

**BY EMAIL:** FINA@parl.gc.ca

June 19, 2012

Mr. James Rajotte, M.P.  
Chair, House of Commons Standing Committee on Finance  
c/o Guyanne Desforges, Committee Clerk  
Sixth Floor, 131 Queen Street  
House of Commons  
Ottawa, ON K1A 0A6

Dear Chair:

**Re: Bill C-377, An Act to amend the Income Tax Act (requirements for labour organizations)**

We are writing to voice our concern regarding the above-mentioned Bill C-377 which is scheduled to be reviewed by the Standing Committee on Finance.

As the national, voluntary self-regulatory industry association that governs the marketing, survey and public opinion research and market intelligence industry in Canada, we wish to convey our significant concern about the consequences that such legislation, if adopted, might have on the business operations of our members.

MRIA is a Canadian not-for-profit Association that represents all sectors of the survey research industry. Our members include over 1,800 individual research practitioners and close to 400 Corporate members, comprised of small to large research agencies, and many buyers of research services, such as financial institutions, major retailers, insurance companies, telecommunications firms, and manufacturers.

As we understand it, Bill C-377 would require the public release of proprietary and confidential information by those MRIA members that supply marketing and survey research services to labour organizations; specifically, the “purpose and description of the transaction and the specific amount that has been paid...” We believe that such a requirement to release commercially sensitive information would have negative consequences for many private sector organizations including MRIA members -- such as, for example, the disclosure of costs to competitors.

As part of your committee’s review, we strongly recommend that you consider amending Bill C-377 to include a provision similar to that found in the *Access to Information Act*, whereby disclosure of certain records can be exempted if it can reasonably be expected to prejudice the competitive position of a third party. The specific provision of the *Access to Information Act* reads as follows (emphasis added):

.../2

**Third party information**

**20.** (1) Subject to this section, the head of a government institution shall refuse to disclose any record requested under this Act that contains

(a) trade secrets of a third party;

(b) financial, commercial, scientific or technical information that is confidential information supplied to a government institution by a third party and is treated consistently in a confidential manner by the third party;

(b.1) information that is supplied in confidence to a government institution by a third party for the preparation, maintenance, testing or implementation by the government institution of emergency management plans within the meaning of section 2 of the *Emergency Management Act* and that concerns the vulnerability of the third party's buildings or other structures, its networks or systems, including its computer or communications networks or systems, or the methods used to protect any of those buildings, structures, networks or systems;

(c) information the disclosure of which could reasonably be expected to result in material financial loss or gain to, or could reasonably be expected to prejudice the competitive position of, a third party; or

(d) information the disclosure of which could reasonably be expected to interfere with contractual or other negotiations of a third party.

MRIA trusts that you and members of the Finance Committee will give due consideration to this request and recommendation, and we would be pleased to discuss our concern with you in greater detail. Please don't hesitate to contact me at (888) 602-6742, ext. 8724 or by email at [bwycks@mria-arim.ca](mailto:bwycks@mria-arim.ca).

Sincerely,



Brendan Wycks, BA, MBA, CAE  
Executive Director

c.c.: Mr. Russ Hiebert, MP, Sponsor  
The Honourable Jim Flaherty, Minister of Finance  
The Honourable Gail Shea, Minister of National Revenue