

*Social Insurance Numbers*

**Hon. Bud Cullen (Minister of Employment and Immigration):** Mr. Speaker—

**Mr. Knowles (Winnipeg North Centre):** Tell us about your SIN!

**Mr. Cullen:** As a United Church minister the hon. member for Winnipeg North Centre (Mr. Knowles) must be all shook up to be hearing about SIN on a Friday!

I welcome this debate, but I have one regret. Time does not permit us to explore this matter in depth. The concern raised by hon. members opposite is a concern we all feel. I am sorry that both yesterday and today there were questions of privilege and that we have not had more time. I believe the right hon. member for Prince Albert (Mr. Diefenbaker) would have made some telling points. I may not have agreed with him, but I always enjoy listening to what he has to say.

At first blush any mention of invasion of privacy raises grave issues for most Canadians. The problem is that the very term "invasion of privacy" is somewhat like waving the proverbial red flag in front of a bull. All of a sudden the issue becomes a *cause célèbre*. Many are concerned about the issue, but many may not see it or completely understand it in the context in which it is occurring.

I do not intend to go on for very long today. I know that the hon. member for New Westminster (Mr. Leggatt) wishes to speak. I expect to be 15 to 20 minutes at the most.

I propose that we rationally examine the protection for Canadians already existing in legislation. There are definite limits to the information which can be passed on by the government about an individual. Unless the individual authorizes it, one's social insurance number and the contents of his social insurance file cannot be disclosed to a third party. The only exceptions, in most cases, are those who administer the Canada Pension Plan, the Quebec Pension Plan and the Income Tax Act. The government's policy is, in fact, very restrictive about the disclosure of information contained in the social insurance number registry.

It is important to realize what kind of information the central index, which is, after all, the social insurance registry, can actually collect. Sections 125 and 126 of the Unemployment Insurance Act legally restrict this. The central index can request only the type of information that is necessary to identify an individual accurately. Strictly personal information such as a person's race, religion, political affiliations, community activities, financial status, extended family affiliations and employment record cannot be solicited.

As I am sure the House is aware, section 52(2) of the Canadian Human Rights Act of 1977 provides, and I quote:

Every individual is entitled to be consulted and must consent before personal information concerning that individual that was provided by that individual to a government institution for a particular purpose is used or made available for use for any non-derivative use for an administrative purpose unless that information for that non-derivative use is authorized or pursuant to law.

**Mr. Baldwin:** The minister decides what a non-derivative use is.

[Mr. Hnatyshyn.]

**Mr. Cullen:** We introduced that legislation. It was the first legislation introduced on the subject. I think it warrants some checking out. It warrants looking into the administrative value of all the information that could be made available. I think this is being done on an ongoing basis, and I think we have a good piece of legislation. In all probability improvements could be made, and I am sure that in the future they will be.

The government is bound by the prohibition in the act to which I referred. There can be no linkage without the consent of the individual. The sole exception to this arises when linkage is expressly permitted by law. For example, the exchange of data in the social insurance number registers is permitted between the Department of National Health and Welfare, the Canada Employment and Immigration Commission and the Department of National Revenue, Taxation. As has been stated, these linkages are necessary to the smooth functioning of the government's administration. This is dealt with in the legislation which was passed by parliament.

The issue of the use of the social insurance number to link bases outside the federal government has also been raised. As we all know, the individual has the right to decide whether or not to give his or her social insurance number to, for example, department stores and other places of business. It is true that a person's unwillingness to give this information may lead to a refusal on the part of the business concerned to do business with him or her.

An individual's right to disclose his or her own social insurance number is what permits the creation of data banks which use the social insurance number in the private sector. Modern computer technology allows for this linkage. It should be pointed out that this kind of linkage, given the heights to which modern computer technology has risen, would be possible using an individual's name, even if the social insurance number did not exist. I will concede that the SIN makes it easier. But if we did not have SIN, the computer could now make the linkage anyhow. We do not use the technology in the federal government which could link people by their names.

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For the government to attempt to regulate the private sector on the use of SIN in their storage files would be a difficult operation. Every employer who has a computerized payroll system finds it a legal necessity to keep employees' SINS as part of this record. This is necessary for income tax purposes. It is easy to see how the use of SIN would grow for other record keeping purposes—for example, in logging in an inventory of tools or office supplies charged out to an employee. An attempt by the government to introduce controls in the private sector—controls which would certainly be viewed as intrusive—would have to be made only after very careful study as to their restrictiveness and, indeed, the probability of their effectiveness. Just imagine, if you will, Mr. Speaker, the spectre of an army of investigators probing into every computerized payroll system in the private sector to be sure employers are not using their computers for anything but government approved purposes.