



# RCMP Public Complaints Commission

1997-98  
Estimates

Part III

Expenditure Plan

## **The Estimates Documents**

The Estimates of the Government of Canada are structured in three Parts. Beginning with an overview of total government spending in Part I, the documents become increasingly more specific. Part II outlines spending according to departments, agencies and programs and contains the proposed wording of the conditions governing spending which Parliament will be asked to approve. The Part III documents provide additional detail on each department and its programs primarily in terms of the results expected for the money spent.

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Ottawa, Canada K1A 0S9

Catalogue No. BT31-2/1998-III-84  
ISBN 0-660-60124-9



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Approved

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Solicitor General

## Preface

This document is a report to Parliament to indicate how the resources voted have been or will be spent. As such, it is an accountability document that contains several levels of details to respond to the various needs of its audience.

The Part III for 1997-98 is based on a revised format intended to make a clear separation between planning and performance information and to focus on the higher level, longer term plans and performance of departments.

The document is divided into four sections:

- The Minister's Executive Summary
- Agency Plan
- Agency Performance
- Supplementary Information

It should be noted that, in accordance with Operating Budget principles, human resource consumption reported in this document will be measured in terms of employee full-time equivalents (FTEs).

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## Section I

### Minister's Executive Summary

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The RCMP Public Complaints Commission (the Commission) is the only organization available to review the disposition of a public complaint investigation by the RCMP. In a democracy, the citizens have the right to expect officials of the government to be accountable for their actions. A federal police force is no exception. In carrying out its reviews, the Commission has to treat all interested parties, including members of the public and RCMP members, fairly and without bias.

The Commission, as a civilian oversight body, has been recognized by the RCMP as a way of helping the RCMP improve service delivery by identifying weaknesses in its programs. The Commission Chairman's recommendations have resulted in changes in RCMP policies and procedures. In an average of 75% of reviews, the Chairman of the Commission has been satisfied with the way in which the RCMP has disposed of the complaint. In remaining cases, the Chairman of the Commission makes findings and recommendations which are sent to the RCMP Commissioner and myself as the Solicitor General of Canada. Ninety percent of the time, the Commissioner of the RCMP agrees with the recommendations made by the Chairman.

Over the past three years, the number of complaints and requests for review received by the Commission has increased while the number of employees has remained the same. Nevertheless, the Commission has been trying to reduce the time it takes to conduct its reviews. The Commission has now set itself the target of producing the final reports that indicate the Chairman of the Commission was satisfied with the RCMP disposition of the complaints within 120 days.

The Commission's Declaration of Service Standards states that the Commission is committed to delivering professional and cost-effective service of the highest quality. In 1995-96 and 1996-97, the Commission had an audit done of part of its operations. During the 1997-98 fiscal year, management of the Commission will carry out the steps it agreed to in the final audit reports on complaint reviews and investigations and on the Regional Offices of the Commission.

It is clear to the Commission that a good percentage of the public is not aware of the existence of the Commission or of its mandate. In order to ensure that as many members of the public as possible are aware of their rights in respect of complaints about members of the RCMP, the Commission has developed a strategic communications plan. The plan includes a suggested mechanism to spread knowledge about the Commission to communities across Canada. The Commission has so far made a wide distribution of pamphlets in four languages namely, French, English, Inuktitut and Cree. It has also made a large distribution of its annual reports. For example, the Commission sends a copy of its annual report to each member of provincial and territorial legislatures. It also provides a copy to each mayor of those municipalities that have contracted for the RCMP to carry out their municipal policing service.

The Communication Plan has identified community newspapers as a cost effective way to inform the public about the Commission and its mandate. The Commission plans to have this process operating during the 1997-98 fiscal year.

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## Section II Agency Plan

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### A. Summary of Agency Plans and Priorities

While continuing to manage within fiscal restraints, the RCMP Public Complaints Commission will continue to provide timely and quality service to the public and members of the RCMP through the Chairman's reports on the review of the RCMP disposition of public complaints. The Commission is committed to:

- coping effectively and efficiently with the workload of the Commission;
- informing the Canadian and other publics about the existence and mandate of the Commission; and
- promoting job enrichment for employees of the Commission.

### B. Overview of the RCMP Public Complaints Commission

- Role and Responsibilities

The RCMP Public Complaints Commission (the Commission) was established by Part VI of the RCMP Act as an independent and impartial quasi-judicial body to receive complaints from members of the public and to review the RCMP disposition of those complaints.

Order in Council P.C. 1986-2904 designates the Commission as a department for the purposes of the Financial Administration Act and the Public Service Employment Act.

The role of the Commission is to receive complaints from the public concerning the conduct of members of the RCMP in the performance of their functions or duties. The Commission also provides the public with the right to have the disposition of those complaints by the RCMP reviewed.

- Program Description

The RCMP Public Complaints Commission has as its main activity the review of the RCMP disposition of public complaints. However, the Commission also receives complaints from members of the public who have complaints concerning the conduct of members of the RCMP in the performance of their functions and duties. These complaints can be made directly to the RCMP, to the provincial authority responsible for policing or to the RCMP Public Complaints Commission. All complaints must be sent to the RCMP for investigation. However, the Chairman of the Commission can decide that it is in the public interest to carry out an investigation or to institute a public hearing. This can be done regardless of whether or not the RCMP has investigated the complaint.

When the RCMP receives a complaint, the RCMP must consider whether the complaint can be disposed of informally. The Commission does not have the statutory responsibility or power to attempt to dispose of complaints and requests for reviews informally. The RCMP Commissioner can decide not to investigate a complaint. In such cases, the RCMP Commissioner must explain to the complainant that the Commission can be asked to review that decision. If it is not possible or appropriate to dispose of a complaint informally, the RCMP must investigate the complaint. When informing the complainant of the results of the RCMP disposition, the RCMP must tell the complainant that if he/she is not satisfied with the disposition of his/her complaint by the RCMP, he/she may request a review of the RCMP disposition of the complaint by the Commission.

When a written request for review is received by the Commission, a review must be carried out. The review is based on the relevant material collected by the RCMP in the course of the RCMP investigation. If there is inadequate information available, the Chairman can ask the RCMP to investigate further or have the Commission investigate further. The Chairman can also institute a public hearing to inquire into the complaint.

When the Chairman of the Commission is satisfied with the RCMP disposition of the complaint, he sends a satisfied report to the complainant, the member(s) of the RCMP involved, to the Solicitor General of Canada and to the RCMP Commissioner. If, on the other hand, the Chairman is not satisfied with the RCMP disposition of the complaint, the Chairman sends an interim report to the Solicitor General of Canada and the RCMP Commissioner. The interim report sets out the Chairman's findings and recommendations, if any, in respect of the RCMP disposition of the complaint. The RCMP Commissioner is not required to accept the recommendations of the Chairman, but when he chooses not to do so, he is required to provide his reasons to the Solicitor General of Canada and to the Chairman of the Commission. The Chairman then prepares a final report containing his original findings and recommendations, the response of the RCMP Commissioner, and his final findings and recommendations. The final report is sent to the complainant, the member(s) of the RCMP involved, the Solicitor General of Canada and the RCMP Commissioner.

The Chairman may decide that a public hearing is necessary to inquire into a complaint. Members who are appointed by order-in-council are selected by the Chairman to act as a panel, usually of three members, to carry out the public hearing. When the hearing is completed, the panel prepares an interim report with findings and recommendations, if any, that is sent to the Solicitor General of Canada and to the RCMP Commissioner. Again, the RCMP Commissioner is not required to accept the recommendations of the panel, but when he chooses not to do so, he is required to provide his reasons for not doing so to the Solicitor General of Canada and to the Chairman of the Commission. The Chairman then prepares a final report with findings and recommendations as he sees fit and sends it to the Solicitor General of Canada, the RCMP Commissioner, the complainant, the RCMP member(s) involved and to all the parties to the hearing. A flow chart showing the complaint and review process can be found in the Supplementary Information.



The Chairman must prepare an annual report of the activities of the Commission during that year and his recommendations, if any. The Solicitor General of Canada must deposit a copy of the report before both Houses of Parliament.

- Program Organization for Delivery

The Commission consists of a full-time Chairman, a Vice-Chairman, members for each contracting province and territory, and not more than three other members. All are appointed by Order of the Governor in Council for five years. The Chairman is a full-time member. The other members may be appointed as full-time or part-time members. An alternate member can be appointed to act for any member of the Commission other than the position of Chairman. The main function of members is to conduct hearings to which they have been assigned by the Chairman. The establishment and organization of the Commission is provided for in Part VI of the RCMP Act.

Each province and territory that contracts with the RCMP for policing services is represented on the Commission by a member for that jurisdiction. The provincial or territorial minister or other elected representative responsible for policing in each contracting jurisdiction must be consulted before the appointment of such a Commission member. No member of the RCMP may be appointed.

The Chairman is the chief executive officer of the Commission, and may delegate his statutory powers, duties and functions to the Vice-Chairman, except the Chairman's delegating powers and the Chairman's responsibility for the Annual Report.

The Commission's organizational structure, including the two Regional Offices, is illustrated in the Supplementary Information. One Regional Office is located in Vancouver, British Columbia and is responsible for complaints and investigations from the Yukon and British Columbia. The other is located in Edmonton, Alberta and is responsible for complaints and investigations from the Northwest Territories and the Prairie provinces. Each Regional Office is staffed by a Regional Director, investigators and support personnel. The Head Office of the Commission, located in Ottawa, is responsible for complaints from Ontario, Quebec and the Atlantic provinces as well as all reviews carried out by the Commission.

- Resource Plan and Financial Tables

Authorities for 1997-98 - Part II of the Estimates

Financial Requirements by Authority

Vote (thousands of dollars)		1997-98 Main Estimates	1996-97 Main Estimates
Royal Canadian Mounted Police Public Complaints Commission			
50	Program expenditures	3,245	3,275
(S)	Contributions to employee benefit plans	300	256
<hr/> Total Agency		3,545	3,531

Votes - Wording and Amounts

Vote (dollars)		1997-98 Main Estimates
Royal Canadian Mounted Police Public Complaints Commission		
50	Program Expenditures	3,245,000

Net Cost of the Program by Business Line/Activity

(thousand of dollars)		1997-98 Main Estimates						
Business Line/Activity	Operating	Capital	Grants and Contributions	Gross Total	Statutory Payments	Gross Expenditures	Less: Revenue Credited to the Vote	Total Main Estimates
RCMP Public Complaints Commission	3,545			3,545		3,545		3,545
	3,545			3,545		3,545		3,545
Other Revenues and Expenditures								
Revenue credited to the Consolidated Fund								
Estimated Cost of services by other Departments								468
Net Cost of the Program								4,013

## C. Details of Agency Plan - Results Expectations

- Coping effectively and efficiently with the workload

### Background

- Allegations of police misconduct: must be resolved promptly to protect the rights of the public and of the police. By properly and quickly handling complaints and reviews, the Commission contributes to the identification of police failures in policy or processes such as poor training.
- Lack of control of number and nature of complaints and reviews: the Commission has no control over the number or the nature of complaints or requests for review it receives. The number of requests for review depends to some extent on the quality of the investigation carried out by the RCMP. The number of requests for review also depends on a complainant's attitude or frame of mind.
- Number of reviews where the Chairman is satisfied with the RCMP disposition: Since 1989-90, in an average of 74% of the reviews the Chairman is satisfied with the RCMP disposition of the complaint. The remaining reviews are usually more complex and can require a request for additional information from the RCMP, an additional investigation by the RCMP or the Commission or a public hearing. These reviews can take considerably more time and work by the Commission staff.
- Reporting on time to produce reports in previous Part III Estimates prepared by the Commission: Since 1995-96, the Commission has provided some statistics on the number of requests for review and the amount of time it takes the Commission to complete a review. However, the reporting of these statistics has not been consistent. For instance, in the 1995-96 Part III Estimates a table showed the average number of months to review complaints with an overall average, the average for reports where the Chairman was satisfied with the RCMP disposition and the average for reports where the Chairman was not satisfied with the RCMP disposition. In the 1996-97 Part III Estimates, a table was provided setting out the number of days taken to produce draft reports where the Chairman was satisfied with the RCMP disposition of a complaint. The data that was used in producing the table referred to those reviews where no additional information was required, no additional investigation was performed and no public hearing held. Starting in the 1997-98 fiscal year, the Commission undertakes to provide statistics in the Part III Estimates on a consistent basis by reporting on the following three matters: the number of requests for review received during a fiscal year since the 1993-94 fiscal year; the length of time it takes each year to complete requests when the Chairman is satisfied with the disposition by the RCMP; and the number of requests for review that makes up the Commission's backlog for a given year. Some of this information is available in the Chairman's annual report for 1995-96.
- Concern about the length of time it takes to carry out a public hearing and the cost for such hearings: Subsection 45.45(5) of the RCMP Act states that the parties and persons with a substantial and direct interest in a complaint have the right to examine

witnesses and to make representations at the hearing. In practice, the parties appearing at a public hearing held by the Commission can include the complainant and the members who are the subjects of the complaint. In addition, the appropriate officer for the division in which the incident giving rise to the complaint is located can be heard at the hearing. Each of these people can also be represented by counsel. A large number of people must be contacted in the event of a public hearing and it is difficult to schedule a time when all parties are available. A hearing will be held at such a place, having regard to the convenience of the parties. The whole process is time consuming.

- Paper burden reduction: Over the past three years the Commission has been following a strategy of modernization of its information technology. The data base containing information about the receipt and review of complaints allows for the tracking of complaints and reviews as well as providing statistics about the handling of complaints and reviews. While the data entry process has been improved, the process continues to require the production of paper forms.

#### Key Initiatives

- Reducing the time it takes to process final reports where the Chairman is satisfied with the RCMP disposition from 120 days to 90 days over the next three fiscal years.
- Annual review of the Commission's Complaints Policy and Procedures Manual to ensure that it mirrors the current practices of the Commission.
- Simplification of the complaint receipt process by the use of the Commission's information technology.
- Continued examination of the review of the hearing process to determine if the process can be made shorter and less expensive.

#### Performance Indicators

- The Commission will provide a table concerning the number of requests for review received by the Commission in the past five fiscal years.
- The Commission will provide information on the length of time it takes the Commission to produce a report when the Chairman is satisfied with the disposition by the RCMP. Figures for the past five fiscal years will be provided. This amounts to an average of 74% of the reviews completed.
- The Commission will provide information on the backlog of the Commission over the past five fiscal years, i.e. the difference between the number of requests received in a fiscal year and the number of reviews completed in a fiscal year.
- The number of steps in the complaint receipt process that use information technology and electronic forms in order to reduce the paper burden of the Commission.
- Average cost of each public hearing from the beginning of the Commission to the end of the present fiscal year, i.e. 1996-97.
- Average number of days each hearing panel sits from the beginning of the Commission to the end of the 1996-97 fiscal year.
- Average time a panel takes to produce a report after the panel ceases to sit from the beginning of the Commission to the end of the 1996-97 fiscal year.

- Informing the Canadian and other publics about the existence and mandate of the Commission

#### Background

- Size of Canada and the distribution of its public: Canada is a large country and its population is widely distributed in large cities as well as in small communities. The Commission must ensure that all the people living in communities across Canada are aware of their right to complain about the conduct of members of the RCMP and to have the disposition of those complaints reviewed by an independent agency of the government.
- The Commission as one of the few national civilian oversight bodies: The concept of civilian oversight of law enforcement is a relatively recent one. The Commission finds it invaluable to be able to discuss problems and successes with similar organizations within Canada and internationally.
- The number of countries with new democratic governments that are creating police forces: Many of the countries in South America, Africa, Eastern Europe and in Asia have recently changed to a democratic form of government. One of the steps in this process is the development of a civilian police force that is accountable for its actions to the citizens of the country. As the civilian oversight body for Canada's federal police force, the Commission can assist these countries in their change to a democratic way of life, particularly in respect of their police forces.

#### Key Initiatives

- Use of community newspapers to inform the Canadian public about the existence and mandate of the Commission by developing a public service announcement.
- Distribution of the Commission's pamphlets in English and French as well as in Inuktitut and Cree to RCMP detachments, public libraries and other public information agencies.
- Continued use of the Chairman's Annual Report as a communications device by distributing it to all federal members of Parliament, to members of provincial legislatures, to municipalities where the RCMP is acting as the municipal police and to university and public libraries.
- Development of a comprehensive information package in the form of a brochure that will be distributed to RCMP members and other interested members of the public.

#### Performance Indicators

- Number of community newspapers that carry a public service announcement about the Commission.
- Number of Inuktitut and Cree pamphlets distributed to communities as well as the number of aboriginal communities contacted by the Commission.
- Number of RCMP detachments, provincial legislatures, municipalities, public libraries, universities and interested parties that receive the Annual Report.
- The number of RCMP members and the number of interested people receiving copies of the brochure.

- Promoting job enrichment for employees

#### Background

- Lack of job opportunities available in the federal government: As a result of the downsizing effort that has taken place over the past four years, there is little opportunity for movement within the public service. Many employees feel trapped in their current positions. To counter this feeling of stagnation, the Commission is undertaking the development of a continuous learning environment within the Commission. For example, the Commission will set aside one half-day a month for presentations to Commission staff on law enforcement techniques and practices, on investigations and on other matters related to the work of Commission staff.
- Familiarization of all employees in the use of technology in their work: While some employees have taken readily to the use of technology in their work, other employees are not as familiar with technology. It is necessary to ensure that there is the maximum use of the Commission's existing technology as part of the paper burden reduction initiative.
- Involvement of employees in their training: In order to make the training offered effective, employees must involve themselves in the development of training plans. At the same time, training plans must reflect the overall government philosophy of fiscal restraint.

#### Key Initiatives

- Providing Commission employees with information about learning opportunities available within the federal government, including job exchanges, term positions and secondments as a means of job enrichment.
- Continued training of employees in respect of the use of technology in their work.
- Development of training plans by employees after discussion with their supervisors.

#### Performance Indicators

- Number of information packages provided to Commission employees concerning employment strategies, such as transfers, secondments and term appointments.
- Number of courses provided and the number of employees receiving training in the use of technology.
- Number of employees who have prepared training plans at the Commission from 1996-97 on.

Appropriated Planned Spending

(thousands of dollars)	Main Estimates* 1996-97	Main Estimates 1997-98	Planned 1998-99	Planned 1999-00
Business Line/Activity	3,531	3,545	3,423	3,423
	3,531	3,545	3,423	3,423

\* Does not reflect Supplementary Estimates ..... Actual Mains Only



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### Section III

#### Summary of Agency Performance for 1995-96

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In order for the work of the Commission to be effective, the findings and recommendations of the Chairman of the Commission must be relevant to the RCMP. In 1995-96, the RCMP Commissioner, in a speech to the Commission members and employees, made the following comment: "Police management must recognize the advantages of having an outside body that regards our actions objectively and impartially." The Commissioner stressed the fact that the RCMP and the RCMP Public Complaints Commission now work in an atmosphere of mutual respect, cooperation and understanding of each other's viewpoint and role. This atmosphere has been developed consciously by both the RCMP management and the Commission employees.

The time it takes to produce final reports can also be of importance in fostering good relations not only with members of the RCMP but also with complainants. For that reason, work continued in 1995-96 in reducing the time it takes the Commission to produce its final reports, particularly in respect of those reports where the Chairman is satisfied with the RCMP disposition of the complaint.

Using the results of the survey of complainants and RCMP members carried out in 1994-95, the Commission continued to make changes to the complaint and review processes in order to ensure the provision of quality service. As part of a government-wide initiative, the Commission developed and published a declaration of service standards.

In respect of the work of the Commission in the area of communications, the Commission developed a strategic communication plan. Part of the plan involves the exploration of new ways to reach aboriginal communities, as well as the Canadian public in general. A pamphlet that had been published in Inuktitut was distributed to the Northwest Territories. Another pamphlet was published in Plains Cree and distributed to selected locations in the Prairie provinces.

Training for Commission employees in harassment awareness and stress management was carried out as well as a training session for Commission investigators. In respect of the order-in-council appointees to the Commission, they attended a session at the RCMP training facility at Depot Division in Regina, Saskatchewan. Such sessions are useful in providing information to the members about the kind of training that is provided to RCMP members. Information sessions were also held in Ottawa for the members during the annual general meeting of the Commission.

An employment equity policy and plan were developed and implementation of the plan was started.

In addition, a five-year audit plan was developed and the first year of the plan was prepared for implementation. During the 1995-96 fiscal year, five entities were examined by consultant auditors from Consulting and Audit Canada. In particular, the complaint review process was examined. The following are some of the recommendations of the auditor that have been accepted by management: the development of an annual operating plan; implementation of a time reporting system for the review of reports; changes in the Complaints Review Committee;

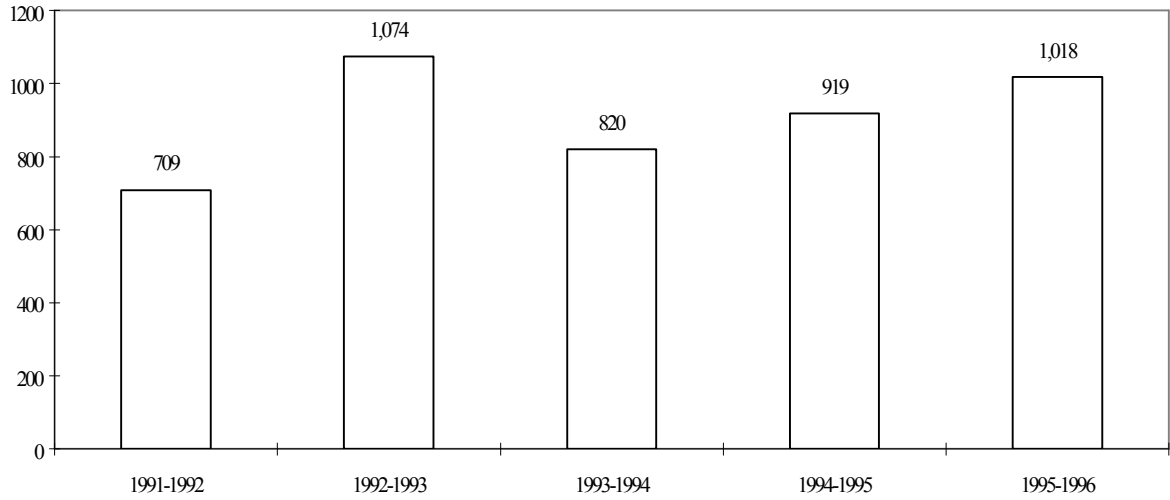
completion of a chapter of the Complaints Policy and Procedures Manual; elimination of duplicate files, and linking the Records Office computer to the complaints database server.

Finally, the mission statement development process advanced with completion expected by the end of the 1996-97 fiscal year.

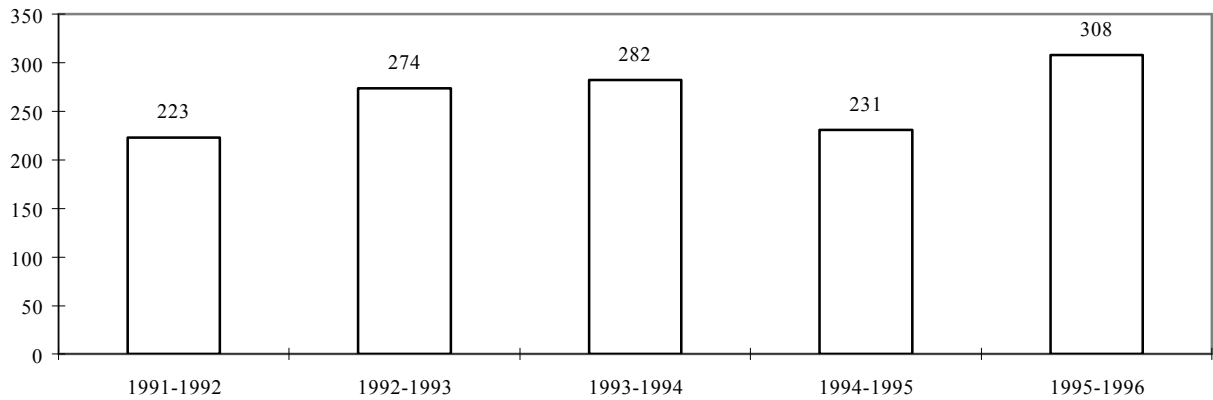
#### Departmental Appropriated Planned and Actual Spending

Actuals (thousands of dollars)	Actuals		Main	Estimates
	1993-94	1994-95	Actuals	1995-96
Business Line/Activity				
Complaint receipt and review	3,282	3,569	3,531	3,548
	3,282	3,569	3,531	3,548

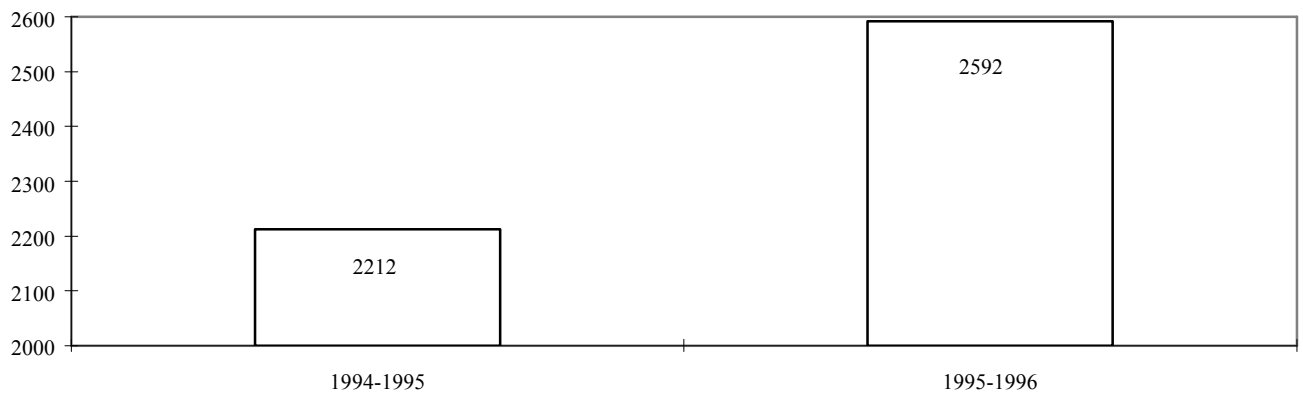
Complaints Received by the RCMP Public Complaints Commission  
1991-92 through 1995-96



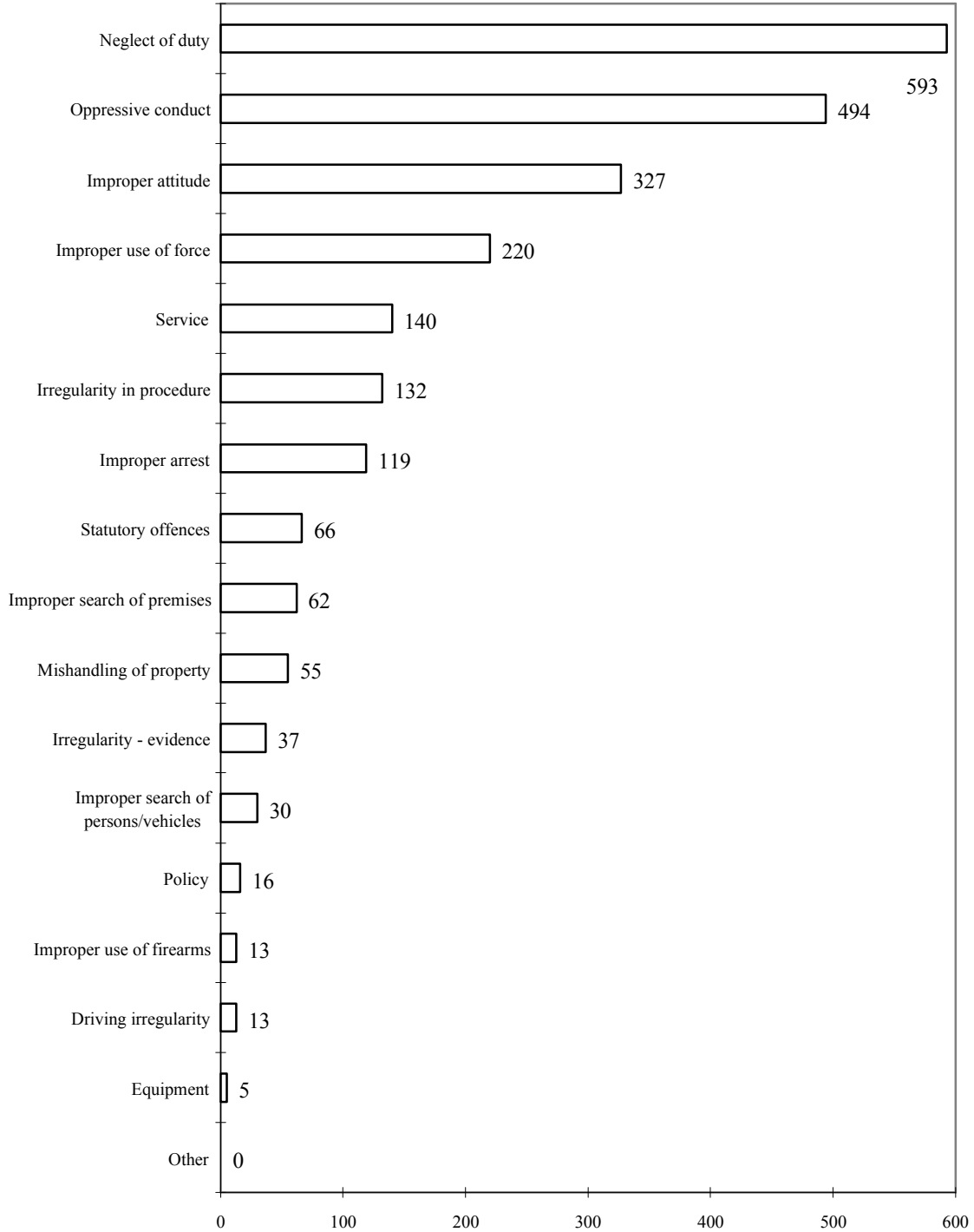
Number of Complaints Referred to the RCMP Public Complaints Commission for Review  
1991-92 through 1995-96



Complaints made to the RCMP Public Complaints Commission and to the RCMP  
1994-95 and 1995-96



Categories of Allegations Contained in Complaints Received by the  
RCMP Public Complaints Commission  
1995-96



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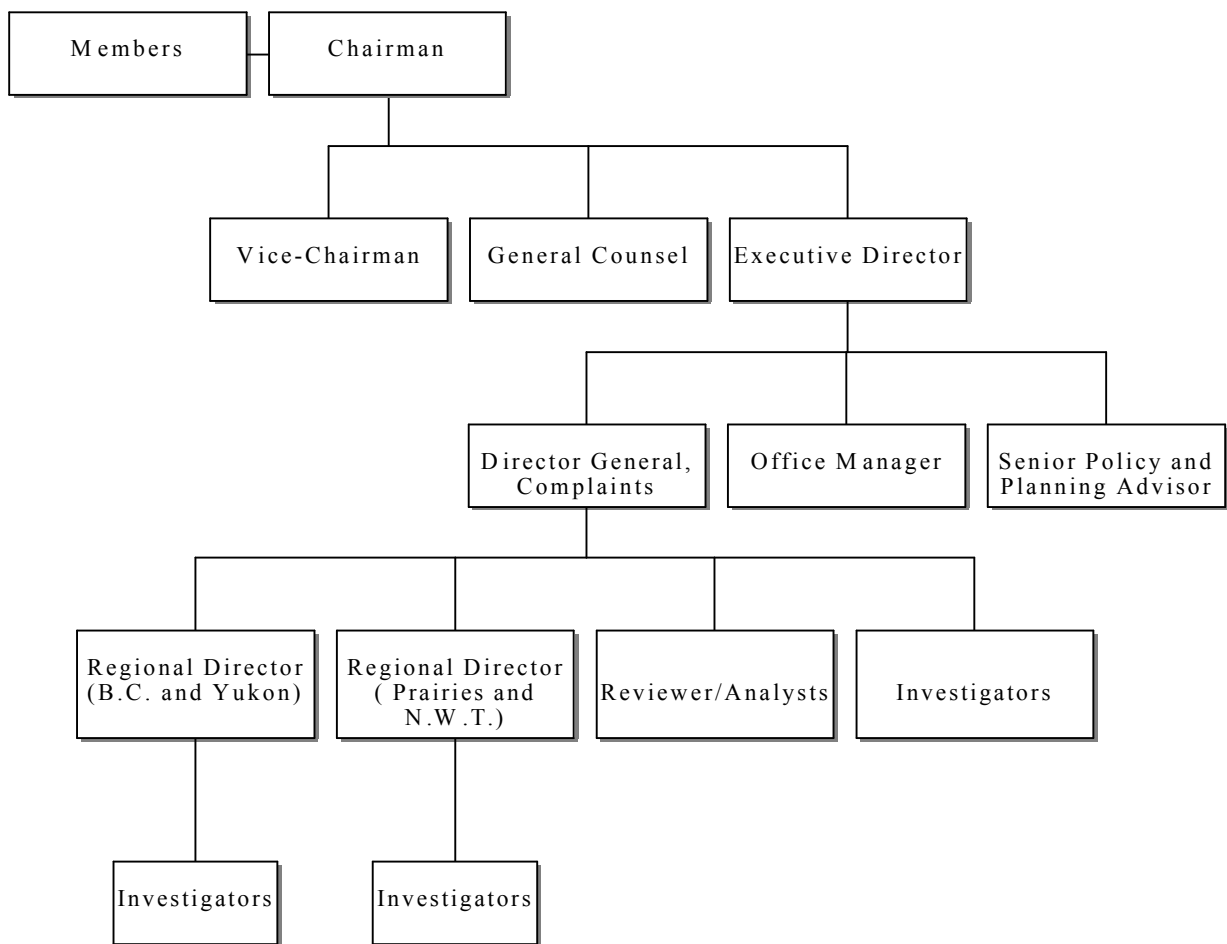
Section IV  
Supplementary  
Information

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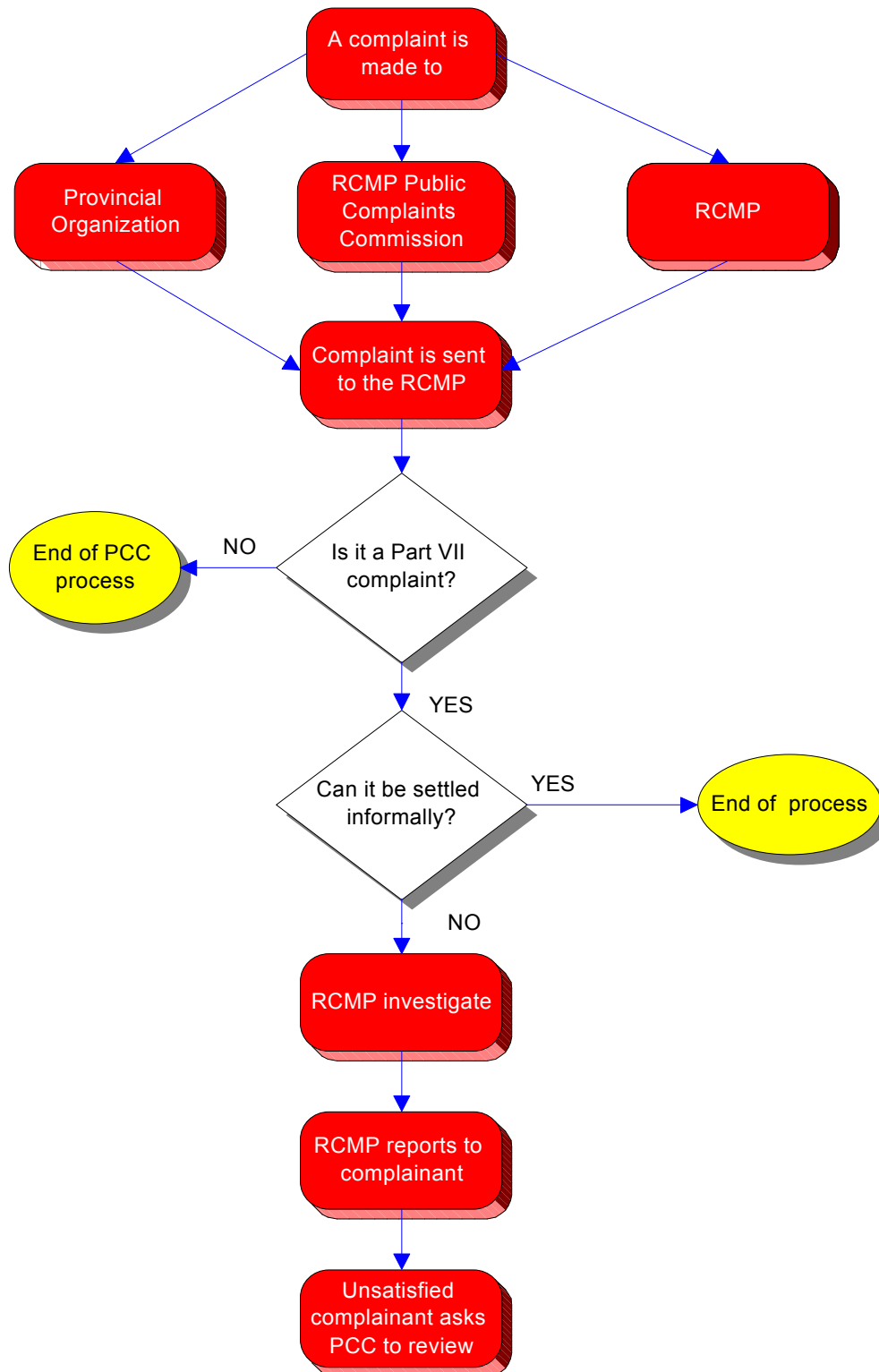
Appendix 1 - Organization

1.1 Organization Chart

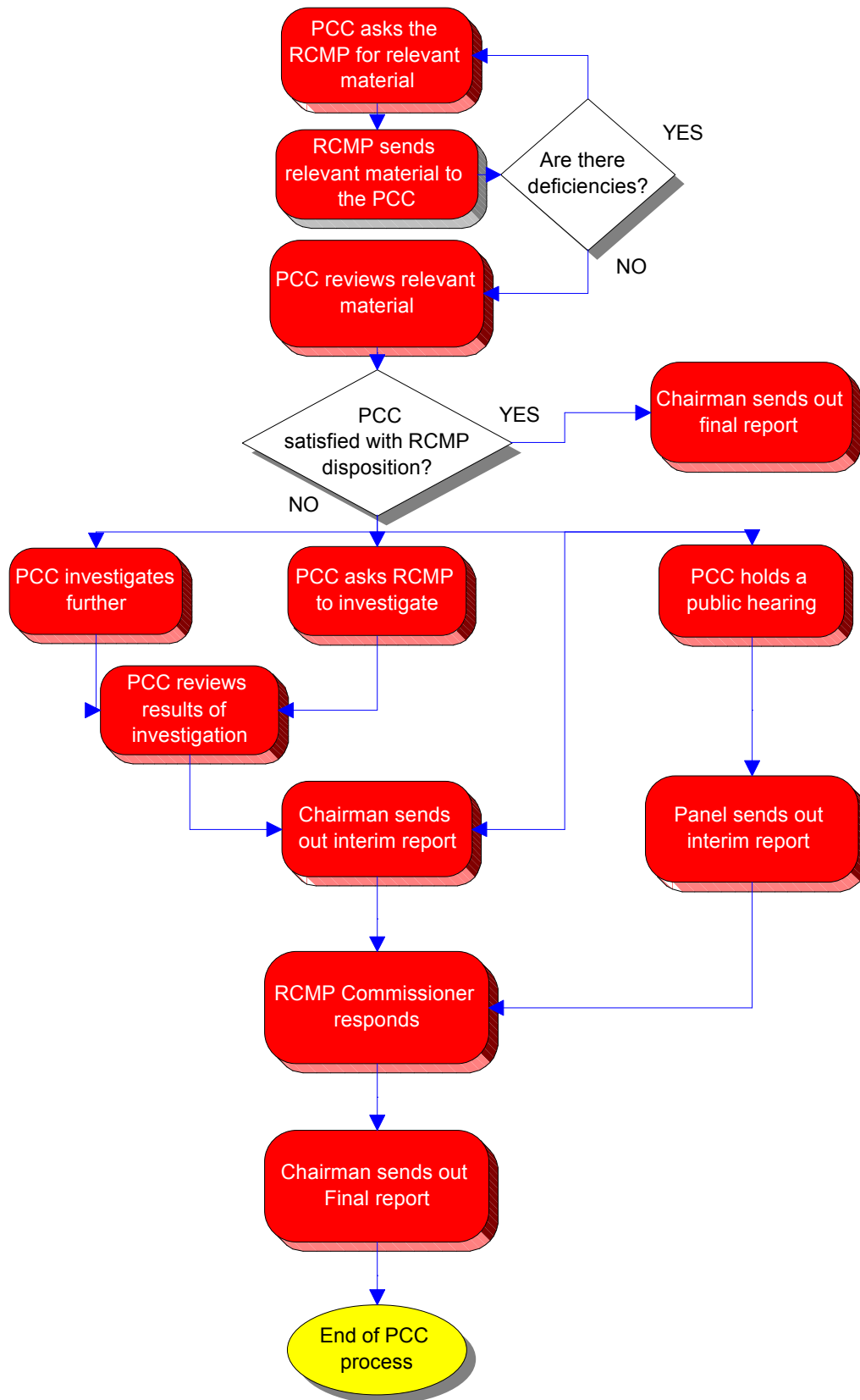
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## 1.2 Complaint receipt process



1.3 Complaint Review Process



#### 1.4 Details of Personnel Requirements (FTEs)

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	Actuals 1994-95	Actuals 1995-96	1996-97 Estimates	1997-98 Estimates	1998-99 Planned	1999-2000 Planned
Total	33	32.4	33	33	33	33

#### 1.5 Summary by Professional Category (FTEs)

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	Actuals 1994-95	Actuals 1995-96	1996-97 Estimate s	1997-98 Estimate s	1998-99 Planned	1999-2000 Planned
Order-in-Council Appointments	2	1	1	1	1	1
Executive Group	2	2	2	2	2	2
Scientific and Professional	1	1	1	1	1	1
Administrative and Foreign Service	18	21	21	21	21	21
Technical	0.4	0.4	0.4	0.4	0.4	0.4
Administrative Support	10	7	7.6	7.6	7.6	7.6
Total	33.4	32.4	33	33	33	33

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## Appendix 2 - References

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### Head Office

P.O. Box 3423  
Station "D"  
Ottawa, Ontario  
K1P 6L4

(613) 952-1471  
1-800-267-6637

### Publications

Annual Reports  
1988-89 to 1995-96

RCMP Act (Commission consolidation)  
March 1990

### Regional Offices

i) Prairie Regional Office

P.O. Box 50  
Edmonton, Alberta  
T5J 3R8

(403) 495-4201  
1-800-661-3601

Federal and Provincial Police  
Oversight Legislation: A Comparison  
of Statutory Provisions  
June 1991

ii) Pacific Regional Office  
Robson Court Building, Suite 670  
840 Howe Street  
Vancouver, British Columbia  
V6Z 2L2

(604) 666-7363  
1-800-665-6878