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## **Asia Pacific Foundation of Canada**

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### **High Level Privacy Impact Assessment**

**Report of February 4, 2008**

moving forward together...

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## Executive Summary

### Introduction

This report presents the findings that were made during the high level Privacy Impact Assessment (hereafter “PIA” or “assessment”) that was conducted for the Asia Pacific Foundation of Canada (hereafter “Foundation”) in the second half of year 2007 in relation to:

- the Foundation’s level of compliance with the requirements of the *Privacy Act* and the generally accepted privacy principles; and
- the privacy related risks and the security risks as they relate to privacy that are associated with the activities of the Foundation.

The purpose of the assessment was to identify the privacy related risks and the security risks as they relate to privacy that are associated with the activities of the Foundation and, where applicable, to propose options and recommendations to mitigate those risks.

### Background and Reasons for the Conduct of This PIA

The Foundation became subject to the *Access to Information Act* and the *Privacy Act* on April 1, 2007 as a result of the adoption of the *Federal Government Accountability Act* by Parliament in December 2006. By extension, it also became subject to the *Library and Archives of Canada Act*, which applies to “government institutions” as defined in section 3 of that *Act*:

*“government institution” has the same meaning as in section 3 of the Access to Information Act or in section 3 of the Privacy Act or means an institution designated by the Governor in Council.”*

This new legal framework imposes upon the Foundation the obligation to establish a Privacy infrastructure that:

- ensures compliance with the requirements of the *Privacy Act* and the generally accepted privacy principles as they relate to the collection, use, disclosure/sharing, protection, retention and disposition of personal information; and

- allows the Foundation to receive, process and respond to requests for access to, and the correction of personal information submitted under the *Privacy Act*.

## **Findings and Conclusions**

The review found that the Foundation has established an appropriate privacy accountability structure and mechanisms and that the roles and responsibilities of managers and employees as they relate to privacy protection have been clearly defined. It also confirmed that the Foundation's practices that involve the collection, use and disclosure of personal information are conducted in compliance with the requirements of the *Privacy Act* and the generally accepted principles.

Two separate reports identify the shortcomings in regard to the Foundation's information management and security framework, and provide options and recommendations on how to address these shortcomings. The implementation of these recommendations should strengthen the Foundation's record on privacy protection and allow it to more easily comply with the requirements of the *Privacy Act* and the generally accepted principles.

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## Chapter One - Introduction

Essence Organizational Development Inc. is pleased to submit this report on the high level Privacy Impact Assessment (hereafter “PIA” or “assessment”) that was conducted for the Asia Pacific Foundation of Canada (hereafter “Foundation”) in the second half of year 2007.

The purpose of the assessment was to identify the privacy related risks and the security risks as they relate to privacy that are associated with the activities of the Foundation and, where applicable, to propose options and recommendations to mitigate those risks.

## Background and Objectives of This Report

### Background:

Established in 1984 by the *Asia-Pacific Foundation Act*, the Foundation is an independent, not-for-profit think-tank on Canada's relations with Asia. It functions as a knowledge broker, bringing together people and knowledge to provide current and comprehensive research, analysis and information on Canada's transpacific relations. It promotes dialogue on economic, security, political, cultural and social issues, fostering informed decision-making in the Canadian public, private and non-governmental sectors. The Foundation also provides grants to support policy research and informed discussion on Canada's relations with Asia.<sup>1</sup>

The Foundation became subject to the *Access to Information Act* and the *Privacy Act* on April 1, 2007 as a result of the adoption of the *Federal Government Accountability Act* by Parliament in December 2006. By extension, it also became subject to the *Library and Archives of Canada Act*, which applies to “government institutions” as defined in section 3 of that *Act*:

*“government institution” has the same meaning as in section 3 of the Access to Information Act or in section 3 of the Privacy Act or means an institution designated by the Governor in Council.”*

This new legal framework imposes upon the Foundation the obligation to establish a Privacy infrastructure that:

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<sup>1</sup> Asia Pacific Foundation of Canada Web Site, link: <http://www.asiapacific.ca/about/index.cfm>

- ensures compliance with the requirements of the *Privacy Act* and the generally accepted privacy principles as they relate to the collection, use, disclosure/sharing, protection, retention and disposition of personal information; and
- allows the Foundation to receive, process and respond to requests for access to, and the correction of personal information submitted under the *Privacy Act*.

### Purposes of This Report

This report presents the findings that were made during the high level PIA in relation to:

- the Foundation's level of compliance with the requirements of the *Privacy Act* and the generally accepted privacy principles; and
- the privacy related risks and the security risks as they relate to privacy that are associated with the activities of the Foundation.

Where applicable, the report proposes options and recommendations to mitigate the identified risks and to correct any situation that requires attention on the part of the Foundation.

## **Scope of the PIA, Methodology and Assessment Criteria**

### Scope:

The PIA sought to ensure that:

- privacy is fully integrated into all administrative and operational aspects of the Foundation's activities;
- the Foundation collects, uses, discloses, retains, protects and disposes of the personal information under its control in compliance with the requirements of the *Privacy Act* and the generally accepted privacy principles; and
- the Foundation can adequately answer questions from interested parties about the impact of its programs and activities on the privacy of its clients, employees and other individuals with whom it interacts.

Methodology:

This high level assessment was conducted in accordance with the requirements of the Privacy Impact Assessment Policy (May 2002) of the Treasury Board of Canada and related policies and guidelines, and the structure of this report is consistent with the report template contained in that policy. The information used for the analysis was collected mostly via interview with employees of the Foundation and the examination of the documentation provided by the Foundation. Other relevant information was also obtained from the Internet web sites of other federal institutions, including those of Justice Canada and the Treasury Board of Canada Secretariat.

Appendix 1 provides a list of the most common technical terms that are specific to the privacy field and which are used in this report.

Assessment Criteria:

The first step of the analysis consisted of identifying the categories of personal information that is collected for the conduct of the Foundation's activities, based on the definition of "personal information" as provided by section 3 of the *Privacy Act*: "*personal information*" means information about an identifiable individual that is recorded in any form..." (the full text of the definition is at Appendix 2).

The second step entailed a review of Foundation's legislative and regulatory mandate and policy framework as well as its business practices to determine if the Foundation:

- has established appropriate **accountability** mechanisms to ensure full compliance with the requirements and the spirit of the *Privacy Act*;
- has the authority to **collect** the personal information that it requires to conduct its business activities, and that the privacy risks associated with the collection of that personal information are properly addressed or mitigated;
- has established appropriate **consent** mechanisms before collecting personal information about individuals and before using or disclosing that personal information to other parties;
- **uses** the personal information under its control in accordance with the requirements of section 7 of the *Privacy Act*; identify the real and potential privacy related risks associated with those potential uses; and ensure that

those privacy risks are properly addressed or mitigated;

- **discloses** the personal information under its control in accordance with the requirements of section 8 of the *Privacy Act*; identify the real and potential privacy related risks associated with those disclosures; and ensure that those privacy related risks are properly addressed or mitigated;
- has established an adequate **retention** and **disposition** framework that is consistent with the requirements of subsection 6. (1) of the *Privacy Act*; identify any potential privacy related risks associated with these aspects; and ensure that the privacy risks are properly addressed or mitigated;
- has established appropriate mechanisms to assure the highest degree of **accuracy** possible of the personal information that it uses for decision making purposes; and to respond to requests for its correction from individuals;
- has implemented measures to assure the adequate **safeguarding** of the personal information under its control;
- complies fully with the **openness** principle;
- has established effective mechanisms to allow individuals to exercise their right to request **access** to their respective personal information which is under its control; and
- has established appropriate mechanisms to allow individuals to **challenge non-compliance**.

## **PIA Resources**

The following individuals participated in the conduct of the PIA:

### Yvon Gauthier Info-Training Inc.:

Yvon Gauthier was the main resources for this project, and is the author of this report.

### Foundation:

Kathy Forbes, Information Specialist / ATIP Coordinator, for the Foundation, was the Foundation's main contributor to this assessment.

Reference Documentation:

The following documentation was consulted / examined for the purposes of the PIA:

- *Asia-Pacific Foundation of Canada Act* ( R.S., 1985, c. A-13 );
- *Library and National Archives of Canada Act*, R.S., 1985, c. 1 (3rd Supp.);
- *Privacy Act* ( R.S. 1985, c. P-21 );
- *Privacy and Data Protection Policy and Guidelines*, Treasury Board of Canada, December 1, 1993;
- *Privacy Impact Assessment Policy* and supporting procedures, Treasury Board of Canada, May 2, 2002;
- *Privacy Regulations* (SOR/83-508);
- Treasury Board of Canada policies on Information Management and Security.

## **Chapter Two - Foundation's Roles and Responsibilities, Legislative Authority and Operational Context**

### Legal Status of the Foundation:

Sections 27 and 27.1 of the *Asia-Pacific Foundation of Canada Act* specify that the Foundation is not an agent of Her Majesty and it is not, for the purposes of Part X of the *Financial Administration Act* or for any other purpose, to be considered to be wholly owned directly by Her Majesty in right of Canada. That said, the Foundation has the authority to carry on its activities throughout Canada and to carry on its activities and affairs and to exercise its powers in any jurisdiction outside Canada, to the extent that the laws of that jurisdiction permit.

### General Legislative Authority:

The Foundation operates under the authority of the *Asia-Pacific Foundation of Canada Act*, section 3 of which provides that:

*“3. The purpose of the Foundation is to develop closer ties between the peoples and institutions of Canada and the peoples and institutions of the Asia-Pacific region and to promote capacity development in persons and entities that share an interest in the Asia-Pacific region and the building of networks between them by*

*(a) promoting mutual awareness and understanding of the cultures, histories, religions, philosophies, languages, life styles and aspirations in the Asia-Pacific region and Canada and their effects on each other's societies;*

*(a.1) promoting dialogue on, and understanding of, foreign policy issues as they relate to Canada and the Asia-Pacific region;*

*(b) supporting development cooperation between organizations, institutions and associations in Canada and in the Asia-Pacific region;*

*(c) promoting collaboration among organizations, institutions and associations in private and public sectors in Canada and in the Asia-Pacific region;*

*(d) promoting closer economic and commercial ties between Canada and the Asia-Pacific region;*

*(e) promoting, in Canada, scholarship in and expertise on economic, cultural, social and other subjects relating to the Asia-Pacific region, and in the Asia-Pacific region, scholarship in and expertise on economic, cultural, social and other subjects relating to Canada; and*

*(f) collecting information and ideas relating to Canada and the Asia-Pacific region and disseminating such information and ideas within Canada and the Asia-Pacific region.“*

The powers of the Foundation come from section 4 of the *Asia-Pacific Foundation of Canada Act*, which reads as follows:

*“4. The Foundation has the capacity of a natural person and, without restricting the generality of the foregoing, the Foundation may,*

*(a) initiate, finance and administer programs and activities relevant to its purpose;*

*(b) support, assist and implement programs and activities by government, public or private organizations and agencies or by individuals for the furtherance of its purpose;*

*(c) enter into contracts or agreements with governments, public or private organizations and agencies or with individuals;*

*(d) publish or otherwise disseminate information of all kinds related to its purpose;*

*(e) sponsor or support conferences, seminars and other meetings related to its purpose;*

*(f) establish, maintain and operate information and data centres and facilities for research and other activities related to its purpose;*

*(g) establish and award scholarships or fellowships for study related to its purpose;*

*(h) give recognition, by such means as it deems appropriate, for outstanding contributions to the development of Canada’s relationship with countries of the Asia-Pacific region;*

*(i) acquire and hold real property or any interest therein and sell or otherwise dispose of the same;*

*(j) acquire any property, money or securities by gift, bequest or otherwise, and hold, expend, invest, administer or dispose of any such property, money or securities subject to the terms, if any, on which the property, money or securities is given, bequeathed or otherwise made available to the Foundation;*

*(k) expend, for the purpose of the Foundation, such moneys as may be appropriated by Parliament or by any other government for the activities of the Foundation or received by it through the conduct of its operations;*

*(l) expend, for the purpose of the Foundation, all amounts received by it as grants, contributions and donations of money for its activities; and*

*(m) do such other things as are conducive to the fulfilment of its purpose and to the exercise of its powers.”*

As can be seen from the above descriptions of the Foundation’s mandate and powers, a large proportion of the Foundation’s activities involve the direct or indirect collection of information of a personal nature, and it is those activities that were examined during the present assessment.

#### Structure and Operation:

The affairs of the Foundation are managed by a Board of Directors, which is comprised of:

- the Chairperson and up to six other directors appointed by the Governor in Council after consultation with the Board by the Minister of Foreign Affairs;
- up to eighteen directors appointed by the Board after consultations with the governments of the provinces and any interested individuals, corporations and organizations; and
- the President of the Foundation, who has supervision over and direction of the activities and staff of the Foundation.

The Board of Directors is made up of volunteer members from across the country who represent government, academia and the private sector. While the role and responsibilities of the President remain unchanged, the role of the CEO is shared by two individuals.

The Foundation employs fewer than twelve people, who perform the core administrative and operational functions. External contractors are hired on a need

basis to perform specialized tasks such as audits and evaluations, and computer upgrade and maintenance.

The Foundation's offices are located at the following address:

Asia Pacific Foundation of Canada  
Suite 220, 890 West Pender Street  
Vancouver, BC  
Canada V6C 1J9

Tel: 604-684-5986

Fax: 604-681-1370

Email address: [info@asiapacific.ca](mailto:info@asiapacific.ca)

#### Business Processes and Personal Information Data Flows:

The day to day maintenance is performed by the Foundation's staff, and outside contractors are brought in to perform upgrades and other maintenance activities that require specialized expertise.

Over the years, the role and mandate of the Foundation have brought it to:

- develop tools and mechanisms to collect disseminate information about various subject and issues (economic, social, cultural, political, environmental, etc.) that are of particular interest to the Asia-Pacific region;
- establish contact and mailing lists containing the names of those individuals and organizations who have expressed, or who are thought to have, an interest in the Asia-Pacific region;
- organize events and activities that bring together the individuals and organizations who have an interest in the Asia-Pacific region.

Its Board members, Directors and other staff members have also developed contacts and relationships with people all over the world, which activities have resulted in the collection of vast amounts of personal information and non-personal information.

In order to support these activities, the Foundation administers a number of databases that are used to gather and store personal and other information about the following individuals:

- its own Board Members, employees and contractors;
- individuals who have self-identified as “friends of the Foundation” and similar memberships;
- individuals who have expressed an interest, or are thought to have an interest, in Asia-Pacific issues;
- individuals who have registered their organization’s name as a resource on matters pertaining to the Asia-Pacific region;
- individuals who have registered to receive information from the Foundation;
- individuals who have communicated with the Foundation for a variety of reasons.

Whereas some of the above personal information is obtained from the individuals to whom it pertains, other, such as employees’ pay and benefit information, is internally generated, and it is kept in paper and/or electronic form, depending on each category of information.

As for the personal data flow, it is illustrated by the document at Appendix 4, which shows the links between the components of the Foundation’s information management infrastructure. Although not shown in the systems’ graphical representation, access to the components of the Foundation’s information management infrastructure that are used to store and process personal information is limited to the employees on a strict need to know basis, as discussed in the Table at Appendix 5.

#### Stakeholders:

Under the Privacy Impact Assessment Policy (May 2002) of the Treasury Board of Canada, the term “stakeholder” refers to the individuals and organizations that rely on personal information (as defined in section 3 of the *Privacy Act*) to achieve their legislative, regulatory or business objectives. Because the Foundation is the sole and exclusive user and beneficiary of the personal information that it collects and uses for its administrative and operational activities, it is by the same extent the only stakeholder.

For More Information About the Foundation's Mandate and Operation:

More information about Foundation's mandate and operations can be obtained by visiting its web site at <http://www.asiapacific.ca/about/index.cfm>.

## Chapter Three - Privacy Compliance and Risk Analysis

### 1. Personal Information Involved in the Foundation's Activities

#### Analysis Criteria:

This portion of the assessment sought to identify the categories of personal information that will be required for the Foundation's business processes and administrative activities.

#### Finding and Analysis:

The table at Appendix 5 provides a detailed listing of all the categories of personal information (as defined in section 3 of the *Privacy Act*) that the Foundation collects, uses and disseminates as part of its regular activities and in line with its legislative mandate.

During the first quarter of 2008, the Foundation will develop the descriptions of its personal information banks (PIB) and general information holdings for inclusion in the Treasury Board of Canada Secretariat Info Source publication, in accordance with the requirements of section 5 of the *Access to Information Act* and section 11 of the *Privacy Act*. This process will allow the Foundation to give public notice of the personal information under its control.

That said, it should be noted that at the time of the assessment, the Foundation was in the process of reviewing its information collection criteria and method, mostly as a result of becoming subject to the *Privacy Act*. Some of the personal information that was previously collected is no longer collected, and the Foundation has also deleted several categories of personal information from its Contacts Database that it had collected prior to April 1, 2007.

### 2. Accountability

#### Analysis Criteria:

This component of the assessment aimed to determine if the Foundation has established appropriate **accountability** mechanisms to ensure full compliance with the requirements and the spirit of the *Privacy Act*.

**Finding and Analysis:**

The review established that the Foundation has appointed one individual who reports directly to the two co-CEOs as Access to Information and Privacy Coordinator. That individual is responsible for all aspects of the implementation of the *Privacy Act*, including:

- providing advice on the administration of the *Act*;
- providing advice on the collection, use, disclosure, protection, retention and disposition of personal information;
- developing the descriptions of the PIBs for inclusion in the Info Source publication;
- processing the requests for access personal information and the requests for the correction of personal information;
- reporting on the Foundations activities – annual report, reports to the Treasury Board of Canada Secretariat, etc., as required by the legislation and the Treasury Board of Canada Secretariat;
- coordinating the investigation of complaints by the Office of the Privacy Commissioner of Canada.

Due to the small size of the Foundation, there was no need for it to develop a complex privacy infrastructure, but its Delegation of Authority Table (Appendix 6) is in line with the delegation of authority documents that are in place within the other federal government institutions.

The review of the information management and security infrastructure that is required to adequately support the Foundation's privacy program identified a few areas that will need to be addressed over the next year, but those areas are the subject of another report which is being submitted to the Foundation in parallel to this report.

**Conclusion(s):**

The Foundation has established an appropriate privacy accountability structure and mechanisms.

**Recommendation(s):**

There are no recommendations to formulate in relation to this item.

### **3. Collection**

#### **Analysis Criteria:**

This portion of the assessment aimed to determine if the Foundation has the authority to **collect** the personal information that it requires to conduct its business activities, and that the privacy risks associated with the collection of that personal information are properly addressed or mitigated.

#### **Finding and Analysis:**

The *Asia-Pacific Foundation of Canada Act* does not specifically provide for the collection of personal information, however, most of the activities that derive from the exercise of its powers as defined in section 4 of the *Asia-Pacific Foundation of Canada Act* do require the collection of personal information in some form:

- initiate, finance and administer programs and activities relevant to its purpose;
- support, assist and implement programs and activities by government, public or private organizations and agencies or by individuals for the furtherance of its purpose;
- enter into contracts or agreements with governments, public or private organizations and agencies or with individuals;
- publish or otherwise disseminate information of all kinds related to its purpose;
- sponsor or support conferences, seminars and other meetings related to its purpose;
- establish, maintain and operate information and data centres and facilities for research and other activities related to its purpose;
- establish and award scholarships or fellowships for study related to its purpose;
- give recognition, by such means as it deems appropriate, for outstanding contributions to the development of Canada's relationship with countries of the Asia-Pacific region;

- acquire any property, money or securities by gift, bequest or otherwise, and hold, expend, invest, administer or dispose of any such property, money or securities subject to the terms, if any, on which the property, money or securities is given, bequeathed or otherwise made available to the Foundation; and
- do such other things as are conducive to the fulfilment of its purpose and to the exercise of its powers.

Section 26 of the *Asia-Pacific Foundation of Canada Act* also provides indirect authority for the collection of personal information about the Foundation employees and other individuals:

*“26. The Board may make by-laws respecting,*

*(a) the procedure in all business at meetings of the Board or its committees, if any;*

*(b) the expenses to be paid to the members of the Board;*

*(c) the constitution of committees appointed pursuant to section 25, the role and duties of those committees and the expenses, if any, to be paid to the members of those committees;*

*(d) the employment or engagement and the remuneration, expenses and duties of officers, employees and agents of the Foundation;*

*(e) membership in the Foundation;*

*(f) the appointment of patrons and honorary officers of the Foundation; and*

*(g) generally, the conduct and management of the affairs of the Foundation.”*

The following table links the categories of personal information collected by the Foundation to the relevant provisions of the *Asia-Pacific Foundation of Canada Act*.

<b>Categories of Personal Information</b>	<b>Relevant Provisions of the <i>Asia-Pacific Foundation of Canada Act</i> for the Collection of Personal Information</b>
Board Members	7, 9, 10, 21, 26 (b), 26 (g)

Directors	17, 23, 24, 26 (d), 26 (g)
Employees of the Foundation	4 (a), 4 (m), 26 (d), 26 (g)
Individuals hired as contractors by the Foundation	4 (a), 4 (c), 4 (m), 26 (g)
Members of workgroups, consultative committees and individuals who are involved in the activities and events of the Foundation, such as Senior Fellows (academics who received an honorarium and provide expertise, etc.)	4 (b), 4 (d), 4 (e), 4 (f), 4 (g), 4(m), 25
Individuals who request information from, or share their views with the Foundation	4 (d), 4 (e), 4(m)
Grant applicants	4 (b), 4 (e), 4 (f), 4 (g), 4(m)
Databases on Canadian companies and Asian companies	4 (b), 4 (d), 4 (f), 4(m)
Asian Ethnic and Canada-Asia Bilateral Business Associations Directory (Ethnic associations database)	4 (b), 4 (d), 4 (e), 4 (f), 4(m)
Contacts database	4 (b), 4 (d), 4 (e) 4 (f), 4(m)
Canada-Asia Pacific Research Network (CAPRN)	4 (b), 4 (d), 4 (e), 4(f), 4(m)
Public opinion polls	4 (a), 4 (b), 4 (c), 4 (d), 4 (f), 4(m)

Indirectly, the above provisions also cover the use and the disclosure of the personal information, as the purpose of the collection is related to those uses and disclosures.

As shown in the Personal Information Table at Appendix 5, the methods of collection (by paper forms and questionnaires, in person, by electronic means, etc.) vary depending on the type of personal information collected, the categories of individuals about whom it is collected, the purpose for which it is collected and, in some cases, the legislative authority for the collection. But in the large majority of cases, the personal information is collected directly from the individual to whom it pertains, and the purposes for the collection are always clearly explained.

As previously mentioned, the Foundation will need to develop and submit the PIB descriptions for each of those categories of personal information and submit them to the Treasury Board of Canada Secretariat for approval and publication in the Info Source publication.

**Conclusion(s):**

The Foundation has the proper, although indirect authority to collect the personal information under its control, and the methods of collection that are in place meet the requirements of sections 4 and 5 of the *Privacy Act* and the generally accepted privacy principles.

**Recommendation(s):**

There are no recommendations to formulate in relation to this item.

**4. Consent**

**Analysis Criteria:**

This portion of the assessment aimed to determine if the Foundation has established appropriate **consent** mechanisms before collecting personal information about individuals and before using or disclosing that personal information to other parties.

**Finding and Analysis:**

The following table summarizes of the Foundation’s practices as they relate to the consent principle and confirms that the Foundation has established appropriate consent mechanisms before collecting personal information about individuals and before using or disclosing that personal information to other parties:

Categories of Personal Information	Consent Requested?
Board Members and Directors	Yes – the personal information is collected directly from each individual, except for reference information which is collected at the time of appointment.

Employees of the Foundation	Yes – the personal information is collected directly from each individual, except for reference information which is collected at the time of hiring.
Individuals hired as contractors by the Foundation	Yes – the personal information is collected directly from each individual, except for reference information which is collected at the time of contract processing.
Members of workgroups, consultative committees and individuals who are involved in the activities and events of the Foundation, such as Senior Fellows (academics who received an honorarium and provide expertise, etc.)	Yes – the personal information is collected directly from each individual.
Individuals who request information from, or share their views with the Foundation	Yes – the personal information is collected directly from each individual.
Grant applicants	Yes – the personal information is collected directly from each individual.
Databases on Canadian companies and Asian companies	The personal information is obtained from the corporate web sites of the companies. The Foundation has now added a statement (disclaimer) at the end of all invitations and other letters that it sends out to inform the recipients that they can ask that their name be removed from the Foundation’s database.
Asian Ethnic and Canada-Asia Bilateral Business Associations Directory (Ethnic associations database)	Yes – the personal information is collected directly from each individual.
Contacts database	Yes – the personal information is collected directly from each individual or from public sources, such as the MediaNetCentral ( <a href="http://www.medianetcentral.ca/en/default.asp">http://www.medianetcentral.ca/en/default.asp</a> ).
Canada-Asia Pacific Research Network (CAPRN)	Yes – the personal information is collected directly from each individual.
Public opinion polls	Yes – but the information collected via the public opinion polls is not linked to the respondents, and the Foundation does not have the means to identify any of the

	respondents.
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**Conclusion(s):**

The assessment confirmed that the Foundation has established appropriate consent mechanisms before collecting personal information about individuals and before using or disclosing that personal information to other parties

**Recommendation(s):**

There are no recommendations to formulate in relation to this item.

**5. Use**

**Analysis Criteria:**

This portion of the assessment aimed to determine if the Foundation **uses** the personal information under its control in accordance with the requirements of section 7 of the *Privacy Act*; identify the real and potential privacy related risks associated with those potential uses; and ensure that those privacy risks are properly addressed or mitigated.

**Finding and Analysis:**

Legal Authority and Use Practices:

As explained under the “Collection” heading, the legal authority for the use of the personal information that is under the control of the Foundation resides in sections 3 and 4 of the *Asia-Pacific Foundation of Canada Act*, and the following table summarizes of the Foundation’s practices as they relate to the uses (extracted from the table at Appendix 5) of the personal information under its control:

<b>Categories of Personal Information</b>	<b>Uses of the Personal Information</b>
Board Members and Directors	The personal information is used for the following purposes:

	<ul style="list-style-type: none"> <li>• where applicable, to administer the benefits of the individual;</li> <li>• to contact the individual;</li> <li>• to provide personalized services to the individual, especially to those who have a physical or other handicap.</li> </ul>
Employees of the Foundation	<p>The personal information is used for the following purposes:</p> <ul style="list-style-type: none"> <li>• where applicable, to administer the pay and benefits of the individual;</li> <li>• for general HR responsibilities – staffing, performance evaluation, health and safety, discipline, etc.;</li> <li>• to contact the individual;</li> <li>• to provide personalized services to the individual, especially to those who have a physical or other handicap.</li> </ul>
Individuals hired as contractors by the Foundation	<ul style="list-style-type: none"> <li>• To select applicants during the contracting process;</li> <li>• To evaluate the performance;</li> <li>• To issue payment;</li> <li>• To contact the individual.</li> </ul>
Members of workgroups, consultative committees and individuals who are involved in the activities and events of the Foundation, such as Senior Fellows (academics who received an honorarium and provide expertise, etc.)	To verify the individual's credentials and accomplishments. To contact the individual or to use the individual as a resource.
Individuals who request information from, or share their views with the Foundation	The personal information is only used for the purpose of processing and responding to the correspondence initiated by the individual.
Grant applicants	To verify the individual's credentials and accomplishments. To contact the individual.
Databases on Canadian companies and Asian companies	To invite the individual to events and activities and to participate in the Foundation's annual Investment Intentions Survey.

Asian Ethnic and Canada-Asia Bilateral Business Associations Directory (Ethnic associations database)	The on-line database provides information on Asian Business Associations and Canada-Asia Bilateral Business Associations in Canada. It also allows visitors to the Foundation’s web site to search for associations and obtain information about upcoming events of interests to them.
Contacts database	To provide the advertised information products to the individuals who subscribe to the services. Subscribers are also contacted by email (every other year) and invited to participate in the Foundation's National Opinion Poll. This email provides a link to the survey and the Foundation only receives aggregate numbers.
Canada-Asia Pacific Research Network (CAPRN)	CAPRN is a resource for research, strategic planning, and policy development, serving the academic, business and public policy communities
Public opinion polls	o determine the attitude of Canadians in regard to Canada-Asia relations.

The review of those uses confirmed that they are in accordance with the Foundation’s legislative mandate.

Risks Associated With the Uses of the Personal Information:

The sensitivity of the personal information about the Board Members, Directors, employees, contractors and grant applicants that the Foundation may collect in the course of its activities varies according to each individual’s personal situation and the prevailing circumstances, but the small number of individuals who belong to those categories suggests that it exists in a very small amount. As for the personal information about the clients, partners, “friends of the Foundation” and other groups of individuals who interact with the Foundation, it is mostly limited to identifiers and contact information, therefore, it is low sensitive. These facts suggest that the risks associated with the uses of the personal information under the control of the Foundation are very low and do not require the implementation of any particular prevention and protection measures over and above those that already exist.

**Conclusion(s):**

The assessment confirmed that the Foundation has the legal authority to use the personal information that it collects for the purposes for which it does use it, and that it uses that personal information in accordance with its legislative mandate. Consequently, these uses are in accordance with the requirements of section 7 of the *Privacy Act* and the generally accepted privacy principles.

**Recommendation(s):**

There are no recommendations to formulate in relation to this item.

## **6. Disclosure**

**Analysis Criteria:**

This portion of the assessment aimed to determine if the Foundation **discloses** the personal information under its control in accordance with the requirements of section 8 of the *Privacy Act*; identify the real and potential privacy related risks associated with those disclosures; and ensure that those privacy related risks are properly addressed or mitigated.

Legal Authority and Use Practices:

As explained under the “Collection” heading, the legal authority for the disclosure of the personal information that is under the control of the Foundation resides in sections 3 and 4 of the *Asia-Pacific Foundation of Canada Act*, and the following table summarizes of the Foundation’s practices as they relate to the disclosure (extracted from the table at Appendix 5) of the personal information under its control:

<b>Categories of Personal Information</b>	<b>Uses of the Personal Information</b>
Board Members and Directors	Disclosure of the personal information is limited to HR and the two co-CEOs - on a need to know basis - except for the information which is posted on the Foundation's web site (links: <a href="http://www.asiapacific.ca/about/board.cfm">http://www.asiapacific.ca/about/board.cfm</a> and <a href="http://www.asiapacific.ca/about/management.cfm">http://www.asiapacific.ca/about/management.cfm</a> , with the consent of the individual – the individual actually provides the information which is destined to the web site.
Employees of the Foundation	Disclosure of the personal information is limited to HR and the two co-CEOs - on a need to know basis.
Individuals hired as contractors by the Foundation	Disclosure of the personal information is limited to HR and the two co-CEOs - on a need to know basis.
Members of workgroups, consultative committees and individuals who are involved in the activities and events of the Foundation, such as Senior Fellows (academics who received an honorarium and provide expertise, etc.)	Access to the personal information is limited to HR and the two co-CEOs, on a need to know basis, except for the information about the Senior Fellows, which is posted on the Foundation's web site (link: <a href="http://www.asiapacific.ca/about/seniorfellows.cfm">http://www.asiapacific.ca/about/seniorfellows.cfm</a> , with the consent of the individuals – the individuals actually provide the information which is destined to the web site.
Individuals who request information from, or share their views with the Foundation	Disclosure of the personal information is limited to those individuals within the Foundation who have a need to know – those who are involved in the processing of the correspondence initiated by the individual.
Grant applicants	Access to the personal information is limited to the two co-CEOs and the administrator of the grant program.
Databases on Canadian companies and Asian companies	Access to that information is limited to research staff on a need to know basis.
Asian Ethnic and Canada-Asia	The information kept in that database is publicly accessible via the Foundation's web site.

Bilateral Business Associations Directory (Ethnic associations database)	
Contacts database	Access to that information is limited to the two co-CEOs and the employees of the Foundation, on a need to know basis.
Canada-Asia Pacific Research Network (CAPRN)	CAPRN is an on-line resource for research, strategic planning, and policy development, serving the academic, business and public policy communities. The personal information kept in it is accessible to everyone by visiting the web site at the following Internet link: <a href="http://www.asiapacificresearch.ca/caprn/index.cfm">http://www.asiapacificresearch.ca/caprn/index.cfm</a>
Public opinion polls	The information collected by the Foundation is not disclosed in an identifiable form.

The review of those disclosures confirmed that they are in accordance with the Foundation’s legislative mandate.

**Risks Associated With the Uses of the Personal Information:**

The sensitivity of the personal information about the Board Members, Directors, employees, contractors and grant applicants that the Foundation may collect in the course of its activities varies according to each individual’s personal situation and the prevailing circumstances, but the small number of individuals who belong to those categories suggests that it exists in a very small amount. As for the personal information about the clients, partners, “friends of the Foundation” and other groups of individuals who interact with the Foundation, it is mostly limited to identifiers and contact information, therefore, it is low sensitive. These facts suggest that the risks associated with the disclosures of the personal information under the control of the Foundation are very low and do not require the implementation of any particular prevention and protection measures over and above those that already exist – and which are briefly discussed under the “Safeguarding” heading.

**Conclusion(s):**

The assessment confirmed that the Foundation has the legal authority to disclose the personal information that it collects for the identified purposes, and that it discloses that personal information in accordance with its legislative mandate. Consequently, these disclosures are in accordance with the requirements of section 8 of the *Privacy Act* and the generally accepted privacy principles.

**Recommendation(s):**

There are no recommendations to formulate in relation to this item.

## **7. Retention and Disposition**

**Analysis Criteria:**

This portion of the assessment aimed to determine if the Foundation has established an adequate **retention** and **disposition** framework that is consistent with the requirements of subsection 6. (1) of the *Privacy Act*; identify any potential privacy related risks associated with these aspects; and ensure that the privacy risks are properly addressed or mitigated.

**Finding and Analysis:**

Legal and Policy Authority:

The following sources of authority provide the framework for the retention of personal information that will be collected by the Foundation:

- subsection 6. (1) of the *Privacy Act*, which requires that federal institutions retain the personal information that they use for an administrative purpose for a period long enough to allow the individual to whom the personal information pertains to exercise his or her right of access to it;
- the Privacy Regulations, which specify that the retention period for personal information must not be shorter than two years after the last time the personal information was used in an administrative decision;
- paragraph 11. (1)(v) of the *Privacy Act*, which specifies that the retention periods that apply to each category of personal information must be described

in the Personal Information Index (Info Source);

- the *Library and Archives Act*, which requires the establishment of a retention period for each category of information that is under the control of a federal institution.

Retention and Disposition Schedule Under Development:

At the time of the assessment, the Foundation, which became subject to the *Library and Archives Act on April 1, 2007*, was planning to undertake the development of its information retention and disposition schedules during the first half of 2008 and, once this has been done, the retention and disposition standards for each category of personal information under its control will be included in the PIB descriptions and included in the Info Source publication.

**Conclusion(s):**

The Foundation's information management program and retention and disposition schedules, which are to be developed in 2008, will enable it to meet the requirements of the *Library and Archives of Canada Act* as well as the requirements of subsection 6. (1) and paragraph 11. (1)(v) of the *Privacy Act*.

**Recommendation(s):**

There are no recommendations to formulate in relation to this item.

## **8. Accuracy**

**Analysis Criteria:**

This portion of the assessment, which is based on the requirements of subsection 6. (2) of the *Privacy Act*, aimed to determine if the Foundation has established appropriate mechanisms to assure the highest degree of **accuracy** possible of the personal information that it uses for decision making purposes; and to respond to requests for its correction from individuals.

**Finding and Analysis:**

The Foundation's mandate as it relates to the making of decisions that directly affect individuals (referred to as "administrative purpose" in the *Privacy Act*) is limited to its Board Members (in a limited fashion), Directors, employees, contractors and grant applicants. The processes by which those administrative decisions are made are mostly based on personal information that was collected directly from these individuals or from references, which ensures a reasonably high degree of accuracy.

As for the personal information about the clients, partners, "friends of the Foundation" and other groups of individuals who interact with the Foundation, it is not used for an administrative purpose, therefore, the accuracy principle does not apply to it.

**Conclusion(s):**

The legislative framework under which the Foundation operates enables it to meet the requirements of subsection 6. (2) of the *Privacy Act*.

**Recommendation(s):**

There are no recommendations to formulate in relation to this item.

## **9. Safeguarding**

**Analysis Criteria:**

This portion of the assessment aimed to determine if the Foundation has implemented measures to assure the adequate **safeguarding** of the personal information under its control.

**Finding and Analysis:**

The personal information under the control of the Foundation is valuable to it, but it is not timely critical to Canada or to any national information management system or network, and the effect of a downtime in the delivery of the Foundation's services would be limited to its employees (issuance of pay cheques, etc.), contractors and grant applicants.

As for the security risks as they relate to privacy, they are limited to the unauthorized access, use, modification and destruction of the personal information under the

Foundation's control and, at the time of the assessment, the Foundation had already implemented a number of security measures to control access to its facility and information management systems (upgrading of the computer firewall during the summer of 2007, accounting data was brought behind the firewall, the backup capacity was upgraded, etc.). According to Foundation staff, there is no history of significant security incidents, but a few issues were raised during the assessment, including access to the facility by cleaning staff and the representatives of the landlord. The Information Management and Security Review report that is being submitted in parallel to this report provides more details about the security aspect as well as recommendations to address the security gaps that were identified during the high level security review process.

**Conclusion(s):**

The Foundation has made efforts to assure the security of the personal information which is under its control, but some areas that are identified in the Information Management and Security Review report remain to be addressed.

**Recommendation(s):**

That the recommendations for the enhancement of the safeguarding of the personal information under the control of the Foundation which are contained in the Information Management and Security Review report be considered for implementation.

## **10. Openness**

**Analysis Criteria:**

This portion of the assessment sought to determine if the Foundation complies fully with the openness principle.

**Finding and Analysis:**

The Foundation's privacy policy, which can be viewed at the following link: [http://www.asiapacific.ca/about/Privacy\\_policy.pdf](http://www.asiapacific.ca/about/Privacy_policy.pdf), provides detailed information about its mandate and information collection, use and dissemination practices. In addition, privacy training and awareness sessions were held during the summer of 2007 to inform Board Members, Directors and employees of their rights and

obligations under the *Privacy Act*, and an access to information and privacy policy was made available to staff during the same period.

The publication of the Foundations' PIB's will complete its openness strategy and allow Canadians to get a more complete picture of the Foundation's practices as they relate to personal information.

**Conclusion(s):**

The Foundation had, at the time of this assessment, established effective mechanisms to comply with the openness principle, and the publication of the PIB descriptions, which is due for 2008, will allow Canadians to get a more complete picture of the Foundation's practices as they relate to personal information.

**Recommendation(s):**

There are no recommendations to formulate in relation to this item.

## **11. Access**

**Analysis Criteria:**

This portion of the assessment aimed to determine if the Foundation has established effective mechanisms to allow individuals to exercise their right to request **access** to their respective personal information which is under its control.

**Finding and Analysis:**

As explained under the "Accountability" heading of this report, the Foundation's privacy infrastructure provides a mechanism for those individuals who want to request access to their own personal information or to request its correction, in accordance with the requirements of subsection 12. (1) of the *Privacy Act*.

**Conclusion(s):**

The Foundation's privacy infrastructure meets the requirements of section 12 of the *Privacy Act* as they relate to the right of individuals to request access to, and the correction of, their respective personal information.

**Recommendation(s):**

There are no recommendations to formulate in relation to this item.

## **12. Challenging Non-Compliance**

**Analysis Criteria:**

This portion of the assessment aimed to determine if the Foundation has established appropriate mechanisms to allow individuals to **challenge non-compliance**.

**Finding and Analysis:**

The Foundation's ATIP infrastructure provides an internal mechanism for those individuals who want to challenge the Foundation's policies and practices as they relate to the collection, use, disclosure, retention, protection and disposition of personal information. This internal mechanism will complement the two-tier review mechanism (Privacy Commissioner of Canada and the Federal Court) provided for by the *Privacy Act*.

**Conclusion(s):**

The Foundation's privacy infrastructure allows individuals to express their concerns in regard to the Foundation's practices that involve personal information.

**Recommendation(s):**

There are no recommendations to formulate in relation to this item.

## ***Appendices***

## Appendix 1

### ***Definitions of the Terms Used in This Report***

The following list provides the definition of a selected number of terms, acronyms and expressions that are used in this report.

**Access to Information Act (ATI):** The **Access to Information Act** grants Canadians a right of access to the information that is under the control of federal government institutions. It also contains exception provisions that protect from access certain categories of information.

**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.

**ATIP:** This acronym is used to refer to the *Access to Information Act* and the *Privacy Act* at the same time.

**ATIP Coordinator:** The individual who is responsible for the administration of the organization's ATIP program.

**Availability:** The condition of being usable on demand to support business functions.

**Confidentiality:** The sensitivity of the personal information to unauthorized disclosure.

**Disclosure:** The act of allowing someone to have access to certain information. Disclosure may be deliberate or inadvertent.

**Generally Accepted Privacy Principles:** the set of values and principles that must be considered when considering the impact that a project, program or system is likely to have on the privacy of the individuals whose personal information will be involved in it. The generally accepted privacy principles cannot be measured using conventional instruments, as they are based on criteria such as:

- honesty and integrity, fairness and justice;
- respect, civility, decency and dignity;
- the balance between:

- on the one hand, the necessity to establish controls in society, properly determine the eligibility of individuals to rights, benefits and privileges and prevent, detect and suppress fraud, crime, terrorism and other undesirable activities; and,
- on the other hand, the individuals' right to remain anonymous when they so desire and to live a life free of unnecessary controls and monitoring;
- the public trust in the organization that sponsors the project, program or system.

Essentially, the generally accepted privacy principles come down to one question: is the project, program or system that is being considered by the sponsoring organization the right thing to do in a free, civilized and democratic society that aims to enhance the quality of the life and the fulfillment of the aspirations of its members?

**Government of Canada Security Policy (GSP):** the GSP is a policy of the Treasury Board that establishes the requirements for the adequate safeguarding of federal government assets and employees. It also establishes the requirements for the conduct of reliability and security checks for federal public servants and contractors who work for federal institutions.

**Info Source:** Info Source is the catalogue of information holdings and personal information banks published by the Treasury Board Secretariat in accordance with section 5 of the *Access to Information Act* and section 11 of the *Privacy Act*. Federal institutions that are subject to these Acts are required to include in Info Source a detailed description of all their personal and non-personal information holdings.

**Integrity:** The accuracy and completeness of the personal information that is used to make an administrative decision about an individual.

**Need to Know:** An information handling principle that consists in limiting access to authorized individuals whose duties require such access. Conversely, individuals are not entitled to access information merely because of their status, rank or office.

**Personal Information:** is defined in the *Privacy Act* as information about an identifiable individual that is recorded in any form.

**Privacy:** a set of principles that allow an individual to exercise control over the personal information that exists about himself or herself.

**Privacy Act:** The *Privacy Act* governs the collection, use, disclosure (sharing), retention and disposition of personal information by federal institutions. It also grants individuals a

right of access to their own personal information and the right to request the correction of that information.

**Privacy Commissioner of Canada:** the Commissioner appointed by the Governor in Council to investigate complaints under the *Privacy Act*. The Privacy Commissioner also has the power to conduct privacy compliance audits in federal institutions. All PIA reports produced under the Treasury Board policy on PIAs must be submitted to the Privacy Commissioner for review.

**Privacy Impact Assessment (PIA):** a process that allows for the evaluation of the risks that are associated with the development and the implementation of new policies, programs and systems that may have an adverse impact on the privacy of clients, individual service providers and employees of federal institutions.

**Program:** refers to all planned and organized activities, including “projects,” “systems,” “policies” and “procedures” that seek to further the objective(s) of an organization. Those terms may be used in different context within the report.

**System:** refers to a group or combination of interrelated electronic components that are used for the collection, use, disclosure, sharing, transmission, distribution, retention and disposal of personal information. This definition includes computerized information management hardware, software and peripherals: data warehouses; servers; LANs; equipment that allows for the connection of a workstation to the Internet and to an organization’s Intranet and email functions; traditional telephone devices; wireless telephone devices; and all other electronic means or mechanisms that are used to create, manipulate or communicate information.

## **Appendix 2**

### ***Relevant Provisions of the Privacy Act***

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#### **Important Note:**

The inclusion of the text of the following provisions in this Appendix is only for the convenience of the readers of this report and must not be used for legal interpretation.

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

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).

(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.

(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.

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.

(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.

(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.

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).

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.

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

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

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

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

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

(e) to an investigative body specified in the regulations, on the written request of the body, for the purpose of enforcing any law of Canada or a province or carrying out a

lawful investigation, if the request specifies the purpose and describes the information to be disclosed;

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

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

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

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

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

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

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

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

(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.

(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.

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

(a) a band, as defined in the Indian Act;

(b) a band, as defined in the Cree-Naskapi (of Quebec) Act, chapter 18 of the Statutes of Canada, 1984; or

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

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.

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

(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.

(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.

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

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

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.

(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.

(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.

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

(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.

(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.

(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.

## **Appendix 3**

### ***Asia-Pacific Foundation of Canada Act***

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#### **Important Note:**

The inclusion of the text of the following provisions in this Appendix is only for the convenience of the readers of this report and must not be used for legal interpretation.

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*Asia-Pacific Foundation of Canada Act ( R.S., 1985, c. A-13 )*

*Disclaimer: These documents are not the official versions (more).  
Act current to November 10th, 2007*

*Asia-Pacific Foundation of Canada Act*

*A-13*

*An Act to establish the Asia-Pacific Foundation of Canada*

**SHORT TITLE**

*Short title*

*1. This Act may be cited as the Asia-Pacific Foundation of Canada Act.*

*1984, c. 12, s. 1.*

**FOUNDATION ESTABLISHED**

*Foundation established*

*2. There is hereby established a corporation to be known as the Asia-Pacific Foundation of Canada, in this Act referred to as the "Foundation".*

*1984, c. 12, s. 2.*

**PURPOSE OF FOUNDATION**

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*Purpose of Foundation*

*3. The purpose of the Foundation is to develop closer ties between the peoples and institutions of Canada and the peoples and institutions of the Asia-Pacific region and to promote capacity development in persons and entities that share an interest in the Asia-Pacific region and the building of networks between them by*

*(a) promoting mutual awareness and understanding of the cultures, histories, religions, philosophies, languages, life styles and aspirations in the Asia-Pacific region and Canada and their effects on each other's societies;*

*(a.1) promoting dialogue on, and understanding of, foreign policy issues as they relate to Canada and the Asia-Pacific region;*

*(b) supporting development cooperation between organizations, institutions and associations in Canada and in the Asia-Pacific region;*

*(c) promoting collaboration among organizations, institutions and associations in private and public sectors in Canada and in the Asia-Pacific region;*

*(d) promoting closer economic and commercial ties between Canada and the Asia-Pacific region;*

*(e) promoting, in Canada, scholarship in and expertise on economic, cultural, social and other subjects relating to the Asia-Pacific region, and in the Asia-Pacific region, scholarship in and expertise on economic, cultural, social and other subjects relating to Canada; and*

*(f) collecting information and ideas relating to Canada and the Asia-Pacific region and disseminating such information and ideas within Canada and the Asia-Pacific region.*

*R.S., 1985, c. A-13, s. 3; 2005, c. 30, s. 60.*

**POWERS**

*Powers*

*4. The Foundation has the capacity of a natural person and, without restricting the generality of the foregoing, the Foundation may,*

*(a) initiate, finance and administer programs and activities relevant to its purpose;*

*(b) support, assist and implement programs and activities by government, public or private organizations and agencies or by individuals for the furtherance of its purpose;*

- (c) enter into contracts or agreements with governments, public or private organizations and agencies or with individuals;*
- (d) publish or otherwise disseminate information of all kinds related to its purpose;*
- (e) sponsor or support conferences, seminars and other meetings related to its purpose;*
- (f) establish, maintain and operate information and data centres and facilities for research and other activities related to its purpose;*
- (g) establish and award scholarships or fellowships for study related to its purpose;*
- (h) give recognition, by such means as it deems appropriate, for outstanding contributions to the development of Canada's relationship with countries of the Asia-Pacific region;*
- (i) acquire and hold real property or any interest therein and sell or otherwise dispose of the same;*
- (j) acquire any property, money or securities by gift, bequest or otherwise, and hold, expend, invest, administer or dispose of any such property, money or securities subject to the terms, if any, on which the property, money or securities is given, bequeathed or otherwise made available to the Foundation;*
- (k) expend, for the purpose of the Foundation, such moneys as may be appropriated by Parliament or by any other government for the activities of the Foundation or received by it through the conduct of its operations;*
- (l) expend, for the purpose of the Foundation, all amounts received by it as grants, contributions and donations of money for its activities; and*
- (m) do such other things as are conducive to the fulfilment of its purpose and to the exercise of its powers.*

*R.S., 1985, c. A-13, s. 4; 2005, c. 30, s. 61.*

*Capacity in Canada*

*5. The Foundation may carry on its activities throughout Canada.*

*1984, c. 12, s. 5.*

*Extraterritorial capacity*

*6. The Foundation has the capacity to carry on its activities and affairs and to exercise its powers in any jurisdiction outside Canada to the extent that the laws of that jurisdiction permit.*

*1984, c. 12, s. 6.*

*ORGANIZATION  
Board of Directors*

*7. The affairs of the Foundation are to be managed by a Board of Directors, in this Act referred to as the “Board”.*

*R.S., 1985, c. A-13, s. 7; 2005, c. 30, s. 62.*

*8. [Repealed, 2005, c. 30, s. 63]*

*Appointment to the Board*

*9. The Board consists of the following directors:*

*(a) the Chairperson and up to six other directors appointed by the Governor in Council after consultation with the Board by the Minister of Foreign Affairs, in this Act referred to as the “Minister”;*

*(b) up to eighteen directors appointed by the Board after consultations with the governments of the provinces and any interested individuals, corporations and organizations; and*

*(c) the President of the Foundation appointed under section 17.*

*R.S., 1985, c. A-13, s. 9; 1995, c. 5, s. 25; 2005, c. 30, s. 64.*

*Appointments from provinces*

*10. When considering the appointment to the Board under paragraph 9(b) of any person proposed by the government of a province, the Board, subject to the criteria that it may establish for the purpose, is to have regard to the amounts contributed to the Foundation by that province.*

*R.S., 1985, c. A-13, s. 10; 2005, c. 30, s. 65.*

*Representation and experience*

*10.1 The appointment of directors is to be made from persons whose background or experience would assist the Foundation in the fulfilment of its purpose and having regard to the following considerations:*

*(a) the need to ensure, as far as possible, that at least one half of the membership has experience or expertise concerning relations between Canada and the Asia-Pacific region;*

*(b) the need for a membership that has sufficient knowledge of corporate governance, investment management, auditing and evaluations; and*

*(c) the importance of having membership that is representative of Canadian society.*

*2005, c. 30, s. 65.*

*Ineligibility*

*10.2 A person is not eligible to be appointed as a director if the person is a member of the Senate or the House of Commons.*

*2005, c. 30, s. 65.*

*Term of office*

*11. The term of office of every director appointed in accordance with paragraphs 9(a) and (b) may not exceed three years.*

*R.S., 1985, c. A-13, s. 11; 1992, c. 1, s. 7.*

*Re-appointment*

*12. Subject to section 20, every director, including the Chairperson, whose term of office has expired is eligible for re-appointment to the Board in the same or another capacity but no person may be appointed to the Board more than three times.*

*R.S., 1985, c. A-13, s. 12; 2005, c. 30, s. 80(E).*

*Removal from office*

*12.1 The Chairperson and any director appointed under paragraph 9(a) may be removed for cause by the Governor in Council. Any director appointed under paragraph 9(b) may be removed for cause by the Board.*

2005, c. 30, s. 66.

**GENERAL**  
*Role of Chairperson*

*13. The Chairperson shall preside at meetings of the Board and may perform such other duties as are assigned to him by the Board.*

R.S., 1985, c. A-13, s. 13; 2005, c. 30, s. 80(E).

*Vice-Chairperson*

*14. The Board may elect from among its members a Vice-Chairperson who, in the event of the absence or incapacity of the Chairperson, or if the office of Chairperson is vacant, has all the duties and functions of the Chairperson.*

R.S., 1985, c. A-13, s. 14; 2005, c. 30, s. 80(E).

*Principal office*

*15. The principal office of the Foundation shall be in Vancouver.*

1984, c. 12, s. 15.

*Meetings*

*16. The Board shall meet at such times and places as the Chairperson deems necessary, but it shall meet at least twice in each year, with at least one meeting at the principal office of the Foundation.*

R.S., 1985, c. A-13, s. 16; 2005, c. 30, s. 80(E).

*Directors without voting rights*

*16.1 A director who is part of the federal public administration does not have the right to vote on any matter before the Board or a committee of the Board.*

2005, c. 30, ss. 67, 81(E).

*Duty of care*

*16.2 The Chairperson, the President and every other director of the Foundation, in exercising any of their powers and in discharging any of their duties, shall*

*(a) act honestly and in good faith with a view to the best interests of the Foundation;*

*(b) exercise the care, diligence and skill that a reasonably prudent person would exercise in comparable circumstances; and*

*(c) comply with this Act and the by-laws of the Foundation.*

*2005, c. 30, s. 67.*

*Indemnification*

*16.3 Except in respect of an action by or on behalf of the Foundation to procure a judgment in its favour, the Foundation may indemnify a present or former Chairperson, President or other director or officer of the Foundation against all costs, charges and expenses, including amounts paid to settle an action or to satisfy a judgment, that are reasonably incurred by him or her in respect of any civil, criminal or administrative action or proceeding to which he or she is a party by reason of being or having been a director or officer of the Foundation, if*

*(a) he or she acted honestly and in good faith with a view to the best interests of the Foundation; and*

*(b) in the case of a criminal or administrative action or proceeding enforced by a monetary penalty, he or she had reasonable grounds for believing that the impugned conduct was lawful.*

*2005, c. 30, s. 67.*

*Restriction*

*16.4 The Board or a committee of the Board may not, for the purpose of making a decision other than a decision to appoint a director under paragraph 9(b), be comprised of a majority of directors appointed under paragraph 9(a) who have the right to vote.*

*2005, c. 30, s. 67.*

*Delegation by Board*

*16.5 (1) The Board may delegate to the Chairperson, a committee of directors or an officer of the Foundation any of the powers or rights of the Board.*

*Restrictions on delegation*

*(2) The Board may not, however, delegate any power or right of the Board  
(a) to make, amend or repeal by-laws;*

*(b) to appoint directors to, or fill vacancies on, a committee of the Board;*

*(c) to appoint officers of the Foundation or fix their remuneration;*

*(d) to accept grants, contributions and donations; or*

*(e) to approve the annual financial statements or annual reports of the Foundation.*

*2005, c. 30, s. 67.*

*Both official languages to be used*

*16.6 The Foundation shall offer its services in both official languages.*

*2005, c. 30, s. 67.*

**PRESIDENT AND STAFF**

*Appointment and role*

*17. (1) The Board shall appoint a President of the Foundation who shall have supervision over and direction of the activities and staff of the Foundation.*

*Experience, expertise and other qualifications*

*(2) In order to be appointed as President, a person must have experience or expertise concerning relations between Canada and the Asia-Pacific region and must possess any other qualifications specified by the Board.*

*Transparent and competitive process*

*(3) The President must be selected through a transparent and competitive process.  
R.S., 1985, c. A-13, s. 17; 2005, c. 30, s. 68.*

*If appointed from Board*

18. *Where the President is appointed from among the members of the Board, another director may be appointed in his place in accordance with paragraphs 9(a) or (b), as the case may be.*

*R.S., 1985, c. A-13, s. 18; 2005, c. 30, s. 69(F).*

*Term of office*

19. *The term of office of the President may not exceed three years, but the Board may remove the President from office at any time.*

*R.S., 1985, c. A-13, s. 19; 1992, c. 1, s. 8; 2005, c. 30, s. 69(F).*

*Re-appointment*

20. *A President whose term of office has expired is eligible for re-appointment in that capacity but no person may be appointed as President more than three times.*

*R.S., 1985, c. A-13, s. 20; 2005, c. 30, s. 70.*

*Acting President*

21. *The Board may authorize any director of the Board or any officer or employee of the Foundation to act as President in the event that the President is absent or incapacitated or if the office of the President is vacant.*

*R.S., 1985, c. A-13, s. 21; 2005, c. 30, s. 71(F).*

**REMUNERATION AND EXPENSES**

*Chairperson and other directors*

22. *The Chairperson and the other directors, other than the President, shall serve without remuneration, but may be paid such travel and living expenses while absent from their ordinary place of residence in connection with the activities of the Foundation as are fixed by by-law of the Board.*

*R.S., 1985, c. A-13, s. 22; 2005, c. 30, ss. 71(F), 80(E).*

*President*

23. *The President shall be paid such remuneration and expenses as are fixed by the Board.*

*R.S., 1985, c. A-13, s. 23; 2005, c. 30, s. 71(F).*

*Acting President*

*24. An acting President shall be paid such remuneration and expenses as are fixed by the Board.*

*1984, c. 12, s. 24.*

**COMMITTEES**  
*Committees*

*25. The Board may appoint an Executive Committee or advisory or other committees under such terms and conditions as the Board may by by-law provide.*

*1984, c. 12, s. 25.*

*Audit and evaluation committee*

*25.1 (1) The Board shall appoint an audit and evaluation committee consisting of not fewer than three directors and fix the duties and functions of the committee and may, by by-law, provide for the payment of expenses to the members of the committee.*

*Internal audit*

*(2) In addition to any other duties and functions that it is required to perform, the audit and evaluation committee shall cause internal audits to be conducted to ensure compliance by the officers and employees of the Foundation with management systems and controls established by the Board.*

*2005, c. 30, s. 72.*

**BY-LAWS**  
*By-laws*

*26. The Board may make by-laws respecting,*

*(a) the procedure in all business at meetings of the Board or its committees, if any;*

*(b) the expenses to be paid to the members of the Board;*

*(c) the constitution of committees appointed pursuant to section 25, the role and duties of those committees and the expenses, if any, to be paid to the members of those committees;*

*(d) the employment or engagement and the remuneration, expenses and duties of officers, employees and agents of the Foundation;*

*(e) membership in the Foundation;*

*(f) the appointment of patrons and honorary officers of the Foundation; and*

*(g) generally, the conduct and management of the affairs of the Foundation.*

1984, c. 12, s. 26.

#### **STATUS OF FOUNDATION**

##### *Not agent of Her Majesty*

*27. The Foundation is not an agent of Her Majesty and the Chairperson, the other directors, the President and the officers and employees of the Foundation are not, by virtue of their office or employment, part of the federal public administration.*

R.S., 1985, c. A-13, s. 27; 2003, c. 22, s. 224(E); 2005, c. 30, ss. 73, 81(E).

##### *Foundation not owned by Crown*

*27.1 For greater certainty, the Foundation is not, for the purposes of Part X of the Financial Administration Act or for any other purpose, to be considered to be wholly owned directly by Her Majesty in right of Canada.*

2005, c. 30, s. 73.

#### **REGISTERED CHARITY**

##### *Foundation deemed registered charity*

*28. Subject to section 29, the Foundation shall, for the purposes of the Income Tax Act, be deemed to be a registered charity within the meaning of that expression for the purposes of that Act.*

R.S., 1985, c. A-13, s. 28; 1999, c. 31, s. 246(F).

##### *Ceases to be registered charity*

*29. The Foundation shall, for all purposes, cease to be deemed to be a registered charity within the meaning of the Income Tax Act if the aggregate of amounts for which it has issued receipts that contain prescribed information pursuant to that Act are not*

*used in accordance with the provisions of that Act governing expenditures by charitable organizations.*

*R.S., 1985, c. A-13, s. 29; 1999, c. 31, s. 246(F).*

*Profits*

*30. Subject to any by-law of the Foundation providing for the payment of any expenses to the members of the Board or any remuneration to the officers, employees and agents of the Foundation, any profits of the Foundation or accretions to the value of the property of the Foundation shall be used to further the activities of the Foundation and no part of the property or profits of the Foundation may be distributed, directly or indirectly, to any member of the Board or member of the Foundation.*

*1984, c. 12, s. 30.*

*FINANCIAL*

*31. [Repealed, 2005, c. 30, s. 74]*

*32. [Repealed, 2005, c. 30, s. 74]*

*Grants, contributions and donations*

*33. (1) Subject to subsection (3), the Foundation may accept grants, contributions and conditional or unconditional donations of money from any person, including the Government of Canada and the government of a province.*

*Use of grants, contributions and donations*

*(2) All grants, contributions and donations of money received by the Foundation, and any income arising from the investment of those grants, contributions and donations, shall be used by the Foundation in fulfilling its purpose and in accordance with the terms and conditions of any agreement for the provision of funding.*

*Conditional grants, contributions and donations*

*(3) The Foundation may not accept a grant, contribution or donation of money that is made on the condition that the Foundation use the grant, contribution or donation, or any income arising from it, for any purpose that is not consistent with the purpose of the Foundation.*

*R.S., 1985, c. A-13, s. 33; 2005, c. 30, s. 75.*

*Investment policies*

*33.1 The Board shall establish investment policies, standards and procedures that a reasonably prudent person would apply in respect of a portfolio of investments to avoid undue risk of loss and obtain a reasonable return, having regard to the Foundation's obligations and anticipated obligations.*

*2005, c. 30, s. 75.*

*Investments*

*33.2 (1) Subject to any conditions of a grant, contribution or donation restricting the investment of money, the Foundation shall invest its funds, and reinvest any income from those funds, in accordance with the investment policies, standards and procedures established by the Board.*

*Incorporation of other corporations*

*(2) The Foundation may not, without the prior written authorization of the Minister, cause any corporation to be incorporated or participate in the incorporation of a corporation or become a partner in a partnership.*

*2005, c. 30, s. 75.*

*WINDING-UP*

*Meaning of "eligible recipient"*

*34. (1) In this section, "eligible recipient" means an entity that*

*(a) is established in Canada;*

*(b) meets the criteria of eligibility established by the Foundation in accordance with any agreement entered into between Her Majesty in right of Canada and the Foundation for the provision of funding by Her Majesty in right of Canada to the Foundation; and*

*(c) has legal capacity or is composed of organizations each of which has legal capacity.*

*Property to be divided*

*(2) If the Foundation is wound up or dissolved*

*(a) its property remaining after its debts and obligations have been satisfied shall be liquidated;*

*(b) the moneys arising from the liquidation shall be distributed among all the eligible recipients that have received funding from the Foundation and that are, as of the day the distribution begins, carrying on projects that are consistent with the purpose of the*

*Foundation, to be used by them for those or any other projects that are so consistent;  
and*

*(c) each of those eligible recipients shall receive an amount that is the same proportion of the moneys arising from the liquidation as the total funding received by that eligible recipient from the Foundation is of the total of all funding that has been provided by the Foundation to all of those eligible recipients.*

*Repayment out of remaining property*

*(3) Despite subsection (2), the Minister may require the Foundation to repay, out of the moneys arising from the liquidation, to the Receiver General for credit to the Consolidated Revenue Fund any amount that is so repayable under the terms or conditions on which public moneys were provided to the Foundation.*

*R.S., 1985, c. A-13, s. 34; 2005, c. 30, s. 76.*

*AUDIT*

*Auditor*

*35. (1) The Board shall appoint an auditor for the Foundation and fix the auditor's remuneration.*

*Qualifications of auditor*

*(2) In order to be appointed, the auditor must be*

*(a) a natural person who*

*(i) is a member in good standing of an institute or association of accountants incorporated by or under an Act of the legislature of a province,*

*(ii) has at least five years experience at a senior level in carrying out audits,*

*(iii) is ordinarily resident in Canada, and*

*(iv) is independent of the Board, the directors, the officers and, if any, the members of the Foundation; or*

*(b) a firm of accountants of which the member or employee, jointly designated by the Board and the firm to conduct the audit of the books and records of the Foundation on behalf of the firm, meets the qualifications set out in paragraph (a).*

*R.S., 1985, c. A-13, s. 35; 2005, c. 30, s. 77.*

*Audit*

*35.1 The accounts and financial transactions of the Foundation shall be audited annually and a report of the audit shall be made to the Board.*

*2005, c. 30, s. 77.*

**REPORT**

*Annual report*

*36. (1) The Board shall, within four months after the end of each fiscal year of the Foundation, submit to the Minister a report, in both official languages, of the activities of the Foundation for that year. The report shall include*

*(a) the financial statements of the Foundation for that year, prepared in accordance with generally accepted accounting principles, and the auditor's report on those financial statements;*

*(b) a detailed statement of its investment activities during that year and its investment portfolio as at the end of that year;*

*(c) a detailed statement of its funding activities;*

*(d) a statement of its plans for fulfilling its purpose for the next fiscal year; and*

*(e) an evaluation of the overall results achieved by the Foundation.*

*Tabling in Parliament*

*(2) The Minister shall cause a copy of the report to be laid before each House of Parliament on any of the first 15 days on which that House is sitting after the Minister receives it.*

*Making report available*

*(3) The Board shall, as soon as is practicable after it is tabled under subsection (2), make the report available for public scrutiny.*

*R.S., 1985, c. A-13, s. 36; 2005, c. 30, s. 78.*

**REVIEW**

*Review*

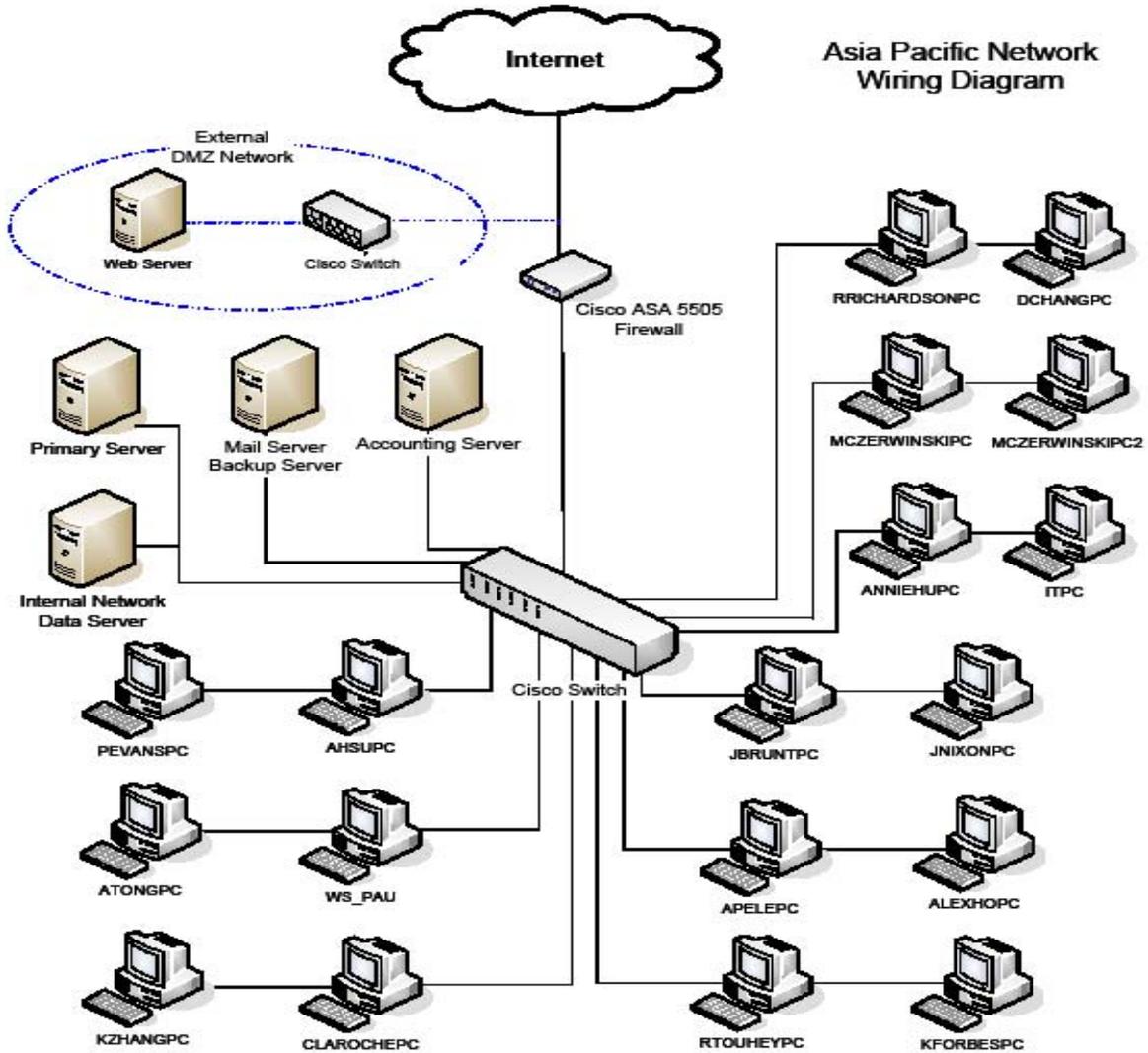
*37. (1) The Board shall, within five years after the coming into force of this section and every five years after that, review the Foundation's activities and organization and submit a report to the Minister on the activities and organization, including a statement of any changes the Board recommends.*

*Tabling in Parliament*

*(2) The Minister shall cause a copy of the report to be laid before each House of Parliament on any of the first 15 days on which that House is sitting after the Minister receives it.*

*R.S., 1985, c. A-13, s. 37; 2005, c. 30, s. 79.*

Appendix 4



**Personal Information Table**

Categories of Individuals	Elements of Personal Information	Collection Source, Method and Consent	Purpose of Collection	Collection Method	Storage Format	Uses	Disclosures	Retention and Disposition Schedule
Board Members/Directors	<ul style="list-style-type: none"> <li>• Date and place of birth;</li> <li>• Home address and home telephone and fax numbers;</li> <li>• Contact information, including email and other electronic addresses;</li> <li>• Skills, experience and other credentials;</li> <li>• Conflict of interest and related information;</li> <li>• Language capability;</li> <li>• Financial, including expenses (where applicable);</li> <li>• Citizenship status;</li> <li>• Physical disability and special needs and requirements – only for those individuals who self declare such conditions or special needs;;</li> <li>• Associations and memberships.</li> </ul>	<p>The personal information is mostly collected from the individual to whom it pertains. Some personal information, such as expense information, is internally generated by the Foundation. Other personal information, such as reference information which is collected at the stage of hiring/appointment, may be collected from other sources such as previous employers or from other individuals who have known the candidate.</p>	<p>Hiring/appointment, administration of expenses, general HR requirements, to contact the individual.</p> <p>Profile information is also posted on the Foundation's web site (see the Disclosure column).</p>	In paper, oral and electronic forms.	Paper and electronic.	<p>The personal information is used for the following purposes:</p> <ul style="list-style-type: none"> <li>• where applicable, to administer the expenses of the individual;</li> <li>• to contact the individual;</li> <li>• to provide personalized services to the individual, especially to those who have a physical or other handicap.</li> </ul>	<p>Disclosure of the personal information is limited to HR and the two co-CEOs - on a need to know basis - except for the information which is posted on the Foundation's web site (links: <a href="http://www.asiapacific.ca/about/board.cfm">http://www.asiapacific.ca/about/board.cfm</a> and <a href="http://www.asiapacific.ca/about/management.cfm">http://www.asiapacific.ca/about/management.cfm</a>, with the consent of the individual – the individual actually provides the information which is destined to the web site.</p>	Under development.
Employees of the Foundation	<ul style="list-style-type: none"> <li>• Social Insurance Number;</li> <li>• Employee</li> </ul>	<p>The personal information is mostly collected from the</p>	<p>Hiring/appointment, administration of pay and benefits, general</p>	In paper, oral and electronic forms.	Paper and electronic.	<p>The personal information is used for the following</p>	<p>Disclosure of the personal information is limited to HR and</p>	Under development.

**Personal Information Table**

Categories of Individuals	Elements of Personal Information	Collection Source, Method and Consent	Purpose of Collection	Collection Method	Storage Format	Uses	Disclosures	Retention and Disposition Schedule
	<p>personal record identifier (HR file);</p> <ul style="list-style-type: none"> <li>• Date and place of birth;</li> <li>• Home address and home telephone number;</li> <li>• Skills, experience and other credentials;</li> <li>• Conflict of interest and related information;</li> <li>• Language capability;</li> <li>• Salary and benefits;</li> <li>• Family status;</li> <li>• Citizenship status;</li> <li>• Attendance and reasons for absences;</li> <li>• Health and safety and workers compensation;</li> <li>• Physical disability and special needs and requirements;</li> <li>• Performance appraisals;</li> <li>• Employee assistance program;</li> <li>• Training and education;</li> <li>• Special privileges requested and / or granted and / or</li> </ul>	<p>individual to whom it pertains. Some personal information, such as pay and benefits information, is internally generated by the Foundation. Other personal information, such as reference information which is collected at the of hiring/appointment stage, may be collected from other sources such as previous employers or from other individuals who have known the candidate.</p>	<p>HR requirements, to contact the individual.</p>			<p>purposes:</p> <ul style="list-style-type: none"> <li>• where applicable, to administer the pay and benefits of the individual;</li> <li>• for general HR responsibilities – staffing, performance evaluation, health and safety, discipline, etc.;</li> <li>• to contact the individual;</li> <li>• to provide personalized services to the individual, especially to those who have a physical or other handicap.</li> </ul>	<p>the two co-CEOs - on a need to know basis.</p>	

**Personal Information Table**

Categories of Individuals	Elements of Personal Information	Collection Source, Method and Consent	Purpose of Collection	Collection Method	Storage Format	Uses	Disclosures	Retention and Disposition Schedule
	<ul style="list-style-type: none"> <li>denied;</li> <li>• Disciplinary measures;</li> <li>• Complaints and appeals;</li> <li>• Associations and memberships.</li> </ul>							
Individuals hired as contractors by the Foundation	<ul style="list-style-type: none"> <li>• Social Insurance Number;</li> <li>• Home and/or work address and telephone and fax numbers;</li> <li>• Contact information, including email and other electronic addresses;</li> <li>• Home address and home telephone number – for those who operate out of their personal residence;</li> <li>• Skills, experience and other credentials;</li> <li>• Conflict of interest and related issues;</li> <li>• Language capability;</li> <li>• Invoicing and payment information;</li> <li>• Citizenship status;</li> </ul>	The personal information is mostly collected from the individual to whom it pertains. Financial is internally generated by the Foundation. Other personal information, such as reference information which is collected as part of the contract awarding process, may be collected from other sources such as previous employers or from other individuals who have known the contractor.	<ul style="list-style-type: none"> <li>• To select applicants during the contracting process;</li> <li>• To evaluate the performance;</li> <li>• To issue payment;</li> <li>• To contact the individual.</li> </ul>	In paper, oral and electronic forms.	Paper and electronic.	<ul style="list-style-type: none"> <li>• To select applicants during the contracting process;</li> <li>• To evaluate the performance;</li> <li>• To issue payment;</li> <li>• To contact the individual.</li> </ul>	Disclosure of the personal information is limited to HR and the two co-CEOs - on a need to know basis.	Under development.

**Personal Information Table**

Categories of Individuals	Elements of Personal Information	Collection Source, Method and Consent	Purpose of Collection	Collection Method	Storage Format	Uses	Disclosures	Retention and Disposition Schedule
	<ul style="list-style-type: none"> <li>• Health and safety and workers compensation;</li> <li>• Physical disability and special needs and requirements;</li> <li>• Special privileges requested and / or granted and / or denied;</li> <li>• Work assessment and contract termination;</li> <li>• Associations and memberships.</li> </ul>							
Members of workgroups, consultative committees and individuals who are involved in the activities and events of the Foundation, such as Senior Fellows (academics who received an honorarium and provide expertise, etc.)	<ul style="list-style-type: none"> <li>• Home and/or work address and telephone and fax numbers;</li> <li>• Skills, experience and other credentials;</li> <li>• Conflict of interest and related issues;</li> <li>• Language capability;</li> <li>• Financial information pertaining to the Foundation's financial contribution;</li> <li>• Citizenship status;</li> <li>• Physical disability and special needs and requirements;</li> <li>• Training and</li> </ul>	The personal information is mostly collected from the individual to whom it pertains and by the co-CEO's who collect or accept business cards at various events It can also be collected by the co-CEOs at events and other activities where business cards and other information are exchanged among the participants. Some personal information, such as reference information, may be collected from other sources such as colleagues, previous	To verify the individual's credentials and accomplishments. To contact the individual or to use the individual as a resource.	In paper, oral and electronic forms.	Paper and electronic.	To verify the individual's credentials and accomplishments. To contact the individual or to use the individual as a resource.	Access to the personal information is limited to HR and the two co-CEOs, on a need to know basis, except for the information about the Senior Fellows, which is posted on the Foundation's web site (link: <a href="http://www.asiapacific.ca/about/seniorfellows.cfm">http://www.asiapacific.ca/about/seniorfellows.cfm</a> , with the consent of the individuals – the individuals actually provide the information which is destined to the web site.	Under development.

**Asia Pacific Foundation of Canada – High Level Privacy Impact Assessment  
Report of February 4, 2008**

**Appendix 5**

***Personal Information Table***

Categories of Individuals	Elements of Personal Information	Collection Source, Method and Consent	Purpose of Collection	Collection Method	Storage Format	Uses	Disclosures	Retention and Disposition Schedule
	education; • Associations and memberships.	employers and other individuals who have known the individual.						
Individuals who request information from, or share their views with the Foundation	<ul style="list-style-type: none"> <li>• Home and/or work address, telephone and fax numbers, email and other electronic addresses – only when voluntary provided by the individual;</li> <li>• Home address and home telephone number – only when voluntary provided by the individual;</li> <li>• Skills, experience and other credentials – only when voluntary provided by the individual;</li> <li>• Language spoken;</li> <li>• Any other personal information that the individual finds relevant to share with the Foundation.</li> </ul>	Because those contacts are initiated by the individuals, the personal information that they provide is entirely submitted by them on a purely volunteer basis and without any request from the Foundation.	The personal information is only collected when the individual initiates a contact with the Foundation, and the information is only used for the purpose of processing and responding to the correspondence.	In paper, oral and electronic forms.	Paper and electronic.	The personal information is only used for the purpose of processing and responding to the correspondence initiated by the individual.	Disclosure of the personal information is limited to those individuals within the Foundation who have a need to know – those who are involved in the processing of the correspondence initiated by the individual.	Under development.
Grant applicants	The Foundation provides financial grants to individuals	The personal information is mostly collected from the	To verify the individual's credentials and	In paper, oral and electronic forms.	Paper and electronic.	To verify the individual's credentials and	Access to the personal information is limited to the two	Under development.

**Personal Information Table**

Categories of Individuals	Elements of Personal Information	Collection Source, Method and Consent	Purpose of Collection	Collection Method	Storage Format	Uses	Disclosures	Retention and Disposition Schedule
	<p>under a number of different categories on a competitive basis. The nature of the information that must be provided by the grant applicants depends on the grant for which they apply (and the criteria established to determine eligibility), but it may include the following categories:</p> <ul style="list-style-type: none"> <li>• a detailed proposal outlining concrete ideas for the assignment / research / conference including a plan of execution, and particulars about where the resulting articles/programs will be published/broadcast, as well as what audiences will be interested and why</li> <li>• a budget, including travel expenses, materials, stipend and other basic expenses</li> <li>• a 500-word statement</li> </ul>	<p>individual to whom it pertains. It is collected directly from the individual as part of the grant application process. Some personal information, such as reference information, may be collected from other sources such as colleagues, previous employers and other individuals who have known the individual.</p>	<p>accomplishments. To contact / pay the individual.</p>			<p>accomplishments. To contact the individual.</p>	<p>co-CEOs and the grant administrators.</p>	

**Personal Information Table**

Categories of Individuals	Elements of Personal Information	Collection Source, Method and Consent	Purpose of Collection	Collection Method	Storage Format	Uses	Disclosures	Retention and Disposition Schedule
	<p>describing why exploring the chosen theme is of interest</p> <ul style="list-style-type: none"> <li>• two examples of written or broadcast work</li> <li>• two letters of recommendation from individuals familiar with the applicant's work sent directly to APF Canada by application deadline</li> <li>• applicants are also asked to include a letter from their prospective editor/producer, stating a willingness, in principle, to run stories resulting from this trip, subject to normal editorial judgment.</li> </ul> <p>Apart from the above information, it is up to the individual to decide what personal or other information he or she wants to share with the Foundation as part of his or her grant application.</p>							

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**Appendix 5**

**Personal Information Table**

Categories of Individuals	Elements of Personal Information	Collection Source, Method and Consent	Purpose of Collection	Collection Method	Storage Format	Uses	Disclosures	Retention and Disposition Schedule
Databases on Canadian companies and Asian companies	The personal information consists of contact information – name of the president, mailing address, and telephone and fax numbers at work.	The personal information is obtained from the corporate web sites of the companies. The Foundation has now added a statement (disclaimer) at the end of all invitation and other letters that it sends out to inform the recipients that they can ask that their name be removed from any of the Foundation's databases.	To invite the individual to events and activities and to track Canadian corporate activity in Asia and Asian corporate activity in Canada.	In paper, oral and electronic forms.	Paper and electronic.	To invite the individual to events and activities and to participate in the Foundation's annual Investment Intentions Survey.	Access to that information is limited to research staff on a need to know basis.	Under development.
Asian Ethnic and Canada-Asia Bilateral Business Associations Directory (Ethnic associations database)	<ul style="list-style-type: none"> <li>• Contact Email*</li> <li>• Contact Person*</li> <li>• Association*</li> <li>• Region</li> <li>• Year Established</li> <li>• Membership</li> <li>• Mailing Address*</li> <li>• City*</li> <li>• Province*</li> <li>• Postal Code*</li> <li>• Phone*</li> <li>• Fax</li> <li>• Website</li> <li>• Ethnic Affiliation(s)</li> <li>• Asian Economy(ies) of Interest</li> <li>• Industry Sector(s)</li> </ul>	The personal information is obtained from the associations' representatives, who are required to fill out an on-line form – Internet link: <a href="http://www.asiapacificbusiness.ca/associations/add_asso.cfm">http://www.asiapacificbusiness.ca/associations/add_asso.cfm</a> .	The on-line database provides information on Asian Business Associations and Canada-Asia Bilateral Business Associations in Canada.	In paper, oral and electronic forms.	Paper and electronic.	The on-line database provides information on Asian Business Associations and Canada-Asia Bilateral Business Associations in Canada. It also allows visitors to the Foundation's web site to search for associations and obtain information about upcoming events of interests to them.	The information kept in that database is publicly accessible via the Foundation's web site.	Under development.

**Personal Information Table**

Categories of Individuals	Elements of Personal Information	Collection Source, Method and Consent	Purpose of Collection	Collection Method	Storage Format	Uses	Disclosures	Retention and Disposition Schedule
	<ul style="list-style-type: none"> <li>• Mandate/Mission</li> <li>• Other Info – whatever additional information that the association chooses to provide.</li> </ul> <p>(* the elements of personal information with an asterisk are mandatory)</p>							
Contacts database	<p>This database has two components:</p> <p><u>1. SUBSCRIBER COMPONENT:</u> pertains to individuals who complete an on-line form to subscribe to the Foundations' electronic products:</p> <p><u>Canada-Asia Commentary</u>, which is an email message describing the Foundation's most recent in-depth Canada-Asia analysis, with a link to the full document on the Foundation's website.</p> <p><u>Canada-Asia News Service</u>, which is a daily email containing</p>	<p>The personal information is obtained from the individual who wishes to subscribe to the services offered. The individual is required to complete an on-line subscription form – Internet link: <a href="http://www.asiapacific.ca/news/subscribe.cfm">http://www.asiapacific.ca/news/subscribe.cfm</a>.</p>	<p>To provide the advertise information services to the individuals who subscribe to the services.</p>	In electronic forms.	Paper and electronic.	<p>To provide the advertised information products to the individuals who subscribe to the services. Subscribers are also contacted by email (every other year) and invited to participate in the Foundation's National Opinion Poll. This email provides a link to the survey and the Foundation only receives the final numbers.</p>	<p>Access to that information is limited to the two co-CEOs and the employees of the Foundation, on a need to know basis.</p>	Under development.

**Personal Information Table**

Categories of Individuals	Elements of Personal Information	Collection Source, Method and Consent	Purpose of Collection	Collection Method	Storage Format	Uses	Disclosures	Retention and Disposition Schedule
	<p>news on Canada-Asia business relations and links to headline news from around the region.</p> <p><u>Asia Pacific Bulletin</u>, which is an occasional email publication providing background to a recent news item from Asia, especially developments with implications for Canadian business in the region.</p> <p><u>Investment Monitor</u>: a monthly summary of publicly reported new investments in Asia by Canadian companies, and in Canada by Asian companies. <a href="http://www.asiapacific.ca/analysis/pubs/archive_investment.htm">http://www.asiapacific.ca/analysis/pubs/archive_investment.htm</a></p> <p>The information collected for that purpose is as follows:</p> <ul style="list-style-type: none"> <li>• Email Address;</li> <li>• Sector of activity;</li> <li>• Name, province or country.</li> </ul>							

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Categories of Individuals	Elements of Personal Information	Collection Source, Method and Consent	Purpose of Collection	Collection Method	Storage Format	Uses	Disclosures	Retention and Disposition Schedule
	<u>2. KEY CONTACTS WITHIN BUSINESS, GOVERNMENT, MEDIA AND ACADEMIA WHO HAVE BEEN IDENTIFIED AS HAVING AN INTEREST IN THE FOUNDATIONS' EVENTS AND ACTIVITIES.</u>	The personal information is collected from publicly available sources as well as through the personal contacts of the Foundations' staff – from business cards, etc. No additional names other than those of government officials have been added to this component of the database since the Foundation became subject to the <i>Privacy Act</i> on April 1, 2007. The Foundation has also developed a notice to inform the individuals of their right to have their name removed from the database.	To invite the individual to events and activities and to use them as resources.	In paper, oral and electronic forms.		To invite the individual to events and activities and to use them as resources.		
Canada-Asia Pacific Research Network (CAPRN)	CAPRN is the Foundation's virtual network on contemporary Asian affairs and Canada-Asia relations, consisting of an online experts database and an electronic forum for information sharing.	The personal information is collected directly who wishes to have his or her name and profile included in this virtual network via an on-line form – Internet link: <a href="http://www.asiapacificresearch.ca/caprn/q">http://www.asiapacificresearch.ca/caprn/q</a>		In electronic forms.	Electronic.	CAPRN is a resource for research, strategic planning, and policy development, serving the academic, business and public policy communities	CAPRN is an on-line resource for research, strategic planning, and policy development, serving the academic, business and public policy communities. The personal information kept in it is	Under development.

**Personal Information Table**

Categories of Individuals	Elements of Personal Information	Collection Source, Method and Consent	Purpose of Collection	Collection Method	Storage Format	Uses	Disclosures	Retention and Disposition Schedule
	<p>CAPRN is a resource for research, strategic planning, and policy development, serving the academic, business and public policy communities</p> <p>To be listed in the Canada-Asia Pacific Research Network (CAPRN) Database, an individual must meet the following criteria:</p> <ul style="list-style-type: none"> <li>• currently conduct research or consult on Asian affairs and Canada-Asia relations, or serve in a relevant policy-level position</li> <li>• have a PhD or appropriate professional experience</li> <li>• have published books or journal articles on policy-relevant topics relating to Asian affairs within the last ten years</li> </ul> <p>The information to be provided via an on-</p>	<p><a href="#">questionnaire.cfm</a></p>					<p>accessible to everyone by visiting the web site at the following Internet link:  <a href="http://www.asiapacificresearch.ca/caprn/index.cfm">http://www.asiapacificresearch.ca/caprn/index.cfm</a></p>	

**Personal Information Table**

Categories of Individuals	Elements of Personal Information	Collection Source, Method and Consent	Purpose of Collection	Collection Method	Storage Format	Uses	Disclosures	Retention and Disposition Schedule
	<p>line form by the individual is as follows:</p> <ul style="list-style-type: none"> <li>• Contact Information</li> <li>• First Name: Last Name:</li> <li>• Title (current position):</li> <li>• Organization:</li> <li>• Address Line 1:</li> <li>• Address Line 2:</li> <li>• Address Line 3:</li> <li>• City:</li> <li>• Province:</li> <li>• Postal Code:</li> <li>• Country:</li> <li>• Phone:</li> <li>• Fax:</li> <li>• Email:</li> <li>• URL:</li> <li>• Biographical Information - Degrees (degrees received, field of study, and institution. List highest degree first)</li> <li>• Other Current Positions</li> <li>• Past Positions (Title, organization, 1996-98, list most recent first)</li> <li>• Languages - language ability</li> </ul>							

**Personal Information Table**

Categories of Individuals	Elements of Personal Information	Collection Source, Method and Consent	Purpose of Collection	Collection Method	Storage Format	Uses	Disclosures	Retention and Disposition Schedule
	<p>may be qualified: 'reads, speaks, or writes'</p> <ul style="list-style-type: none"> <li>• Publications - Major and/or Recent Publications (no more than eight publications; including place of publication, publisher, and date). Books forthcoming within six months may be included. When possible, ISBN should be included. (List most recent first)</li> <li>• General Expertise - Using the pull-down boxes below, the individual indicates regions and areas of expertise. If area of expertise is not listed, the individual can enter it in the appropriate field</li> <li>• Canada-Asia Relations Expertise - (Research which involves Canada and an Asia-Pacific region).</li> </ul>							

**Personal Information Table**

Categories of Individuals	Elements of Personal Information	Collection Source, Method and Consent	Purpose of Collection	Collection Method	Storage Format	Uses	Disclosures	Retention and Disposition Schedule
	<p>Expertise information can be listed in four pre-defined specific areas. Economic Relations, Development Cooperation, People-to-People Linkages, Political, Institutional and Security Relations</p> <ul style="list-style-type: none"> <li>• Projects - These fields contain information on current projects of CAPRN specialists. For each project, as applicable, a working title, description, product (article, book, meeting...) and estimated completion date can be included</li> <li>• Any additional comments.</li> </ul>							
Public opinion poll	<p>The Foundation conducts a national opinion poll:</p> <p>1. A "National Opinion Poll" conducted every 2</p>	<p>Polling firms.</p> <p>The results of the public opinion polls are posted on the</p>	<p>To determine the attitude of Canadians in regard to Canada-Asia relations.</p>	<p>Via a public opinion poll conducted by a private contractor .</p>	<p>Electronic format.</p>	<p>To determine the attitude of Canadians in regard to Canada-Asia relations.</p>	<p>The information collected by the Foundation is not disclosed in an identifiable form.</p>	<p>Under development.</p>

**Personal Information Table**

Categories of Individuals	Elements of Personal Information	Collection Source, Method and Consent	Purpose of Collection	Collection Method	Storage Format	Uses	Disclosures	Retention and Disposition Schedule
	<p>years by a professional polling firm. The pollsters use their own lists of respondents to conduct the polls, and the information about those respondents is not shared with the Foundation. The information that the Foundation receives from the pollsters is limited to the statistical data, with no link to any of the respondents. The questions asked in the National Opinion Poll vary each time.</p> <p>2. An "Asian Investment Intentions Survey" conducted annually by the Foundation using the contacts listed in the Corporations Database. The questions asked in this annual survey can be found at: <a href="http://www.asiapacific.ca/analysis/pubs/pdfs/invest_survey/invest_intentions2007.pdf">http://www.asiapacific.ca/analysis/pubs/pdfs/invest_survey/invest_intentions2007.pdf</a></p>	<p>Foundation's web site. One example of those can be viewed by clicking on the following web link: <a href="http://www.asiapacific.ca/analysis/pubs/pdfs/surveys/opinion_poll2006.pdf">http://www.asiapacific.ca/analysis/pubs/pdfs/surveys/opinion_poll2006.pdf</a></p> <p>The Foundation contacts the companies listed in the corporations database by fax with a questionnaire. Information gathered by the survey is used as input into aggregate figures. There is no correlation of answers to individual companies.</p>						

### *Delegation of Authority Under the Privacy Act*

Subject	Privacy Act Section	Position / Title					
		President & Co-CEO	ATIP Coordinator	Program / Functional Directors	Others (specify)	Others (specify)	Others (specify)
Disclosure to investigative bodies	8(2)(e)	•	•	•			
Disclosure for research and statistics	8(2)(j)	•	•	•			
Disclosure in public interest, benefit of individual	8(2)(m)	•					
Record of disclosure for investigations	8(4)	•	•	•			
Notify Privacy Commissioner of 8(2)(m)	8(5)	•	•				
Record of consistent uses	9(1)	•	•				
Notify Privacy Commissioner of consistent uses	9(4)	•	•				
Personal information in banks	10(1)	•	•				
Notice where access is granted	14	•	•				
Extension of time limits	15	•	•				
Notice where access is refused	16	•	•				
Decision regarding translation	17(2)(b)	•	•				
Conversion to alternate format	17(3)(b)	•	•				
Refuse access - exempt bank	18(2)	•	•				
Refuse access - confidential information obtained from another	19(1)	•	•				

### *Delegation of Authority Under the Privacy Act*

Subject	Privacy Act Section	Position / Title					
		President & Co-CEO	ATIP Coordinator	Program / Functional Directors	Others (specify)	Others (specify)	Others (specify)
government							
Disclose confidential information obtained from another government	19(2)	•	•				
Refuse access - federal-provincial affairs	20	•	•				
Refuse access - international affairs, defence	21	•	•				
Refuse access - law enforcement and investigation	22	•	•				
Refuse access - security clearance	23	•	•				
Refuse access - person under sentence	24	•	•				
Refuse access - safety of individuals	25	•	•				
Refuse access - another person's information	26	•	•				
Refuse access - solicitor-client privilege	27	•	•				
Refuse access - medical record	28	•	•				
Receive notice of investigation	31	•	•				
Representation to Privacy Commissioner	33(2)	•	•				
Information previously exempted	35(1)(b)	•	•				

### *Delegation of Authority Under the Privacy Act*

Subject	Privacy Act Section	Position / Title					
		President & Co-CEO	ATIP Coordinator	Program / Functional Directors	Others (specify)	Others (specify)	Others (specify)
Access given to complainant	35(4)	●	●				
Response to review of exempt banks	36(3)(b)	●	●				
Response to review of compliance	37(3)	●	●				
Request court hearing in the National Capital Region	51(2)(b)	●	●				
Ex-parte representation to court	51(3)	●	●				