



May 17, 2006

Honourable Maxime Bernier
Minister of Industry
5th Floor, West Tower
C.D. Howe Building
235 Queen Street
Ottawa, Ontario K1A 0H5

Honourable Beverley J. Oda
Minister of Canadian Heritage
and Status of Women
25 Eddy Street
Gatineau, Quebec K1A 0M5

Dear Ministers:

Copyright reform and privacy protection for Canadians—OIPC File No. F06-28751

I write to urge you to ensure that, if anti-circumvention provisions to protect digital rights management (“DRM”) are a feature of any new copyright law, the necessary privacy protections are built into the legislation.

I appreciate the need to modernize Canadian copyright law to account for the Internet and new technologies, but am aware that DRM can be used in a manner that invades the reasonable privacy expectations of Canadians. It is therefore critically important that any copyright reforms contain privacy protections in relation to DRM. Legislation proposed by the previous government failed to do this, offering your government the opportunity to protect copyright while protecting privacy.

Like other privacy commissioners, I would like to see the interests of privacy addressed and ask for your assurances that any proposed copyright reforms will include a broad national consultation on privacy and a comprehensive privacy impact assessment respecting privacy implications of copyright reform. The goal should be to ensure that DRM and associated legal protections do not negatively affect Canadians’ reasonable privacy expectations. A central feature of DRM systems should be the ability of Canadians to anonymously acquire and enjoy copyrighted works through legitimate means using digital technology.

I urge you to direct your Departments to take these steps into account and would be happy to participate further if you wish.

Yours sincerely,

ORIGINAL SIGNED BY

David Loukidelis
Information and Privacy Commissioner
for British Columbia

cc: Jennifer Stoddart
Privacy Commissioner of Canada

Richard Dicerri
Deputy Minister
Industry Canada

Judith A. LaRocque
Deputy Minister
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Susan Bincoletto
Director General, Marketplace Framework Policy Branch
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Director General, Copyright Policy
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