

CANADA / JUDGMENT

Privacy Act (Can.) (Re)

2001 SCC 89

COURT

Supreme Court of Canada

DECIDED

7 December 2001

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Privacy Act (Can.) (Re) Collection Supreme Court Judgments Date 2001-12-07 Neutral citation 2001 SCC 89 Report

[2001] 3 SCR 905 Case number 27846 Judges McLachlin, Beverley; L'Heureux-Dubé, Claire; Gonthier, Charles Doherty; Iacobucci, Frank; Major, John C.; Bastarache, Michel; Binnie, William Ian Corneil; Arbour, Louise; LeBel, Louis On appeal from Federal Court of Appeal Subjects Access to information Customs and excise Labour law Notes SCC Case Information: 27846 Decision Content Privacy Act (Can.) (Re.), [2001] 3 S.C.R. 905, 2001 SCC 89 The Privacy Commissioner of Canada Appellant v. The Attorney General of Canada Respondent Indexed as: Privacy Act (Can.) (Re) Neutral citation: 2001 SCC 89. File No.: 27846. 2001: November 7; 2001: December 7. Present: McLachlin C.J. and L'Heureux-Dubé, Gonthier, Iacobucci, Major, Bastarache, Binnie, Arbour and LeBel JJ. on appeal from the federal court of appeal Privacy -- Disclosure of personal information -- Revenue Canada (Customs) disclosing information to Canada Employment Insurance Commission pursuant to memorandum of understanding for data capture and release of customs information on travellers -- Program aimed at identifying those receiving employment insurance benefits while out of Canada -- Disclosure of information authorized by Privacy Act and Customs Act -- Privacy Act, R.S.C. 1985, c. P-21, s. 8 -- Customs Act, R.S.C. 1985, c. 1 (2nd Supp.), s. 108(1) . Customs and Excise -- Disclosure of information -- Revenue Canada (Customs) disclosing information to Canada Employment Insurance Commission pursuant to memorandum of understanding for data capture and release of customs information on travellers -- Program aimed at identifying those receiving employment insurance benefits while out of Canada -- Disclosure of information authorized by Privacy Act and Customs Act -- Privacy Act, R.S.C. 1985, c. P-21, s. 8 -- Customs Act, R.S.C. 1985, c. 1 (2nd Supp.), s. 108(1) . Employment insurance -- Disentitlement -- Persons outside Canada -- Revenue Canada (Customs) disclosing information to Canada Employment Insurance Commission pursuant to memorandum of understanding for data capture and release of customs information on travellers -- Program aimed at identifying those receiving employment insurance benefits while out of Canada -- Disclosure of information authorized by Privacy Act and Customs Act -- Privacy Act, R.S.C. 1985, c. P-21, s. 8 -- Customs Act, R.S.C. 1985, c. 1 (2nd Supp.), s. 108(1) . APPEAL from a judgment of the

Federal Court of Appeal, [2000] 3 F.C. 82, 251 N.R. 379 (sub nom. Privacy Commissioner v. Canada (Attorney General)), [2000] F.C.J. No. 179 (QL), setting aside an opinion of a motions judge, [1999] 2 F.C. 543, 162 F.T.R. 245, [1999] F.C.J. No. 89 (QL). Appeal dismissed. Brian A. Crane, Q.C., and Ritu Gambhir, for the appellant. Brian J. Saunders and Anne M. Turley, for the respondent. The following is the judgment delivered by 1 The Court -- We are all of the view that the appeal should be dismissed substantially for the reasons of Décary J.A. for the Federal Court of Appeal, [2000] 3 F.C. 82. Appeal dismissed. Solicitors for the appellant: Gowling Lafleur Henderson, Ottawa. Solicitor for the respondent: The Attorney General of Canada, Ottawa.

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