We have a lot of traffic, a lot of questions, and some complaints around landlords and tenants in the commissioner's office. We've just recently issued a frequently asked questions document to help landlords and tenants understand privacy obligations. Information can be shared, but it has to be shared within that business relationship and according to the rules in the act. So landlords are certainly subject to the act as an organization.

Mr. Goudreau: I can see that the larger owners of buildings might own a few hundred apartments, those kinds of things, but quite often I think the misunderstanding happens between somebody who might own just a bedroom, you know, that he rents out to somebody.

Ms Denham: I'm one of those landlords, and I'm very careful of the information that I collect on my tenants. The act certainly does apply to individuals that are renting out their basements because that's deemed to be a commercial activity. We do have a set of guidelines out there to help landlords and tenants, and we've worked with the landlord agencies in Calgary and Edmonton in issuing those guidelines.

Mr. Goudreau: Thank you.

The Chair: Are there any more questions about the overview? Tom, please, with a question?

Mr. Thackeray: Yeah, I've got a question. In response to Mr. Snelgrove's question earlier about public, one of the challenges that was put upon the public servants in developing this legislation was to ensure that it did not become a significant impediment to business. What we did was develop in co-operation with some business organizations a fill-in-the-blank privacy policy. It made it easy for the small-business sector to develop their own privacy policy by basically going to our website, filling in the blanks as to what type of business they were, what the name of the business was, and then they would have a privacy policy that would be in compliance with the legislation.

Mr. Goudreau: Well, in my initial comments I brought up the word "organization." Certainly, it's defined in the act there, but I'm still wondering if it includes such organizations as municipalities, for instance, and if they fall directly under this act in terms of collecting tax information, personal information, vis-à-vis land ownerships, and those kinds of things.

Mr. Thackeray: Municipalities are covered by the Freedom of Information and Protection of Privacy Act as a public body, not under PIPA.

The Chair: Seeing no more questions, I'm going to go ahead and close that section of the agenda out and move to item 6.

Just kind of as a housekeeping measure, would the group like a five-minute break at this point in time, or would you like to continue to move forward? You all look pretty settled, so I think we'll move forward.

There is a copy of the draft discussion guide under tab 6 in your meeting binder. If you'd like to turn to that now. Basically, the review is this discussion guide. These are the questions that we're putting to individuals out there and asking for their response. So part of our work today will be to take a look at this discussion guide that has been prepared to see if we have any feedback or some additions or things that we think need to be added. The guide

provides background on the personal information and protection of privacy act. It highlights the key areas being reviewed by the committee and asks questions designated to encourage input from stakeholders.

I'm going to turn this section over to Tom and his staff at this time to address, but before I do, are there any questions that you want to ask about the discussion guide before we begin to take a look at it?

Mr. Liepert: I want to know the process. Are we going to read through this whole thing through this committee for approval?

The Chair: Yes. Because this is actually the document that we will be using for this review, we are going to look at it in detail today. Unless there are no questions, obviously. We'll have some description of it and then an opportunity for input if the individuals on this committee feel that it needs to be added to.

What I hope to do is to do this up until about lunchtime, and then if we need to continue afterwards, we will. I know that this committee, you know, is miles ahead of the chair, so I don't know how long this will or won't take. Tom, can you give us an estimate on that?

Mr. Thackeray: I believe that with discussion from the committee members it should be quite possible to wrap this up in an hour and a half.

The Chair: Thank you.

10:10

Mr. Snelgrove: I guess I'm wondering about going through this discussion guide. It seems to me that we're going to go to the businesses and the public and ask them where their concerns are, and I'm not sure that we're not getting ahead of that process, quite honestly. I would love to have the other members of the committee tell me what they've heard about issues around PIPA so that we know where to hunt the ducks. It seems like we're having this big discussion, but quite candidly there may be some real issues out there. I don't know of any that are under this, so I'd be curious, from the other members, if there are areas that we need to focus on.

The Chair: Well, my impression is that the discussion guide should help guide that kind of discussion, but I'm open to the committee, you know, reorganizing this at this point in time if they feel it necessary.

Mr. Lindsay: I was just going to comment on Lloyd's question, I guess. The only comments I've heard – I'm not even sure if it's covered under this act – have more to do with when you go to trade shows, et cetera, and they have all these free draws, and then they collect all this personal information. By the time you fill your name out – you don't realize they're collecting this information until you're further down on the form. Then, of course, shortly thereafter, if you do put it in the draw box, you get all these marketing agencies calling you. That's about the only concern I've had, and I'm not even sure if this covers it.

Mr. Martin: I think there's a purpose for this. If I could go back to a committee that I was on, the conflict of interest committee, we did something similar to this. It was interesting that when the discussion paper went out, people did follow it, and we got back some information. Because they may not have thought of it in an organization, some people didn't comment on parts of it. They just picked the things they were concerned about. But I think it gives them a basis,

at least, to take a look at the act. While I haven't gone through this discussion guide to know whether it's asking the right questions or not, I think the process was a valuable one in the previous committee I was on.

The Chair: This discussion guide was actually generated by issues that have come up. I think part of the value of going through the discussion guide is that we can see if as a committee we think that there are areas that we have that are perhaps missed or things or questions that we think should be asked. This, in essence, is our consultation, the questions that we will be asking. Obviously, they don't have to stick with it, but it's going to highlight and give them that opportunity. So unless there's a compelling reason not to go through the discussion guide, unless the committee has read it and feels very comfortable with it at this point in time, then I would like to continue through the discussion guide. I look to the committee for their feedback on that.

Mr. Martin: Obviously, the people that put the discussion guide together are the people that are dealing with the problems, and I would take their word on this that this is getting to what they want. I guess the question I asked is: are most of the problems they're dealing with coming from people complaining about their own personal records, or is it, say, businesses, organizations complaining that it's too onerous, or is it a combination of both? Does this discussion guide grab both of those issues?

Mr. Thackeray: I think it's fair to say that this discussion guide tries to grab at both issues. Since the act came into force on January 1, 2004, our offices within Government Services have been tracking the issues that have been raised by business and by individuals to the information line that's established within our ministry. We've also had regular discussions with the office of the Information and Privacy Commissioner as to what issues they have seen from the complaint or the request for review side of the legislation, and we've tried to incorporate the major themes of the issues in the discussion guide.

Mr. Liepert: Well, my point was partially covered by Mr. Martin and then further by Tom. I would assume that this has been put together by people who live and breathe this stuff eight hours a day versus us, who kind of never see it. I would just ask that if we go through this, we scan it. I don't think we need a word-by-word approval of this document at this time.

The Chair: Are there any other comments before I as the chair render?

Well, I think that I am, unless the committee objects, in agreement with the comments that have been made. First of all, it is important to remind the committee that this is our document. This is the document that we're sending out and saying: this is what we're looking for. So if we could just maybe have a highlight of the document. I think it's more organizational for us than anything. We just want to make sure that we're in fact allowing the input that needs to be, but I'm not certain that it needs a full hour discussion.

I don't know if you can reorganize that quickly, Tom. I'm sure you can. What we'd like is maybe an overview of why you've asked the questions that you've asked because I think there seems to be a degree of comfort by the committee that the document is pretty good. Just give us an overview of why you've set it up the way that you have, and then we'll look to see if the committee approves.

Ms Lynas: I'm going to handle this one. The guide has been

prepared to provide an opportunity to comment on any part of the act. We start with an introduction, and it just sets out the context for the legislation and points out that there is other legislation in Canada. It repeats the information that's in the terms of reference. It sets out the forms that the submission may take. We are providing a questionnaire at the back that people would be able to download and fill in off the website. We do ask for people to provide an electronic submission, and we're also asking people to provide a summary if their submission is lengthy. That's pretty standard information.

On page 4 we get into the first set of questions, and these ones all deal with the access part of the act. It covers three issues under access: the process itself for making an access request, the exceptions to providing access – these are the grounds where a company may refuse to provide someone's own personal information, asking if those are appropriate – and then also an opportunity to comment on the fees for an access request.

Any questions about that?

The Chair: Any questions? You're comfortable? Okay.

Ms Lynas: From access we move on to personal information on page 7. We're turning to personal information and the issues around consent. The guide describes the forms of consent that are available when a business is collecting, using, and disclosing personal information and also talks about the cases where there is an exception to providing consent, where a business does not require consent to collect information, for example. So that takes us up to question 5.

The Chair: Again, any questions or problems with this as it's set out?

Seeing none, proceed.

Ms Lynas: From there we turn to personal employee information on page 9. We're questioning whether the balance is right between an employee's right to privacy and the cases where an employer can use an employee's information without their consent provided that they have given notice. We provide a little bit of background on what the act says there and ask a broad question as well.

The Chair: Why don't I just have you continue unless I see a question?

Ms Lynas: Okay.

On page 11 we turn to the coverage of nonprofit organizations by the act and whether it's appropriate or not. We would expect that there may be submissions on both sides of this one, some saying that coverage should be extended, some saying that it's too onerous for a nonprofit organization. That's why that one is in there.

Professional regulatory organizations. The act does provide special provisions for professional regulatory organizations, so we've added a section where these organizations can comment on those.

10:20

Page 13 brings up the issues that companies may face when they're operating in more than one jurisdiction. We know that there are some differences between PIPEDA, B.C.'s PIPA, and Alberta's PIPA. So this is an opportunity for organizations to indicate whether there are any changes that need to be made in order to make it easier to operate in multiple jurisdictions.

Page 14 brings up the issue of processing personal information

outside Canada. This is the whole issue of companies in Alberta or Canada maybe using service providers in the States or personal information maybe going to the States and a question of whether any changes need to be made to the act for such circumstances.

The Chair: I'm sorry, Dan. I didn't see you. Dan, please.

Mr. Backs: Thanks, Madam Chair. This is an area – and I'm not sure if it's covered in some other part here – that seems to be of some concern. Many organizations, you know, be they the Knights of Columbus or a Rotary club or whatever, share information internationally. How that information is transferred electronically – I mean, it's so easy to do. I know that a lot of people, including myself, have received lots of e-mails and such from Nigeria and such places professing their worthy causes, they say, and that's a great concern. You know, if that could somehow be more emphasized, it would be nice in our situation.

The Chair: We do have a section on it. I think it's asking that question, Dan. Do you have a different, additional question that you want to see in the discussion guide that's not here? I know that this is a bit broad, but that specifically could be brought up.

Mr. Backs: I'd have to look at it a little more at this time, you know, to see what might be specific, but I think something more specific might be in order.

Mr. Thackeray: What we tried to do when we developed the guide was to make it all things for all people. The question here, question 10, is basically focused on: should an organization have an obligation to tell you that they are sending your personal information across a border, be it to Saskatchewan, be it to British Columbia, be it to Idaho, be it to Nigeria? I guess this came up in a couple of issues, more of the federally regulated organizations, where one bank – I can't remember which bank it was. Was it CIBC?

Ms Lynas: Yes.

Mr. Thackeray: It was sending information about its Visa cardholders, as I recall, for processing in the U.S. There was a suggestion that they had an obligation to tell their clients that they were doing that. So what we're saying here is that we're trying to get an indication from those affected by this legislation as to whether or not we need to look at something like that in Alberta's legislation.

Mr. Goudreau: My comment was very similar. With companies starting to contract out a lot of their record maintenance and administration and those things, say to India, for instance, you know, the world is getting much, much smaller. Our information is going all over. Just to make sure that people had an opportunity to make comments on that.

The Chair: I have a degree of comfort that we're asking the question, Dan, and that they can respond in kind.

Mr. Backs: I can see that it's fairly broad and broad enough to maybe encompass things. It's just to let people understand, for example, that if their name is on the list of a service club and it's shared internationally, they have their address, their phone number, their e-mail address. If that is outsourced to India or outsourced to some other place, all of a sudden it's in the world domain, so to speak. People should somehow be made aware when they are actually doing those and not just when they're buying or paying for

a service. You know, when they're actually joining a club or something like that, that that is understood.

Ms Lynas: I think that comes up in a couple of places. One is giving notice at the time of collection and also the coverage of nonprofit organizations by the act.

The Chair: Thank you.

Okay. Can we move along? We're comfortable?
Moving to page 15.

Ms Lynas: Page 15, notification of a breach of privacy. This issue has been in the media a lot, whenever there's a loss of somebody's laptop or a disk. This is an opportunity to comment on whether organizations should be required to notify anybody if there's potential harm from a data loss. A lot of U.S. states have brought in legislation like this with all kinds of different requirements. So we expect that there would be quite a bit of interest in this topic.

The Chair: Any questions?

Seeing none, I'd like to move to page 16, the independent review.

Ms Lynas: Page 16 talks about the commissioner's office, briefly reviews the powers and processes, that can be followed there, and basically is a chance for people to bring up any issues around the commissioner's powers and processes.

That is the end of the questions. On the questionnaire itself there is another space for just a general question, anything not covered above, so that people feel free to raise any issue they want. We provide a few website links that would help people in preparing their submissions.

The Chair: Now, I notice that we are going to be collecting their personal information. I certainly hope that we can protect it.

I see a question from Ron.

Mr. Liepert: Yeah. Mine is more on the process. My suspicion is that we are going to get a number of submissions that are going to be outside the scope of this review; i.e., concerns about FOIP or concerns about the Health Information Act or such. So two things.

When we receive such a submission, will we get back to the organization that made the submission early enough to say: "Your submission doesn't fall under this review. Here is what we are reviewing. Do you have any further comments on this act?" Secondly, if we receive submissions that express concerns about other acts, will those submissions be forwarded on to, say, the appropriate ministry, or do we need clearance from someone making the submission to forward it? I guess my question is around the whole process when we receive these submissions that we will not really be able to deal with because they are outside the scope of our mandate.

The Chair: I think Karen can probably respond best to that.

Mrs. Sawchuk: Thank you, Madam Chair. Generally speaking, if it's something very obvious, we will administratively do a letter on committee letterhead explaining that the submission is outside the purview of this committee. In the past we've had a list of contacts for other agencies that are more likely to be able to assist them, and we send that off. If it's something that I wouldn't catch just looking at the submission, of course we forward them on to Government Services. We rely on their expertise, and if they come back and say that this is nothing that the committee can look at, you know, the

same end result. If it's something that we're really not sure about, we'll bring it to the committee and let the committee make a decision on it, but I don't think we've ever really encountered that. We can usually tell between the two administrative staffs, the LAO and the government department.

The Chair: It's a good question, though, because people write and take time. You want them to at least have a response regardless of whether it falls under this act or not, at least some help or some assistance.

Are there any other questions at this time?

Mr. Thackeray: Again not a question but a comment. I think it's important that everyone realize that all submissions are made public.

The Chair: Are made public?

Mr. Thackeray: Are made public. They're filed in the Legislature Library.

The Chair: Oh, that's probably important. Is that indicated in the front of the discussion guide in huge, bold, neon letters?

Mr. Thackeray: Yes.

The Chair: Thank you. Okay.

Mr. Goudreau: Just under Further Information on page 17. It took me a while to flip through this just to see where I can get a copy of the act. I would suggest that maybe that little comment there saying that the act is available through the Queen's Printer or on the website should come right at the beginning of the questionnaire in the discussion paper rather than at the end.

10:30

The Chair: Good point, Hector.

Mr. Backs: I see that a number of the initial questions dealt with the process and the provisions for process, but in a general sense in many things to do with business and organizations and even individuals in Alberta, there's a complaint about excessive paper burden, excessive red tape. Can there be a question to ask people for comments regarding ensuring that the process is easy, efficient, and not very time consuming?

The Chair: Response?

Mr. Liepert: I was going to say that that's under question 13, really, where you can make any suggestions or comments regarding the act.

Mr. Backs: I agree with the former speaker, but anything could be under 13, and when you ask questions – I mean, we may as well not have any questions here. We could just put that one out there and have everything under that. To ensure that some things are highlighted and that we look to certain areas to try and come up with the best legislation and to bring these points to people's minds I think is important.

Mr. Snelgrove: To a certain point I agree that you could put it all under one, but I think Mr. Martin made the comment that people that are affected by this act will have already got their response ready for us. It affects them in a very specific way in a change. It might not be a big deal, but I think they'll be coming in many forms. I do

think that for the ones that it's a paperwork burden, they're going to have their answer for us, and they won't even need this questionnaire. This is more for the people that are maybe just the drive-by interest. I think the organizations, the businesses, the chambers of commerce will have their answers ready to go in their format very specifically to their issue, and one of them might well be paper.

The Chair: Any others? Any other questions?

I was looking at question 12: "Are the processes established by the Act for the Commissioner to conduct investigations and to review decisions . . . appropriate? If not, please explain why and provide suggestions for improvement." I think that they ask the question in a lot of different ways, and there are many opportunities probably to answer it. I mean, my tendency is that the last question be, you know: is this act reasonable? But I don't suppose that we'll ask that question since we use the word "reasonable" so many times. I like simple questions too, Dan, but I do think that there are opportunities. I'm hoping that you feel a degree of comfort with those answers. Can I assume that?

Mr. Backs: To be truthful, I think it would be appropriate to have some more specificity on that particular item. I think that appropriateness is very, very broad. Reasonableness is extremely broad. To speak to the issue of red tape, which is a great concern for many organizations and businesses, and how this process could be addressed specifically with that in mind, especially with those that have experienced any requests, that may look to be experiencing more requests with any changes, I think is important.

The Chair: What you would like is a question drafted that's specific to the paperwork burden per se of this act. Is that what you're asking for?

Mr. Backs: Yeah.

The Chair: I'll have to put that question to the committee. Do we find that to be a reasonable question to add to the list? All in agreement, please raise your hand. Oh, it's not a motion. I'm sorry.

Ron, do you want to speak to it?

Mr. Liepert: Well, I would like to hear what the specific question is. An open-ended question on red tape can be interpreted as a whole bunch of things. Before I vote on anything, I want to know what the question is.

The Chair: Dan, could you maybe send the question in front of us so that we could agree or disagree on it?

Mr. Backs: Off the top of one's head – you know, one would probably change it the next day and all the rest of it.

The Chair: Sure.

Mr. Backs: Just off the top of one's head, one way I would say is: are the processes established by this act efficient, timely, and will they work to not encumber the efficient operations of businesses and organizations and increase unnecessarily their paper burden?

The Chair: Any suggestions?

Mr. Snelgrove: We'll let the staff work on it a little bit. You can ask a question that will get the answer you want. We should simply want to know, because time is money: what effect financially has

this act had on your business organization? Simple as that. If they have a response to it, good. If not, they don't.

Mr. Goudreau: You know, obviously the answer is going to be yes, and obviously the answer is going to be that it had a huge impact financially. Then what do we do with that as a committee? We have no recourse unless we cancel the act.

Mr. Thackeray: If you look at question 9, I think we're trying to get at something similar to what Mr. Backs is saying. It says: "Are specific amendments to the Act required to make it easier for business to operate under Alberta PIPA?" You know, we lump that with British Columbia's PIPA and PIPEDA. Going back to the comment that if we get a lot of submissions that say that we should get rid of the act, you can't throw the baby out with the bathwater because if you get rid of this, you've got the federal act.

The Chair: Right. Which is more restrictive.

Mr. Thackeray: So there's going to be legislation governing the private sector, either made-in-Alberta legislation or federal legislation.

The Chair: Well, as chair I feel a degree of comfort with that explanation. I guess that I need to ask the rest of the committee and in particular if Dan is comfortable with that explanation. I mean, as I look at that question, I see it asking your question.

Mr. Backs: I see that, perhaps, in the question, but when I look at the other parts of that particular section, all I see is substantially similar in, you know, comparisons to British Columbia and the federal jurisdiction and all the rest of it. I think that will lead people to answer in that context as opposed to the more general context. I'd be comfortable to let a question be developed along the lines that I said earlier – it doesn't have to be in that particular language – and to the same sort of sense that the Member for Vermilion-Lloydminster mentioned. Something like that I think would catch the essence of that without looking to something that is in fact really looking like it's dealing with how we deal with it in terms of other jurisdictions.

Mr. Liepert: I would like to make a motion that we accept the discussion guide as proposed and to be circulated to the public.

The Chair: Are there any questions to the motion? Anyone want to speak to the motion?

I'll call the question. All those in favour of letting the discussion guide go forward, please raise your hand. All those opposed? It's carried. Thank you.

Okay. As I'm looking at our agenda and our time, we are moving along so well. I want to reward you, but I can't.

We are going to move on now to our draft communications plan. Rhonda is with us today to describe that for all members so that we can ask questions and, hopefully, at the end approve or disapprove of this particular communications plan. I'll turn it over to Rhonda.

Ms Sorensen: Thank you, Madam Chair. I'll try and keep this as brief as possible in order to compete with the rest of the agenda. Essentially, what we're trying to do here is inform Albertans that this review is taking place, let them know how they can participate in it, and then follow up with them towards the end in terms of what the recommendations are and what comes out of this committee's

discussions. The main strategic recommendations for that are going to be a media relations campaign, internal and external direct communications, a website, and advertising.

I'm just going to move now towards the strategies. For the media relations component we generally recommend that a spokesperson is appointed on behalf of the committee, and usually that person is the chair. If the committee were in agreement, we would recommend that Mrs. Ady would be the appropriate choice.

Hon. Members: Agreed.

The Chair: I feel so honoured.

Ms Sorensen: To that end, she would be the one we would quote in the news releases and whatnot. We see that three main news releases would be needed. The first would be to create awareness, of course, that this is happening. There would be information bulletins if anything comes up throughout the committee's work. Also, if we do a preliminary report, we would need a news release on that. Then the last one, of course, would be when the report is tabled in the Legislature. There's no direct cost to the committee for this work.

10:40

We're also proposing internal and external direct communications. The internal is to make sure that Members of the Legislative Assembly are all aware of what's happening and that we keep them all informed of any progress that this committee makes throughout its work. The external goes toward the stakeholders that we'll be dealing with next, and we do assist, if needed, in making sure that they get the information that they need to participate.

The website. We've done this with the last few committees. It's fairly new, probably within the last couple of years, where we've set up a site dedicated to the review committee. It contains all of the information that stakeholders are going to want. They're going to want the discussion guide. They're going to want who's on the committee, how to participate. Any information the committee feels that the public needs to know we post on the website.

The last one – and I'm going to throw a little curve at you here in listening to the discussions earlier today. When I drafted this communications plan, I did it under the assumption that there might not be a preliminary report. There are two things we can do here. What we actually have down in the recommendation as is was based on one final report, and that's one advertising campaign that would solicit input. What we can do if the committee wishes to take out two advertising campaigns is take out a smaller ad and do an initial call for input as well as something after to let people know that there's a preliminary report. Both strategies would work. It's really up to the committee what they wish to do.

Those would be the main recommendations that we're making. If there are any questions or direction that the committee would like to provide?

The Chair: Thank you, Rhonda.

Hector and then Ray.

Mr. Goudreau: I'm going back to the internal and external direct communications. Part of our discussion indicated that we may have consultation meetings, and this says that it will "assist in the distribution of the discussion guide to stakeholders and send them invitations to make presentations during consultation meetings." So we're sort of saying that, yes, we will be having some. I'm just wondering if it represents the committee's intent here.

Mrs. Sawchuk: Do you want me to answer?

The Chair: Yes. Go ahead.

Mrs. Sawchuk: Thanks, Madam Chair. We try to cover every scenario. In each statute review committee that we've had, there have been some parties who have made a request to appear before the committee and a number of submissions that have resulted in the committee asking that these parties appear. We kind of address all of those different scenarios, and that's why, you know, there's the wording put in like that. We've had cases where we only have 20 submissions, and the committee has decided that they want to hear from everybody or nobody.

On the other issue – and it's partly my fault; I should have passed on more information – we will have another budget put in for the next budget year, which would then cover communication costs for the new budget year, '07-08. So this is still online for this portion of the committee's work.

Mr. Goudreau: Well, further to that, I guess maybe just a wording change, but this commits us to a public consultation. I realize that, and I'm open to that if there's a need.

The Chair: Well, you can put "if needed."

Mrs. Sawchuk: If needed.

The Chair: Right. We want that left open.

Ray, please.

Mr. Martin: Yeah. Well, I'm going to come back. I think the choice that was sort of given is that initially we could do smaller ads and then have a second within the same budget. You're saying that maybe there is a second budget. I guess I want to clarify that before I come to my point.

Mrs. Sawchuk: Back again, Madam Chair. Thank you. I guess that this is probably a good point to look at the committee budget, which was really just for information purposes because it was approved before the committee was created. That budget is in two parts. It straddled two years. It looked at '05-06 and '06-07. The review was delayed by a year, so what's showing up in '05-06 became '06-07, and what we would have put forward and what we will put forward for the next budget year is still possible. I mean, we'll put it in. The committee has a mandate that goes 18 months. It's just that we can't put in a budget yet for that period.

Mr. Martin: Then I guess my point would be that I think it's most important to do as big a splash as you can at the start to get as much interest as you can rather than cutting that down. I find that later on, even if you did a preliminary report, the only people that are really going to be interested are the people that already gave you submissions. So I would really suggest that it would be important that we do the big hit, if I can put it that way, at the start. If we need another budget in the following year, fine, but I don't think we should shortchange to begin with. That's the most important part, I think.

The Chair: Okay. Rhonda and then Lloyd.

Ms Sorensen: Yeah. I think that's a really good point. I think it is a strategy that does work because once you do get to the point where you're in the preliminary report, most of the people are already involved in the process. You know, if there is a budget to give some

more information, then we can, but to do the big splash is where you're going to get the interest.

The Chair: I think it's important for me to let the committee know that the reason that this particular review was delayed was because business wasn't ready at the time that we were going to do the review. It was a fairly new act, it had not been road tested particularly well, and they wanted more time. That is the reason that the review was delayed, so that's why we have this little, if you will, anomaly in the time period.

I have Ron and then Lloyd.

Mr. Liepert: Yeah. I wanted to follow Ray Martin because this is the second time this morning I've followed him and the second time I'm agreeing with him, and I'm getting really concerned. I'm getting very, very concerned. But I have to believe that the four hours we spent on a golf cart together a few weeks ago at the media golf tournament – I think I'm convincing him of politics.

It would seem to me that in our initial advertising we are using the shotgun approach, which is trying to notify anybody and everybody, but in reality when we issue our interim report, we should then be sending that interim report back to those who showed an interest in the first place, not the shotgun approach again. So I don't think we need a second advertising campaign.

That was my point, but I had one other. Under External Direct, bullet 2, "public input will also be invited as a part of an open review of legislation," which is what we're doing, but can somebody please explain to me what "as well as a show of support for the fundamental principles of the Act" means? I don't understand what that is.

Ms Sorensen: Yeah. What was meant by that is just that we're inviting the public to give us their input in an effort to gain some sort of idea as to whether they support the fundamental principles of the act. Perhaps it's just not worded.

Mr. Liepert: Well, I don't think we are. I don't think we are asking people whether or not they want us to get rid of the act.

Ms Sorensen: No, no. Not get rid of the act.

Mr. Liepert: Well, "fundamental principles of the Act" are the act. I would suggest that what we're doing is we're asking for public input as a part of an open review of the legislation, period.

Ms Sorensen: Okay. We can certainly change that.

The Chair: Are we in agreement as a committee? Are all agreed with – well, I actually have two suggestions on the floor right now, the first being that we do our big splash at the front. I think we've got general consensus of the group for that. The second suggestion is that we take off the second half of – was it bullet (b) underneath?

Mr. Liepert: The second bullet. I don't believe that our mandate is to review the fundamental principles of the act. We are looking at a review of the legislation.

The Chair: Period. I have no problem with that. Does anyone on the committee have a problem with that? Seeing none, we'll ask that you take that off if you will, please.

Any other? I thought I saw another hand.

Oh, Lloyd. I forgot about you.

Mr. Snelgrove: Well, the people on the heritage fund will know that

I'm not a fan of spending advertising dollars. One or 2 per cent of the people will read that ad and get involved. The rest are going to get a personal letter or a letter through their associations. We're going to spend \$40,000. I mentioned to Ron that it's kind of cute we're going to buy it on the cheap days, and the reason they're cheap is because not as many people read them, but I'm not going down there. I'm saying: cut the size of ads in half and make the ads more bold and to the point, and let's do it for half the money.

The Chair: Well, I see the reason for the ads because we would obviously be criticized if we did not advertise. Does anybody have difficulty with Lloyd's suggestion on changing the size of the ad?

Mr. Liepert: Well, I think we hire communications people to do their job, and let's let them do their job.

10:50

The Chair: We might have a background bias there. Anyone else?

Ms Sorensen: I'm just going to speak briefly to the size of the ad. The reason we chose that size is that we need a certain amount of space to get the information that is necessary in there without making it too small.

Just to speak briefly to the visual identity. If you look at the cover, this is a look that we're trying to carry through on the website, the advertising, the report covers just so that there becomes some sort of awareness in terms of these documents relate to this committee.

Mr. Liepert: Sorry; I did have one question. On the mock-up ad, that deadline for submissions, August 3, is just a mock-up, I presume?

Ms Sorensen: Yeah, this is just a mock-up, and most of the text, as you'll see, is gibberish.

Mr. Liepert: Well, I just don't want the ad going out with that on it.

Ms Sorensen: No, no. Absolutely not.

Mr. Snelgrove: You could leave the ad just like it is. It wouldn't make one bit of difference.

The Chair: Some people don't lose particularly well.

Mr. Martin: It's public relations.

The Chair: It's public relations, and having a communications background myself, I'm going to go with Ron on this. I think that they know their business. Is there anyone else on the committee that would like to see the ad reduced, or are we all pretty comfortable with the plan as has been presented in that regard?

Okay. Then I will call the question. Can I have a motion to approve this communication plan with those changes that we've discussed?

Ray, please. All those in agreement? All those opposed. It is carried.

If we could now move to item 8, which is the stakeholders list. We're still moving in front of lunch; this is just perfect. Now, we did have a discussion on this earlier. It's under tab 8 in your meeting binder, and it was provided by Alberta Government Services. Tom

or Hilary could maybe briefly explain the agencies that they chose and the purpose. I think we did discuss this a bit earlier. To me the list looks pretty exhaustive. I would like to see us adopt this list as it stands now unless you have some recommendations of people that you want added to the list. I open it up to the floor for discussion, questions, comments. Tom, do you want to add anything to that?

Mr. Thackeray: Just following up on your comments, I don't know of any organization that's not on this list.

The Chair: Okay.

You have a question. Is this a question or a comment to that? Go ahead, please.

Ms Denham: A comment and a question. Maybe just go through the criteria of how you selected. There are about 700 organizations on the list. I don't see all the names of the organizations that the office of the Information and Privacy Commissioner has investigated, so I think that's a good thing. But I'm just wondering what were the criteria, especially around the businesses.

Ms Lynas: We've included, of course, business associations, and you can see that we've got some that are more general and some that are industry specific. We compiled the list from various sources. We've included organizations that were involved in discussions before the act was even brought in. We've also included organizations that contacted our office with questions. We used some information from Economic Development as a list, a main source of many of the business organizations. There are a few industry associations that we have left off, and these are ones that seem to be either regional and have a provincial branch or that seem to deal mainly with other businesses. A lot of these were in kind of the food processing industry.

With the labour organizations, we included some of the larger and kind of key labour organizations in the province and also ones that have expressed an interest in this legislation.

With the key businesses, some of these are ones that the department has had contact with or who have written perhaps to an MLA at some point and asked for information about the upcoming review.

The private-sector educational bodies are the ones that are covered by the act, the universities and colleges.

Nonprofits are, again, a mixture from different sources, but we tried to get a mix of sports and social services and a whole variety of types of organizations as well as some of the large ones.

The religious organizations. We went to Stats Canada, and they had done a survey of participation in religious groups in the province. We took the top nine religious denominations by membership, and then these were the organizations that would reach those religious groups.

The professional regulatory organizations are all of the ones in the province.

The Chair: Does that answer your question?

Ms Denham: It does. Thank you.

The Chair: Do you have a follow-up question?
Then Hector.

Mr. Goudreau: Initially I talked about municipalities, and I can appreciate that they don't fall under this particular review, yet some of the municipalities will do some functions on behalf of other organizations. I'm thinking specifically of one where the municipal-

ity collects information for a water co-op, for instance, and they do all the billing and those kinds of things. I'm just wondering about the crossover in terms of whether they fall under this act and not the other one. Then things like the REAs and Knights of Columbus, all of those kinds of things. There's a whole pile out there that are not here.

Ms Lynas: Right. Through our FOIP program we can let all the public bodies in the province – they know that this is going on – know that the discussion guide is available. I mean, they can contribute as well if they wish. Certainly, if there are specific organizations you want added to the list, we can add them.

The Chair: Remember that everyone on this list will receive a discussion guide and letter in the mail. Those not on the list we'll be of course hoping they catch that huge ad that we're putting in the paper. Is there a feeling that that needs to be added at this time, Hector? Are you comfortable? Do you want them added to the list?

Mr. Goudreau: No. I'm comfortable with the list just as long as we're conscious that not all organizations are here.

The Chair: Okay.

Mr. Martin: Under the labour organizations it could be a huge problem if we didn't put in the Building Trades Council. That's all the construction trades. They're not there. I see that the Christian Labour Association of Canada is. They're sort of at war, so I really suggest that it's absolutely crucial that the Building Trades Council be on there.

The Chair: Are we looking to add them?

Mr. Martin: Yes. Absolutely.

The Chair: We're okay with that?

Mr. Martin: Yeah.

Mr. Backs: Just looking at those, it's probably better to send one to the Northern Alberta Building Trades Council and one to the Southern Alberta Building Trades Council separately. The way those organizations work, they don't always have all of the building trades in them because they're kind of a loose conglomeration. It might be good to at least send to the major ones like the operating engineers, the boilermakers, the ironworkers, the carpenters, the pipefitters, and the electricians. There's a list they have of 24 of them, I think, if you want to get the whole list. Those are where these types of decisions are actually made.

I think that some of the service clubs, you know, like the Knights of Columbus, as was mentioned, the Rotary club, the Elks, the Oddfellows, the Moose, the Lions Club, the Legion, of course, and some like that may be affected by the international stuff and may take a great interest in it because of their lists.

The Chair: I see no difficulty with expanding this list a bit if you feel that, you know, those are organizations that do need to get notification.

Mr. Backs: They may not pay attention otherwise.

The Chair: Okay. So directed.

Mr. Liepert: I was just going to suggest that we approve this list, but any member of this committee should have the ability to contact staff to ask that other organizations be added to it. I don't see where that's an issue at all.

The Chair: All committee members agree? Great. Thank you.

That being said, could I have a motion to approve the stakeholders list?

Mr. Snelgrove: I go back to what Ray said about who is not on here. By simply approving the list, what are we saying? I'm saying let's use a list. Let's build with it as we go so that we don't ever get anybody offside by saying: you're not on the list. We're going to use the process of a list, we're going to expand the list as we find who is missing, and then we go from there. Then we never have to say that we missed somebody.

11:00

The Chair: It's a guideline, a good suggestion.

So the motion is that

we have a list that can be added to and that it's a starting point.

All those in agreement, please? All those opposed? Motion carries. Thank you.

All right. Moving right along, we'll move to item 9. Now, I did not see earlier any other business items listed at the beginning of the meeting, but one thing that I would like to do is just discuss briefly the issue of whether Government Services is able to draft the committee's report. This same department did the drafting for the report of the FOIP review committee, and they have confirmed that they are able to draft the report of this committee. Does any committee member have a problem with them drafting the report? If you do, you will be writing it yourself, and we will be, you know, as a group fixing it. No problems with that? I see no problems. Okay. Then we will leave that.

All I have left, actually, on my agenda at this point is to set the date for the next meeting unless there is something that I have missed that a committee member would like to raise at this time. Okay. The next meeting will be scheduled in late summer or early fall after the advertising is completed and the response deadline has passed, and members will be polled on possible meeting dates.

Mr. Liepert: Well, I think that in light of our discussion earlier, we should try and have a meeting prior to the 15th of September. As much as I don't like meetings, I think we have made the commitment today that we would determine whether or not we needed to extend the submission deadline. So I'd throw it out there that we try and meet right after the Labour Day weekend, during that week. I'm not sure how else you would determine whether we extend the deadline or not.

The Chair: I could actually perhaps do that without a meeting at first. If it does seem to require a meeting, then I'll be happy to let the committee know at that time. If it looks like we're not really, you know, having any difficulty with that date, then I would choose not to, but I'd be happy to stay in conversation with committee members and call that meeting if it's needed.

Mr. Liepert: I just want to make sure that that commitment is made.

The Chair: We will ensure that that commitment is made. Other than that, is everybody else comfortable with the fact that we will not be meeting in July and August? Anyone want to object? We'll be throwing them in the reflecting pond.

Mr. Snelgrove: I have waited my entire life for this committee.

The Chair: I'm not certain that Lloyd can get a quorum, but we'll let him give it a whirl.

I'd like to thank you all for coming. We've really been organized today, and I'd like to compliment the committee on that. I do think that this was a beginning point. It's getting things set up and established and moving. I think we've done that. I think that with any legislation that you have, you pass legislation and then you put it out there. You let people work with it for a while and road-test it, if you will, and sometimes there are speed bumps and sometimes there aren't. This is a really good opportunity for us to test that. I think we have a good process here. I think we have a good communication plan. I think we have a great committee. I'd like to thank all of you for your time today.

One more thing. Could members and staff leave their meeting binders with me? I want to carry them all back at the end of the day. I'll remove materials from today's meeting and return them and hold them for the next meeting.

As well, for those of you that can stay, there will be lunch served. We're so far ahead of schedule that perhaps we could have a less formal lunch meeting rather than a working meeting.

Then mostly I just need a motion to adjourn the meeting today.

Mr. Goudreau: Something before that. You know, you thanked the committee for having moved forward. I'd like to express my appreciation to the staff. Certainly, they were well prepared, and they've done a tremendous amount of work, and that's what allowed us to move forward, so thank you.

The Chair: Thank you, Hector, for remembering the people that did the work that allowed us to get here this quickly.

Arthur, are you bringing forward the motion for adjournment of the meeting? Thank you. All those in favour? Is there anyone opposed? The motion carries.

Thank you very much.

[The committee adjourned at 11:04 a.m.]

