



CREDIT UNION CENTRAL OF CANADA

GOVERNMENT RELATIONS DEPARTMENT
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June 1, 2005

Mr. Brent St. Denis, MP
Chair, House of Commons Standing Committee on
Industry, Natural Resources, Science and Technology
Room 584, Confederation Building
House of Commons
Ottawa, Ontario K1A 0A6

Dear Mr. St. Denis,

Re: Bill C-37, An Act to Amend the Telecommunications Act

Credit Union Central of Canada (Canadian Central) is writing you today to express some concerns about Bill C-37, *An Act to Amend the Telecommunications Act* and the manner in which it proposes to establish a national do-not-call list for telemarketers.

Canadian Central is the national trade association for credit unions in Canada outside of Quebec. Canadian Central is primarily owned by nine provincial credit union central organizations. Canadian Central assists these provincial central organizations in providing their credit union members with national services that include the last tier of system liquidity, participation in the clearing and settlement of payment items through the Canadian Payments Association, participation in the INTERAC debit network and government relations. The Canadian Central family of credit unions numbers 558, with just under 1,800 locations and assets of approximately \$78.6 billion. Together, these credit unions serve 4.7 million members and employ 20,000 people.

Canadian Central supports, in principle, the intent of Bill C-37 and we agree that the Federal Government must find a way to establish a cost effective and efficient way to ensure that consumers do not receive unwanted phone calls aimed at soliciting business. However, Canadian Central is concerned that, as drafted, Bill C-37 is too broad in its application and

leaves very important policy issues and definitions to be decided by the Canadian Radio-television and Telecommunications Commission (CRTC) instead of Parliamentarians.

First of all, Canadian Central is concerned that the proposed do-not-call registry will extend to business-to-business communications despite the fact that the driver behind the development of this legislation has been concerns raised by individual consumers. We also note that, traditionally, consumer legislation in Canada has not generally been extended to businesses owing to administrative and compliance complexities. We believe that Bill C-37 should stick to past practice and exempt business-to-business communications from the ambit of the legislation.

Secondly, Canadian Central is concerned that, although the Bill proposes to exempt “established business relationships” from the impact of the do-not-call list, the legislation leaves this important phrase undefined. Instead, the Bill proposes to grant the power to define this phrase to the CRTC which may decide to do so through a public consultation process. Canadian Central believes that the definition of this phrase is an important policy decision that should be made by publicly accountable Parliamentarians and that the definition should be embedded in the legislation itself.

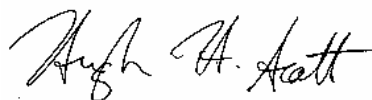
Canadian Central recommends that the phrase “established business relationship” be defined according to three possible criteria. The following definition is proposed:

An established business relationship exists between a business [an organization?] and a consumer [an individual?] if:

1. a consumer has taken part in a financial transaction of some sort with that business within the 18 months preceding the date of the telemarketing call; or
2. a consumer inquired about, or applied for, a product or service offered by the business within the 3 months preceding the date of the telemarketing call; or
3. the business is a member-based organization (e.g. a cooperative or credit union) and the consumer has taken the initiative to become a member of that member-based organization.

If you have any questions about our proposals or need additional information, please call me at (613) 238-6747, extension 218.

Sincerely

A handwritten signature in black ink, reading "Hugh A. Heath". The signature is written in a cursive, flowing style.

Hugh Scott
Director, Government Relations
Credit Union Central of Canada

c.c. Louise M. Thibault, Clerk House of Commons Standing Committee on
Industry, Natural Resources, Science and Technology