

**2011-2012 Annual Report**  
**on the**  
***Privacy Act***

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## **PREFACE AND PURPOSE**

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The *Privacy Act* (Revised Statutes of Canada, Chapter A-1, 1985) was proclaimed on July 1, 1983.

The purpose of the *Privacy Act* “is to extend the present laws of Canada that protect the privacy of individuals with respect to personal information about themselves held by a government institution and to provide individuals with a right of access to that information” (Section 2 of the Act). The law also protects an individual’s privacy by preventing others from having access to that personal information and allows an individual specific rights concerning the collection and use of his/her information.

Section 72 of the *Privacy Act* requires that the head of every government institution prepare for submission to Parliament an annual report on the administration of this Act within the institution during each financial year.

This annual report describes how Industry Canada administered its responsibilities in the twenty-ninth year of operation of the *Privacy Act*.

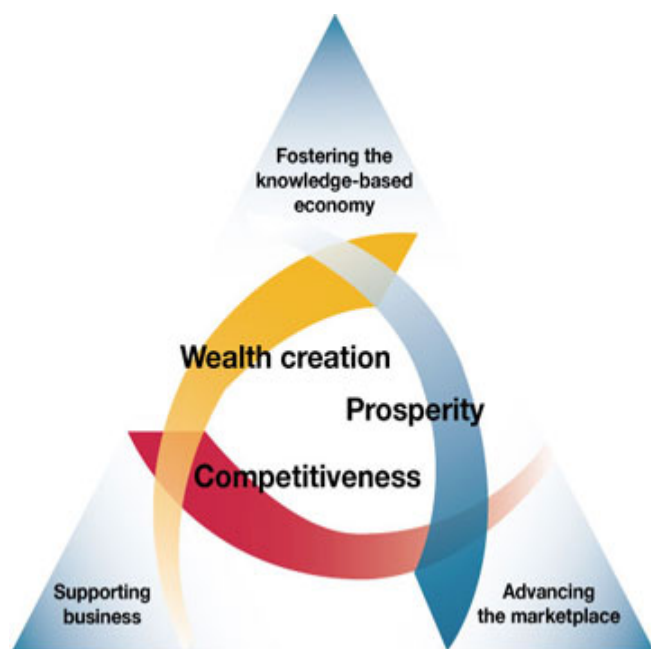
## ABOUT THE ORGANIZATION

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### Industry Canada's Mission and Mandate

Industry Canada's mission is to foster a growing, competitive, knowledge-based Canadian economy. The Department works with Canadians throughout the economy, and in all parts of the country, to improve conditions for investment, improve Canada's innovation performance, increase Canada's share of global trade, and build an efficient and competitive marketplace.

Industry Canada's mandate is to help make Canadian industry more productive and competitive in the global economy, thus improving the economic and social well-being of Canadians. The many and varied activities Industry Canada carries out to deliver on its mandate are organized around three interdependent and mutually reinforcing strategic outcomes, each linked to a separate key strategy. The key strategies are shown in the illustration below.



- **The Canadian marketplace is efficient and competitive**

#### *Advancing the marketplace*

Industry Canada fosters competitiveness by developing and administering economic framework policies that promote competition and innovation; support investment and entrepreneurial activity; and instill consumer, investor and business confidence.

- **Science and technology, knowledge, and innovation are effective drivers of a strong Canadian economy**

#### *Fostering the knowledge-based economy*

Industry Canada invests in science and technology to generate knowledge and equip Canadians with the skills and training they need to compete and prosper in the global, knowledge-based economy. These investments help ensure that discoveries and breakthroughs take place here in Canada and that Canadians realize the social and economic benefits.

- **Competitive businesses are drivers of sustainable wealth creation**

#### *Supporting business*

Industry Canada encourages business innovation and productivity because businesses generate jobs and wealth creation. Promoting economic development in communities encourages the development of skills, ideas and opportunities across the country.

### **Context and Environment**

Industry Canada is a department with many entities that have distinct mandates, with program activities that are widely diverse and highly dependent on partnerships. Industry Canada works on a broad range of matters related to industry and technology, trade and commerce, science, consumer affairs, corporations and corporate securities, competition and restraint of trade, weights and measures, bankruptcy and insolvency, intellectual property, investment, small business, and tourism.

Given the role the Department plays in promoting economic development and regulating the marketplace, there is significant public interest in the information collected and produced. Key areas of interest in 2011-2012 included tourism, telecommunications, small business, grants and contributions, G8/G20, gas pricing, as well as various statutes, namely the *Competition Act*, the *Canada Investment Act* and the *Copyright Act*, and decisions related to these Acts.

Industry Canada also received numerous requests of a general nature, related to the overall business activities of the Department, such as briefings for the Minister.

In 2011-2012 Industry Canada continued to play an important role in implementing the Government of Canada's Economic Action Plan (EAP), introduced in January 2009 as part of Budget 2009. The 2011 Budget included new investments in science and technology, as well as the commercialization and demonstration of new technologies in the marketplace that will help Industry Canada to succeed in its strategy to foster Canada's knowledge-based economy. In addition, Budget 2011 reaffirmed the Government of Canada's commitment to developing a digital economy strategy to encourage the development of a world-class digital economy in Canada, driven by innovation and enhanced productivity, by 2020. Advancing this strategy will involve sectors within Industry Canada, including the Spectrum, Information and Telecommunications Sector and the Strategic Policy Sector. Budget 2011 also introduced a review of all policies and programs related to the aerospace/space industry to maximize the competitiveness of this sector.

With this in mind and given the above mandate, the Department receives and processes a limited number of privacy requests each reporting period as described in this report.

## **Departmental Structure**

The Department employs over 5 600 people across the country, including economists, engineers, scientists, commerce officers, inspectors, metrologists and accountants supported by specialists in areas such as human resources, financial management, communications, information management and information technology.

The Department is organized into 15 sectors and branches (see [www.ic.gc.ca](http://www.ic.gc.ca)). Industry Canada has its headquarters in Ottawa and several offices in the National Capital Region. The Department also has five regional offices (Vancouver, Edmonton, Toronto, Montreal and Halifax) as well as 10 sub-offices and numerous district offices.

In addition, a number of programs have a regional presence, including those delivered by the Competition Bureau, Measurement Canada, the Office of the Superintendent of Bankruptcy, the Spectrum, Information Technologies and Telecommunications Sector and the Federal Economic Development Initiative for Northern Ontario (FedNor).

Each of these sectors and branches is responsible for searching and retrieving documents responsive to official access requests received under the *Access to Information Act* and *Privacy Act* (ATIP). However, Information and Privacy Rights Administration (IPRA) is legally responsible for implementing and managing the ATIP program and services for Industry Canada, including decisions on the release or non-release of information pursuant to the legislation.

## **Information Management Branch**

Given that the effective management of information is critical to the administration of the *Access to Information Act* and *Privacy Act*, IPRA resides with the Information Management Branch (IMB), a branch in the Small Business, Tourism and Marketplace Services Sector (SBTMS). IMB directs and supports an Information Management (IM) program to ensure the effective and efficient management of information within Industry Canada. The IM program provides strategic direction and services related to recordkeeping, public access to departmental information, departmental access to commercially published information and information management policy, accountability, governance, planning and reporting. As a result, departmental program managers can more readily deliver their programs and services, as well as meet their obligations under the Government's Policy on Information Management, the *Library and Archives Canada Act*, the *Access to Information Act*, the *Privacy Act* and the *Federal Accountability Act*. Further, it ensures that the Department respects the intellectual property rights of commercial publishers.

IMB provides services to the Department from four Directorates: Corporate Integrated Records Services (CIRS), the Library and Knowledge Centre (LKC), IM Policy, Planning and Innovation (IMPPI), and Information and Privacy Rights Administration (IPRA).

## **Information and Privacy Rights Administration**

IPRA is responsible for the implementation and management of the *Access to Information Act* and *Privacy Act* programs and services for Industry Canada. Specifically, IPRA makes decisions on the disposition of access and privacy requests; promotes awareness of the legislation to ensure departmental responsiveness to the obligations imposed by law; monitors and advises on departmental

compliance with the Acts, regulations, procedures and policies; and acts as the spokesperson for the Department when dealing with the Treasury Board Secretariat, the Information Commissioner, the Privacy Commissioner, and other government departments and agencies. IPRA is also responsible for conducting consultations with other federal departments with respect to access to information and privacy issues.

IPRA has a complement of 15 employees including one Director, four managers, seven advisors and three support staff, all of whom are dedicated to processing access and privacy requests, along with related functions.

### **Delegation of Authority**

The current Access to Information and Privacy (ATIP) Delegation Order was approved by the Minister in September 2011, and provides full-delegated authority to the Assistant Deputy Minister of SBTMS, the Director General of IMB, the Director and the managers of IPRA. The designation of the Assistant Deputy Minister and Director General positions is for purposes of providing strategic support and advice to the executive management of the Department concerning ATIP issues, if and when required. For all daily ATIP activities and operations, the Director and the managers of IPRA exercise full responsibility (see Appendix III).

The Director of IPRA is responsible for the development, coordination and implementation of effective policies, guidelines and procedures to manage the Department's compliance with the Acts. The administration of the legislation in Industry Canada is managed by IPRA, but is also facilitated at the sector, branch and regional office levels. Each sector and corporate branch has an ATIP Liaison Officer (reporting to an Assistant Deputy Minister, Executive Director, etc.) who coordinates activities and provides guidance on the administrative processes and procedures of the Acts. IPRA, which is located in Ottawa, responds to all formal requests submitted under the applicable Acts.

### **2011-2012 Highlights**

In 2011-2012, the Department saw an increase in the volume of requests received under the *Privacy Act* as compared to the previous year. In total, 23 formal requests were received compared to 16 in 2010-2011. However, processing privacy requests is just one component of the administration of privacy rights.

Activities also include awareness, training, and the provision of advice and guidance regarding the collection and management of personal information within Industry Canada. IPRA also reviews and approves Privacy Impact Assessments (PIAs) which are core documents of the Department's governance framework for IT projects. In addition, departmental officials regularly consult with IPRA to seek guidance on the rules related to consistent use and/or disclosure of information in accordance with the purpose for which the information was obtained or compiled.

### ***Resources – Human and Financial***

In 2011-2012, IPRA continued to face challenges in performing its daily operations and meeting its legal compliance requirements. Although IPRA continues to operate within an allocation of 15 full-time employees, 11 temporary resources were provided from across the Department to assist with the workload for the period of October 2011 to March 2012. As a result, a temporary operational structure



was implemented in October 2011 to better meet the increasing business demands and allow IPRA to address the significant backlog of access files. IPRA consists of four teams, with three teams responsible for the daily operations and one for policy and outreach (see Appendix II).

Providing interesting work and opportunities for growth are critical to retaining employees and lowering the departure rate. To attract and retain employees in a highly competitive market, IPRA provides career progression opportunities with the use of the ATIP Professional Development Program (ATIP-PDP). The Program, which has been in effect since 2005, is used to develop employees from the PM-01 to the PM-04 level within the ATIP function.

The Program's objective is to provide management with a tool to recruit, train and retain resources interested in building a career in the ATIP field. The program has proven effective in the recruitment and development of resources. It has also reduced the number of lengthy staffing processes and actions, and has had a positive influence on retention and succession planning. In 2011-2012, one IPRA employee was participating in the program. IPRA has also been innovative in using inter-departmental staffing processes and other recruitment/staffing tools, which have improved recruitment outcomes.

IPRA also supports employees' career objectives by providing training opportunities to support both short and long-term career goals.

### ***Resources and Workload***

Of the 15 IPRA positions, most were staffed for the majority of the reporting period. The 15 positions consisted of the Director, four managers (PM-06), three senior advisors (PM-05), three advisors at the PM-04 level and one at the PM-03 level, plus three support positions (PM-02, PM-01 and AS-01). During the period under review IPRA had to contend with a number of resourcing issues, not least of which was the departure of four staff members in the third and fourth quarters of the year. During part of the reporting period, two consultants were hired to assist with the workload, but only for a period of four weeks.

In 2011-2012, the policy and outreach unit, usually consisting of two people (PM-06 and PM-05), was responsible for maintaining the various partnerships with other functional areas, overseeing various projects/initiatives (e.g., ATIP case management tool, Info Source Renewal, etc.), and delivering ATIP advice/guidance including providing training and awareness sessions across the Department. Due to operational changes, the unit was reduced to one person. Even with the reduction, the following activities were completed:

<b>ACTIVITY</b>	<b>TOTAL</b> (Questions/Reviews /Emails, etc.)
Provide ATIP guidance and advice to Industry Canada officials, OGDs and the public	78
Review of audit and evaluation reports prior to being publicly posted on the departmental website	11
Review of parliamentary questions and responses	100
Review of proactive disclosures prior to being publicly posted on the departmental website	1 877 (emails)
Prepare and deliver ATIP training/awareness sessions to	57

departmental officials (including regions by remote)	
Review of assessments for possible Privacy Impact Assessments (PIA)	15
Review and approve Privacy Impact Assessments (PIA)	0
<b>OTHER</b>	
Update to IPRA Internet and Intranet sites	X
Develop and implement new public proactive disclosure site for Completed ATI requests	X
Prepare and table annual reports and statistical reports	X
Provide input to MAF and DPR (ATIP user fees)	X
Manage Info Source updates and providing submission to TBS	X
Review and update business practices and procedures for IPRA	X
Participate in various initiatives across IC (IM best practices in support of ATIP, defining ATIP roles and accountabilities, etc.)	X

## **Other Activities**

### ***Data-Matching and Data-Sharing Activities***

This Department is not active in any data-matching or data-sharing activities and as a result, there are no activities of this nature to report for 2011-2012.

### ***Privacy Impact of any Legislative, Policy and Service Delivery Initiatives (Including Data-Matching and Data-Sharing Agreements)***

There is no information to report with regard to this item for 2011-2012.

## **IPRA – ATIP Procedures, Business Practices, and Policies**

To improve the administration of the ATIP program, and to ensure that Treasury Board ATIP policies are respected and implemented, IPRA has developed various internal guidelines, procedures, and business practices. The areas covered include the following:

### **OPERATIONAL PROCEDURES**

#### ***ATIP Procedures for IPRA Staff***

A guide of the ATIP Office's business practices and procedures was developed to reduce the learning curve of new employees, as well as to provide a reference tool for staff. During development, existing ATIP business processes were reviewed and challenged in an attempt to reduce administrative burden and improve the day-to-day workflow of the office.

### ***Helping Applicants through Duty to Assist***

Over the years, IPRA has implemented various approaches to better assist and respond to applicants. Established practices include the following:

- The applicant's identity is not considered during the processing of a request, nor is it revealed to departmental officials, unless there is a need to know to retrieve information and/or if consent is provided by the applicant;
- Regular communication is established with applicants to assist in clarifying and narrowing requests, provide updates and explain the request process and rights pursuant to the Act;
- Accurate, timely and complete responses are compiled in good faith. Alternate solutions may be suggested, such as previously released, or publicly accessible information, and, if applicable, referrals to other organizations involved;
- Records are provided in the format requested. Since 2001, IPRA has been providing processed documents on CD-ROM in PDF format to the applicant. At times, releases of data extracts are provided in Excel and/or ASCII format and if the material is less than 50 pages, a paper copy is provided; and
- Other practices involve facilitating discussions and/or meetings with program officials and providing interim responses when possible.

### **BUSINESS PRACTICES IN SUPPORT OF TBS POLICIES**

#### ***Privacy Impact Assessments (PIA)***

When the PIA Policy came into effect and was later amended to a directive, IPRA established the following process for Industry Canada:

1. PIA is prepared by the responsible Sector/Project Manager;
2. PIA is forwarded to IPRA for review, discussion, approval and reporting purposes;
3. Once a PIA is finalized and approved, IPRA provides a copy to the Office of the Privacy Commissioner (OPC) for review, as required;
4. OPC will return the PIA with recommendations, as required;
5. IPRA will return the PIA with recommendations to the Sector/Project Manager for action;
6. IPRA will liaise between the Department and OPC as required until the PIA is finalized;
7. Once complete, the Sector/Project Manager is to prepare a brief summary of the PIA for publication purposes and/or posting on the websites; and,
8. IPRA will report on all PIAs at the end of each fiscal year in the Department's Annual Report to Parliament on the Administration of the *Privacy Act*.

During this reporting period, a total of 15 assessments were completed and it was determined that no formal PIAs were required. The assessments consisted, for the most part, of updates to existing electronic tools/applications related to existing programs and initiatives, and based upon legislative requirements. It was also determined that the assessments described enhanced tools with little change to content and that there was no change to the purpose, collection, use, disclosure and retention of personal information, if applicable.

In addition, it was concluded that the content was related to commercial/business information required by the Department to deliver on its mandate. Personal information in these cases consisted of a name

and contact information, which was a business address required for communication purposes. Therefore, no formal PIAs were required, and none forwarded to the Office of the Privacy Commissioner.

### ***Use of CDs***

This initiative has reduced paper burden and eliminated reproduction fees and on-site visits from applicants, as well as improved timeliness and efficiency in managing the ATIP program and services. The Department does not charge for CDs.

### ***Informal Practices***

Consistent with the principle that the Act is intended to complement, rather than replace, existing procedures for access to government information, informal requests may be addressed directly to branches within the Department. IPRA routinely directs requesters to the relevant sectors with public research centers or public sites.

### ***Publicly Accessible Information, Website and Enquiry Points***

The Department is broad and diverse in nature and manages various distinct laws that legally allow for publicly accessible information. Industry Canada has a comprehensive website and provides a number of enquiry points where the public may submit a query and obtain information on an informal basis, specifically:

- ▶ [ic.gc.ca](http://ic.gc.ca)
- ▶ Canada Business
- ▶ Canadian Consumer Information Gateway
- ▶ Canadian Intellectual Property Office
- ▶ Corporations Canada
- ▶ Office of the Superintendent of Bankruptcy
- ▶ Competition Bureau

### ***ATIP Website***

IPRA also has its own Internet site ([www.ic.gc.ca/eic/site/atip-aiprp.nsf/eng/home](http://www.ic.gc.ca/eic/site/atip-aiprp.nsf/eng/home)).

The site contains general information, points of contacts and links to other key departments and agencies, including the ATIP Offices for the Industry Portfolio.

### ***Info Source***

IPRA is responsible for providing a full accounting of the Department's information holdings to the Treasury Board Secretariat (TBS) and it ensures that updates are provided on a timely basis for inclusion in Info Source.

In 2011-2012, a review and update of the Department's Info Source Chapter was completed with the collaboration of program officials. The revised 2011-2012 Chapter contains complete descriptions of all IC functions, programs, activities and related holdings linked to Industry Canada's 2011 Program Activity Architecture. All of the Department's institution-specific Personal Information Banks (PIBs) were reviewed and updated.

Info Source may be obtained through public and academic libraries, or may be viewed online at [www.infosource.gc.ca/index-eng.asp](http://www.infosource.gc.ca/index-eng.asp).

### ***Reading Rooms***

A reading room is available at Industry Canada headquarters and in all regional offices as required. Current departmental manuals are available for review by the public upon request. The manuals may also be provided electronically.

## **Strategies and Initiatives to Ensure Compliance**

### ***Ensuring Compliance through Training and Outreach***

Enhanced awareness and knowledge of ATIP obligations on the part of departmental officials improves compliance with legal obligations, turnaround times, and the quality of responses. During the reporting year, IPRA continued to work closely with various program areas of the Department to improve compliance and address issues related to privacy and overarching IM concerns.

In 2011-2012, there was a 58 percent increase in ATIP awareness sessions prepared and delivered to Industry Canada employees (57 sessions as compared to 36 in 2010-2011), with approximately 1 032 participants (including regional participation via teleconference). A number of sessions were delivered to senior management across the department highlighting information management and the impact to ATIP as well as defining responsibilities and accountabilities. In addition, upon request, sessions were tailored to suit the needs of specific groups.

Ongoing training was provided to Sector Liaison Officers, and sessions were provided to new employees, as part of the departmental orientation program. To date, awareness and training sessions have resulted in increased cooperation and collaboration with program officials across the Department. In some cases it has allowed improved negotiations with applicants to reduce the scope and volume of work, and has also improved the overall productivity and performance in managing the ATIP programs. In addition to these formal sessions, an Intranet site and wiki were used to create awareness and disseminate information to employees.

Quarterly meetings with Sector Liaison Officers were established in order to provide regular updates and discuss ATIP issues.

IPRA also participated and contributed to the Department's IM Community of Practice, launched in July 2010, which provides a forum of discussion related to the development and implementation of Information Management best practices within Industry Canada in support of business and accountability.

IPRA also worked with partners across the Department to develop and deliver a more integrated IM outreach program to departmental officials. Messages highlighted the connections and inter-dependence existing between the ATIP functions and information management activities such as security classification, retention/disposal and business value of information, as well as providing practical tips and best practices.

## ***Mitigating Risk of Inappropriate Use and Disclosure of Information***

Over the past years, in an effort to mitigate the risk of releasing information that should be protected and to ensure the balance of privacy and right of access, IPRA has provided a number of services to the following core administrative functional areas:

### ***Comptrollership and Administration Sector (CAS)***

- As part of the government's policy on the mandatory publication of travel and hospitality expenses for selected government officials (proactive disclosure), IPRA reviews the information regarding travel and hospitality expenses before it is posted publicly on the departmental website. The review ensures that no personal information is included in the information.

### ***Chief Informatics Office (CIO)***

- The governance framework for IT projects includes Threat and Risk Assessments and Privacy Impact Assessments (PIAs) among the core documents. IPRA is responsible for reviewing and approving the PIAs, and for providing advice to departmental officials regarding their content. IPRA is also responsible for reviewing assessments to determine if PIAs are required.

### ***Human Resources Branch (HRB)***

- Providing general advice and guidance concerning privacy issues related to employees; reviewing reports such as harassment/grievance/disciplinary to ensure the balance of privacy and right of access.

## ***ATIP Case Management Tool***

IPRA implemented a new electronic ATIP Case Management tool (Axcress-1) in November 2011. This new tool has improved monitoring and tracking of requests and facilitates increased reporting requirements, thereby allowing IPRA to manage its day-to-day workflow more effectively.

## **PRIVACY – TRENDS AND STATISTICS**

### **Significant Trends**

As stated earlier, Industry Canada's mandate is focused on Canadian businesses. The Department's programs and initiatives assist in building a more productive, competitive and knowledge-based economy for Canada. As a result, there are few privacy requests and issues.

In total, 23 formal requests were received compared to 16 in 2010-2011. The few privacy requests received involved issues related to staffing exercises (such as rating guides and screening processes), performance, personal comments and bankruptcy files held by the Office of the Superintendent of Bankruptcy. This is in keeping with previous years.

### **Statistical Report – Interpretation and Explanation**

A summarized statistical report on *Privacy Act* requests processed from April 1, 2011 to March 31, 2012, is found in Appendix I. An explanation and interpretation of information contained in the appendix follows.

## **Part 1 – Requests Received under the *Privacy Act***

Of the 26 requests processed during this reporting period, three were outstanding from previous years and 23 requests were new. Three requests were carried forward into the new fiscal year. A total of 23 requests were completed and 6 333 pages processed.

## **Part 2 – Requests Closed during the Reporting Period**

### **2.1 – Disposition and Completion Time**

23 requests were completed during the 2011-2012 reporting period, categorized as follows:

**All Disclosed** – in five cases, the requester was granted full access.

**Disclosed in Part** – in 11 cases, the requesters were granted partial access.

**All exempted/excluded** – none to report.

**No records** – in four cases, no information was found to exist.

**Request abandoned** – three requests were abandoned by applicants.

### **2.2 – Exemptions**

As noted in Appendix I, the Department invoked exempting provisions pursuant to sections 22, 26 and 27 of the *Privacy Act*.

### **2.3 - Exclusions**

The Department did not invoke any exclusion pursuant to the Act.

### **2.4 – Format of Information Released**

In 16 of the 23 requests, copies of the records were provided to the applicants on paper (6) or on CDs (10). There was no request for on-site examination, or other formats.

### **2.5 – Complexity**

#### **2.5.1 – Relevant Pages Processed and Disclosed**

In completing the 23 requests, a total of 6 333 pages were processed and 3 978 pages released in part or in full to the applicants.

#### **2.5.2 – Relevant Pages Processed and Disclosed by Size of Requests**

Of the 23 requests completed, four had no records and of the remaining, 70 percent of the requests processed (16) involved 3 978 pages disclosed.

### **2.5.3 – Other Complexities**

In six of the 23 completed requests, complexity was due to consultations with other institutions (3) and inter-woven information (3).

## **2.6 – Deemed Refusals**

### **2.6.1 – Reasons for Not Meeting Statutory Deadline**

Of the 23 completed cases, the Department was able to respond within the legislated 30 to 60 days, 78 percent of the time (18 requests). However, five requests were completed past the legal due dates due to workload and internal consultations.

### **2.6.2 – Number of Days Past Deadline**

Of the five requests noted above, three could not be legally extended and were completed within 30 days after the legal due date. The remaining two requests were completed within 61 to 180 days after the legal due date.

## **2.7 – Requests for Translation**

No translation was undertaken for this reporting period.

## **Part 3 – Disclosures Under Subsection 8(2)**

Section 8(2)(e) – disclosure made to an investigative body (as described in the Regulations): one request was received during this reporting period.

Section 8(2)(m) – disclosure in the public interest: No disclosure was made during this reporting period.

## **Part 4 – Requests for Correction of Personal Information and Notations**

No request for corrections or notation was received for this reporting period.

## **Part 5 – Extensions**

### **5.1 – Reasons for extensions and disposition of requests**

Of the 23 completed cases, 13 percent of completed cases (3) required extensions under the Act to allow external consultation with other government institutions. Of these three cases, two were disclosed in part and one was all disclosed to the applicants.

### **5.2 – Length of Extensions**

In keeping with the *Privacy Act*, the three legal extensions taken were for no longer than 30 days each for a maximum legislated response time of 60 days per request.



## **Part 6 – Consultations Received from Other Institutions and Organization**

### **6.1 – Consultations received from other government institutions and organizations**

Two consultation requests were received from other government institutions (total of 24 pages) and none received from other organizations.

### **6.2 – Recommendations and completion time for consultations received from other government institutions**

The two consultations were completed within 15 days of receipt. One recommendation was to release fully and the other was to disclose in part.

### **6.3 – Recommendations and completion time for consultations received from other organizations**

There is nothing to report for 2011-2012.

## **Part 7 – Completion Time of Consultations on Cabinet Confidences**

There is none to report for this reporting period.

## **Part 8 – Resources Related to the *Privacy Act***

### **8.1 – Costs**

Total salary costs associated with IPRA administering *Privacy Act* activities amounted to \$21 254 for this reporting period. Non-salary costs amounted to \$2 671 for a total cost of \$23 925.

In addition to the above, administrative costs for program officials across the Department associated with retrieving and providing the information to IPRA amounted to \$4 590. Overall costs associated to administering the *Privacy Act* at Industry Canada totalled \$28 515.

### **8.2 – Human Resources**

The associated human resources required to fulfill this function amounted to less than one full-time employee (0.3). In addition to the above, departmental program officials required to retrieve and provide the information to IPRA amounted to less than one full-time employee (0.1) used to complete the work during the reporting period.

Overall total human resources required to administer the *Privacy Act* at Industry Canada is less than one full-time employee (0.4).

## **Complaints, Investigations and Appeals**

Applicants have the right of complaint pursuant to the Act and may exercise this right at any time during or after the processing of their request. The Department received two complaints for this reporting period, one related to use and disclosure and the other related to exemptions invoked. The Department also carried forward two complaints from the previous period.

During this period the Department completed two complaint investigations. The Privacy Commissioner concluded that one was well founded – resolved (use and disclosure) and the other was settled in the course of investigation (refusal-general); while two remain under investigation (one related to use and disclosure and the other related to exemption). No appeals were filed with the Federal Court of Canada during the reporting period.

## **Changes Resulting from Issues Raised by Officers of Parliament**

### **Office of the Privacy Commissioner of Canada**

There is nothing to report for 2011-2012.

### **Office of the Auditor General of Canada**

There is nothing to report for 2011-2012.

# **APPENDIX I – STATISTICAL REPORT ON THE *PRIVACY ACT***

**Name of institution:** Industry Canada

**Reporting period:** 2011-04-01 to 2012-03-31

## **PART 1 – Requests under the Privacy Act**

	<b>Number of Requests</b>
Received during reporting period	23
Outstanding from previous reporting period	3
<b>Total</b>	26
Closed during reporting period	23
Carried over to next reporting period	3

## **PART 2 – Requests closed during the reporting period**

### **2.1 Disposition and completion time**

<b>Disposition of requests</b>	<b>Completion Time</b>							<b>Total</b>
	1 to 15 days	16 to 30 days	31 to 60 days	61 to 120 days	121 to 180 days	181 to 365 days	More than 365 days	
All disclosed	1	3	1	0	0	0	0	5
Disclosed in part	0	6	3	0	1	1	0	11
All exempted	0	0	0	0	0	0	0	0
All excluded	0	0	0	0	0	0	0	0
No records exist	1	3	0	0	0	0	0	4
Request abandoned	2	0	1	0	0	0	0	3
<b>Total</b>	4	12	5	0	1	1	0	23

### **2.2 Exemptions**

<b>Section</b>	<b>Number of requests</b>	<b>Section</b>	<b>Number of requests</b>	<b>Section</b>	<b>Number of requests</b>
18(2)	0	22(1)(a)(i)	0	23(a)	0
19(1)(a)	0	22(1)(a)(ii)	0	23(b)	0
19(1)(b)	0	22(1)(a)(iii)	0	24(a)	0
19(1)(c)	0	22(1)(b)	1	24(b)	0
19(1)(d)	0	22(1)(c)	0	25	0
19(1)(e)	0	22(2)	0	26	10
19(1)(f)	0	22.1	0	27	1
20	0	22.2	0	28	0
21	0	22.3	0		

## 2.3 Exclusions

Section	Number of requests	Section	Number of requests	Section	Number of requests
69(1)(a)	0	70(1)(a)	0	70(1)(d)	0
69(1)(b)	0	70(1)(b)	0	70(1)(e)	0
69.1	0	70(1)(c)	0	70(1)(f)	0
				70.1	0

## 2.4 Format of information released

Disposition	Paper	Electronic	Other formats
All disclosed	3	2	0
Disclosed in part	3	8	0
<b>Total</b>	6	10	0

## 2.5 Complexity

### 2.5.1 Relevant pages processed and disclosed

Disposition of requests	Number of pages processed	Number of pages disclosed	Number of requests
All disclosed	1297	762	5
Disclosed in part	5036	3216	11
All exempted	0	0	0
All excluded	0	0	0
Request abandoned	0	0	3

### 2.5.2 Relevant pages processed and disclosed by size of requests

Disposition	Less than 100 pages processed		101-500 pages processed		501-1000 pages processed		1001-5000 pages processed		More than 5000 pages processed	
	Number of Requests	Pages disclosed	Number of Requests	Pages disclosed	Number of Requests	Pages disclosed	Number of Requests	Pages disclosed	Number of Requests	Pages disclosed
All disclosed	4	107					1	655		
Disclosed in part	4	112	4	508	1	595	2	2001		
All exempted										
All excluded										
Abandoned	3	0								
<b>Total</b>	11	219	4	508	1	595	3	2656	0	0

### 2.5.3 Other complexities

Disposition	Consultation required	Legal Advice Sought	Interwoven Information	Other	Total
All disclosed	1	0	0	0	1
Disclosed in part	2	0	3	0	5
All exempted	0	0	0	0	0
All excluded	0	0	0	0	0
Abandoned	0	0	0	0	0
<b>Total</b>	3	0	3	0	6

## 2.6 Deemed refusals

### 2.6.1 Reasons for not meeting statutory deadline

Number of requests closed past the statutory deadline	Principal Reason			
	Workload	External consultation	Internal consultation	Other
5	3	0	1	1

### 2.6.2 Number of days past deadline

Number of days past deadline	Number of requests past deadline where no extension was taken	Number of requests past deadline where an extension was taken	Total
1 to 15 days	2	0	2
16 to 30 days	1	0	1
31 to 60 days	0	0	0
61 to 120 days	0	1	1
121 to 180 days	1	0	1
181 to 365 days	0	0	0
More than 365 days	0	0	0
<b>Total</b>	4	1	5

## 2.7 Requests for translation

Translation Requests	Accepted	Refused	Total
English to French	0	0	0
French to English	0	0	0
<b>Total</b>	0	0	0

## PART 3 – Disclosures under subsection 8(2)

Paragraph 8(2)(e)	Paragraph 8(2)(m)	Total
1	0	1

## PART 4 – Requests for correction of personal information and notations

	Number
Requests for correction received	0
Requests for correction accepted	0
Requests for correction refused	0
Notations attached	0

## PART 5 – Extensions

### 5.1 Reasons for extensions and disposition of requests

Disposition of requests where an extension was taken	15(a)(i) Interference with operations	15(a)(ii) Consultation		15(b) Translation or conversion
		Section 70	Other	
All disclosed	0	0	1	0
Disclosed in part	0	0	2	0
All exempted	0	0	0	0
All excluded	0	0	0	0
No records exist	0	0	0	0
Request abandoned	0	0	0	0
<b>Total</b>	0	0	3	0

### 5.2 Length of extensions

Length of extensions	15(a)(i) Interference with operations	15(a)(ii) Consultation		15(b) Translation purposes
		Section 70	Other	
1 to 15 days	0	0	0	0
16 to 30 days	0	0	3	0
<b>Total</b>	0	0	3	0

## PART 6 – Consultations received from other institutions and organizations

### 6.1 Consultations received from other government institutions and organizations

Consultations	Other government institutions	Number of pages to review	Other organizations	Number of pages to review
Received during the reporting period	2	24	0	0
Outstanding from the previous reporting period	0	0	0	0
<b>Total</b>	2	24	0	0
Closed during the reporting period	2	24	0	0
Pending at the end of the reporting period	0	0	0	0

## 6.2 Recommendations and completion time for consultations received from other government institutions

Recommendation	Number of days required to complete consultation requests							
	1 to 15 days	16 to 30 days	31 to 60 days	61 to 120 days	121 to 180 days	181 to 365 days	More than 365 days	Total
Disclose entirely	1	0	0	0	0	0	0	1
Disclose in part	1	0	0	0	0	0	0	1
Exempt entirely	0	0	0	0	0	0	0	0
Exclude entirely	0	0	0	0	0	0	0	0
Consult other institution	0	0	0	0	0	0	0	0
Other	0	0	0	0	0	0	0	0
Total	2	0	0	0	0	0	0	2

## 6.3 Recommendations and completion time for consultations received from other organizations

Recommendation	Number of days required to complete consultation requests							
	1 to 15 days	16 to 30 days	31 to 60 days	61 to 120 days	121 to 180 days	181 to 365 days	More than 365 days	Total
Disclose entirely	0	0	0	0	0	0	0	0
Disclose in part	0	0	0	0	0	0	0	0
Exempt entirely	0	0	0	0	0	0	0	0
Exclude entirely	0	0	0	0	0	0	0	0
Consult other institution	0	0	0	0	0	0	0	0
Other	0	0	0	0	0	0	0	0
Total	0	0	0	0	0	0	0	0

## PART 7 – Completion time of consultations on Cabinet confidences

Number of days	Number of responses received	Number of responses received past deadline
1 to 15	0	0
16 to 30	0	0
31 to 60	0	0
61 to 120	0	0
121 to 180	0	0
181 to 365	0	0
More than 365	0	0
Total	0	0

## PART 8 – Resources related to the Privacy Act

### 8.1 Costs

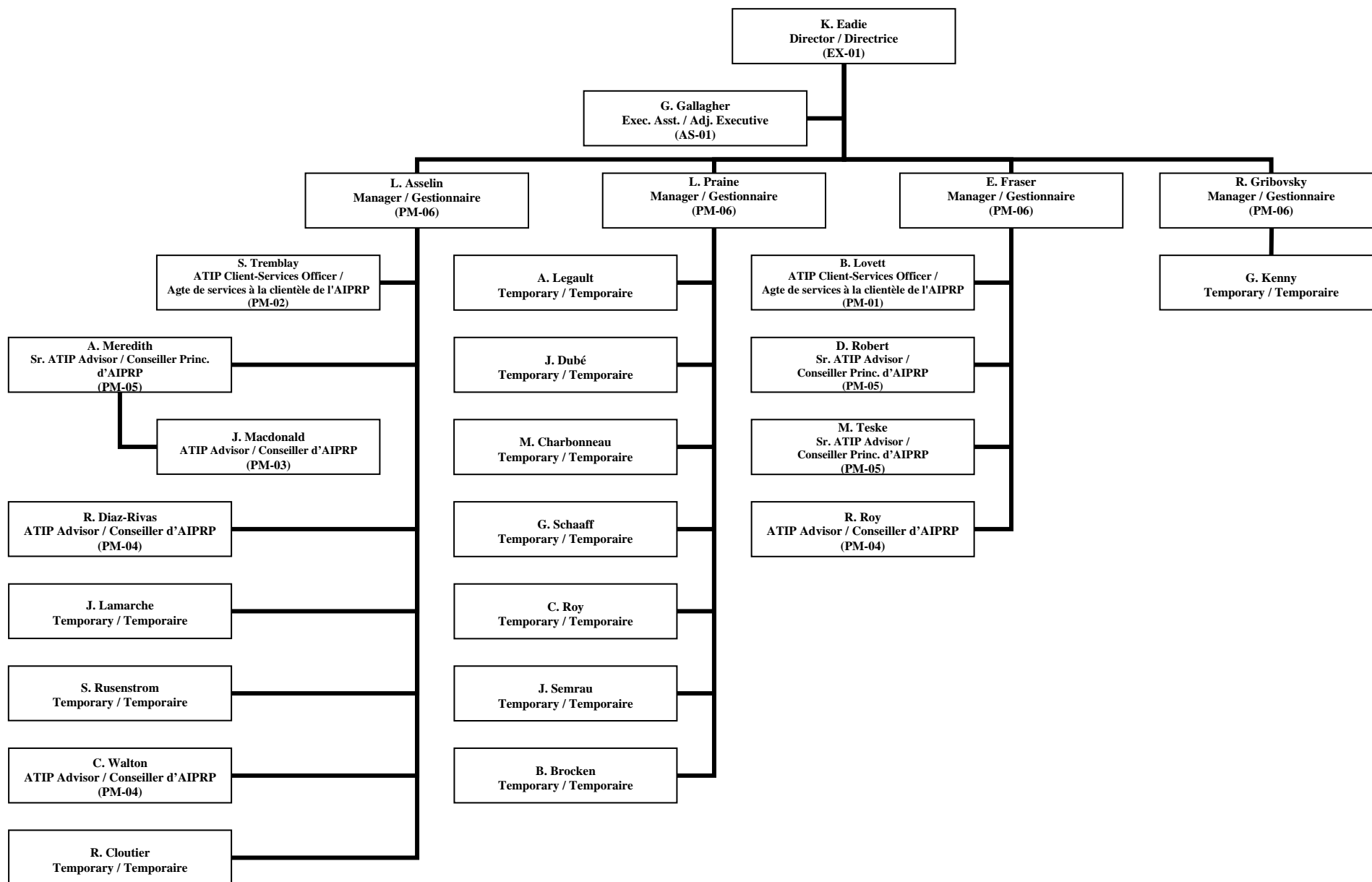
Expenditures		Amount
Salaries		\$21,254
Overtime		\$0
Goods and Services		\$2,671
• Contracts for privacy impact assessments	\$0	
• Professional services contracts	\$0	
• Other	\$2,671	
<b>Total</b>		<b>\$23,925</b>

### 8.2 Human Resources

Resources	Dedicated full-time	Dedicated part-time	Total
Full-time employees	0.30	0.00	0.30
Part-time and casual employees	0.00	0.00	0.00
Regional staff	0.00	0.00	0.00
Consultants and agency personnel	0.00	0.00	0.00
Students	0.00	0.00	0.00
<b>Total</b>	<b>0.30</b>	<b>0.00</b>	<b>0.30</b>



## APPENDIX II – IPRA ORGANIZATIONAL STRUCTURE



## **APPENDIX III – DELEGATION OF AUTHORITY**

### **Industry Canada / Industrie Canada**

#### ***Access to Information Act and Privacy Act Delegation Order***

#### ***Arrêté sur la délégation en vertu de la Loi sur l'accès à l'information et de la Loi sur protection des renseignements personnels***

The Minister of Industry Canada, pursuant to section 73 of the *Access to Information Act* and the *Privacy Act*, hereby designates the persons holding the positions set out in the schedule hereto, or the persons occupying on an acting basis those positions, to exercise the powers and functions of the Minister as the head of a government institution, under the section of the Acts set out in the schedule opposite each position. This Delegation Order supersedes all previous Delegation Orders.

En vertu de l'article 73 de la *Loi sur l'accès à l'information* et la *Loi sur la protection des renseignements personnels*, le Ministre d'Industrie Canada délègue aux titulaires des postes mentionnés à l'annexe ci-après, ainsi qu'aux personnes occupant à titre intérimaire les-dits postes, les attributions dont il est, en qualité de responsable d'une institution fédérale, investie par les articles des lois mentionnées en regard de chaque poste. Le présent décret de délégation remplace et annule tout décret antérieur.

#### **Schedule / Annexe**

<b>Position / Poste</b>	<b><i>Access to Information Act</i> and Regulations / <i>Loi sur l'accès à l'information</i> et règlements</b>	<b><i>Privacy Act</i> and Regulations / <i>Loi sur la protection des renseignements personnels</i> et règlements</b>
Assistant Deputy Minister, Small Business, Tourism and Marketplace Services / Sous-ministre adjoint(e), Services axes sur le marché, le tourisme et les petites entreprises	Full authority / Autorité absolue	Full authority / Autorité absolue
Director General, Information Management Branch (IMB) / Directeur (trice) général, Gestion de l'information (DGI)	Full authority / Autorité absolue	Full authority / Autorité absolue

Director, Information and Privacy Rights Administration (IPRA), Information Management Branch (MB)/ Directeur (trice), Administration des droits à l'information et à la protection des renseignements personnels (ADIPRP), Gestion de l'information (DGGI)

Full authority / Autorité absolue

Full authority / Autorité absolue

Manager, IPRA-IMB / Gestionnaire, ADIPRP-DGGI

Full authority / Autorité absolue

Full authority / Autorité absolue

and

Senior Advisor IPRA, IMB / Conseiller (ère) principal(e), ADIPRP - DGI

Sections / Articles: 7, 8(1), 9, 11(4)(5), 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27(1), 68, 69

Sections / Articles : 8(1), 14, 15, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 69, 70

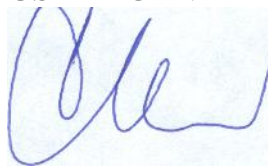
Dated, at the City of Ottawa  
this        day of        , 2011

**SEP 06 2011**

Date, en la ville d'Ottawa  
ce        jour de        2011

**SEP 06 2011**

THE HONOURABLE CHRISTIAN PARADIS MINISTRE  
OF INDUSTRY CANADA



MINISTRE D'INDUSTRIE CANADA L'HONORABLE  
CHRISTIAN PARADIS

