



Report on the administration of the *Privacy Act*

2014-2015







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Introduction

The *Privacy Act* (the Act), promulgated on July 1, 1983, aims 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.

The purpose of the Act is to protect personal information by allowing individuals to consult information about themselves. It also imposes strict controls on how such information is gathered, used and shared.

Under section 72 of the Act, The head of every government institution shall prepare an annual report for submission to Parliament. This document therefore reports on the operations of the Economic Development Agency of Canada for the Regions of Quebec in 2012-2013, as required by the Act.

The *Privacy Act* gives individuals general access to personal information about themselves held by federal institutions, subject to certain specific and limited exceptions.

Mandate of the Economic Development Agency of Canada for the Regions of Quebec

Under its incorporating act, which came into effect on October 5, 2005, the mission of the Agency is to promote the long-term economic development of the regions of Quebec, giving special attention to those where slow economic growth is prevalent or opportunities for productive employment are inadequate. As part of its mission, the Agency is committed to promoting cooperation and a complementary relationship with Quebec and its communities

Growth and jobs and the success of Quebec's regions and enterprises are central to the Agency's mission and consistent with the Government of Canada's top economic priorities

Present across Quebec through its business offices, the Agency is the key federal actor in the economic development of the regions of Quebec. It supports businesses and economic stakeholders in their development efforts and provides funding for their projects.

In addition to its regular programs, the Agency contributes to the design and implementation of national programs and targeted temporary initiatives to meet the challenges of specific situations in Quebec.

The Agency's approach is inspired by the best practices identified with respect to regional economic development. It is:

- Consistent with government priorities and national strategies related to its mission and anticipated results;
- **Geared** to the economic issues and challenges of enterprises and the different regions of Quebec, building on their assets and potential; and
- **Collaborative** with economic agents, such as local partners, other federal departments and agencies and the Quebec government.

Since April 1, 2012, the Agency has had one regular grants and contributions (G&C) program, the *Quebec Economic Development Program (QEDP)*. In addition to this program, the Agency contributed to the design and implementation in Quebec of Canada-wide programs and targeted ad-hoc initiatives such as:

Agency's G&C Programs and Initiatives, 2014-2015

Regular Program and Ad-hoc Initiatives:

- Quebec Economic Development Program (QEDP)
 - o Economic Recovery Initiative for Lac-Mégantic
 - o Canadian Economic Diversification Initiative for Communities Reliant on Chrysotile
 - o Linguistic Duality Economic Development Initiative (EDI)
 - o Strategic Initiative to Combat the Spruce Budworm Outbreak in Quebec

Canada-wide Program Implemented in Quebec by the Agency:

• Community Futures Program (CFP)

Infrastructure Canada's delivery partner for the administration in Quebec:

Building Canada Fund (BCF)

To learn more about the Agency's mandate, programming and operations, go to its Web site: www.dec-ed.gc.ca.

Access to Information and Privacy Office

The Access to Information and Privacy Office (AIPO) reports directly to the Deputy Minister/President's Chief of Staff.

AIPO has an access to information and privacy senior officer, as well as a coordinator. The senior officer, with the help of the coordinator, oversees compliance with legislation, regulations, procedures and broad government trends.

Through its delegated authority, AIPO represents the Agency on matters relating to the Act in dealings with the public, Treasury Board Secretariat, the Commissioners of Information and Privacy and other federal departments and institutions.

AIPO's chief duties are:

- Processing requests for access to information and coordinating all attendant administrative and legal operations.
- Assisting applicants.
- Developing opinions, general guidelines and procedures relating to application of the Act.
- Reporting on the Agency's application of the Act.
- Meeting the training and information needs of Agency employees.

Delegation of authority

The Agency's enabling legislation identifies its head as being the Deputy Minister/President. In addition to managing the institution and overseeing management of Agency personnel, the Deputy Minister/President is responsible for application of the *Access to Information Act*.

To this end, the authority for application of the Act was delegated to the Senior Advisor, Access to Information and Parliamentary Affairs, while most administrative authority was delegated to the Coordinator, Access to Information and Parliamentary Affairs.

Interpreting the statistical report on access to personal information

Requests received and processed

In 2014-2015, only one access to personal in request was received and processed.

Owing to its economic development activities, the Agency holds numerous documents containing information on third parties, but very little in the way of personal information. This is why records of requests for access to personal information are so rare.

The following table illustrates the number of access to personal information requests received over the last five years. As the graph indicates, the Agency only processed 6 requests for access to personal information over that period.



Processing times, disposition, extension and exceptions invoked

For the single request received in 2014-2015, the information was released prior to the 15th day of processing time. As such, no extension was taken. In addition, there was no exception invoked, thus the requester received the information in its entirety.

Pages processed and disclosed

A total of 34 pages was processed and released. Since the Agency rarely processes access to personal information requests, there is no trend that can be detected.

Consultations

The Agency did not resort to any consultation while processing this access to personal information request. Also, the Agency did not receive any consultation from other institutions.

Cost

Expenditures related to the administration of the Act totalled \$11,406 in 2014-2015. That amount includes \$9,320 in salaries for 0.15 FTEs. Since the Agency modified its Privacy Impact Assessment, \$1,350 was spent on professional services. Also, a total of \$736 was spent on travel costs, software leasing, supplies and translation services.

Training

In fiscal 2011-2012, we were able to develop and deliver a series of mandatory training sessions entitled *Access to Information and Privacy Protection*. This major initiative was conducted by the AIPO team and instructed 316 Agency employees on issues of access to information and protection of personal data. In 2013-2014, AIPO continued with training, focusing on new Agency employees or those who did not have the opportunity to attend the training. To this end, seven training sessions were provided to a total of 43 employees.

In 2014-2015, no training session was delivered to Agency employees, as it is offered every other year. However, the AIPO remains available to deliver specific training to employees, whose duties call for a certain grasp of access to information matters. It should be noted that in 2014-2015, the Agency's access to information senior advisor lent his services and traveled to Nunavut to deliver five training session to employees of the Canadian Northern Economic Development Agency, as well as Aboriginal Affairs and Northern Development Canada. It is a great example of collaboration between departments and also within the federal access to information community.

Administrative policies and practices

Access to information and personal information procedure

For the past four years, AIPO has had an *Access to Information and Personal Information Procedure*, submitted to and approved by the Agency's top management. No amendments were made in 2013-2014.

The procedure meets the demands of the *Directive on the Administration of the Access to Information Act*, as updated in January 2012. The purpose of this directive is to facilitate compliance with legislative and regulatory strictures, spell out the roles and responsibilities of all those involved in processing access requests and provide an efficient model of practices and processes for handling access requests.

In addition to presenting the roles and responsibilities of the various individuals involved, this procedure presents the process for handling requests, intended to illustrate the various processing and approval stages in effect at the Agency, based on the steps indicated in the following diagram.

RECEIPT

As part of a well defined process, AIPO is responsible for receiving and processing requests submitted under the Act and provides leadership in this regard. AIPO then forwards the requests to the office of primary interest, which is then responsible for forwarding the requested documents and providing AIPO with expert advice.

PROCESSING

Once the document extraction process has been completed, AIPO analyses the documents on the basis of the Act, consults the office of primary interest, the departments concerned and third parties, if necessary. It then informs the branches and sectors concerned of the recommended dispositions, which are then submitted to the Manager, Corporate Secretariat, for approval.

COMMUNICATION

A 48-hour notice included in AIPO's decision is sent simultaneously to the managers involved. The documents are then prepared for reporting and sent to the applicants.

Directive on Privacy Practices

In 2014-2015, the Agency developed a Directive on Privacy Practices. Its purpose is to foster, within the organization, a common understanding of every concept related to the protection of personal information. In addition, this directive encompasses, in a single document, consistent and sound privacy management practices of personal information. This directive also contributes to developing proper practices for the creation, collection, use, retention, communication and/or recall of personal information in order to reduce the risks of a privacy breach.

Procedure in conducting a Privacy Impact Assessment

In 2014-2015, the Agency introduced a procedure in conducting a privacy impact assessment. This procedure reiterates that personal information compiled from an individual must only be used for the sole purpose it was collected. In addition, when a new activity or a new program is introduced, or major changes are brought, a privacy impact assessment must be conducted prior to collecting the information. This process helps to determine, evaluate and reduce the risks of a privacy breach

Information available on the Agency's Web site

http://www.dec-ced.gc.ca/eng/access-information/index.html

One section of the Agency's site has information about its role in applying the Act. There, one can find especially details of access requests processed by AIPO and for which records have been released. In accordance with the *Directive on the Administration of the Access to Information Act*, the Agency has been publishing a monthly summary of access to information requests processed since May 2011. Summaries contain the identification, abstract and disposition of requests, as well as the number of pages released.

These Web pages also contain practical supplementary information to help citizens who want to file an access request. This section is intended as a gateway to AIPO's services.

Complaints and investigations

During fiscal year 2013-2014, the Agency received one complaint about a request for access to personal information processed in 2012-2013. This complaint was resolved over the reporting period. The main issue was the application of section 25 (Safety of individuals) to the request in question. The Office of the Privacy Commissioner concluded after its investigation that there was nothing to indicate that the Agency exercised its discretion in an unreasonable or abusive manner. Essentially, the findings showed that the Agency did correctly exempt information under section 25 of the Act and that the requester was not hindered in accessing his/her personal information.

Monitoring the time

The AIPO ensures the time to process access to personal information requests is monitored through a weekly report of on-going requests. The report provides details of the day an answer is due for each request. This report is distributed to the Agency's senior management, including the deputy head.

Material Privacy Breaches

There was no material privacy breach that occurred over the reporting period.

Privacy Impact Assessment (PIA)

In 2013-2014, the Agency made the necessary arrangements for a privacy impact assessment for the *Quebec Economic Development Program (QEDP)*. This program came into effect on April 1st, 2012 and replaced the Business and Regional Growth program and Community Diversification program, keeping essentially the same objectives and characteristics. Its provides a means for the implementation and management of grants and contributions with the purpose to promote the long-term economic development of the regions of Quebec by giving special attention to those where slow economic growth is prevalent or opportunities for productive employment are inadequate.

The Directive on Privacy Impact Assessment published by the Treasury Board of Canada (TB) on April 1, 2010, states that all government institutions subject to the *Privacy Act* that create, sponsor or fund programs, projects or initiatives involving the collection, use or disclosure of personal information should consider conducting a PIA before proceeding with their projects and initiatives. The assessment found that there was no merit in creating a personal information bank.

Over the course of 2014, the Agency did collect personal information that could potentially lead to an administrative decision which could have consequences for an entrepreneur. Even if unlikely, there is still a possibility that other clients' files may lead to gathering similar personal information which could also lead to a decision affecting an individual. Thus, and in accordance with the requirements of paragraph 9(4) of the *Privacy Act*, the Agency decided to create a personal information bank and to update its December 23, 2013 PIA report, in order to reflect the new operational context of the QEDP.

Disclosure of personal information

In 2014-2015, no information was disclosed pursuant to subsection 8.(2)(m).

Actions planned for 2015-2016

The ATIPO will continue to respond to all requests for access to personal information in accordance with the spirit and letter of the Act.

In addition, it will continue improving its business practices while complying with access to personal information-related directives, regulations and major trends. The improvement of its business practices in 2015-2016 will be achieved in part through a training program offered to all employees and managers following the implementation of the new *Privacy Policy*.

Delegation Chart - Privacy Act and Privacy Regulations

The President, pursuant to section 73 of 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, duties and functions of the President as the head of the Economic Development Agency for the Regions of Quebec, under the provisions of the Act and related regulations set out in the schedule opposite each position. This designation replaces all previous delegation orders.

Privacy Act

		Proposed (delegation
Provision	Description	Senior advisor, access to information	Coordinator, access to information
8(2)(<i>j</i>)	Disclose personal information for research purposes	✓	
8(2)(<i>m</i>)	Disclose personal information in the public interest or in the interest of the individual	✓	
8(4)	Retain copy of 8(2)(e) requests and disclosed records	✓	
8(5)	Notify Privacy Commissioner of 8(2)(m) disclosures	✓	
9(1)	Retain record of use	✓ ✓	
9(4)	Consistent use	✓	✓
10	Include personal information in personal information banks	✓	✓
14(a)	Notice where access requested	✓ ✓	
14(b)	Giving access to the record	*	
15	Extension of time limits	✓	
17(2)(<i>b</i>)	Language of access	✓	
17(3)(<i>b</i>)	Access to personal information in alternative format	✓	✓

Exemption Provisions of the Privacy Act

		Proposed	delegation
Provision	Description	Senior advisor, access to information	Coordinator, access to information
18(2)	Exemption (exempt bank) – Disclosure may be refused	✓	
19(1)	Exemption – Personal information obtained in confidence	✓	
19(2)	Exemption – Where authorized to disclose	✓	
20	Exemption – Federal-provincial affairs	✓	
21	Exemption – International affairs and defence	✓	
22	Exemption – Law enforcement and investigation	✓	
22.3	Exemption – Public Servants Disclosure Protection Act	✓	
23	Exemption – Security clearances	✓	
24	Exemption – Individuals sentenced for an offence	✓	
25	Exemption – Safety of individuals	✓	
26	Exemption – Information about another individual	✓	
27	Exemption – Solicitor-client privilege	✓	
28	Exemption – Medical record	✓	

Other Provisions of the *Privacy Act*

		Proposed delegation		
Provision	Description	Senior advisor, access to information	Coordinator, access to information	

		Proposed	delegation
Provision	Description	Senior advisor, access to information	Coordinator, access to information
33(2)	Right to make representation	✓	
35(1)	Findings and recommendations of Privacy Commissioner (complaints)	✓	✓
35(4)	Access to be given	√	✓
36(3)	Report of findings and recommendations (exempt banks)	*	✓
51(2), (3)	Special rules for hearings	✓	
70	Cabinet confidences*	✓	
72	Report to Parliament	✓	√

^{*}Legal advice obtained beforehand

Privacy Regulations

		Proposed	delegation
Provision	Description	Senior advisor, access to information	Coordinator, access to information
7	Retention of personal information requested under paragraph 8(2)(e)	✓	✓
9	Examination of information	✓	✓
11(2),11(4)	Notification concerning corrections	✓	✓
13(1)	Disclosure of personal information relating to physical or mental health	✓	✓
14	Examination in presence of medical practitioner or psychologist	✓	✓

Report on the administration of the <i>Privacy Act</i>		
approve the delegation schedule.		
Marie Lemay, Deputy Minister / President	Date	



Statistical Report on the Privacy Act

Name of institution: Canada Economic Development

Reporting period: 2014-04-01 to 2015-03-31

Part 1: Requests Under the Privacy Act

	Number of Requests
Received during reporting period	1
Outstanding from previous reporting period	0
Total	1
Closed during reporting period	1
Carried over to next reporting period	0

Part 2: Requests Closed During the Reporting Period

2.1 Disposition and completion time

	Completion Time							
Disposition of 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
All disclosed	1	0	0	0	0	0	0	1
Disclosed in part	0	0	0	0	0	0	0	0
All exempted	0	0	0	0	0	0	0	0
All excluded	0	0	0	0	0	0	0	0
No records exist	0	0	0	0	0	0	0	0
Request abandoned	0	0	0	0	0	0	0	0
Neither confirmed nor denied	0	0	0	0	0	0	0	0
Total	1	0	0	0	0	0	0	1

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2.2 Exemptions

Section	Number of Requests	Section	Number of Requests	Section	Number of Requests
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)	0	24(b)	0
19(1)(d)	0	22(1)(c)	0	25	0
19(1)(e)	0	22(2)	0	26	0
19(1)(f)	0	22.1	0	27	0
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)	0	70(1)(d)	0
69(1)(b)	0	70(1)(a)	0	70(1)(e)	0
69.1	0	70(1)(b)	0	70(1)(f)	0
		70(1)(c)	0	70.1	0

2.4 Format of information released

Disposition	Paper	Electronic	Other formats
All disclosed	1	0	0
Disclosed in part	0	0	0
Total	1	0	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	34	34	1
Disclosed in part	0	0	0
All exempted	0	0	0
All excluded	0	0	0
Request abandoned	0	0	0
Neither confirmed nor denied	0	0	0
Total	34	34	1

2.5.2 Relevant pages processed and disclosed by size of requests

		nan 100 ges essed	Pag	-500 ges essed	501- Pag Proce	ges	Pag	-5000 ges essed		an 5000 ges essed
Disposition	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	1	34	0	0	0	0	0	0	0	0
Disclosed in part	0	0	0	0	0	0	0	0	0	0
All exempted	0	0	0	0	0	0	0	0	0	0
All excluded	0	0	0	0	0	0	0	0	0	0
Request abandoned	0	0	0	0	0	0	0	0	0	0
Neither confirmed nor denied	0	0	0	0	0	0	0	0	0	0
Total	1	34	0	0	0	0	0	0	0	0

2.5.3 Other complexities

Disposition	Consultation Required	Legal Advice Sought	Interwoven Information	Other	Total
All disclosed	0	0	0	0	0
Disclosed in part	0	0	0	0	0
All exempted	0	0	0	0	0
All excluded	0	0	0	0	0
Request abandoned	0	0	0	0	0
Neither confirmed nor denied	0	0	0	0	0
Total	0	0	0	0	0

2.6 Deemed refusals

2.6.1 Reasons for not meeting statutory deadline

Number of Requests Clased	Principal Reason				
Number of Requests Closed Past the Statutory Deadline	Workload	External Consultation	Internal Consultation	Other	
0	0	0	0	0	

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	0	0	0
16 to 30 days	0	0	0
31 to 60 days	0	0	0
61 to 120 days	0	0	0
121 to 180 days	0	0	0
181 to 365 days	0	0	0
More than 365 days	0	0	0
Total	0	0	0

2.7 Requests for translation

Translation Requests	Accepted	Refused	Total
English to French	0	0	0
French to English	0	0	0
Total	0	0	0

Part 3: Disclosures Under Subsections 8(2) and 8(5)

Paragraph 8(2)(e)	Paragraph 8(2)(m)	Subsection 8(5)	Total
0	0	0	0

Part 4: Requests for Correction of Personal Information and Notations

Disposition for Correction Requests Received	Number
Notations attached	0
Requests for correction accepted	0
Total	0

Part 5: Extensions

5.1 Reasons for extensions and disposition of requests

	15(a)(i) Interference 15(a)(ii) Consultation		15(b)	
Disposition of Requests Where an Extension Was Taken	With Operations	Section 70	Other	Translation or Conversion
All disclosed	0	0	0	0
Disclosed in part	0	0	0	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

Total

5.2 Length of extensions

	15(a)(i)	15(a Consu	15(b)	
Length of Extensions	Interference with operations	Section 70	Other	Translation purposes
1 to 15 days	0	0	0	0
16 to 30 days	0	0	0	0
Total	0	0	0	0

Part 6: Consultations Received From Other Institutions and Organizations

6.1 Consultations received from other Government of Canada institutions and other organizations

Consultations	Other Government of Canada Institutions	Number of Pages to Review	Other Organizations	Number of Pages to Review
Received during the reporting period	0	0	0	0
Outstanding from the previous reporting period	0	0	0	0
Total	0	0	0	0
Closed during the reporting period	0	0	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 of Canada institutions

	Numbe	Number of Days Required to Complete Consultation Requests						
Recommendation	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
All disclosed	0	0	0	0	0	0	0	0
Disclosed in part	0	0	0	0	0	0	0	0
All exempted	0	0	0	0	0	0	0	0
All excluded	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

6.3 Recommendations and completion time for consultations received from other organizations

	Number of days required to complete consultation requests						uests	
Recommendation	1 to 15 Days	16 to 30 Days	31 to 60 Days	61 to 120 Days	121 to 180 Days	181 to 365 Ddays	More Than 365 Days	Total
All disclosed	0	0	0	0	0	0	0	0
Disclosed in part	0	0	0	0	0	0	0	0
All exempted	0	0	0	0	0	0	0	0
All excluded	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

7.1 Requests with Legal Services

	Fewer T Pag Proce	•	101-500 Pages Processed		501-1000 Pages Processed		1001-5000 Pages Processed		More than 5000 Pages Processed	
Number of Days	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
1 to 15	0	0	0	0	0	0	0	0	0	0
16 to 30	0	0	0	0	0	0	0	0	0	0
31 to 60	0	0	0	0	0	0	0	0	0	0
61 to 120	0	0	0	0	0	0	0	0	0	0
121 to 180	0	0	0	0	0	0	0	0	0	0
181 to 365	0	0	0	0	0	0	0	0	0	0
More than 365	0	0	0	0	0	0	0	0	0	0
Total	0	0	0	0	0	0	0	0	0	0

7.2 Requests with Privy Council Office

	Fewer T Pag Proce	•	101–500 Pages Processed		501-1000 Pages Processed		1001-5000 Pages Processed		More than 5000 Pages Processed	
Number of Days	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
1 to 15	0	0	0	0	0	0	0	0	0	0
16 to 30	0	0	0	0	0	0	0	0	0	0
31 to 60	0	0	0	0	0	0	0	0	0	0
61 to 120	0	0	0	0	0	0	0	0	0	0
121 to 180	0	0	0	0	0	0	0	0	0	0
181 to 365	0	0	0	0	0	0	0	0	0	0

More than 365	0	0	0	0	0	0	0	0	0	0
Total	0	0	0	0	0	0	0	0	0	0

Part 8: Complaints and Investigations Notices Received

Section 31	Section 33	Section 35	Court action	Total
0	0	0	0	0

Part 9: Privacy Impact Assessments (PIAs)

Number of PIA(s) completed	1
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Part 10: Resources Related to the Privacy Act

10.1 Costs

Expenditures		Amount
Salaries		\$9 320
Overtime		\$0
Goods and Services		\$2 086
Professional services contracts	\$1 350	
Other	\$736	
Total		\$11 406

10.2 Human Resources

Resources	Person Years Dedicated to Privacy Activities
Full-time employees	0,15
Part-time and casual employees	0,00
Regional staff	0,00
Consultants and agency personnel	0,00
Students	0,00
Total	0,15

Note: Enter values to two decimal places.