

DRAFT SPEAKING NOTES FOR TOM WAPPEL MP

THE STANDING COMMITTEE ON ACCESS TO INFORMATION, PRIVACY AND ETHICS

- The Committee was newly established by all-party agreement at the beginning of the first session of the 38th Parliament, October 2004
- The Committee's mandate gives it responsibility for matters related to: Canada's Information and Privacy Commissioners; the Ethics Commissioner, with respect to his or her responsibilities under the *Parliament of Canada Act* relating to public office holders; and reports of the Registrar for Lobbyists, tabled pursuant to the *Lobbyists Registration Act*.
- Under the rules of the House of Commons, standing committees can examine any matters referred to them by the House of Commons or as required in legislation. They can report to the House, send for persons or records, and may delegate their powers to subcommittees. They can sit whether the House is sitting or adjourned, and may sit jointly with other standing committees.
- The Access to Information, Privacy and Ethics Committee is one of five House of Commons Committees with Chairs from the Official Opposition

PIPEDA REVIEW

- PIPEDA review is the first major study undertaken by the Committee in this Parliament – statutorily mandated pursuant to section 29 of the Act
- Held hearings from November 20, 2006 to February 22, 2007
- Heard from 67 witnesses and received 27 briefs in addition to those witnesses
- The Committee is currently instructing its research staff to draft, for the Committee's consideration, a report based on issues raised before the Committee
- Committee reports usually contain a synopsis of the testimony heard, the recommendations made by the Committee, as well as the reasons for those recommendations
- On March 20th the Committee will be hearing from the Minister of Industry Canada – this will be a public meeting and I am sure that Members will be asking pointed questions based on their report deliberations – certainly one will be able to draw from this meeting a sense of the issues of concern to the Committee as well as the direction Members may be heading on proposals to resolve these matters

- Once the report is finalized and adopted by the Committee, I will present it to the House of Commons
- We are working towards consensus on the report; however, where one or several members of the Committee are in disagreement with the Committee's report or wish to make supplementary comments, they may do so in a dissenting opinion
- The Committee will likely seek a Government response to its recommendations within 120 days of presenting the report

SOME OF THE ISSUES RAISED

A. Privacy Commissioner's Powers

1. Order-making
2. Solicitor/Client Privilege

B. Employer/Employee Relationship

C. Work Product

D. Exceptions to Consent Requirement for Collection, Use and Disclosure of Personal Information

1. Law Enforcement
2. National Security
3. Business Sale or Transfer

E. Rights of Access

F. Breach Notification

G. Transborder Flows of Personal Information