

UNIFORM LAW CONFERENCE OF CANADA

CIVIL LAW SECTION

UNIFORM MISSING PERSONS ACT

**REPORT OF THE WORKING GROUP
WITH UNIFORM ACT AND COMMENTARIES**

Readers are cautioned that the ideas or conclusions set forth in this paper, including any proposed statutory language and any comments or recommendations, may not have been adopted by the Uniform Law Conference of Canada. They may not necessarily reflect the views of the Conference and its Delegates. Please consult the Resolutions on this topic as adopted by the Conference at the Annual meeting.

**Toronto, Ontario
August, 2014**

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Background

[1] When police agencies begin a missing persons investigation, they often have no reason to suspect that a crime has been committed. In these situations the police agencies are not able to obtain a production order under the *Criminal Code* and so have had no ability to compel individuals or corporations to release personal information about the missing person. This inability to access information concerning the missing person can stall and sometimes completely halts missing persons investigations.

[2] Missing persons investigations are not always contained within the province. Having similar legislation in other provinces would allow police agencies to work together more effectively to solve missing persons cases. In practice, missing persons often cross jurisdictional boundaries. To conduct the most effective investigations, similar legislation across jurisdictions that allow for access to needed information is critical.

[3] Missing persons legislation may also be useful in moving forward missing women investigations. The United Nations Committee on the Elimination of Discrimination against Women expressed concern in a 2011 letter to the Federal government that Canada has not taken decisive action on the issues of aboriginal women, including the numbers of missing aboriginal women. A UN investigator visited Canada in 2013 and urged further action. The missing persons legislation may allow some of these investigations to move forward when there is no evidence of a crime having occurred.

Origins of the Project

[4] At their meeting in February 2006, FPT Deputy Ministers Responsible for Justice endorsed the establishment of a working group of the Coordinating Committee of Senior Officials (CCSO) to review issues related to the high number of murdered and missing women in Canada. In January 2012, this Coordinating Committee of Senior Officials (Criminal) Missing Women Working Group, produced a report with recommendations on “Issues Related to the High Number of Murdered and Missing Women in Canada”. The report referenced both Saskatchewan’s *An Act Respecting Missing Persons and Persons Presumed to be Dead* as well as Alberta’s *Missing Persons Act*. Recommendation 20 of the Report “...recommends that Federal, Provincial and Territorial governments consider the need for legislation that would allow police access to personal information of persons reported missing.”

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[5] In November 2012 Federal, Provincial and Territorial Ministers responsible for Justice and Public Safety acknowledged the importance of missing persons legislation and the potential for uniform law in this area. On this basis, in December 2012, the ULCC Advisory Committee on Program Development and Management directed the commencement of a Working Group to make recommendations for uniform missing persons legislation.

[6] At a January 2013 meeting of Deputy Ministers of Justice it was agreed that the ULCC should be asked to propose uniform legislation on missing persons for consideration by Provinces and Territories.

The Working Group

[7] The Working Group first meet in March 2013 and has meet by teleconference almost every month after that until the spring of 2014. The participants in the Working Group have included :

Lorraine Prefontaine, Manitoba

Crystal Gartside, Manitoba

Gail Mildren, Manitoba

Philip Samyn, Manitoba

Lane Wiegers, Saskatchewan

Maria Markatos, Saskatchewan

Elizabeth Strange, New Brunswick

Abi Lewis, Ontario

Glen Rutland, Northwest Territories

Curtis Debogorski, Northwest Territories

Rebecca Dupuis, Northwest Territories

Karen Lajoie, Northwest Territories

Frédérique Sabourin, Quebec

Christian Veillette, Quebec

Myriam Cantin, Quebec (replacing Christian Veillette, Quebec)

Gordon McPherson, British Columbia

Nolan D. Steed, Alberta

Kelly Hillier, Alberta

David Kamal, Alberta

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Nolan D. Steed, Alberta, chaired the Working Group. Crystal Gartside, Manitoba was the secretary for the Working Group. Drafting services have been provided by Manitoba Justice with particular thanks to Philip Samyn.

Status of missing persons legislation in Canada

[8] As of the date of this report five provinces have created legislative provisions to assist police with accessing information pertaining to missing persons. These provinces include:

Saskatchewan's The Missing Persons and Presumption of Death Act, M.20-01, 2009 (proclaimed)

Alberta's The Missing Persons Act M18.5, 2011 (proclaimed)

Manitoba's The Missing Persons Act, S.M. 2012 c.6 (proclaimed)

Nova Scotia's The Missing Persons Act c.47, 2012 (not proclaimed)

British Columbia's Missing Persons Act (Passed by the Legislative Assembly on March 11, 2014, not proclaimed as of June 20, 2014)

Overview of the Uniform Act

[9] This Uniform Act on missing persons legislation is aimed at allowing police agencies access to information needed for missing persons investigations. This legislation allows a police agency to obtain personal information in missing persons cases where there is no reason to suspect that a crime has been committed. Under this legislation, police must apply to the courts to obtain the information and fundamental privacy rights have to be balanced through the course of the investigation. In emergency situations, when the police believe a missing person may be at risk of harm or death, police can issue a demand for a specified list of records that are urgently needed to locate a missing person. Information collected under this legislation would be confidential and could only be used in situations cited in the legislation.

Significant issues considered by the Working Group

[10] Protection of Privacy.

- a. This Act involves accessing records that often contain personal information. The Act is a balance of the privacy of personal information with the need to access

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that information to enable investigations to move ahead with the goal of locating a missing person.

- b. Jurisdictions with missing persons legislation consulted with their Privacy Commissioner, or equivalent, in the preparation of their legislation. While the principles behind freedom of information and protection of privacy legislation are similar across Canada each jurisdiction has unique legislation.
- c. The Working Group recommends that each enacting jurisdiction consult with their own privacy commissioner to ensure that their privacy legislation is properly referenced and accommodated in the Act.

[11] Inter-jurisdictional recognition of record access orders.

- a. Most of the records which would assist police in finding a missing person will be located in the jurisdiction in which the police are located (for example, personal health information, video surveillance records, employment information). There is the possibility of some records being located outside that jurisdiction (for example cell phone records or information from a bank which is located in a corporate database, or a business transaction conducted in a different province). An order in one Canadian jurisdiction requiring the production of records relating to a missing person would not normally be enforceable in another Canadian jurisdiction. To have access to the records in that other jurisdiction a separate record access order, based on legislation in that jurisdiction, would need to be obtained in that second jurisdiction.
- b. The Working Group heard from police that in many instances they have received good cooperation from record holders (for example cell phone records which must be requested from a corporate office) and they would not want to jeopardize that cooperation by creating an additional process. Some police in jurisdictions currently with missing persons legislation report that they have not encountered significant problems as a result of the record access orders applying only within their jurisdictions. However, they also noted that they might encounter difficulties in the future and would prefer to have some way to apply orders across jurisdictional boundaries.
- c. The Working Group discussed at length possible ways of addressing the inter-jurisdictional enforcement of record access order. One option would be to take the approach adopted by the ULCC for civil protection orders in the Uniform

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Enforcement of Canadian Judgements and Decrees Act. Under that Act there is a civil protection order granted in the originating province which is deemed to be an order of a court in the destination province. This is the full faith and credit approach to the recognition of judgements or orders from another jurisdiction.

- d. However, a record access order may have more similarities with search warrants issued in another jurisdiction than with civil protection orders from another jurisdiction. Both record access orders and search warrants involve peace officers applying to lower level judicial authorities for authorization to access information. In 2012 Nova Scotia passed amendments to their *Summary Proceedings Act* recognizing a search warrant under provincial legislation originating from a jurisdiction designated by Regulations. This is the reciprocal approach to recognizing orders from another jurisdiction and is the second option that the Working Group considered. Other than Nova Scotia, no provincial or territorial jurisdictions have legislation in place to recognize search warrants based on provincial legislation that originate from another Canadian jurisdiction. A Working Group has been formed by both the Civil and Criminal Law Sections of the ULCC to make recommendations on the enforcement of Extra-Provincial Search Warrants.
- e. Whichever approach is taken the difficult issues will be 1) defining clearly the record access orders from another jurisdiction that will be recognized and 2) determining which official actually executes a record access order in a destination jurisdiction. Whatever approach is taken to record access orders might also be taken to search orders under missing persons legislation.
- f. The Missing Persons Working Group decided not to make a recommendation on the inter-jurisdictional recognition of record access orders. It was felt that it would be premature to make a recommendation at this time while there is a Working Group on the Enforcement of Extra-Provincial Search Warrants that will be addressing this issue in relation to search warrants. As well it was felt that more experience with the application of the current missing persons legislation would better inform future consideration of the issue. The Working Group suggests that those working on the Enforcement of Extra-provincial Search Warrants project keep in mind the possible application of the principle adopted in that project to recognize access orders under missing persons legislation.

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[12] A unique category of missing persons - “persons at risk”.

- a. The working group considered the possibility of creating a category of missing person called “persons at risk”. Persons at risk would not be minors nor would they fall into the definition of vulnerable persons.
- b. Persons at risk would be persons whose ability to act independently is restricted or compromised to a significant extent and they may also become dependent on other individuals. This may be caused by drug or alcohol abuse, or a diagnosed or undiagnosed medical or psychological condition. A person at risk may also be dependent or influenced by a third party who might include, for example, a drug dealer or a pimp.
- c. When a person at risk becomes a missing person it may be helpful for the police to be able to obtain a records access order that includes the records of the person who exercises some control over that missing person or the records of a third party who is believed to be with the missing person or who may have been with the missing person. The access to records for the third party would work much as the access to records for a third party with a minor or vulnerable person. The Act could also provide for an entry order to locate persons at risk much as there can be an entry order to locate a minor or vulnerable person.
- d. After considerable discussion the Working Group concluded that there may be jurisdictions that would need such a provision but declined to include it in the Uniform Act.

The Manitoba Missing Persons Act

[13] There are substantial similarities between the missing persons legislation enacted by the legislatures of Alberta, Nova Scotia, Manitoba and British Columbia. Very early on in its deliberations the Working Group decided to use the Manitoba legislation as the template for its review of missing persons legislation. As a result the recommended Uniform Act is substantially similar to the Manitoba Act but also has similarities with the Alberta, Nova Scotia and British Columbia Acts.

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Recommendation:

[14] The Working Group recommends the adoption of the Uniform Missing Persons Act.

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Comment:

The Manitoba Missing Persons Act was used as a template for this Uniform Act. Some of the provisions in the Uniform Act contain references to Manitoba legislation or agencies. An adopting jurisdiction will need to adjust this Uniform Act inserting references appropriate to their jurisdiction. For example, definitions will vary depending on the needs of an adopting jurisdiction and their applicable provincial or territorial legislation.

Definitions

1 In this Act,

"commanding officer" means

(a) the chief of a municipal police service,

(b) the commanding officer of *[insert applicable provincial or territorial police service in enacting jurisdiction]*, or

(c) the senior official in an agency or organization that is prescribed as a police service;

"designated judicial official" means *[insert title of judicial official the enacting jurisdiction has designated to hear matters under this Act]*;

"minister" means the minister appointed by the Lieutenant Governor in Council to administer this Act;

"missing person" means

(a) a person whose whereabouts are unknown and who has not been in contact with those persons who would likely or normally be in contact with the person, or

(b) a person

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(i) whose whereabouts are unknown despite reasonable efforts to locate the person, and

(ii) whose safety and welfare are feared for given the person's age, physical or mental capabilities or the circumstances surrounding the person's absence;

Comment:

Consideration was given to whether the impact of a presumption of death on missing persons investigations and the ability to request information if a person is presumed dead. It was concluded that presumption of death need not be an impediment to pursuing a missing persons investigation and therefore there was no need to specifically address this in the Uniform Act. Both concepts can operate simultaneously. A person presumed dead for the purpose of certain legislation could still be the subject of a missing persons investigation.

The wording of this section differed slightly between AB, MB and NS. The Working Group chose to maintain the phrase “whereabouts are unknown”, consistent with MB and NS Acts, in order to clarify that the person is indeed missing, and not simply (intentionally or not) out of contact with those in their network with whom they would typically have contact.

"person", except when used to refer to a missing person, includes a partnership, unincorporated association and public body;

"personal health information" means personal health information as defined in *[insert title of applicable Act in enacting jurisdiction that defines personal health information, if applicable]*.

"police service" means

(a) a municipal police service,

(b) *[insert applicable provincial or territorial police service in enacting jurisdiction]*, or

(c) a prescribed agency or organization;

"prescribed" means prescribed by regulation;

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"public body" means *[insert applicable definition of public body or equivalent from applicable Act in enacting jurisdiction respecting protection of privacy, if applicable]*;

"record access order" means an order made under section 4;

"search order" means an order made under section 3;

"vulnerable person" means a person who is *[insert description of all applicable situations in enacting jurisdiction where a substitute decision maker is appointed for an adult, such as an order appointing a committee, guardian, substitute decision maker or other equivalent person]*.

Comment:

The intent of the definition of "vulnerable person" is to capture within the definition those persons with limited mental capacity who are recognized in other legislation within the jurisdiction as needing the assistance of others in decision making. Each jurisdiction adopting this legislation will need to adjust this definition to include these individuals.

When application may be made

2(1) A member of a police service may apply for a search order or a record access order if the police service is conducting an investigation into a missing person.

2(2) An application for a search order or a record access order may be made to a designated judicial official, without notice, in the prescribed manner.

Comment:

This section may need to be adjusted for jurisdictions without justice of the peace programs

Search order

3 A designated judicial official who is satisfied by information on oath that there are reasonable grounds to believe that a missing person who is a minor or a vulnerable person may be in a dwelling or other premises may make an order authorizing members of a police service to enter, by force if necessary, the dwelling or other premises and search for the missing person.

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Comment:

The application for a Search Order under s.3 is appropriately satisfied by information on oath. In addition it is noted that the regulations accompanying the Act should specify that the application is to proceed ex parte.

Record access order

4(1) A member of a police service may apply for an order requiring a person to give members of the police service access to, and if requested, copies of, the records set out in subsection (2) in respect of a missing person that

- (a) may assist the police service in locating the missing person; and
- (b) are in the possession or under the control of the person.

Comment:

The intent is that applications would be ex parte. An application under section 4 would proceed by way of the form and process that would be set out in the accompanying regulations. For process expediency and clarity, the regulation should specify that the application is to proceed ex parte.

4(2) Access to the following records may be required in an order made under this section:

- (a) records containing contact or identification information;
- (b) telephone and other electronic communication records, including, without limitation,
 - (i) records related to signals from a wireless device that may indicate the location of the wireless device,
 - (ii) cell phone records,
 - (iii) inbound and outbound text messaging records, and
 - (iv) Internet browsing history records;
- (c) global positioning system tracking records;

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- (d) video records, including closed circuit television footage;
- (e) records containing employment information;
- (f) records containing personal health information;
- (g) records from a school, university or other educational institution containing attendance information;
- (h) records containing travel and accommodation information;
- (i) records containing financial information;
- (j) any other records specified in the order that the designated judicial official considers appropriate.

4(3) The designated judicial official may make an order under this section if he or she is satisfied that the order may assist the police service in its attempts to locate the missing person.

Comment:

The Working Group discussed what constitutes “reasonable grounds” and “may assist” for the purpose of obtaining an access order, and whether this is a sufficient threshold.

Discussion included the potential for courts to interpret a different standard into the Act, versus the urgent need for the information in the circumstances and the fact that investigations would be very preliminary at this stage.

The important factor is the purpose of the act – which is focused on locating a missing person, and is not focused on a criminal investigation.

4(4) If the missing person is a minor or a vulnerable person and there are reasonable grounds to believe that the missing person may be in the company of another person, the designated judicial official may order that members of the police service be given access to, and if requested, copies of, the records set out in subsection (2) in respect of the person who may be accompanying the missing person.

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4(5) The designated judicial official may impose any restrictions or limits on the records to be produced in an order under this section that he or she considers appropriate.

4(6) The designated judicial official may include a provision in an order under this section requiring a person to provide members of the police service with an accounting of the efforts made by the person to locate any records that cannot be found.

Emergency demand for records

5(1) If a member of a police service has reasonable grounds to believe that

(a) a missing person is at risk of imminent serious bodily harm or death;

(b) immediate access to the records set out in subsection (2) may assist the police service in locating the missing person before he or she suffers any harm; and

(c) it is not practicable to obtain a record access order, given the urgency of the circumstances;

he or she may serve a written demand on a person requiring that person to give members of the police service access to those records that are in the person's possession or under the person's control.

5(2) The following records in respect of a missing person may be specified in a demand under subsection (1):

(a) records containing contact or identification information;

(b) the following telephone and electronic communication records:

(i) records related to signals from a wireless device that may indicate the location of the wireless device,

(ii) cell phone records,

(iii) inbound and outbound text messaging records,

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- (iv) Internet browsing history records;
- (c) global positioning system tracking records;
- (d) video records, including closed circuit television footage;
- (e) records containing employment information to the extent that the records might indicate when the missing person was last seen or heard from and when, where and how the missing person is paid;
- (f) records containing personal health information to the extent that the records might indicate if the missing person has recently been admitted to a hospital and, if the records do so indicate, which hospital and the date and time of, and the reason for, admission;
- (g) records from a school, university or other educational institution containing attendance information;
- (h) records containing travel and accommodation information;
- (i) records containing financial information to the extent that the records might indicate
 - (i) if one or more of the missing person's credit cards were recently used and, if the records do so indicate, when, from where and for what purpose the credit cards were used, or
 - (ii) if one or more of the missing person's bank accounts were recently accessed and, if the records do so indicate, when, from where and for what purpose the bank accounts were accessed;
- (j) any other prescribed records.

Comment:

The reference in (j) to any other prescribed records ensures others can be added by way of regulation.

5(3) A demand for records must be in a prescribed form.

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5(4) A person who is served with a demand for records must locate all the records specified in the demand that are in his or her possession or under his or her control and give members of the police service access to, and if requested, copies of those records as soon as possible, having regard to the urgent circumstances of the demand.

5(5) When a member of a police service serves a demand for records on a person, he or she must file a written report with his or her commanding officer that sets out the circumstances in which the demand was made.

Comment:

These reporting provisions in this section are focused on the ability of the police, in certain urgent circumstances, to require the production of records by simply making a demand. As the emergency demand is a non-court order search and the police have significant discretion to obtain personal information, this disclosure may be important for transparency purposes. Some jurisdictions have chosen to not include this subsection. An alternative might be to involve the Privacy Commissioner in subsequent reviews of these disclosures.

Consequence of failing to comply with demand

6(1) If a person who is served with a demand for records under section 5 does not comply with the demand, a member of the police service may apply to a designated judicial official for an order directing the person to comply with the demand.

6(2) The designated judicial official may make an order requiring the person to comply with a demand for records if he or she is satisfied that

(a) the records in question are in the possession or under the control of the person; and

(b) the making of the order may assist the police service in locating the missing person.

Comment:

The purpose of obtaining this order is to put the record holder in the position of being found in contempt of court if there is subsequently a failure to comply. To be effective the order must be given by a court whose orders can be enforced by contempt proceedings. An enacting jurisdiction should make sure that these orders would be given by such a court.

6(3) An order under this section may be subject to any terms or conditions that the designated judicial official considers appropriate in the circumstances.

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Restriction on use

7(1) Despite *[insert applicable provisions from legislation in enacting jurisdiction that impose restrictions on use of personal information by public bodies]*, a police service may use information and records obtained under this Act only for

- (a) the purpose of locating a missing person or a use consistent with that purpose; or
- (b) a purpose for which the information may be disclosed under section 8.

Comment:

An enacting jurisdiction will need to identify the appropriate legislation from their jurisdiction to be referred to in this section.

7(2) If the investigation into a missing person becomes a criminal investigation, this section does not prevent information and records obtained by a police service under this Act from being used in the criminal investigation.

Disclosure of information and records limited

8(1) Any information or records obtained by a police service under this Act are confidential and may not be disclosed except in accordance with this section.

8(2) Despite *[insert applicable provisions from legislation in enacting jurisdiction that impose restrictions on disclosure of personal information by public bodies]*, information or records obtained by a police service under this Act may be disclosed only

- (a) for the purpose of locating a missing person or a use consistent with that purpose;
- (b) when required by law;
- (c) to another law enforcement agency in Canada or a law enforcement agency in another country under an arrangement, written agreement, treaty or legislative authority, but only to the extent necessary to further the investigation into the missing person;
- (d) if the person the information or records are about has consented to the disclosure; or
- (e) in accordance with subsections (3) to (6).

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Comment:

The purpose of this section is to indicate that despite any disclosures permitted according to the provincial privacy information legislation, the information is ONLY allowed for the permitted uses described. The intention is to safeguard the information obtained and ensure it is used only for the purposes authorized by the Act.

An enacting jurisdiction will need to identify the appropriate legislation from their jurisdiction to be referred to in this section.

Particularly if a jurisdiction recognizes “mature minors” a jurisdiction may wish to specifically address the issue of sharing information with the parents of minors or the guardian of vulnerable persons. Consideration could be given to including a specific provision for police to share information in the case of minors or vulnerable persons for the purposes of protecting their safety. The right of parents and guardians to information in a jurisdiction as well as the current practices of police and the parameters of provincial privacy legislation should be taken into account.

This uniform Act does have an impact on privacy principles and each jurisdiction considering adopting this Uniform Act should consult with the privacy commissioner in their jurisdiction.

8(3) For the purposes of furthering its investigation into a missing person, a police service may release the following information obtained under this Act in respect of the missing person to the public through a media release, by posting the information on a website or in any other manner the police service considers appropriate:

- (a) the missing person's name;
- (b) a physical description of the missing person;
- (c) a photograph of the missing person;
- (d) information about any medical conditions of the missing person that pose a serious or immediate threat to his or her health;
- (e) pertinent vehicle information;
- (f) the location where the missing person was last seen;
- (g) the circumstances surrounding the disappearance of the missing person.

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8(4) A police service may publicly announce that a missing person has been located.

8(5) A police service may disclose information and records obtained under this Act to other police services, law enforcement agencies and government departments or agencies, to the extent necessary to coordinate investigations and other activities respecting missing persons.

8(6) If an investigation into a missing person becomes a criminal investigation, this section does not prevent the disclosure of information and records obtained under this Act for the purposes of the criminal investigation.

No access to privileged information

9 Nothing in this Act compels the disclosure of any information or records that are subject to any type of legal privilege.

No limit on powers of ombudsman or adjudicator

10 Nothing in this Act is to be construed as limiting the powers and duties of *[insert title of official in enacting jurisdiction responsible for investigating concerns regarding the disclosure of personal information, if applicable]*.

Comment

An enacting jurisdiction will need to identify the appropriate legislation from their jurisdiction to be referred to in this section.

Other rights unaffected

11 This Act does not restrict any authority that a police service would otherwise have to collect any information or records.

Offence

12 A person who wilfully contravenes section 7 or 8 is guilty of an offence and is liable on summary conviction to a fine of not more than \$10,000.

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Comment:

The Working Group determined that it would be appropriate to have the level of the fine in this section similar to fine levels that are found in an enacting jurisdiction's provincial privacy legislation.

Protection from liability

13 No action or proceeding may be brought against a member of a police service or any other person in respect of anything done or omitted to be done in good faith under this Act.

Annual report re emergency demands

14(1) A police service must prepare an annual report respecting its use of demands for records under section 5.

14(2) The report must

(a) indicate the number of missing person investigations in which a demand for records under section 5 was made in the year and the total number of persons who were served with a demand in that year; and

(b) contain prescribed information respecting each demand.

Comment:

This section focuses on the ability of the police, in certain urgent circumstances, to require the production of records by simply making a demand. As the emergency demand is a non-court order search and the police have significant discretion to obtain personal information, this disclosure to the commanding officer and the disclosure set out in section 14 may be important for transparency purposes. For this reason the Working Group included these provisions. Some jurisdictions have chosen to not include this sub-section. An alternative might be to involve the Privacy Commissioner in subsequent reviews of these disclosures.

14(3) The police service must

(a) provide the annual report to a government official designated by the minister; and

(b) make the annual report available to the public in a prescribed manner.

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Comment:

These reporting provisions should be focused on the ability of the police, in certain urgent circumstances, to require the production of records by simply making a demand. As the emergency demand is a non-court order search and the police have significant discretion to obtain personal information, this disclosure may be important for transparency purposes. For this reason the Working Group included these provisions. Some jurisdictions have chosen to not include this sub- section. An alternative might be to involve the Privacy Commissioner in subsequent reviews of these disclosures.

Crown bound

15 This Act binds the Crown.

Comment:

The intent is that this legislation would be binding on the Crown. How that is accomplished may vary between jurisdictions.

Regulations

16 The Lieutenant Governor in Council may make regulations

- (a) respecting applications for search orders and record access orders;
- (b) respecting applications for orders under section 6;
- (c) respecting the service of orders under this Act and of demands for records under section 5;
- (d) respecting reports under subsection 5(5);
- (e) respecting the collection, use and retention of information and records obtained under this Act;
- (f) respecting the type of records to be kept and maintained under this Act;
- (g) defining terms used but not defined in this Act;

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(h) prescribing anything referred to in this Act as being prescribed;

(i) respecting any matter that the Lieutenant Governor in Council considers necessary or advisable to carry out the purposes of this Act.

Review of Act

17 A special committee of the Legislative Assembly must begin a comprehensive review of this Act within 5 years of the coming into force of this Act and must submit to the Legislative Assembly, within one year after beginning the review, a report that includes any amendments recommended by the committee.

Comment:

This section is optional depending on the policies of an enacting jurisdiction in mandating the review of some key legislation.