



Commissariat  
à la protection de  
la vie privée du  
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Office of  
the Privacy  
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Canada

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## NOTE DE BREFFAGE

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## BRIEFING NOTE

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### Programme d'indemnisation pour les armes à feu de style arme d'assaut / Assault-Style Firearms Compensation Program

**OBJET / PURPOSE:** For information

**ENJEU / ISSUE:** The Government Advisory Directorate (GA) met with Public Safety Canada (PSC), the Royal Canadian Mounted Police (RCMP) and Employment and Social Development Canada (ESDC) to discuss the PS led multi-institutional Privacy Impact Assessment (PIA) for the Assault-Style Firearms Compensation Program (ASFCP).

**APERÇU / OVERVIEW:**

In June 2024, PSC, the RCMP and ESDC updated GA on the ASFCP PIA. The ASFCP aims to provide compensation to eligible businesses and individuals for the destruction, deactivation, or export of recently prohibited assault-style firearms. Phase 1 of the program will target businesses, while phase 2 will apply to individuals.

Prior to the June 2024 consultation, PSC provided GA with the draft PIA and requested feedback on the current state of the draft, including identified risks. While GA does not usually review draft PIAs, we agreed to provide high-level advice on an exceptional basis due to the complexity, high-profile nature, and potential safety risks associated with the program.

*Program Launch*

- During the June 2024 consultation the RCMP and ESDC expressed [REDACTED]  
[REDACTED]  
The draft PIA reviewed by GA contained incomplete components and outlined areas of the program that were not yet developed.
- Despite numerous delays to the start date, PSC, the RCMP and ESDC requested the OPC's input on the final PIA prior to launching the program. GA expects to receive the final version of the phase 1 PIA as early as August 2024, while the date for receiving the phase 2 PIA remains undetermined at this time.

*Communication*

- During the April and June 2024 consultations, we noted [REDACTED]

- GA has repeatedly emphasized the importance for all institutions involved in the ASFCP to remain in communication throughout the entire lifecycle of the PIA development.

#### CONTEXTE / BACKGROUND:

- PSC, the RCMP and ESDC have consulted with GA on the ASFCP 4 times since April 2022. Main discussion points have included the format and process for multi-institutional PIAs; the importance of clear roles, responsibilities and data and process flows; limiting collection; consent and notice requirements; information sharing agreements; contracts with third parties; safeguards; timelines; and maintaining engagement with the OPC.
- Deputy Commissioner Gregory Smolynech met with PSC's Assistant Deputy Minister on July 12, 2024.

#### CONSIDÉRATIONS STRATÉGIQUES / STRATEGIC CONSIDERATIONS:

- GA has drafted a Letter of Advice recommending among other things that PSC, the RCMP and ESDC remain in communication throughout the PIA development.
- GA has committed to working with all parties throughout the process to continue ongoing consultations and expedite our PIA review in support of the tight timelines for program launch.

#### PIÈCES JOINTES / ATTACHMENTS:

- Draft LOA - 2024-06-13 Meeting - PS - Assault-Style Firearms Compensation Program - PIA-1990-B - <https://officium/layouts/15/OPC.Officium/Utilities/OfficiumIDLlookup.aspx?id=7777-6-635378>

#### APPROBATION / APPROVAL:

<b>Rédigé par / Prepared by</b>  Jean-Pierre Péladeau, Senior Advisor	<b>Date</b>  2024-07-08	<b>Révisions / Revisions</b>  Flavie Gagné, Senior Advisor 2024-07-18
<b>Approuvé par gestionnaire / Approved by Manager</b>  Marielle Hawkes		<b>Date</b>  2024-07-08

<b>Approuvé par Directeur et/ou Directeur exécutif / Approved by Director and/or Executive Director</b>	
	<b>Date</b>
Lacey Batalov, Director, Government Advisory	
<b>Approuvé par sous-commissaire / Approved by Deputy Commissioner</b>	
	<b>Date</b>
Gregory Smolynec, Deputy Commissioner	
<b>Approuvé par Commissaire / Approved by Privacy Commissioner</b>	
	<b>Date</b>
<input type="checkbox"/> J'approuve les mesures proposées. / I agree with the proposed recommendation(s).	
<input type="checkbox"/> Je ne suis pas satisfait de ces recommandations pour les raisons suivantes. / I do not agree with the proposed recommendation(s) for the following reason(s):	
Commentaires ou des instructions supplémentaires / Additional comments or instructions:	
Philippe Dufresne <i>Le commissaire à la protection de la vie privée / Privacy Commissioner</i>	

**DISTRIBUTION:** Isabelle Gervais;

**Institutional Responses to the June 9, 2024. Recommendations or Requests for Information  
from the Office of the Privacy Commissioner of Canada (OPC)**

**PIA-001990-B– Public Safety Canada – Firearms Compensation Program**

	<b>OPC Recommendation or Request for Information</b>	<b>Public Safety Canada’s Response (including actions to be undertaken and timeframes for implementation)</b>
1.	<b>Recommendation:</b> PS should ensure that the roles and responsibilities of all participating institutions, namely ESDC, and any third parties involved in the ASFCP are determined and clearly described in the final version of the multi-institutional PIA.	
2.	<b>Recommendation:</b> PS, the RCMP, and ESDC should remain in communication and maintain adequate cooperation throughout the entire lifecycle of the multi-institutional PIA development process, and during the implementation of the ASFCP.	
3.	<b>Recommendation:</b> PS should ensure to include all elements pertaining to ESDC in the final version of the multi-institutional PIA.	
4.	<b>Recommendation:</b> PS should ensure that areas of the draft multi-institutional PIA marked as “under development” or “to be confirmed” are expanded and refined in the final version. We invite PS to consult the <u>Expectations: OPC’s Guide to the Privacy Impact Assessment Process</u>	

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	<i>and TBS <u>Directive on Privacy Impact Assessment</u>.</i>	
5.	<b>Recommendation:</b> <i>PS should ensure that all elements in the multi-institutional PIA are in alignment and consistent.</i>	
6.	<b>Recommendation:</b> <i>PS should re-consider the necessity of collecting banking information prior to establishing eligibility.</i>	
7.	<b>Recommendation:</b> <i>PS should ensure that the PNS contains all required elements under the TBS Directive on Privacy Practices, including the potential implications of the RCMP verification process and consequences of non-participation in the ASFCP.</i>	
8.	<b>Recommendation:</b> <i>PS should ensure that a verbal PNS is developed, included in the final multi-institutional PIA, and provided to all ASFCP participants engaging with ESDC's call center.</i>	
9.	<b>Recommendation:</b> <i>PS and RCMP PIBs should reference each other's relevant PIB Program Activity Names and Numbers.</i>	
10.	<b>Recommendation:</b> <i>The RCMP and ESDC should develop and publish PIA summaries in order to outline the</i>	

	<i>respective activities that they are responsible for and implicated in.</i>	
<b>11.</b>	<i>PS should ensure that contracts with third parties have strong privacy and security provisions prior to any disclosure of personal information, and that these contracts are shared with the OPC prior to being finalized.</i>	
<b>12.</b>	<i>PS should ensure that additional role-specific privacy protection training is included in the final version of the multi-institutional PIA.</i>	