



Where *Canadian Auto Insurance Rate Regulators* Converge!

CONFIDENTIALITY POLICY CANADIAN AUTOMOBILE INSURANCE RATE REGULATORS ASSOCIATION

POLICY:

1. All Member organizations (Member or Members) shall maintain the confidentiality and security of all records relating to the business of the **CANADIAN AUTOMOBILE INSURANCE RATE REGULATORS ASSOCIATION (CARR)** at all times.
2. Documentation that is expressly prepared to inform industry and members of the public on various issues may be released upon the authorization of the Chair of the CARR.
3. While any other information may be shared within the Member organization, in whatever form, such information shall be kept confidential unless the Member from whom the information originates provides its written consent to the disclosure of that information.

BACKGROUND:

The Canadian Automobile Insurance Rate Regulators (CARR) is an inter-jurisdictional association of provincial automobile insurance rate regulators. Its mission is to provide a forum where Members can share best practices, identify key issues and learn through educational opportunities so that they are better informed and able to fulfil their jurisdictional mandates.

In order to conduct the work of this intergovernmental forum, it is necessary for Members to freely exchange ideas and information. Accordingly, and in order to achieve its goals, the exchange of information between Members of the CARR must, of necessity be held in the strictest confidence. Without the protection of the confidentiality of this exchange, Members are often unable to share information needed to deal with issues that may affect more than one jurisdiction.

JURISDICTIONAL CONSIDERATIONS:

CARR recognizes that provincial freedom of information legislation in each province is applicable to all records as defined in the applicable legislation.

While there are variations in the provincial legislation, all provinces allow the head of an institution to refuse to disclose information if it is received in confidence from another government. In some cases, the refusal to disclose information is discretionary rather than mandatory.


It is also recognized that in all jurisdictions, discretion to release or withhold documents must be exercised on a case-by-case basis, subject to relevant legislation, and after consultation.

PROCEDURES:

1. In the event a Member becomes aware that information passed between Members may be subject to a demand to disclose, it will convey the request to the Member providing or originating the information and the Chair of CARR.
2. The Member providing or originating the information may consent to its release or may require the information be maintained as confidential.
3. Where the Member providing or originating the information does not consent to its release the Chair of CARR will decline the request for the information.
4. Where the Member providing or originating the information consents to its release the Chair of CARR will assess the request and decide on the appropriate course of action (release or otherwise). In certain cases, at his/ her discretion, the Chair may call a special meeting of the Officers to confirm the appropriate action.
5. The Chair will report the incident at the next Executive Committee meeting for ratification.

EFFECTIVE DATE:

September 30/2009



Del Dyck
Secretary
Canadian Automobile Insurance Rate Regulators Association