

REGULATIONS ON THE DISSEMINATION OF INFORMATION BY THE CONSEIL DES APPELLATIONS RÉSERVÉES ET DES TERMES VALORISANTS

1. Preamble

In its capacity as a manager of public funds from the Minister as well as private funds from industry, the Conseil des appellations réservées et des termes valorisants ("the Board") is not only accountable to industry but also to the general public.

To this end, the Board is introducing these regulations on the dissemination of information, in which it defines how it handles and disseminates information concerning the organization and its activities.

By developing and implementing these regulations, the Board is aiming to strike a balance between its desire for transparency and its obligation to protect the interests of certification bodies and businesses that market products with reserved designations, while complying with legislation, contractual commitments, and the rights of third parties.

The Board adheres to certain principles to achieve this balance, which determines the terms of its regulations. Specifically, it endeavours to:

- Support the achievement of its mission in accordance with the *Act Respecting Reserved Designations* (the "Act respecting designations") and act in the best interests of its clients;
- Comply with the legislation that applies to the Board;
- Honour its confidentiality commitments;
- Respond to requests for access to documents that concern it, in accordance with the *Act Respecting Access to Documents Held by Public Bodies and the Protection of Personal Information* ("access legislation");
- As necessary, disseminate information that concerns the Board, in the spirit of transparency, on any matter of public interest.

In order to provide a suitable framework for disseminating information, these regulations outline the Board's obligations and practices regarding the dissemination of information, the forms of dissemination, and the process for controlling the information to be disseminated.

2. Purpose and Scope

These regulations apply to the Board's employees and members and are intended to serve as a guide to the disclosure of information. They cover the

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entire range of information that the Board disseminates, by whatever means, for the media, clients and the public.

3. Board's obligations and practices concerning the contents of the information disseminated

3.1 The Board's obligations regarding the dissemination of information

The Board shall disseminate information in order to comply with certain legislation that applies to it, in particular, the *Act Respecting Designations and Added-Value Claims* and *Access Legislation*.

3.1.1 Act respecting designation

The *Act Respecting Designations* stipulates that the Board shall publish the list of certification bodies that it has accredited or recognized, according to the scope for which they are accredited.

3.1.2 Access Legislation

Access Legislation allows any individual to gain access to documents held by a public agency under Québec jurisdiction in the exercise of the individual's principal and ancillary functions. Exceptions and restrictions apply to the disclosure of certain types of information. The Board is a government agency and is required to respond to requests for access from the media and the public within the deadlines stipulated in *Access Legislation*.

3.2 Information dissemination practices

The Board shall disseminate information whenever it is required to do so. Upon request and subject to the following provisions concerning the means of and processes pertaining to the dissemination of information, the Board shall disseminate all of the information it possesses except for documents containing confidential information. The following types of information are deemed to be confidential under these regulations:

- a) information the dissemination of which may or must, as the case may be, be denied in accordance with access legislation, i.e.:
 - any information whose dissemination would reveal a transaction or a proposed transaction respecting goods or services when such dissemination would undermine the Board's economic interests;
 - any industrial, financial, commercial, scientific or technical information provided by a third party and usually handled

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confidentially by the third party and whose dissemination has not been authorized by the third party;

- any industrial, financial, commercial, scientific or technical information supplied by a third party whose dissemination risks harming the third party's competitiveness and has not been authorized by the third party;
- reports on the deliberations of a Board meeting until the expiry of a waiting period of 15 years from the date of the reports;
- any individual information whose disclosure would likely hinder an investigation underway or the reopening of an investigation;
- personal information on an individual, i.e. any information concerning a natural person that makes it possible to identify the person.

- b) information that the Board has undertaken in respect of a third party to keep confidential.

4. Dissemination of the Board's policies and positions

The Board shall regularly disseminate, in writing or otherwise, on its own initiative or upon request, information concerning the Board by means of press releases that it issues or press conferences that it holds. It shall use these means, as appropriate, to communicate official positions.

4.1 Press releases

The Board shall disseminate information through press releases when it wishes to publicize key aspects of its activities.

4.2 Press conferences

The Board shall disseminate information when it holds a press conference, mainly to make announcements or to comment on events or issues.

4.3 Official positions

To ensure that all of the information transmitted to the media is always accurate and that the appropriate background information is provided to avoid misinterpretation, all questions, requests from the media and drafts of press releases must be submitted to the general management, which is responsible for coordinating and managing the Board's press relations overall. The general management shall analyze the questions and requests submitted to it. It shall respond verbally to the questions or requests or, if need be, shall draft an official written response. This position shall be submitted to the President and CEO

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for prior approval. The same is true of the contents of press releases or press conferences.

4.4 Spokespersons

The President and CEO is the official representative of the Board and acts as its spokesperson in respect of the government, other agencies and governments, and the public. Any individual other than the President and CEO who is asked to officially represent the Board outside the organization must first obtain the specific authorization from the President and CEO, or at a Board meeting, if the President and CEO is unavailable.

5. Requests for information submitted to the Board

The Board shall respond to the requests for information submitted to it. It distinguishes between general information requests and specific requests, particularly requests pursuant to access legislation.

5.1 Responses to general information requests

The Board disseminates information when it responds to general information requests submitted to it by the media or the public. The information that it communicates may appear in the annual report or be available on its Website.

General information requests may be submitted to the official responsible for public and industry information:

- E-mail: info@cartvQuébec.com
- Telephone: 514-864-8999;
- Fax: 514-873-2580;
- Mail: Responsable de l'information du public et de l'industrie, 35 rue de Port Royal Est, 5^{ème} étage, Bureau 5.26, Montréal (Québec) H3L 3T1.

The Board's employees shall respond to questions and general information requests from the public and the media. Employees shall only disclose the contents of previously approved documents that are available to the public, in its respective area of activity.

5.2 Requests for access to documents pursuant to access legislation

The Board shall disseminate information when it responds to requests for access to documents submitted to it by third parties, in accordance with access legislation. All requests for access to documents must be submitted to the Secretary of the Board, who is responsible for access to documents.

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Such requests may be submitted to the Secretary, who is the official responsible for access to documents, by:

- E-mail: info@cartvQuébec.com
- Telephone: 514-864-8999;
- Fax: 514-873-2580;
- Mail: Secrétaire du Conseil et responsable de l'accès aux documents, 35 rue de Port Royal Est, 5^{ème} étage, Bureau 5.26, Montréal (Québec) H3L 3T1.

The Secretary of the Board, who is the official responsible for access to documents, shall examine the requests for access to documents submitted to him or her, shall inform the President and CEO, and shall respond in accordance with these regulations and the provisions in access legislation.

Any employee who receives a request for access to documents must promptly submit the request to the Secretary of the Board, who is the official responsible for access to documents.

5.3 Requests for the dissemination of documents and information reserved for internal use

The Board shall receive requests for the dissemination of information documents reserved for internal use, in particular, statistical reports, policy directions, policies, rules of conduct, study papers, documents and recommendations intended for various bodies, and so on.

Documents and information reserved for the Board's internal use must not be disseminated unless authorized by the President and CEO. In case of doubt concerning a request for documents or information, the employee or Board member who receives such a request must submit it to the Secretary of the Board who, after examining the request and assessing it from the standpoint of the application of access legislation, shall make a recommendation to the President and CEO. The President and CEO shall make the final decision concerning the dissemination of a document or information reserved for the Board's internal use.

6. Board's communications activities

As part of its communications activities, the Board disseminates information concerning the reserved designation management and control system that it manages, in particular, the programs that it runs in order to provide the services pursuant to the mission assigned to it under legislation.

The Board's communications activities aim to present the Québec reserved designation control system to the public and industry.

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6.1 Documents disseminated on the Board's Website

The Board disseminates documents of public interest on its Website, in particular:

- legislation and regulations concerning reserved designations;
- its internal regulations;
- internal regulations that govern the CARTV's programs and the applicable procedures and forms;
- documents concerning designation applications and their review;
- reference standards;
- its annual report;
- its business plan;
- the code of ethics and professional conduct governing its directors, employees and technical committee members;
- certain policies that are of public interest;
- its press releases;
- its public newsletters;
- other documents whose dissemination on the Website is compulsory pursuant to access legislation;
- list of accredited bodies to certify Québec products;
- list of recognized bodies to certify products from outside Québec;
- list of products certified by certification bodies and businesses that produce them;
- any other document that it deems relevant.

6.2 Communications material

The Board shall have a sufficient amount of advertising material, such as a corporate brochure, an exhibition system to participate in trade fairs or exhibitions for the general public, and so on. This material shall meet the standards covered in the graphic charter governing the CARTV's corporate identity.

6.3 Exhibitions

According to a pre-determined annual plan, the Board shall participate in specialized exhibitions intended for the public or industry.

7. Coming into force

These regulations on the dissemination of information will come into force upon its adoption by the Board. The same is true of any amendment to these regulations voted on by the Board.

END OF REGULATIONS

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