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<https://laws-lois.justice.gc.ca/eng/acts/p-21/fulltext.html>

Privacy Act (R.S.C., 1985, c. P-21)

125-159 minutes

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

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

Short Title

Marginal note:Short title

1 This Act may be cited as the *Privacy Act*.

- 1980-81-82-83, c. 111, Sch. II “1”

Purpose of Act

Marginal note:Purpose

2 The purpose of this Act is to extend the present laws of Canada that protect the privacy of individuals with respect to personal information about themselves held by a government institution and that provide individuals with a right of access to that information.

- 1980-81-82-83, c. 111, Sch. II “2”

Interpretation

Marginal note:Definitions

3 In this Act,

administrative purpose

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

alternative format

alternative format, with respect to personal information, means a format that allows a person with a sensory disability to read or listen to the personal information; (support de substitution)

Court

Court means the Federal Court; (Cour)

designated Minister

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

government institution

government institution means

- (a) any department or ministry of state of the Government of Canada, or any body or office, listed in the schedule, and
- (b) any parent Crown corporation, and any wholly-owned subsidiary of such a corporation, within the meaning of section 83 of the *Financial Administration Act*; (institution fédérale)

head

head, in respect of a government institution, means

- (a) in the case of a department or ministry of state, the member of the Queen's Privy Council for Canada who presides over the department or ministry, or
- (b) in any other case, either the person designated under subsection 3.1(2) to be the head of the institution for the purposes of this Act or, if no such person is designated, the chief executive officer of the institution, whatever their title; (responsable d'institution fédérale)

personal information

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

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

- (g) the views or opinions of another individual about the individual,
- (h) the views or opinions of another individual about a proposal for a grant, an award or a prize to be made to the individual by an institution or a part of an institution referred to in paragraph (e), but excluding the name of the other individual where it appears with the views or opinions of the other individual, and
- (i) the name of the individual where it appears with other personal information relating to the individual or where the disclosure of the name itself would reveal information about the individual,

but, for the purposes of sections 7, 8 and 26 and section 19 of the [Access to Information Act](#), does not include

- (j) information about an individual who is or was an officer or employee of a government institution that relates to the position or functions of the individual including,
 - (i) the fact that the individual is or was an officer or employee of the government institution,
 - (ii) the title, business address and telephone number of the individual,
 - (iii) the classification, salary range and responsibilities of the position held by the individual,
 - (iv) the name of the individual on a document prepared by the individual in the course of employment, and
 - (v) the personal opinions or views of the individual given in the course of employment,
- (j.1) the fact that an individual is or was a *ministerial adviser* or a member of a *ministerial staff*, as those terms are defined in subsection 2(1) of the [Conflict of Interest Act](#), as well as the individual's name and title,
- (k) information about an individual who is or was performing services under contract for a government institution that relates to the services performed, including the terms of the contract, the name of the individual and the opinions or views of the individual given in the course of the performance of those services,
- (l) information relating to any discretionary benefit of a financial nature, including the granting of a licence or permit, conferred on an individual, including the name of the individual and the exact nature of the benefit, and
- (m) information about an individual who has been dead for more than twenty years; (renseignements personnels)

personal information bank

personal information bank means a collection or grouping of personal information described in section 10; (fichier de renseignements personnels)

Privacy Commissioner

Privacy Commissioner means the Commissioner appointed under section 53; (Commissaire à la protection de la vie privée)

sensory disability

sensory disability means a disability that relates to sight or hearing. (déficience sensorielle)

- R.S., 1985, c. P-21, s. 3
- 1992, c. 1, s. 144(F), c. 21, s. 34
- 2002, c. 8, s. 183
- 2006, c. 9, s. 181
- [2019, c. 18, s. 47](#)

47 The definition *personal information* in section 3 of the *Privacy Act* is amended by adding the following after paragraph (j):

- (j.1) the fact that an individual is or was a *ministerial adviser* or a member of a *ministerial staff*, as those terms are defined in subsection 2(1) of the *Conflict of Interest Act*, as well as the individual's name and title;

Marginal note:For greater certainty

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

- Marginal note:For greater certainty

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

- 2006, c. 9, s. 182

Marginal note:Application

3.02 Paragraph (j.1) of the definition *personal information* in section 3 applies only to records created on or after the day on which that paragraph comes into force.

- [2019, c. 18, s. 47.1](#)

47.1 The Act is amended by adding the following after section 3.01:

Marginal note:Application

3.02 Paragraph (j.1) of the definition *personal information* in section 3 applies only to records created on or after the day on which that paragraph comes into force.

Designation

Marginal note:Power to designate Minister

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

(2) The Governor in Council may, by order, designate a person to be the head of a government institution, other than a department or ministry of state, for the purposes of this Act.
- 2006, c. 9, s. 182

Collection, Retention and Disposal of Personal Information

Marginal note:Collection of personal information

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

- 1980-81-82-83, c. 111, Sch. II "4"

Marginal note:Personal information to be collected directly

- **5** (1) A government institution shall, wherever possible, collect personal information that is intended to be used for an administrative purpose directly from the individual to whom it relates except where the individual authorizes otherwise or where personal information may be disclosed to the institution under subsection 8(2).
- Marginal note:Individual to be informed of purpose

(2) A government institution shall inform any individual from whom the institution collects personal information about the individual of the purpose for which the information is being collected.
- Marginal note:Exception

(3) Subsections (1) and (2) do not apply where compliance therewith might

 - (a) result in the collection of inaccurate information; or
 - (b) defeat the purpose or prejudice the use for which information is collected.
- 1980-81-82-83, c. 111, Sch. II "5"

Marginal note:Retention of personal information used for an administrative purpose

- **6** (1) Personal information that has been used by a government institution for an administrative purpose shall be retained by the institution for such period of time after it is so used as may be prescribed by

regulation in order to ensure that the individual to whom it relates has a reasonable opportunity to obtain access to the information.

- Marginal note:Accuracy of personal information

(2) A government institution shall take all reasonable steps to ensure that personal information that is used for an administrative purpose by the institution is as accurate, up-to-date and complete as possible.

- Marginal note:Disposal of personal information

(3) A government institution shall dispose of personal information under the control of the institution in accordance with the regulations and in accordance with any directives or guidelines issued by the designated minister in relation to the disposal of that information.

- 1980-81-82-83, c. 111, Sch. II “6”

Protection of Personal Information

Marginal note:Use of personal information

7 Personal information under the control of a government institution shall not, without the consent of the individual to whom it relates, be used by the institution except

- (a) for the purpose for which the information was obtained or compiled by the institution or for a use consistent with that purpose; or
- (b) for a purpose for which the information may be disclosed to the institution under subsection 8(2).
- 1980-81-82-83, c. 111, Sch. II “7”

Marginal note:Disclosure of personal information

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

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

- (a) for the purpose for which the information was obtained or compiled by the institution or for a use consistent with that purpose;
- (b) for any purpose in accordance with any Act of Parliament or any regulation made thereunder that authorizes its disclosure;
- (c) for the purpose of complying with a subpoena or warrant issued or order made by a court, person or body with jurisdiction to compel the production of information or for the purpose of complying with rules of court relating to the production of information;

- (d) to the Attorney General of Canada for use in legal proceedings involving the Crown in right of Canada or the Government of Canada;
- (e) to an investigative body specified in the regulations, on the written request of the body, for the purpose of enforcing any law of Canada or a province or carrying out a lawful investigation, if the request specifies the purpose and describes the information to be disclosed;
- (f) for the purpose of administering or enforcing any law or carrying out a lawful investigation, under an agreement or arrangement between the Government of Canada or any of its institutions and any of the following entities or any of their institutions:
 - (i) the government of a foreign state,
 - (ii) an international organization of states or an international organization established by the governments of states,
 - (iii) the government of a province,
 - (iv) the council of the Westbank First Nation,
 - (v) the *council of a participating First Nation* as defined in subsection 2(1) of the [First Nations Jurisdiction over Education in British Columbia Act](#),
 - (vi) the council of a *participating First Nation* as defined in section 2 of the [Anishinabek Nation Education Agreement Act](#),
 - (vii) a *First Nation Government* or the *Anishinabek Nation Government*, as defined in section 2 of the [Anishinabek Nation Governance Agreement Act](#), or an Anishinabe Institution, within the meaning of section 1.1 of the *Agreement*, as defined in section 2 of that Act;
- (g) to a member of Parliament for the purpose of assisting the individual to whom the information relates in resolving a problem;
- (h) to officers or employees of the institution for internal audit purposes, or to the office of the Comptroller General or any other person or body specified in the regulations for audit purposes;
- (i) to the Library and Archives of Canada for archival purposes;
- (j) to any person or body for research or statistical purposes if the head of the government institution
 - (i) is satisfied that the purpose for which the information is disclosed cannot reasonably be accomplished unless the information is provided in a form that would identify the individual to whom it relates, and
 - (ii) obtains from the person or body a written undertaking that no subsequent disclosure of the information will be made in a form that could reasonably be expected to identify the individual to whom it relates;

- (k) to any aboriginal government, association of aboriginal people, Indian band, government institution or part thereof, or to any person acting on behalf of such government, association, band, institution or part thereof, for the purpose of researching or validating the claims, disputes or grievances of any of the aboriginal peoples of Canada;
- (l) to any government institution for the purpose of locating an individual in order to collect a debt owing to Her Majesty in right of Canada by that individual or make a payment owing to that individual by Her Majesty in right of Canada; and
- (m) for any purpose where, in the opinion of the head of the institution,
 - (i) the public interest in disclosure clearly outweighs any invasion of privacy that could result from the disclosure, or
 - (ii) disclosure would clearly benefit the individual to whom the information relates.

- Marginal note: Personal information disclosed by Library and Archives of Canada

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

- Marginal note: Copies of requests under paragraph (2)(e) to be retained

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

- Marginal note: Notice of disclosure under paragraph (2)(m)

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

- Marginal note: Definition of *Indian band*

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

- (a) a band, as defined in the [Indian Act](#);
 - (b) the band, as defined in subsection 2(1) of the [Naskapi and the Cree-Naskapi Commission Act](#);
 - (c) the *shísháhl Nation*, as defined in subsection 2(1) of the [shísháhl Nation Self-Government Act](#);
- or

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

- Marginal note: Definition of *aboriginal government*

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

- (a) Nisga'a Government, as defined in the Nisga'a Final Agreement given effect by the [Nisga'a Final Agreement Act](#);
- (b) the council of the Westbank First Nation;
- (c) the Tlicho Government, as defined in section 2 of the [Tlicho Land Claims and Self-Government Act](#);
- (d) the Nunatsiavut Government, as defined in section 2 of the [Labrador Inuit Land Claims Agreement Act](#);
- (e) the council of a participating First Nation as defined in subsection 2(1) of the [First Nations Jurisdiction over Education in British Columbia Act](#);
- (e.1) the Tla'amin Government, as defined in subsection 2(2) of the [Tla'amin Final Agreement Act](#);
- (f) the Tsawwassen Government, as defined in subsection 2(2) of the [Tsawwassen First Nation Final Agreement Act](#);
- (f.1) the *Cree Nation Government*, as defined in subsection 2(1) of the [Cree Nation of Eeyou Istchee Governance Agreement Act](#) or a *Cree First Nation*, as defined in subsection 2(2) of that Act;
- (g) a Maanulth Government, within the meaning of subsection 2(2) of the [Maanulth First Nations Final Agreement Act](#);
- (h) Sioux Valley Dakota Oyate Government, within the meaning of subsection 2(2) of the [Sioux Valley Dakota Nation Governance Act](#);
- (i) the council of a *participating First Nation* as defined in section 2 of the [Anishinabek Nation Education Agreement Act](#); or
- (j) a *First Nation Government* or the *Anishinabek Nation Government*, as defined in section 2 of the [Anishinabek Nation Governance Agreement Act](#), or an Anishinaabe Institution, within the meaning of section 1.1 of the *Agreement*, as defined in section 2 of that Act.

- Marginal note: Definition of *council of the Westbank First Nation*

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

- R.S., 1985, c. P-21, s. 8

- R.S., 1985, c. 20 (2nd Supp.), s. 13, c. 1 (3rd Supp.), s. 12
- 1994, c. 35, s. 39
- 2000, c. 7, s. 26
- 2004, c. 11, s. 37, c. 17, s. 18
- 2005, c. 1, ss. 106, 109, c. 27, ss. 21, 25
- 2006, c. 10, s. 33
- 2008, c. 32, s. 30
- 2009, c. 18, s. 23
- 2014, c. 1, s. 19, c. 11, s. 24
- 2017, c. 32, s. 18
- 2018, c. 4, s. 132
- [2022, c. 9, s. 4](#)

Marginal note:2017, c. 32, s. 18(1)

- [4](#) (1) Paragraph 8(2)(f) of the *Privacy Act* is replaced by the following:
 - (f) for the purpose of administering or enforcing any law or carrying out a lawful investigation, under an agreement or arrangement between the Government of Canada or any of its institutions and any of the following entities or any of their institutions:
 - (i) the government of a foreign state,
 - (ii) an international organization of states or an international organization established by the governments of states,
 - (iii) the government of a province,
 - (iv) the council of the Westbank First Nation,
 - (v) the *council of a participating First Nation* as defined in subsection 2(1) of the *First Nations Jurisdiction over Education in British Columbia Act*,
 - (vi) the council of a *participating First Nation* as defined in section 2 of the *Anishinabek Nation Education Agreement Act*,
 - (vii) a *First Nation Government* or the *Anishinabek Nation Government*, as defined in section 2 of the *Anishinabek Nation Governance Agreement Act*, or an Anishinaabe Institution, within the meaning of section 1.1 of the *Agreement*, as defined in section 2 of that Act;
- (2) Subsection 8(7) of the Act is amended by striking out “or” at the end of paragraph (h), by adding “or” at the end of paragraph (i) and by adding the following after paragraph (i):
 - (j) a *First Nation Government* or the *Anishinabek Nation Government*, as defined in section 2 of the *Anishinabek Nation Governance Agreement Act*, or an Anishinaabe Institution, within the meaning of section 1.1 of the *Agreement*, as defined in section 2 of that Act.

- [2022, c. 9, s. 45](#)

45 Paragraph 8(6)(c) of the *Privacy Act* is replaced by the following:

- (c) the *shíshálh Nation*, as defined in subsection 2(1) of the *shíshálh Nation Self-Government Act*;
or

Marginal note:Record of disclosures to be retained

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

- Marginal note:Limitation

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

- Marginal note:Record forms part of personal information

(3) For the purposes of this Act, a record retained under subsection (1) shall be deemed to form part of the personal information to which it is attached.

- Marginal note:Consistent uses

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

- (a) forthwith notify the Privacy Commissioner of the use for which the information was used or disclosed; and
- (b) ensure that the use is included in the next statement of consistent uses set forth in the index.

- 1980-81-82-83, c. 111, Sch. II “9”
- 1984, c. 21, s. 89

Personal Information Banks

Marginal note:Personal information to be included in personal information banks

- **10** (1) The head of a government institution shall cause to be included in personal information banks all personal information under the control of the government institution that
 - (a) has been used, is being used or is available for use for an administrative purpose; or

- (b) is organized or intended to be retrieved by the name of an individual or by an identifying number, symbol or other particular assigned to an individual.

- Marginal note:Exception for Library and Archives of Canada

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

- R.S., 1985, c. P-21, s. 10
- R.S., 1985, c. 1 (3rd Supp.), s. 12
- 2004, c. 11, s. 38

Personal Information Index

Marginal note:Index of personal information

- **11** (1) The designated Minister shall cause to be published on a periodic basis not less frequently than once each year, an index of
 - (a) all personal information banks setting forth, in respect of each bank,
 - (i) the identification and a description of the bank, the registration number assigned to it by the designated Minister pursuant to paragraph 71(1)(b) and a description of the class of individuals to whom personal information contained in the bank relates,
 - (ii) the name of the government institution that has control of the bank,
 - (iii) the title and address of the appropriate officer to whom requests relating to personal information contained in the bank should be sent,
 - (iv) a statement of the purposes for which personal information in the bank was obtained or compiled and a statement of the uses consistent with those purposes for which the information is used or disclosed,
 - (v) a statement of the retention and disposal standards applied to personal information in the bank, and
 - (vi) an indication, where applicable, that the bank was designated as an exempt bank by an order under section 18 and the provision of section 21 or 22 on the basis of which the order was made; and
 - (b) all classes of personal information under the control of a government institution that are not contained in personal information banks, setting forth in respect of each class
 - (i) a description of the class in sufficient detail to facilitate the right of access under this Act, and

- (ii) the title and address of the appropriate officer for each government institution to whom requests relating to personal information within the class should be sent.

- Marginal note:Statement of uses and purposes

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

- Marginal note:Index to be made available

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

- 1980-81-82-83, c. 111, Sch. II “11”

Access to Personal Information

Right of Access

Marginal note:Right of access

- **12** (1) Subject to this Act, every individual who is a Canadian citizen or a permanent resident within the meaning of subsection 2(1) of the *Immigration and Refugee Protection Act* has a right to and shall, on request, be given access to
 - (a) any personal information about the individual contained in a personal information bank; and
 - (b) any other personal information about the individual under the control of a government institution with respect to which the individual is able to provide sufficiently specific information on the location of the information as to render it reasonably retrievable by the government institution.
- Marginal note:Other rights relating to personal information

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

- (a) request correction of the personal information where the individual believes there is an error or omission therein;
- (b) require that a notation be attached to the information reflecting any correction requested but not made; and
- (c) require that any person or body to whom that information has been disclosed for use for an administrative purpose within two years prior to the time a correction is requested or a notation is required under this subsection in respect of that information

- (i) be notified of the correction or notation, and
 - (ii) where the disclosure is to a government institution, the institution make the correction or notation on any copy of the information under its control.
- Marginal note:Extension of right of access by order

(3) The Governor in Council may, by order, extend the right to be given access to personal information under subsection (1) to include individuals not referred to in that subsection and may set such conditions as the Governor in Council deems appropriate.

- R.S., 1985, c. P-21, s. 12
- 2001, c. 27, s. 269

Requests for Access

Marginal note:Request for access under paragraph 12(1)(a)

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

(2) A request for access to personal information under paragraph 12(1)(b) shall be made in writing to the government institution that has control of the information and shall provide sufficiently specific information on the location of the information as to render it reasonably retrievable by the government institution.

- 1980-81-82-83, c. 111, Sch. II “13”

Marginal note:Notice where access requested

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

- (a) give written notice to the individual who made the request as to whether or not access to the information or a part thereof will be given; and
- (b) if access is to be given, give the individual who made the request access to the information or the part thereof.
- 1980-81-82-83, c. 111, Sch. II “14”

Marginal note:Extension of time limits

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

- (a) a maximum of thirty days if
 - (i) meeting the original time limit would unreasonably interfere with the operations of the government institution, or
 - (ii) consultations are necessary to comply with the request that cannot reasonably be completed within the original time limit, or
- (b) such period of time as is reasonable, if additional time is necessary for translation purposes or for the purposes of converting the personal information into an alternative format,

by giving notice of the extension and the length of the extension to the individual who made the request within thirty days after the request is received, which notice shall contain a statement that the individual has a right to make a complaint to the Privacy Commissioner about the extension.

- R.S., 1985, c. P-21, s. 15
- 1992, c. 21, s. 35

Marginal note:Where access is refused

- **16** (1) Where the head of a government institution refuses to give access to any personal information requested under subsection 12(1), the head of the institution shall state in the notice given under paragraph 14(a)
 - (a) that the personal information does not exist, or
 - (b) the specific provision of this Act on which the refusal was based or the provision on which a refusal could reasonably be expected to be based if the information existed,

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

- Marginal note:Existence not required to be disclosed

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

- Marginal note:Deemed refusal to give access

(3) Where the head of a government institution fails to give access to any personal information requested under subsection 12(1) within the time limits set out in this Act, the head of the institution shall, for the purposes of this Act, be deemed to have refused to give access.

- 1980-81-82-83, c. 111, Sch. II “16”

Access

Marginal note:Form of access

- **17** (1) Subject to any regulations made under paragraph 77(1)(o), where an individual is to be given access to personal information requested under subsection 12(1), the government institution shall
 - (a) permit the individual to examine the information in accordance with the regulations; or
 - (b) provide the individual with a copy thereof.

- Marginal note:Language of access

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

- (a) access shall be given in that language, if the personal information already exists under the control of a government institution in that language; and
 - (b) where the personal information does not exist in that language, the head of the government institution that has control of the personal information shall cause it to be translated or interpreted for the individual if the head of the institution considers a translation or interpretation to be necessary to enable the individual to understand the information.
- Marginal note:Access to personal information in alternative format

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

- (a) the personal information already exists under the control of a government institution in an alternative format that is acceptable to the individual; or
 - (b) the head of the government institution that has control of the personal information considers the giving of access in an alternative format to be necessary to enable the individual to exercise the individual's right of access under this Act and considers it reasonable to cause the personal information to be converted.
- R.S., 1985, c. P-21, s. 17
 - 1992, c. 21, s. 36

Exemptions

Exempt Banks

Marginal note:Governor in Council may designate exempt banks

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

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

- Marginal note:Contents of order

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

- (a) the section on the basis of which the order is made; and
- (b) where a personal information bank is designated that contains files that consist predominantly of personal information described in subparagraph 22(1)(a)(ii), the law concerned.

- 1980-81-82-83, c. 111, Sch. II “18”

Responsibilities of Government

Marginal note:Personal information obtained in confidence

- **19** (1) Subject to subsection (2), the head of a government institution shall refuse to disclose any personal information requested under subsection 12(1) that was obtained in confidence from
 - (a) the government of a foreign state or an institution thereof;
 - (b) an international organization of states or an institution thereof;
 - (c) the government of a province or an institution thereof;
 - (d) a municipal or regional government established by or pursuant to an Act of the legislature of a province or an institution of such a government;
 - (e) the council, as defined in the *Westbank First Nation Self-Government Agreement* given effect by the [Westbank First Nation Self-Government Act](#);
 - (f) the council of a participating First Nation as defined in subsection 2(1) of the [First Nations Jurisdiction over Education in British Columbia Act](#); or
 - (g) a *First Nation Government* or the *Anishinabek Nation Government*, as defined in section 2 of the [Anishinabek Nation Governance Agreement Act](#), or an Anishinaabe Institution, within the meaning of section 1.1 of the *Agreement*, as defined in section 2 of that Act.
- Marginal note:Where disclosure authorized

(2) The head of a government institution may disclose any personal information requested under subsection 12(1) that was obtained from any government, organization or institution described in subsection (1) if the government, organization or institution from which the information was obtained

- (a) consents to the disclosure; or

- (b) makes the information public.

- R.S., 1985, c. P-21, s. 19
- 2004, c. 17, s. 19
- 2006, c. 10, s. 34
- [2022, c. 9, s. 5](#)

5 Subsection 19(1) of the Act is amended by striking out “or” at the end of paragraph (e), by adding “or” at the end of paragraph (f) and by adding the following after paragraph (f):

- (g) a *First Nation Government* or the *Anishinabek Nation Government*, as defined in section 2 of the *Anishinabek Nation Governance Agreement Act*, or an Anishinaabe Institution, within the meaning of section 1.1 of the *Agreement*, as defined in section 2 of that Act.

Marginal note:Federal-provincial affairs

20 The head of a government institution may refuse to disclose any personal information requested under subsection 12(1) the disclosure of which could reasonably be expected to be injurious to the conduct by the Government of Canada of federal-provincial affairs.

- 1980-81-82-83, c. 111, Sch. II “20”

Marginal note:International affairs and defence

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

- 1980-81-82-83, c. 111, Sch. II “21”

Marginal note:Law enforcement and investigation

- **22** (1) The head of a government institution may refuse to disclose any personal information requested under subsection 12(1)
 - (a) that was obtained or prepared by any government institution, or part of any government institution, that is an investigative body specified in the regulations in the course of lawful investigations pertaining to
 - (i) the detection, prevention or suppression of crime,
 - (ii) the enforcement of any law of Canada or a province, or

- (iii) activities suspected of constituting threats to the security of Canada within the meaning of the [Canadian Security Intelligence Service Act](#),

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

- (b) the disclosure of which could reasonably be expected to be injurious to the enforcement of any law of Canada or a province or the conduct of lawful investigations, including, without restricting the generality of the foregoing, any such information
 - (i) relating to the existence or nature of a particular investigation,
 - (ii) that would reveal the identity of a confidential source of information, or
 - (iii) that was obtained or prepared in the course of an investigation; or
- (c) the disclosure of which could reasonably be expected to be injurious to the security of penal institutions.

- Marginal note:Policing services for provinces or municipalities

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

- Marginal note:Definition of *investigation*

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

- (a) pertains to the administration or enforcement of an Act of Parliament;
- (b) is authorized by or pursuant to an Act of Parliament; or
- (c) is within a class of investigations specified in the regulations.

- 1980-81-82-83, c. 111, Sch. II “22”
- 1984, c. 21, s. 90, c. 40, s. 79(E)

Marginal note:Information obtained by Privacy Commissioner

- **22.1** (1) The Privacy Commissioner shall refuse to disclose any personal information requested under this Act that was obtained or created by the Commissioner or on the Commissioner’s behalf in the course of an investigation conducted by, or under the authority of, the Commissioner or that was obtained by the Commissioner in the course of a consultation with the Information Commissioner under subsection 36(1.1) or section 36.2 of the [Access to Information Act](#).
- Marginal note:Exception

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

- 2006, c. 9, s. 183
- [2019, c. 18, s. 48](#)

48 Subsection 22.1(1) of the Act is replaced by the following:

Marginal note:Information obtained by Privacy Commissioner

- **22.1** (1) The Privacy Commissioner shall refuse to disclose any personal information requested under this Act that was obtained or created by the Commissioner or on the Commissioner's behalf in the course of an investigation conducted by, or under the authority of, the Commissioner or that was obtained by the Commissioner in the course of a consultation with the Information Commissioner under subsection 36(1.1) or section 36.2 of the *Access to Information Act*.

Marginal note:Public Sector Integrity Commissioner

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

- 2005, c. 46, s. 58

Marginal note:*Public Servants Disclosure Protection Act*

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

- 2005, c. 46, s. 58

Marginal note:Secretariat of National Security and Intelligence Committee of Parliamentarians

22.4 The Secretariat of the National Security and Intelligence Committee of Parliamentarians shall refuse to disclose personal information requested under subsection 12(1) that was obtained or created by it or on its behalf in the course of assisting the National Security and Intelligence Committee of Parliamentarians in fulfilling its mandate.

- 2017, c. 15, s. 45

Marginal note:Security clearances

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

purpose of determining whether to grant security clearances

- (a) required by the Government of Canada or a government institution in respect of individuals employed by or performing services for the Government of Canada or a government institution, individuals employed by or performing services for a person or body performing services for the Government of Canada or a government institution, individuals seeking to be so employed or seeking to perform those services, or
- (b) required by the government of a province or a foreign state or an institution thereof,

if disclosure of the information could reasonably be expected to reveal the identity of the individual who furnished the investigative body with the information.

- 1980-81-82-83, c. 111, Sch. II “23”

Marginal note:Individuals sentenced for an offence

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

- (a) lead to a serious disruption of the individual’s institutional, parole or statutory release program; or
- (b) reveal information about the individual originally obtained on a promise of confidentiality, express or implied.
- R.S., 1985, c. P-21, s. 24
- 1994, c. 26, s. 56
- 2012, c. 1, s. 160

Marginal note:Safety of individuals

25 The head of a government institution may refuse to disclose any personal information requested under subsection 12(1) the disclosure of which could reasonably be expected to threaten the safety of individuals.

- 1980-81-82-83, c. 111, Sch. II “25”

Personal Information

Marginal note:Information about another individual

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

- 1980-81-82-83, c. 111, Sch. II “26”

Privilege and Professional Secrecy

Marginal note:Protected information — solicitors, advocates and notaries

27 The head of a government institution may refuse to disclose any personal information requested under subsection 12(1) that is subject to solicitor-client privilege or the professional secrecy of advocates and notaries or to litigation privilege.

- R.S., 1985, c. P-21, s. 27
- [2019, c. 18, s. 49](#)

49 Section 27 of the Act and the heading before it are replaced by the following:

Privilege and Professional Secrecy

Marginal note:Protected information — solicitors, advocates and notaries

27 The head of a government institution may refuse to disclose any personal information requested under subsection 12(1) that is subject to solicitor-client privilege or the professional secrecy of advocates and notaries or to litigation privilege.

Marginal note:Protected information — patents and trademarks

27.1 The head of a government institution may refuse to disclose any personal information requested under subsection 12(1) that is subject to the privilege set out in section 16.1 of the [Patent Act](#) or section 51.13 of the [Trademarks Act](#).

- 2018, c. 27, s. 274
- [2014, c. 20, s. 366\(E\)](#)

The following provision is not in force.

Marginal note:Replacement of “trade-mark” in other Acts

- The following provision is not in force.

366 (1) Unless the context requires otherwise, “trade-mark”, “trade-marks”, “Trade-mark”, “Trade-marks”, “trade mark” and “trade marks” are replaced by “trademark”, “trademarks”, “Trademark” or “Trademarks”, as the case may be, in the English version of any Act of Parliament, other than this Act and the *Trademarks Act*.

Medical Records

Marginal note:Medical record

28 The head of a government institution may refuse to disclose any personal information requested under subsection 12(1) that relates to the physical or mental health of the individual who requested it where the examination of the information by the individual would be contrary to the best interests of the individual.

- 1980-81-82-83, c. 111, Sch. II “28”

Complaints

Marginal note:Receipt and investigation of complaints

- **29** (1) Subject to this Act, the Privacy Commissioner shall receive and investigate complaints
 - (a) from individuals who allege that personal information about themselves held by a government institution has been used or disclosed otherwise than in accordance with section 7 or 8;
 - (b) from individuals who have been refused access to personal information requested under subsection 12(1);
 - (c) from individuals who allege that they are not being accorded the rights to which they are entitled under subsection 12(2) or that corrections of personal information requested under paragraph 12(2) (a) are being refused without justification;
 - (d) from individuals who have requested access to personal information in respect of which a time limit has been extended pursuant to section 15 where they consider the extension unreasonable;
 - (e) from individuals who have not been given access to personal information in the official language requested by the individuals under subsection 17(2);
 - (e.1) from individuals who have not been given access to personal information in an alternative format pursuant to a request made under subsection 17(3);
 - (f) from individuals who have been required to pay a fee that they consider inappropriate;
 - (g) in respect of the index referred to in subsection 11(1); or
 - (h) in respect of any other matter relating to
 - (i) the collection, retention or disposal of personal information by a government institution,
 - (ii) the use or disclosure of personal information under the control of a government institution, or
 - (iii) requesting or obtaining access under subsection 12(1) to personal information.
- Marginal note:Complaints submitted on behalf of complainants

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

- Marginal note:Privacy Commissioner may initiate complaint

(3) Where the Privacy Commissioner is satisfied that there are reasonable grounds to investigate a matter under this Act, the Commissioner may initiate a complaint in respect thereof.

- R.S., 1985, c. P-21, s. 29
- 1992, c. 21, s. 37

Marginal note:Written complaint

30 A complaint under this Act shall be made to the Privacy Commissioner in writing unless the Commissioner authorizes otherwise.

- 1980-81-82-83, c. 111, Sch. II “30”

Investigations

Marginal note:Notice of intention to investigate

31 Before commencing an investigation of a complaint under this Act, the Privacy Commissioner shall notify the head of the government institution concerned of the intention to carry out the investigation and shall inform the head of the institution of the substance of the complaint.

- 1980-81-82-83, c. 111, Sch. II “31”

Marginal note:Regulation of procedure

32 Subject to this Act, the Privacy Commissioner may determine the procedure to be followed in the performance of any duty or function of the Commissioner under this Act.

- 1980-81-82-83, c. 111, Sch. II “32”

Marginal note:Investigations in private

- **33** (1) Every investigation of a complaint under this Act by the Privacy Commissioner shall be conducted in private.
- Marginal note:Right to make representation

(2) In the course of an investigation of a complaint under this Act by the Privacy Commissioner, the person who made the complaint and the head of the government institution concerned shall be given an opportunity to make representations to the Commissioner, but no one is entitled as of right to be present during, to have access to or to comment on representations made to the Commissioner by any other person.

- 1980-81-82-83, c. 111, Sch. II “33”

Marginal note:Powers of Privacy Commissioner in carrying out investigations

- **34** (1) The Privacy Commissioner has, in relation to the carrying out of the investigation of any complaint under this Act, power
 - (a) to summon and enforce the appearance of persons before the Privacy Commissioner and compel them to give oral or written evidence on oath and to produce such documents and things as

the Commissioner deems requisite to the full investigation and consideration of the complaint, in the same manner and to the same extent as a superior court of record;

- (b) to administer oaths;
- (c) to receive and accept such evidence and other information, whether on oath or by affidavit or otherwise, as the Privacy Commissioner sees fit, whether or not the evidence or information is or would be admissible in a court of law;
- (d) to enter any premises occupied by any government institution on satisfying any security requirements of the institution relating to the premises;
- (e) to converse in private with any person in any premises entered pursuant to paragraph (d) and otherwise carry out therein such inquiries within the authority of the Privacy Commissioner under this Act as the Commissioner sees fit; and
- (f) to examine or obtain copies of or extracts from books or other records found in any premises entered pursuant to paragraph (d) containing any matter relevant to the investigation.

- Marginal note: Access to information

(2) Despite any other Act of Parliament, any privilege under the law of evidence, solicitor-client privilege or the professional secrecy of advocates and notaries and litigation privilege, and subject to subsection (2.1), the Privacy Commissioner may, during the investigation of any complaint under this Act, examine any information recorded in any form under the control of a government institution, other than a confidence of the Queen's Privy Council for Canada to which subsection 70(1) applies, and no information that the Commissioner may examine under this subsection may be withheld from the Commissioner on any grounds.

- Marginal note: Protected information — solicitors, advocates and notaries

(2.1) The Privacy Commissioner may examine information that is subject to solicitor-client privilege or the professional secrecy of advocates and notaries or to litigation privilege only if the head of a government institution refuses to disclose the information under section 27.

- Marginal note: For greater certainty

(2.2) For greater certainty, the disclosure by the head of a government institution to the Privacy Commissioner of information that is subject to solicitor-client privilege or the professional secrecy of advocates and notaries or to litigation privilege does not constitute a waiver of those privileges or that professional secrecy.

- Marginal note: Evidence in other proceedings

(3) Except in a prosecution of a person for an offence under section 131 of the *Criminal Code* (perjury) in respect of a statement made under this Act, in a prosecution for an offence under this Act or in a review before the Court under this Act or an appeal therefrom, evidence given by a person in proceedings under

this Act and evidence of the existence of the proceedings is inadmissible against that person in a court or in any other proceedings.

- Marginal note:Witness fees

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

- Marginal note:Return of documents, etc.

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

- R.S., 1985, c. P-21, s. 34
- R.S., 1985, c. 27 (1st Supp.), s. 187
- [2019, c. 18, s. 50](#)

50 Subsection 34(2) of the Act is replaced by the following:

- Marginal note:Access to information

(2) Despite any other Act of Parliament, any privilege under the law of evidence, solicitor-client privilege or the professional secrecy of advocates and notaries and litigation privilege, and subject to subsection (2.1), the Privacy Commissioner may, during the investigation of any complaint under this Act, examine any information recorded in any form under the control of a government institution, other than a confidence of the Queen's Privy Council for Canada to which subsection 70(1) applies, and no information that the Commissioner may examine under this subsection may be withheld from the Commissioner on any grounds.

- Marginal note:Protected information — solicitors, advocates and notaries

(2.1) The Privacy Commissioner may examine information that is subject to solicitor-client privilege or the professional secrecy of advocates and notaries or to litigation privilege only if the head of a government institution refuses to disclose the information under section 27.

- Marginal note:For greater certainty

(2.2) For greater certainty, the disclosure by the head of a government institution to the Privacy Commissioner of information that is subject to solicitor-client privilege or the professional secrecy of advocates and notaries or to litigation privilege does not constitute a waiver of those privileges or that professional secrecy.

Marginal note:Findings and recommendations of Privacy Commissioner

- **35** (1) If, on investigating a complaint under this Act in respect of personal information, the Privacy Commissioner finds that the complaint is well-founded, the Commissioner shall provide the head of the government institution that has control of the personal information with a report containing
 - (a) the findings of the investigation and any recommendations that the Commissioner considers appropriate; and
 - (b) where appropriate, a request that, within a time specified therein, notice be given to the Commissioner of any action taken or proposed to be taken to implement the recommendations contained in the report or reasons why no such action has been or is proposed to be taken.

- Marginal note:Report to complainant

(2) The Privacy Commissioner shall, after investigating a complaint under this Act, report to the complainant the results of the investigation, but where a notice has been requested under paragraph (1)(b) no report shall be made under this subsection until the expiration of the time within which the notice is to be given to the Commissioner.

- Marginal note:Matter to be included in report to complainant

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

- Marginal note:Access to be given

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

- Marginal note:Right of review

(5) Where, following the investigation of a complaint relating to a refusal to give access to personal information under this Act, access is not given to the complainant, the Privacy Commissioner shall inform the complainant that the complainant has the right to apply to the Court for a review of the matter investigated.

- 1980-81-82-83, c. 111, Sch. II “35”

Review of Exempt Banks

Marginal note:Investigation of exempt banks

- **36** (1) The Privacy Commissioner may, from time to time at the discretion of the Commissioner, carry out investigations of the files contained in personal information banks designated as exempt banks under section 18.
- Marginal note:Sections 31 to 34 apply

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

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

 - (a) the findings of the Commissioner and any recommendations that the Commissioner considers appropriate; and
 - (b) where appropriate, a request that, within a time specified therein, notice be given to the Commissioner of any action taken or proposed to be taken to implement the recommendations or reasons why no such action has been or is proposed to be taken.
- Marginal note:Reports to be included in annual or special reports to Parliament

(4) Any report made by the Privacy Commissioner under subsection (3), together with any notice given to the Commissioner in response thereto, may be included in a report made pursuant to section 38 or 39.
- Marginal note:Review of exempt banks by Court

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

Review of Compliance with Sections 4 to 8

Marginal note:Investigation in respect of sections 4 to 8

- **37** (1) The Privacy Commissioner may, from time to time at the discretion of the Commissioner, carry out investigations in respect of personal information under the control of government institutions to ensure compliance with sections 4 to 8.
- Marginal note:Sections 31 to 34 apply

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

- Marginal note:Report of findings and recommendations

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

- Marginal note:Reports to be included in annual or special reports

(4) Any report made by the Privacy Commissioner under subsection (3) may be included in a report made pursuant to section 38 or 39.

- Marginal note:Coordination with Review Agency

(5) The Privacy Commissioner may coordinate his or her activities under subsection (1) with those of the National Security and Intelligence Review Agency under any of paragraphs 8(1)(a) to (c) of the [National Security and Intelligence Review Agency Act](#) to avoid any unnecessary duplication of work.

- R.S., 1985, c. P-21, s. 37
- [2019, c. 13, s. 37.1](#)

37.1 Section 37 of the *Privacy Act* is amended by adding the following after subsection (4):

- Marginal note:Coordination with Review Agency

(5) The Privacy Commissioner may coordinate his or her activities under subsection (1) with those of the National Security and Intelligence Review Agency under any of paragraphs 8(1)(a) to (c) of the *National Security and Intelligence Review Agency Act* to avoid any unnecessary duplication of work.

Reports to Parliament

Marginal note:Annual report

38 The Privacy Commissioner shall, within three months after the termination of each financial year, submit an annual report to Parliament on the activities of the office during that financial year.

- 1980-81-82-83, c. 111, Sch. II “38”

Marginal note:Special reports

- **39** (1) The Privacy Commissioner may, at any time, make a special report to Parliament referring to and commenting on any matter within the scope of the powers, duties and functions of the Commissioner where, in the opinion of the Commissioner, the matter is of such urgency or importance that a report

thereon should not be deferred until the time provided for transmission of the next annual report of the Commissioner under section 38.

- Marginal note:Where investigation made

(2) Any report made pursuant to subsection (1) that relates to an investigation under this Act shall be made only after the procedures set out in section 35, 36 or 37 have been followed in respect of the investigation.

- 1980-81-82-83, c. 111, Sch. II “39”

Marginal note:Transmission of reports

- **40** (1) Every report to Parliament made by the Privacy Commissioner under section 38 or 39 shall be made by being transmitted to the Speaker of the Senate and to the Speaker of the House of Commons for tabling in those Houses.

- Marginal note:Reference to Parliamentary committee

(2) Every report referred to in subsection (1) shall, after it is transmitted for tabling pursuant to that subsection, be referred to the committee designated or established by Parliament for the purpose of subsection 75(1).

- 1980-81-82-83, c. 111, Sch. II “40”

Review by the Federal Court

Marginal note:Review by Federal Court where access refused

41 Any individual who has been refused access to personal information requested under subsection 12(1) may, if a complaint has been made to the Privacy Commissioner in respect of the refusal, apply to the Court for a review of the matter within forty-five days after the time the results of an investigation of the complaint by the Privacy Commissioner are reported to the complainant under subsection 35(2) or within such further time as the Court may, either before or after the expiration of those forty-five days, fix or allow.

- 1980-81-82-83, c. 111, Sch. II “41”

Marginal note:Privacy Commissioner may apply or appear

42 The Privacy Commissioner may

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

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

Marginal note:Application respecting files in exempt banks

43 In the circumstances described in subsection 36(5), the Privacy Commissioner may apply to the Court for a review of any file contained in a personal information bank designated as an exempt bank under section 18.

- 1980-81-82-83, c. 111, Sch. II “43”

Marginal note:Hearing in summary way

44 An application made under section 41, 42 or 43 shall be heard and determined in a summary way in accordance with any special rules made in respect of such applications pursuant to section 46 of the *Federal Courts Act*.

- R.S., 1985, c. P-21, s. 44
- 2002, c. 8, s. 182

Marginal note:Access to information

45 Despite any other Act of Parliament, any privilege under the law of evidence, solicitor-client privilege or the professional secrecy of advocates and notaries and litigation privilege, the Court may, in the course of any proceedings before it arising from an application under section 41, 42 or 43, examine any information recorded in any form under the control of a government institution, other than a confidence of the Queen’s Privy Council for Canada to which subsection 70(1) applies, and no information that the Court may examine under this section may be withheld from the Court on any grounds.

- R.S., 1985, c. P-21, s. 45
- [2019, c. 18, s. 51](#)

51 Section 45 of the Act is replaced by the following:

Marginal note:Access to information

45 Despite any other Act of Parliament, any privilege under the law of evidence, solicitor-client privilege or the professional secrecy of advocates and notaries and litigation privilege, the Court may, in the course of any proceedings before it arising from an application under section 41, 42 or 43, examine any information recorded in any form under the control of a government institution, other than a confidence of the Queen’s Privy Council for Canada to which subsection 70(1) applies, and no information that the Court may examine under this section may be withheld from the Court on any grounds.

Marginal note:Court to take precautions against disclosing

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

- (a) any information or other material that the head of a government institution would be authorized to refuse to disclose if it were requested under subsection 12(1) or contained in a record requested under the [Access to Information Act](#); or
- (b) any information as to whether personal information exists where the head of a government institution, in refusing to disclose the personal information under this Act, does not indicate whether it exists.

- Marginal note:Disclosure of offence authorized

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

- R.S., 1985, c. P-21, s. 46
- 2006, c. 9, s. 184

Marginal note:Burden of proof

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

- 1980-81-82-83, c. 111, Sch. II "47"

Marginal note:Order of Court where no authorization to refuse disclosure found

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

- 1980-81-82-83, c. 111, Sch. II "48"

Marginal note:Order of Court where reasonable grounds of injury not found

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

- 1980-81-82-83, c. 111, Sch. II "49"

Marginal note:Order to remove file from exempt bank

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

- (a) in the case of a file contained in the bank on the basis of personal information described in paragraph 22(1)(a) or subsection 22(2), that the file should not be included therein, or
- (b) in the case of a file contained in the bank on the basis of personal information described in section 21 or paragraph 22(1)(b) or (c), that reasonable grounds do not exist on which to include the file in the bank,

order the head of the government institution that has control of the bank to remove the file from the bank or make such other order as the Court deems appropriate.

- 1980-81-82-83, c. 111, Sch. II “50”
- 1984, c. 40, s. 60

Marginal note:Actions relating to international affairs and defence

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

- Marginal note:Special rules for hearings

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

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

- Marginal note:Ex parte representations

(3) During the hearing of an application referred to in subsection (1) or an appeal brought in respect of such application, the head of the government institution concerned shall, on the request of the head of the institution, be given the opportunity to make representations ex parte.

- R.S., 1985, c. P-21, s. 51
- 2002, c. 8, s. 159

Marginal note:Costs

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

- Marginal note:Idem

(2) Where the Court is of the opinion that an application for review under section 41 or 42 has raised an important new principle in relation to this Act, the Court shall order that costs be awarded to the applicant even if the applicant has not been successful in the result.

- 1980-81-82-83, c. 111, Sch. II “52”

Office of the Privacy Commissioner

Privacy Commissioner

Marginal note:Appointment

- **53** (1) The Governor in Council shall, by commission under the Great Seal, appoint a Privacy Commissioner after consultation with the Leader of the Government in the Senate or Government Representative in the Senate, the Leader of the Opposition in the Senate, the Leader or Facilitator of every other recognized party or parliamentary group in the Senate and the leader of every recognized party in the House of Commons and approval of the appointment by resolution of the Senate and House of Commons.

- Marginal note:Tenure

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

- Marginal note:Further terms

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

- Marginal note:Interim appointment

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

- R.S., 1985, c. P-21, s. 53
- 2006, c. 9, s. 118
- [2022, c. 10, s. 247](#)

247 Subsection 53(1) of the *Privacy Act* is replaced by the following:

Marginal note:Appointment

- **53** (1) The Governor in Council shall, by commission under the Great Seal, appoint a Privacy Commissioner after consultation with the Leader of the Government in the Senate or Government Representative in the Senate, the Leader of the Opposition in the Senate, the Leader or Facilitator of every other recognized party or parliamentary group in the Senate and the leader of every recognized party in the House of Commons and approval of the appointment by resolution of the Senate and House of Commons.

Marginal note:Rank, powers and duties generally

- **54** (1) The Privacy Commissioner shall rank as and have all the powers of a deputy head of a department, shall engage exclusively in the duties of the office of Privacy Commissioner under this Act or any other Act of Parliament and shall not hold any other office under Her Majesty for reward or engage in any other employment for reward.

- Marginal note:Salary and expenses

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

- Marginal note:Pension benefits

(3) The provisions of the [Public Service Superannuation Act](#), other than those relating to tenure of office, apply to the Privacy Commissioner, except that a person appointed as Privacy Commissioner from outside the public service, as defined in the [Public Service Superannuation Act](#), may, by notice in writing given to the President of the Treasury Board not more than sixty days after the date of appointment, elect to participate in the pension plan provided in the [Diplomatic Service \(Special\) Superannuation Act](#), in which case the provisions of that Act, other than those relating to tenure of office, apply to the Privacy Commissioner from the date of appointment and the provisions of the [Public Service Superannuation Act](#) do not apply.

- Marginal note:Other benefits

(4) The Privacy Commissioner is deemed to be employed in the public service of Canada for the purposes of the [Government Employees Compensation Act](#) and any regulations made under section 9 of the [Aeronautics Act](#).

- R.S., 1985, c. P-21, s. 54
- 2002, c. 8, s. 160
- 2003, c. 22, s. 225(E)

Marginal note:Information Commissioner may be appointed as Privacy Commissioner

- **55** (1) The Governor in Council may appoint as Privacy Commissioner under section 53 the Information Commissioner appointed under the [Access to Information Act](#).

- Marginal note:Salary

(2) In the event that the Information Commissioner is appointed in accordance with subsection (1) as Privacy Commissioner, the Privacy Commissioner shall, notwithstanding subsection 54(2), be paid the salary of the Information Commissioner but not the salary of the Privacy Commissioner.

- 1980-81-82-83, c. 111, Sch. II “55”

Assistant Privacy Commissioner

Marginal note:Appointment of Assistant Privacy Commissioner

- **56** (1) The Governor in Council may, on the recommendation of the Privacy Commissioner, appoint one or more Assistant Privacy Commissioners.
- Marginal note:Tenure of office and removal of Assistant Privacy Commissioner

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

- Marginal note:Further terms

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

- 1980-81-82-83, c. 111, Sch. II “56”
- 1984, c. 40, s. 79(E)

Marginal note:Duties generally

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

- Marginal note:Salary and expenses

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

- Marginal note:Pension benefits

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

- Marginal note:Other benefits

(4) An Assistant Privacy Commissioner is deemed to be employed in the public service of Canada for the purposes of the [Government Employees Compensation Act](#) and any regulations made under section 9 of the [Aeronautics Act](#).

- 1980-81-82-83, c. 111, Sch. II “57”

Staff

Marginal note:Staff of the Privacy Commissioner

- **58** (1) Such officers and employees as are necessary to enable the Privacy Commissioner to perform the duties and functions of the Commissioner under this Act or any other Act of Parliament shall be appointed in accordance with the [Public Service Employment Act](#).

- Marginal note:Technical assistance

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

- R.S., 1985, c. P-21, s. 58
- 2006, c. 9, s. 185(F)

Delegation

Marginal note:Delegation by Privacy Commissioner

- **59** (1) Subject to subsection (2), the Privacy Commissioner may authorize any person to exercise or perform, subject to such restrictions or limitations as the Commissioner may specify, any of the powers, duties or functions of the Commissioner under this Act except
 - (a) in any case other than a delegation to an Assistant Privacy Commissioner, the power to delegate under this section; and
 - (b) in any case, the powers, duties or functions set out in sections 38 and 39.
- Marginal note:Delegations of investigations relating to international affairs and defence

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

- (a) the investigation of any complaint resulting from a refusal by the head of a government institution to disclose personal information by reason of paragraph 19(1)(a) or (b) or section 21, or
- (b) the investigation under section 36 of files contained in a personal information bank designated under section 18 as an exempt bank on the basis of personal information described in section 21

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

- Marginal note:Delegation by Assistant Privacy Commissioner

(3) An Assistant Privacy Commissioner may authorize any person to exercise or perform, subject to such restrictions or limitations as the Assistant Privacy Commissioner may specify, any of the powers, duties or functions of the Privacy Commissioner under this Act that the Assistant Privacy Commissioner is authorized by the Privacy Commissioner to exercise or perform.

- 1980-81-82-83, c. 111, Sch. II “59”

Special Studies

Marginal note:Special studies

- **60** (1) The Privacy Commissioner shall carry out or cause to be carried out such studies as may be referred to the Commissioner by the Minister of Justice
 - (a) relating to the privacy of individuals,
 - (b) concerning the extension of the rights to which individuals are entitled under this Act in respect of personal information about themselves, and
 - (c) relating to the collection, retention, disposal, use or disclosure of personal information by persons or bodies, other than government institutions, that come within the legislative authority of Parliament,

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

- Marginal note:Reports to be tabled

(2) The Minister of Justice shall cause each report by the Privacy Commissioner under subsection (1) to be laid before Parliament on any of the first fifteen days after receipt thereof that either House of Parliament is sitting.

- 1980-81-82-83, c. 111, Sch. II “60”

General

Marginal note:Principal office

61 The principal office of the Privacy Commissioner shall be in the National Capital Region described in the schedule to the *National Capital Act*.

- 1980-81-82-83, c. 111, Sch. II “61”

Marginal note:Security requirements

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

- 1980-81-82-83, c. 111, Sch. II “62”

Marginal note:Confidentiality

63 Subject to this Act, the Privacy Commissioner and every person acting on behalf or under the direction of the Commissioner shall not disclose any information that comes to their knowledge in the performance of their duties and functions under this Act.

- 1980-81-82-83, c. 111, Sch. II “63”

Marginal note:Disclosure authorized

- **64** (1) The Privacy Commissioner may disclose or may authorize any person acting on behalf or under the direction of the Commissioner to disclose information
 - (a) that, in the opinion of the Commissioner, is necessary to
 - (i) carry out an investigation under this Act, or
 - (ii) establish the grounds for findings and recommendations contained in any report under this Act; or
 - (b) in the course of a prosecution for an offence under this Act, a prosecution for an offence under section 131 of the [Criminal Code](#) (perjury) in respect of a statement made under this Act or a review before the Court under this Act or Part 1 of the [Access to Information Act](#) or an appeal from a review of that Court.

- Marginal note:Disclosure of offence authorized

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

- Marginal note:Provision of information

(3) The Privacy Commissioner may disclose or may authorize any person acting on behalf or under the direction of the Commissioner to disclose — to the extent that the Commissioner or the authorized person, as the case may be, considers necessary for the purpose of subsection 37(5) — information concerning the Commissioner’s activities under subsection 37(1) to the National Security and Intelligence Review Agency.

- R.S., 1985, c. P-21, s. 64

- R.S., 1985, c. 27 (1st Supp.), s. 187
- 2006, c. 9, s. 186
- [2019, c. 13, s. 37.2](#)

37.2 Section 64 of the Act is amended by adding the following after subsection (2):

- Marginal note: Provision of information

(3) The Privacy Commissioner may disclose or may authorize any person acting on behalf or under the direction of the Commissioner to disclose — to the extent that the Commissioner or the authorized person, as the case may be, considers necessary for the purpose of subsection 37(5) — information concerning the Commissioner’s activities under subsection 37(1) to the National Security and Intelligence Review Agency.

- [2019, c. 18, s. 52](#)

52 Paragraph 64(1)(b) of the Act is replaced by the following:

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

Marginal note: Information not to be disclosed

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

- (a) any information that the head of a government institution would be authorized to refuse to disclose if it were requested under subsection 12(1) or contained in a record requested under the [Access to Information Act](#); or
- (b) any information as to whether personal information exists where the head of a government institution, in refusing to disclose the personal information under this Act, does not indicate whether it exists.
- 1980-81-82-83, c. 111, Sch. II “65”

Marginal note: No summons

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

- R.S., 1985, c. P-21, s. 66
- R.S., 1985, c. 27 (1st Supp.), s. 187
- [2019, c. 18, s. 53](#)

53 Section 66 of the Act is replaced by the following:

Marginal note:No summons

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

Marginal note:For greater certainty

66.1 For greater certainty, sections 63 and 66 apply if the Privacy Commissioner is consulted by the Information Commissioner under subsection 36(1.1) or section 36.2 of the *Access to Information Act*.

Marginal note:For greater certainty

66.1 For greater certainty, sections 63 and 66 apply if the Privacy Commissioner is consulted by the Information Commissioner under subsection 36(1.1) or section 36.2 of the [Access to Information Act](#).

- [2019, c. 18, s. 53](#)

53 Section 66 of the Act is replaced by the following:

Marginal note:No summons

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

Marginal note:For greater certainty

66.1 For greater certainty, sections 63 and 66 apply if the Privacy Commissioner is consulted by the Information Commissioner under subsection 36(1.1) or section 36.2 of the *Access to Information Act*.

Marginal note:Protection of Privacy Commissioner

- **67** (1) No criminal or civil proceedings lie against the Privacy Commissioner, or against any person acting on behalf or under the direction of the Commissioner, for anything done, reported or said in good faith in

the course of the exercise or performance or purported exercise or performance of any power, duty or function of the Commissioner under this Act.

- Marginal note: Libel or slander

(2) For the purposes of any law relating to libel or slander,

- (a) anything said, any information supplied or any document or thing produced in good faith in the course of an investigation carried out by or on behalf of the Privacy Commissioner under this Act is privileged; and
- (b) any report made in good faith by the Privacy Commissioner under this Act and any fair and accurate account of the report made in good faith in a newspaper or any other periodical publication or in a broadcast is privileged.

- 1980-81-82-83, c. 111, Sch. II “67”

Offences

Marginal note: Obstruction

- **68** (1) No person shall obstruct the Privacy Commissioner or any person acting on behalf or under the direction of the Commissioner in the performance of the Commissioner’s duties and functions under this Act.
- Marginal note: Offence and punishment

(2) Every person who contravenes this section is guilty of an offence and liable on summary conviction to a fine not exceeding one thousand dollars.

- 1980-81-82-83, c. 111, Sch. II “68”

Exclusions

Marginal note: Act does not apply to certain materials

- **69** (1) This Act does not apply to
 - (a) library or museum material preserved solely for public reference or exhibition purposes; or
 - (b) material placed in the Library and Archives of Canada, the National Gallery of Canada, the Canadian Museum of History, the Canadian Museum of Nature, the National Museum of Science and Technology, the Canadian Museum for Human Rights or the Canadian Museum of Immigration at Pier 21 by or on behalf of persons or organizations other than government institutions.
- Marginal note: Sections 7 and 8 do not apply to certain information

(2) Sections 7 and 8 do not apply to personal information that is publicly available.

- R.S., 1985, c. P-21, s. 69
- R.S., 1985, c. 1 (3rd Supp.), s. 12
- 1990, c. 3, s. 32
- 1992, c. 1, s. 143(E)
- 2004, c. 11, s. 39
- 2008, c. 9, s. 10
- 2010, c. 7, s. 9
- 2013, c. 38, s. 18

Marginal note:Canadian Broadcasting Corporation

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

- 2006, c. 9, s. 188

Marginal note:Confidences of the Queen's Privy Council for Canada

- **70** (1) This Act does not apply to confidences of the Queen's Privy Council for Canada, including, without restricting the generality of the foregoing, any information contained in
 - (a) memoranda the purpose of which is to present proposals or recommendations to Council;
 - (b) discussion papers the purpose of which is to present background explanations, analyses of problems or policy options to Council for consideration by Council in making decisions;
 - (c) agenda of Council or records recording deliberations or decisions of Council;
 - (d) records used for or reflecting communications or discussions between ministers of the Crown on matters relating to the making of government decisions or the formulation of government policy;
 - (e) records the purpose of which is to brief ministers of the Crown in relation to matters that are before, or are proposed to be brought before, Council or that are the subject of communications or discussions referred to in paragraph (d); and
 - (f) draft legislation.

- Marginal note:Definition of *Council*

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

- Marginal note:Exception

(3) Subsection (1) does not apply to

- (a) confidences of the Queen's Privy Council for Canada that have been in existence for more than twenty years; or
- (b) discussion papers described in paragraph (1)(b)
 - (i) if the decisions to which the discussion papers relate have been made public, or
 - (ii) where the decisions have not been made public, if four years have passed since the decisions were made.
- R.S., 1985, c. P-21, s. 70
- 1992, c. 1, s. 144(F)

Marginal note:Certificate under [Canada Evidence Act](#)

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

- Marginal note:Certificate following filing of complaint

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

- (a) all proceedings under this Act in respect of that information, including an investigation, audit, appeal or judicial review, are discontinued;
- (b) the Privacy Commissioner shall not disclose the information and shall take all necessary precautions to prevent its disclosure; and
- (c) the Privacy Commissioner shall, within 10 days after the certificate is published in the [Canada Gazette](#), return the information to the head of the government institution that controls the information.
- Marginal note:Information not to be disclosed

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

- Marginal note:Limited power of delegation

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

- 2001, c. 41, s. 104

General

Marginal note:Duties and functions of designated Minister

- **71** (1) Subject to subsection (2), the designated Minister shall
 - (a) cause to be kept under review the manner in which personal information banks are maintained and managed to ensure compliance with the provisions of this Act and the regulations relating to access by individuals to personal information contained therein;
 - (b) assign or cause to be assigned a registration number to each personal information bank;
 - (c) prescribe such forms as may be required for the operation of this Act and the regulations;
 - (d) cause to be prepared and distributed to government institutions directives and guidelines concerning the operation of this Act and the regulations; and
 - (e) prescribe the form of, and what information is to be included in, reports made to Parliament under section 72.

- Marginal note:Exception for Bank of Canada

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

- Marginal note:Review of existing and proposed personal information banks

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

- Marginal note:Establishment and modification of personal information banks

(4) Subject to subsection (5), no new personal information bank shall be established and no existing personal information banks shall be substantially modified without approval of the designated Minister or otherwise than in accordance with any term or condition on which such approval is given.

- Marginal note:Application of subsections (3) and (4)

(5) Subsections (3) and (4) apply only in respect of personal information banks under the control of government institutions that are departments as defined in section 2 of the *Financial Administration Act*.

- Marginal note: Delegation to head of government institution

(6) The designated Minister may authorize the head of a government institution to exercise and perform, in such manner and subject to such terms and conditions as the designated Minister directs, any of the powers, functions and duties of the designated Minister under subsection (3) or (4).

- 1980-81-82-83, c. 111, Sch. II “71”

Marginal note: Designated Minister’s power

71.1 The designated Minister may provide services with respect to the administration of this Act to the public and to any government institution.

- [2019, c. 18, s. 54](#)

54 The Act is amended by adding the following after section 71:

Marginal note: Designated Minister’s power

71.1 The designated Minister may provide services with respect to the administration of this Act to the public and to any government institution.

Marginal note: Annual report — government institutions

- **72** (1) Every year the head of every government institution shall prepare a report on the administration of this Act within the institution during the period beginning on April 1 of the preceding year and ending on March 31 of the current year.
- Marginal note: Tabling of report

(2) Every report prepared under subsection (1) shall be laid before each House of Parliament on any of the first 15 days on which that House is sitting after September 1 of the year in which the report is prepared.

- Marginal note: Reference to Parliamentary committee

(3) Every report prepared under subsection (1) shall, after it is laid before the Senate and the House of Commons, under subsection (2), be referred to the committee designated or established by Parliament for the purpose of subsection 75(1).

- Marginal note: Copy of report to designated Minister

(4) The head of every government institution shall provide a copy of the report to the designated Minister immediately after it is laid before both Houses.

- R.S., 1985, c. P-21, s. 72

- [2019, c. 18, s. 55](#)

- **55** (1) Subsections 72(1) and (2) of the Act are replaced by the following:

Marginal note:Annual report — government institutions

- **72** (1) Every year the head of every government institution shall prepare a report on the administration of this Act within the institution during the period beginning on April 1 of the preceding year and ending on March 31 of the current year.

- Marginal note:Tabling of report

(2) Every report prepared under subsection (1) shall be laid before each House of Parliament on any of the first 15 days on which that House is sitting after September 1 of the year in which the report is prepared.

- (2) Section 72 of the Act is amended by adding the following after subsection (3):

- Marginal note:Copy of report to designated Minister

(4) The head of every government institution shall provide a copy of the report to the designated Minister immediately after it is laid before both Houses.

Marginal note:Delegation by head of government institution

- **73** (1) The head of a government institution may, by order, delegate any of their powers, duties or functions under this Act to one or more officers or employees of that institution.
- Marginal note:Delegation to officers or employees of other government institution

(2) The head of a government institution may, for the purposes of subsection 73.1(1), by order, delegate any of their powers, duties or functions under this Act to one or more officers or employees of another government institution.

- R.S., 1985, c. P-21, s. 73
- [2019, c. 18, s. 56](#)

56 Section 73 of the Act is replaced by the following:

Marginal note:Delegation by head of government institution

- **73** (1) The head of a government institution may, by order, delegate any of their powers, duties or functions under this Act to one or more officers or employees of that institution.
- Marginal note:Delegation to officers or employees of other government institution

(2) The head of a government institution may, for the purposes of subsection 73.1(1), by order, delegate any of their powers, duties or functions under this Act to one or more officers or employees of another government institution.

Marginal note:Provision of services related to privacy

- **73.1** (1) A government institution may provide services related to any power, duty or function conferred or imposed on the head of a government institution under this Act to another government institution that is presided over by the same Minister or that is under the responsibility of the same Minister and may receive such services from any other such government institution.
- Marginal note:Written agreement

(2) A government institution may provide services under subsection (1) to another government institution only if it enters into an agreement in writing with the other government institution in respect of those services before it provides the services.
- Marginal note:Notice

(3) The head of a government institution that receives the services shall provide a copy of the agreement to the Privacy Commissioner and the designated Minister as soon as possible after the agreement is entered into. The head of the institution shall also notify the Commissioner and the designated Minister of any material change to that agreement.
- Marginal note:Fees

(4) The head of a government institution that provides the services may charge a fee for those services. The fee is not to exceed the cost of providing the service.
- Marginal note:Spending authority

(5) The head of the institution that charges the fee may spend the revenues that are received from the provision of the services for any purpose of that institution. If the head of the institution spends the revenues, he or she must do so in the fiscal year in which they are received or, unless an appropriation Act provides otherwise, in the next fiscal year.

Marginal note:Personal information not under control of institution

73.2 The personal information that the head of a government institution provides to the head of another government institution for the purpose of the other institution providing the services referred to in subsection 73.1(1) is not under the control of that other institution.

Marginal note:Provision of services related to privacy

- **73.1** (1) A government institution may provide services related to any power, duty or function conferred or imposed on the head of a government institution under this Act to another government institution that is presided over by the same Minister or that is under the responsibility of the same Minister and may receive such services from any other such government institution.
- Marginal note:Written agreement

(2) A government institution may provide services under subsection (1) to another government institution only if it enters into an agreement in writing with the other government institution in respect of those services before it provides the services.

- Marginal note:Notice

(3) The head of a government institution that receives the services shall provide a copy of the agreement to the Privacy Commissioner and the designated Minister as soon as possible after the agreement is entered into. The head of the institution shall also notify the Commissioner and the designated Minister of any material change to that agreement.

- Marginal note:Fees

(4) The head of a government institution that provides the services may charge a fee for those services. The fee is not to exceed the cost of providing the service.

- Marginal note:Spending authority

(5) The head of the institution that charges the fee may spend the revenues that are received from the provision of the services for any purpose of that institution. If the head of the institution spends the revenues, he or she must do so in the fiscal year in which they are received or, unless an appropriation Act provides otherwise, in the next fiscal year.

- [2019, c. 18, s. 56](#)

56 Section 73 of the Act is replaced by the following:

Marginal note:Delegation by head of government institution

- **73** (1) The head of a government institution may, by order, delegate any of their powers, duties or functions under this Act to one or more officers or employees of that institution.
- Marginal note:Delegation to officers or employees of other government institution

(2) The head of a government institution may, for the purposes of subsection 73.1(1), by order, delegate any of their powers, duties or functions under this Act to one or more officers or employees of another government institution.

Marginal note:Provision of services related to privacy

- **73.1** (1) A government institution may provide services related to any power, duty or function conferred or imposed on the head of a government institution under this Act to another government institution that is presided over by the same Minister or that is under the responsibility of the same Minister and may receive such services from any other such government institution.
- Marginal note:Written agreement

(2) A government institution may provide services under subsection (1) to another government institution only if it enters into an agreement in writing with the other government institution in respect of those services before it provides the services.

o Marginal note:Notice

(3) The head of a government institution that receives the services shall provide a copy of the agreement to the Privacy Commissioner and the designated Minister as soon as possible after the agreement is entered into. The head of the institution shall also notify the Commissioner and the designated Minister of any material change to that agreement.

o Marginal note:Fees

(4) The head of a government institution that provides the services may charge a fee for those services. The fee is not to exceed the cost of providing the service.

o Marginal note:Spending authority

(5) The head of the institution that charges the fee may spend the revenues that are received from the provision of the services for any purpose of that institution. If the head of the institution spends the revenues, he or she must do so in the fiscal year in which they are received or, unless an appropriation Act provides otherwise, in the next fiscal year.

Marginal note:Personal information not under control of institution

73.2 The personal information that the head of a government institution provides to the head of another government institution for the purpose of the other institution providing the services referred to in subsection 73.1(1) is not under the control of that other institution.

Marginal note:Personal information not under control of institution

73.2 The personal information that the head of a government institution provides to the head of another government institution for the purpose of the other institution providing the services referred to in subsection 73.1(1) is not under the control of that other institution.

- [2019, c. 18, s. 56](#)

56 Section 73 of the Act is replaced by the following:

Marginal note:Delegation by head of government institution

- o **73** (1) The head of a government institution may, by order, delegate any of their powers, duties or functions under this Act to one or more officers or employees of that institution.
- o Marginal note:Delegation to officers or employees of other government institution

(2) The head of a government institution may, for the purposes of subsection 73.1(1), by order, delegate any of their powers, duties or functions under this Act to one or more officers or

employees of another government institution.

Marginal note:Provision of services related to privacy

- **73.1** (1) A government institution may provide services related to any power, duty or function conferred or imposed on the head of a government institution under this Act to another government institution that is presided over by the same Minister or that is under the responsibility of the same Minister and may receive such services from any other such government institution.

- Marginal note:Written agreement

(2) A government institution may provide services under subsection (1) to another government institution only if it enters into an agreement in writing with the other government institution in respect of those services before it provides the services.

- Marginal note:Notice

(3) The head of a government institution that receives the services shall provide a copy of the agreement to the Privacy Commissioner and the designated Minister as soon as possible after the agreement is entered into. The head of the institution shall also notify the Commissioner and the designated Minister of any material change to that agreement.

- Marginal note:Fees

(4) The head of a government institution that provides the services may charge a fee for those services. The fee is not to exceed the cost of providing the service.

- Marginal note:Spending authority

(5) The head of the institution that charges the fee may spend the revenues that are received from the provision of the services for any purpose of that institution. If the head of the institution spends the revenues, he or she must do so in the fiscal year in which they are received or, unless an appropriation Act provides otherwise, in the next fiscal year.

Marginal note:Personal information not under control of institution

73.2 The personal information that the head of a government institution provides to the head of another government institution for the purpose of the other institution providing the services referred to in subsection 73.1(1) is not under the control of that other institution.

Marginal note:Protection from civil proceeding or from prosecution

74 Notwithstanding any other Act of Parliament, no civil or criminal proceedings lie against the head of any government institution, or against any person acting on behalf or under the direction of the head of a government institution, and no proceedings lie against the Crown or any government institution, for the disclosure in good faith of any personal information pursuant to this Act, for any consequences that flow from that disclosure, or for the failure to give any notice required under this Act if reasonable care is taken to give the required notice.

- 1980-81-82-83, c. 111, Sch. II “74”

Marginal note:Permanent review of this Act by Parliamentary committee

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

- Marginal note:Review and report to Parliament

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

- 1980-81-82-83, c. 111, Sch. II “75”

Marginal note:Binding on Crown

76 This Act is binding on Her Majesty in right of Canada.

- 1980-81-82-83, c. 111, Sch. II “76”

Marginal note:Regulations

- **77** (1) The Governor in Council may make regulations
 - (a) specifying government institutions or parts of government institutions for the purpose of paragraph (e) of the definition *personal information* in section 3;
 - (b) prescribing the period of time for which any class of personal information is to be retained under subsection 6(1);
 - (c) prescribing the circumstances and the manner in which personal information under the control of a government institution is to be disposed of under subsection 6(3);
 - (d) specifying investigative bodies for the purposes of paragraph 8(2)(e) and sections 22 and 23;
 - (e) prescribing the circumstances in which and the conditions under which personal information may be disclosed under subsection 8(3);
 - (f) prescribing the period of time for which copies of requests received under paragraph 8(2)(e) and records of information disclosed pursuant to the requests are to be retained under subsection 8(4);
 - (g) specifying persons or bodies for the purpose of paragraph 8(2)(h);
 - (h) prescribing procedures to be followed in making and responding to a request for access to personal information under paragraph 12(1)(a) or (b);

- (i) prescribing procedures to be followed by an individual or a government institution where the individual requests under subsection 12(2) a correction of personal information or a notation of a correction requested, including the period of time within which the correction or notation must be made;
 - (j) prescribing any fees, or the manner of calculating any fees, to be paid for being given access to personal information requested under subsection 12(1) or for the making of copies of such personal information;
 - (k) prescribing the procedures to be followed by the Privacy Commissioner and any person acting on behalf or under the direction of the Privacy Commissioner in examining or obtaining copies of records relevant to an investigation of a complaint in respect of a refusal to disclose personal information under paragraph 19(1)(a) or (b) or section 21;
 - (l) specifying classes of investigations for the purpose of paragraph 22(3)(c);
 - (m) prescribing the class of individuals who may act on behalf of minors, incompetents, deceased persons or any other individuals under this Act and regulating the manner in which any rights or actions of individuals under this Act may be exercised or performed on their behalf;
 - (n) authorizing the disclosure of information relating to the physical or mental health of individuals to duly qualified medical practitioners or psychologists in order to determine whether disclosure of the information would be contrary to the best interests of the individuals, and prescribing any procedures to be followed or restrictions deemed necessary with regard to the disclosure and examination of the information; and
 - (o) prescribing special procedures for giving individuals access under subsection 12(1) to personal information relating to their physical or mental health and regulating the way in which that access is given.
- Marginal note:Amendments to schedule

(2) The Governor in Council may, by order,

- (a) add to the schedule the name of any department, ministry of state, body or office of the Government of Canada;
 - (b) replace in the schedule the former name of any department, ministry of state, body or office of the Government of Canada with its new name; and
 - (c) delete from the schedule the name of any department, ministry of state, body or office of the Government of Canada that has ceased to exist or has become part of another department, ministry of state, body or office of the Government of Canada.
- R.S., 1985, c. P-21, s. 77
 - [2019, c. 18, s. 57](#)

57 Subsection 77(2) of the Act is replaced by the following:

- o Marginal note:Amendments to schedule

(2) The Governor in Council may, by order,

- (a) add to the schedule the name of any department, ministry of state, body or office of the Government of Canada;
- (b) replace in the schedule the former name of any department, ministry of state, body or office of the Government of Canada with its new name; and
- (c) delete from the schedule the name of any department, ministry of state, body or office of the Government of Canada that has ceased to exist or has become part of another department, ministry of state, body or office of the Government of Canada.

SCHEDULE(Section 3)Government Institutions

- Departments and Ministries of State

- o Department for Women and Gender Equality

Ministère des Femmes et de l'Égalité des genres

- o Department of Agriculture and Agri-Food

Ministère de l'Agriculture et de l'Agroalimentaire

- o Department of Canadian Heritage

Ministère du Patrimoine canadien

- o Department of Citizenship and Immigration

Ministère de la Citoyenneté et de l'Immigration

- o Department of Crown-Indigenous Relations and Northern Affairs

Ministère des Relations Couronne-Autochtones et des Affaires du Nord

- o Department of Employment and Social Development

Ministère de l'Emploi et du Développement social

- o Department of the Environment

Ministère de l'Environnement

- o Department of Finance

Ministère des Finances

- Department of Fisheries and Oceans

Ministère des Pêches et des Océans

- Department of Foreign Affairs, Trade and Development

Ministère des Affaires étrangères, du Commerce et du Développement

- Department of Health

Ministère de la Santé

- Department of Indigenous Services

Ministère des Services aux Autochtones

- Department of Industry

Ministère de l'Industrie

- Department of Justice

Ministère de la Justice

- Department of National Defence (including the Canadian Forces)

Ministère de la Défense nationale (y compris les Forces canadiennes)

- Department of Natural Resources

Ministère des Ressources naturelles

- Department of Public Safety and Emergency Preparedness

Ministère de la Sécurité publique et de la Protection civile

- Department of Public Works and Government Services

Ministère des Travaux publics et des Services gouvernementaux

- Department of Transport

Ministère des Transports

- Department of Veterans Affairs

Ministère des Anciens Combattants

- Department of Western Economic Diversification

Ministère de la Diversification de l'économie de l'Ouest canadien

- Other Government Institutions
 - Administrative Tribunals Support Service of Canada
Service canadien d'appui aux tribunaux administratifs
 - Asia-Pacific Foundation of Canada
Fondation Asie-Pacifique du Canada
 - Atlantic Canada Opportunities Agency
Agence de promotion économique du Canada atlantique
 - Belledune Port Authority
Administration portuaire de Belledune
 - British Columbia Treaty Commission
Commission des traités de la Colombie-Britannique
 - Canada Border Services Agency
Agence des services frontaliers du Canada
 - Canada Emission Reduction Incentives Agency
Agence canadienne pour l'incitation à la réduction des émissions
 - Canada Employment Insurance Commission
Commission de l'assurance-emploi du Canada
 - Canada Foundation for Innovation
Fondation canadienne pour l'innovation
 - Canada Foundation for Sustainable Development Technology
Fondation du Canada pour l'appui technologique au développement durable
 - Canada–Newfoundland and Labrador Offshore Petroleum Board
Office Canada — Terre-Neuve-et-Labrador des hydrocarbures extracôtiers
 - Canada-Nova Scotia Offshore Petroleum Board
Office Canada — Nouvelle-Écosse des hydrocarbures extracôtiers

- Canada Revenue Agency
Agence du revenu du Canada
- Canada School of Public Service
École de la fonction publique du Canada
- Canadian Accessibility Standards Development Organization
Organisation canadienne d'élaboration de normes d'accessibilité
- Canadian Advisory Council on the Status of Women
Conseil consultatif canadien de la situation de la femme
- Canadian Centre for Occupational Health and Safety
Centre canadien d'hygiène et de sécurité au travail
- Canadian Energy Regulator
Régie canadienne de l'énergie
- Canadian Food Inspection Agency
Agence canadienne d'inspection des aliments
- Canadian Government Specifications Board
Office des normes du gouvernement canadien
- Canadian Grain Commission
Commission canadienne des grains
- Canadian High Arctic Research Station
Station canadienne de recherche dans l'Extrême-Arctique
- Canadian Human Rights Commission
Commission canadienne des droits de la personne
- Canadian Institutes of Health Research
Instituts de recherche en santé du Canada
- Canadian Museum for Human Rights
Musée canadien des droits de la personne

- Canadian Museum of Immigration at Pier 21
Musée canadien de l'immigration du Quai 21
- Canadian Northern Economic Development Agency
Agence canadienne de développement économique du Nord
- Canadian Nuclear Safety Commission
Commission canadienne de sûreté nucléaire
- Canadian Radio-television and Telecommunications Commission
Conseil de la radiodiffusion et des télécommunications canadiennes
- Canadian Security Intelligence Service
Service canadien du renseignement de sécurité
- Canadian Space Agency
Agence spatiale canadienne
- Canadian Transportation Accident Investigation and Safety Board
Bureau canadien d'enquête sur les accidents de transport et de la sécurité des transports
- Canadian Transportation Agency
Office des transports du Canada
- Civilian Review and Complaints Commission for the Royal Canadian Mounted Police
Commission civile d'examen et de traitement des plaintes relatives à la Gendarmerie royale du Canada
- College of Immigration and Citizenship Consultants
Collège des consultants en immigration et en citoyenneté
- College of Patent Agents and Trademark Agents
Collège des agents de brevets et des agents de marques de commerce
- Communications Security Establishment
Centre de la sécurité des télécommunications
- Copyright Board

Commission du droit d'auteur

- Correctional Service of Canada

Service correctionnel du Canada

- Director of Soldier Settlement

Directeur de l'établissement de soldats

- The Director, The Veterans' Land Act

Directeur des terres destinées aux anciens combattants

- Economic Development Agency of Canada for the Regions of Quebec

Agence de développement économique du Canada pour les régions du Québec

- Energy Supplies Allocation Board

Office de répartition des approvisionnements d'énergie

- Federal Economic Development Agency for Northern Ontario

Agence fédérale de développement économique pour le Nord de l'Ontario

- Federal Economic Development Agency for Southern Ontario

Agence fédérale de développement économique pour le Sud de l'Ontario

- Federal-Provincial Relations Office

Secrétariat des relations fédérales-provinciales

- Federal Public Service Health Care Plan Administration Authority

Administration du Régime de soins de santé de la fonction publique fédérale

- Financial Consumer Agency of Canada

Agence de la consommation en matière financière du Canada

- Financial Transactions and Reports Analysis Centre of Canada

Centre d'analyse des opérations et déclarations financières du Canada

- First Nations Financial Management Board

Conseil de gestion financière des premières nations

- First Nations Tax Commission

Commission de la fiscalité des premières nations

- Gwich'in Land and Water Board

Office gwich'in des terres et des eaux

- Gwich'in Land Use Planning Board

Office gwich'in d'aménagement territorial

- Halifax Port Authority

Administration portuaire de Halifax

- Hamilton Port Authority

Administration portuaire de Hamilton

- Historic Sites and Monuments Board of Canada

Commission des lieux et monuments historiques du Canada

- Immigration and Refugee Board

Commission de l'immigration et du statut de réfugié

- Impact Assessment Agency of Canada

Agence canadienne d'évaluation d'impact

- Indian Residential Schools Truth and Reconciliation Commission

Commission de vérité et de réconciliation relative aux pensionnats indiens

- Invest in Canada Hub

Investir au Canada

- Law Commission of Canada

Commission du droit du Canada

- Library and Archives of Canada

Bibliothèque et Archives du Canada

- Mackenzie Valley Environmental Impact Review Board

Office d'examen des répercussions environnementales de la vallée du Mackenzie

- Mackenzie Valley Land and Water Board

Office des terres et des eaux de la vallée du Mackenzie

- Military Grievances External Review Committee

Comité externe d'examen des griefs militaires

- Military Police Complaints Commission

Commission d'examen des plaintes concernant la police militaire

- Montreal Port Authority

Administration portuaire de Montréal

- Nanaimo Port Authority

Administration portuaire de Nanaïmo

- The National Battlefields Commission

Commission des champs de bataille nationaux

- National Farm Products Council

Conseil national des produits agricoles

- National Film Board

Office national du film

- National Research Council of Canada

Conseil national de recherches du Canada

- National Security and Intelligence Review Agency Secretariat

Secrétariat de l'Office de surveillance des activités en matière de sécurité nationale et de renseignement

- Natural Sciences and Engineering Research Council

Conseil de recherches en sciences naturelles et en génie

- Northern Pipeline Agency

Administration du pipe-line du Nord

- Nunavut Impact Review Board

Commission du Nunavut chargée de l'examen des répercussions

- Nunavut Planning Commission
Commission d'aménagement du Nunavut
- Nunavut Surface Rights Tribunal
Tribunal des droits de surface du Nunavut
- Nunavut Water Board
Office des eaux du Nunavut
- Office of Infrastructure of Canada
Bureau de l'infrastructure du Canada
- Office of Privatization and Regulatory Affairs
Bureau de privatisation et des affaires réglementaires
- Office of the Administrator of the Fund for Railway Accidents Involving Designated Goods
Bureau de l'administrateur de la Caisse d'indemnisation pour les accidents ferroviaires impliquant des marchandises désignées
- Office of the Administrator of the Ship-source Oil Pollution Fund
Bureau de l'administrateur de la Caisse d'indemnisation des dommages dus à la pollution par les hydrocarbures causée par les navires
- Office of the Auditor General of Canada
Bureau du vérificateur général du Canada
- Office of the Chief Electoral Officer
Bureau du directeur général des élections
- Office of the Commissioner of Lobbying
Commissariat au lobbying
- Office of the Commissioner of Official Languages
Commissariat aux langues officielles
- Office of the Comptroller General
Bureau du contrôleur général
- Office of the Correctional Investigator of Canada

Bureau de l'enquêteur correctionnel du Canada

- Office of the Director of Public Prosecutions

Bureau du directeur des poursuites pénales

- Office of the Information Commissioner

Commissariat à l'information

- Office of the Intelligence Commissioner

Bureau du commissaire au renseignement

- Office of the Privacy Commissioner

Commissariat à la protection de la vie privée

- Office of the Public Sector Integrity Commissioner

Commissariat à l'intégrité du secteur public

- Office of the Superintendent of Financial Institutions

Bureau du surintendant des institutions financières

- Oshawa Port Authority

Administration portuaire d'Oshawa

- Pacific Economic Development Agency of Canada

Agence de développement économique du Pacifique Canada

- Parks Canada Agency

Agence Parcs Canada

- Parole Board of Canada

Commission des libérations conditionnelles du Canada

- Patented Medicine Prices Review Board

Conseil d'examen du prix des médicaments brevetés

- Petroleum Compensation Board

Office des indemnisations pétrolières

- The Pierre Elliott Trudeau Foundation

La Fondation Pierre-Elliott-Trudeau

- Port Alberni Port Authority

Administration portuaire de Port-Alberni

- Prairie Farm Rehabilitation Administration

Administration du rétablissement agricole des Prairies

- Prince Rupert Port Authority

Administration portuaire de Prince-Rupert

- Privy Council Office

Bureau du Conseil privé

- Public Health Agency of Canada

Agence de la santé publique du Canada

- Public Service Commission

Commission de la fonction publique

- Quebec Port Authority

Administration portuaire de Québec

- Regional Development Incentives Board

Conseil des subventions au développement régional

- Royal Canadian Mounted Police

Gendarmerie royale du Canada

- Royal Canadian Mounted Police External Review Committee

Comité externe d'examen de la Gendarmerie royale du Canada

- Saguenay Port Authority

Administration portuaire du Saguenay

- Sahtu Land and Water Board

Office des terres et des eaux du Sahtu

- Sahtu Land Use Planning Board

Office d'aménagement territorial du Sahtu

- Saint John Port Authority

Administration portuaire de Saint-Jean

- Secretariat of the National Security and Intelligence Committee of Parliamentarians

Secrétariat du Comité des parlementaires sur la sécurité nationale et le renseignement

- Sept-Îles Port Authority

Administration portuaire de Sept-Îles

- Shared Services Canada

Services partagés Canada

- Social Sciences and Humanities Research Council

Conseil de recherches en sciences humaines

- Statistics Canada

Statistique Canada

- Statute Revision Commission

Commission de révision des lois

- St. John's Port Authority

Administration portuaire de St. John's

- Thunder Bay Port Authority

Administration portuaire de Thunder Bay

- Toronto Port Authority

Administration portuaire de Toronto

- Treasury Board Secretariat

Secrétariat du Conseil du Trésor

- Trois-Rivières Port Authority

Administration portuaire de Trois-Rivières

- Vancouver Fraser Port Authority

Administration portuaire de Vancouver Fraser

- o Veterans Review and Appeal Board

Tribunal des anciens combattants (révision et appel)

- o Windsor Port Authority

Administration portuaire de Windsor

- o Yukon Environmental and Socio-economic Assessment Board

Office d'évaluation environnementale et socioéconomique du Yukon

- o Yukon Surface Rights Board

Office des droits de surface du Yukon

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- R.S., 1985, c. 22 (1st Supp.), s. 11, c. 44 (1st Supp.), s. 5, c. 46 (1st Supp.), s. 9
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- R.S., 1985, c. 8 (2nd Supp.), s. 27, c. 19 (2nd Supp.), s. 52
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- 1996, c. 8, ss. 27, 28, c. 9, s. 28, c. 10, ss. 253, 254, c. 11, ss. 77 to 80, c. 16, ss. 46 to 48
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- SOR/98-321, s. 1
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- 2011, c. 25, s. 63
- SOR/2011-163, 259
- 2012, c. 1, s. 160, c. 19, ss. 276, 387, 472, 502, 576, 590, 679, 749, c. 31, ss. 262, 294
- 2013, c. 14, ss. 4, 19, c. 18, ss. 55, 56, c. 24, ss. 124, 125, c. 33, ss. 185 to 187, c. 40, ss. 227, 228, 285, 459
- 2014, c. 2, s. 26, c. 13, ss. 103, 104, c. 20, ss. 366(E), 421 to 427, c. 39, ss. 165, 166
- SOR/2014-67
- 2015, c. 3, s. 147
- 2017, c. 15, s. 46, c. 20, s. 448
- SOR/2017-258
- 2018, c. 27, ss. 254, 670, 671
- SOR/2018-24
- [2019, c. 10, s. 204](#)

204 The schedule to the *Privacy Act* is amended by adding the following in alphabetical order under the heading “Other Government Institutions”:

- Canadian Accessibility Standards Development Organization

Organisation canadienne d’élaboration de normes d’accessibilité

- [2019, c. 13, s. 38](#)

38 The schedule to the Act is amended by deleting, under the heading “Other Government Institutions”, the reference to

- Security Intelligence Review Committee

Comité de surveillance des activités de renseignement de sécurité

- [2019, c. 13, s. 39](#)

39 The schedule to the Act is amended by adding, in alphabetical order under the heading “Other Government Institutions”, a reference to

- National Security and Intelligence Review Agency Secretariat

Secrétariat de l'Office de surveillance des activités en matière de sécurité nationale et de renseignement

- [2019, c. 13, s. 71](#)

71 The schedule to the *Privacy Act* is amended by adding the following in alphabetical order under the heading “Other Government Institutions”:

- Office of the Intelligence Commissioner

Bureau du commissaire au renseignement

- [2019, c. 28, s. 143](#)

Marginal note:1992, c. 37, s. 78

143 The schedule to the *Privacy Act* is amended by striking out the following under the heading “Other Government Institutions”:

- Canadian Environmental Assessment Agency

Agence canadienne d'évaluation environnementale

- National Energy Board

Office national de l'énergie

- [2019, c. 28, s. 144](#)

144 The schedule to the Act is amended by adding the following, in alphabetical order, under the heading “Other Government Institutions”:

- Canadian Energy Regulator

Régie canadienne de l'énergie

- Impact Assessment Agency of Canada

Agence canadienne d'évaluation d'impact

- [2019, c. 29, s. 299](#)

299 The schedule to the *Privacy Act* is amended by adding the following in alphabetical order under the heading “Other Government Institutions”:

- College of Immigration and Citizenship Consultants

Collège des consultants en immigration et en citoyenneté

- [2019, c. 29, s. 359](#)

359 The schedule to the *Privacy Act* is amended by striking out the following under the heading “Departments and Ministries of State”:

- Department of Indian Affairs and Northern Development

Ministère des Affaires indiennes et du Nord canadien

- [2019, c. 29, s. 360](#)

360 The schedule to the Act is amended by adding the following in alphabetical order under the heading “Departments and Ministries of State”:

- Department of Crown-Indigenous Relations and Northern Affairs

Ministère des Relations Couronne-Autochtones et des Affaires du Nord

- Department of Indigenous Services

Ministère des Services aux Autochtones

- [2019, c. 29, s. 361](#)

Marginal note:SOR/2017-258, s. 1

361 The schedule to the Act is amended by striking out the following under the heading “Other Government Institutions”:

- Department of Indigenous Services Canada

Ministère des Services aux Autochtones Canada

- [SOR/2021-189, s. 1](#)

1 The schedule to the *Privacy Act*^{Footnote 1} is amended by adding the following in alphabetical order under the heading “Other Government Institutions”:

- [Return to footnote 1](#) R.S., c. P-21
- Pacific Economic Development Agency of Canada

Agence de développement économique du Pacifique Canada

- [SOR/2021-194, s. 1](#)

1 The schedule to the *Privacy Act* [Footnote 1](#) is amended by adding the following in alphabetical order under the heading “Other Government Institutions”:

- [Return to footnote 1](#) R.S., c. P-21
- Federal Economic Development Agency for Northern Ontario

Agence fédérale de développement économique pour le Nord de l’Ontario