



Offices of the Information and Privacy Commissioners

Performance Report

For the period ending
March 31, 1998

Canada

Improved Reporting to Parliament Pilot Document

The Estimates of the Government of Canada are structured in several 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 *Report on Plans and Priorities* provides additional detail on each department and its programs primarily in terms of more strategically oriented planning and results information with a focus on outcomes.

The *Departmental Performance Report* provides a focus on results-based accountability by reporting on accomplishments achieved against the performance expectations and results commitments as set out in the spring *Report on Plans and Priorities*.

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Foreword

On April 24, 1997, the House of Commons passed a motion dividing on a pilot basis what was known as the annual *Part III of the Estimates* document for each department or agency into two documents, a *Report on Plans and Priorities* and a *Departmental Performance Report*.

This initiative is intended to fulfil the government's commitments to improve the expenditure management information provided to Parliament. This involves sharpening the focus on results, increasing the transparency of information and modernizing its preparation.

This year, the Fall Performance Package is comprised of 80 Departmental Performance Reports and the government's "*Managing For Results*" report.

This ***Departmental Performance Report***, covering the period ending March 31, 1998, provides a focus on results-based accountability by reporting on accomplishments achieved against the performance expectations and results commitments as set out in the department's *Part III of the Main Estimates* or pilot *Report on Plans and Priorities* for 1997-98. The key result commitments for all departments and agencies are also included in *Managing for Results*.

Results-based management emphasizes specifying expected program results, developing meaningful indicators to demonstrate performance, perfecting the capacity to generate information and reporting on achievements in a balanced manner. Accounting and managing for results involve sustained work across government

The government continues to refine and develop both managing for and reporting of results. The refinement comes from acquired experience as users make their information needs more precisely known. The performance reports and their use will continue to be monitored to make sure that they respond to Parliament's ongoing and evolving needs.

This report is accessible electronically from the Treasury Board Secretariat Internet site:
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OFFICES OF THE INFORMATION AND PRIVACY COMMISSIONERS

PERFORMANCE REPORT

for the period ending March 31, 1998

Approved: _____
Information Commissioner of Canada

Date: _____

Approved: _____
Privacy Commissioner of Canada

Date: _____

Approved: _____
Minister of Justice

Date: _____

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SECTION I - INTRODUCTION

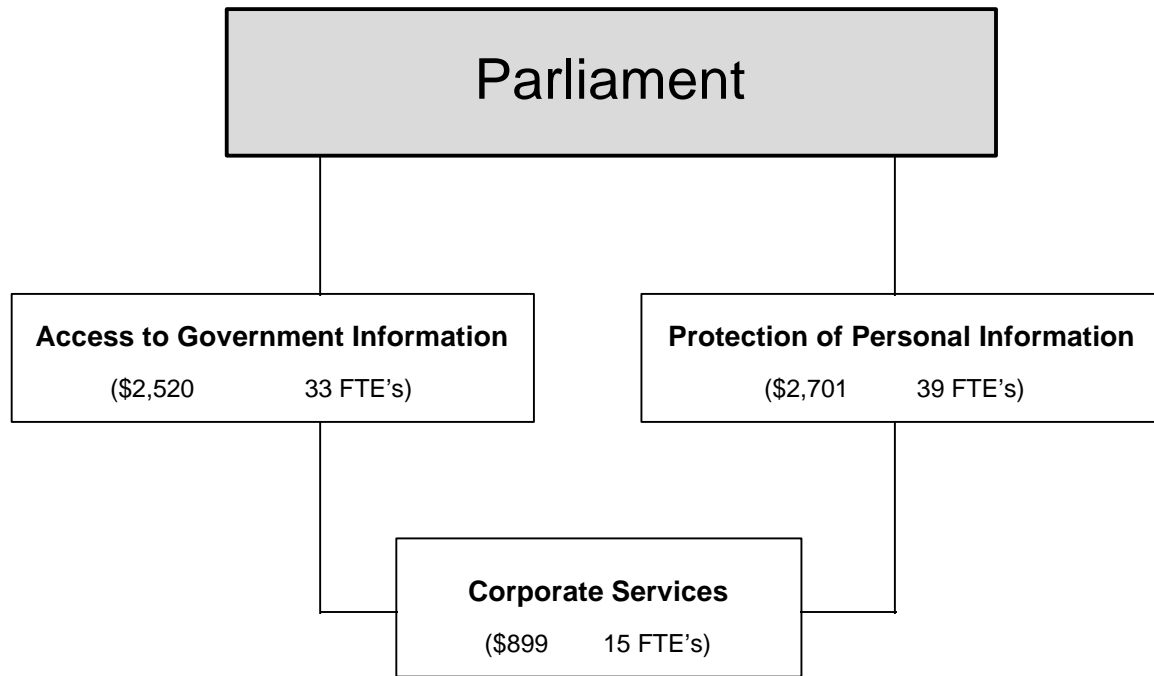
The Offices of the Information and Privacy Commissioners of Canada were created under the Access to Information and Privacy Acts which came into force on July 1, 1983. The Commissioners are independent officers of Parliament appointed by the Governor-in-Council following approval of their nominations by resolution of the Senate and the House of Commons. The Offices of the Commissioners were designated by Order-in-Council as a department for purposes of the Financial Administration Act.

The Commissioners are accountable for, and report directly to Parliament on, the results achieved with the resources and authorities provided. The Commissioners share premises and corporate services while operating independently under their separate statutory authorities. The sharing of support services avoids duplication of effort and realizes cost savings to the government and the Commissioners' programs.

The Offices of the Information and Privacy Commissioners of Canada have two business lines, see Figure 1, which contribute to program objectives ***(access to government information and protection of personal information)*** and one internal business line (corporate services). Figures 2 and 3, Chart of Key Results Commitments, provide a guide to the performance information associated with the Commissioners' operations.

During 1997-98, the Offices dealt with an increasing workload of complaints, inquiries and issues; responded to possible changes to legislation; implemented important enhancements to investigation processes; and conducted an internal review of business practices. This report provides the reader with a look at the Offices' performance during 1997-98, the factors that have influenced change and how the Commissioners have administered their programs.

Figure 1: Accountability for Business Line Results Achieved with the 1997-98 Resources (\$000's) and Authorities Provided



Access to Government Information: The objective of this business line is the investigation of complaints, reviewing proposals for legislative change affecting access to information, responding to written and telephone inquiries, conducting reviews of the extent of non-compliance with the Act, the resolution of complaints and pursuit of court resolution of unsolved complaints.

Protection of Personal Information: The objective of this business line is investigating complaints, reviewing and auditing departmental privacy performance, responding to written and telephone inquiries, assessing the impact of new technologies implemented or being considered for implementation by government agencies, monitoring legislation, advising Parliament as well as federal departments and agencies, and investigating issues which will have an impact on the privacy of Canadians.

Corporate Services: The objective of this internal business line is to ensure that internal overhead functions are in place to support Access to Information and Privacy program management decisions and accountability.

**Figure 2: Chart of Key Results Commitments
Access to Government Information**

To provide Canadians with:	To be demonstrated by:	Achievement reported in:
Effective and efficient access to information held by federal institutions.	<ul style="list-style-type: none"> ! Improved knowledge of rights of access to information in federal institutions. ! Access to information without legal formalities. ! Greater transparency of information held by federal institutions. ! Innovative and cost-effective complaint resolutions. 	<ul style="list-style-type: none"> ! DPR pages 6-10 ! DPR pages 6-8 ! Measurement system currently being developed. ! DPR pages 7-10

**Figure 3: Chart of Key Result Commitments
Protection of Personal Information**

To provide Canadians with:	To be demonstrated by:	Achievement reported in:
Protection of personal information held by federal institutions.	<ul style="list-style-type: none"> ! Investigating and resolving complaints to ensure individuals are accorded their Privacy Act rights. ! Reviewing and auditing federal department privacy performance to ensure that they comply with established fair information management practices. ! Responding to inquiries aimed at improving awareness of personal information rights. ! Advising parliamentarians and federal departments on the adequacy of legislative initiatives in furthering privacy protection for Canadians. 	<ul style="list-style-type: none"> ! DPR page 12-16 ! DPR page 15 ! DPR pages 13-15 ! DPR page 14

SECTION II - OFFICE OF THE INFORMATION COMMISSIONER

Commissioner's Message

Within the context of an ever increasing workload and static resources, we continue making every reasonable effort to resolve each complaint in a timely manner without resorting to the court system. Over the past few years, however, the Office has exhausted its ability to make productivity improvements from within.

Efficiency improvements such as exploiting technology, reducing management layers, abolishing positions not directly related to investigations (such as public affairs, research and policy) have enabled the Office to contain, but not to vanquish, the growing backlog of incomplete investigations. Without an infusion of new resources, service to the public will fall below acceptable standards. For that reason, in concert with officials of the Treasury Board, the Office is undertaking an "A-base Review" of the office's resource needs for future years.

During the coming year, the Office of the Information Commissioner will continue, within the constraints of its resources, to pursue its objectives of ensuring fairness, thoroughness and timeliness to all parties in the investigation of complaints under the access to information law; encouraging a culture of openness in government so that, over time, the number of complaints will diminish; and assisting Parliament in modernizing and strengthening the access law.

Mandate and Objectives

The Office of the Information Commissioner of Canada (OIC) is mandated to investigate complaints made by individuals and corporations who believe that the government has denied rights under the Access to Information Act--Canada's freedom of information legislation. Passage of the Act in 1983 gave Canadians and any person or corporation present in Canada the broad legal right of access to information recorded in any form and controlled by federal institutions, subject to limited and specific exemptions.

The Commissioner is independent of government and has strong investigative powers. These are real incentives to government institutions to adhere to the Act and respect applicants' rights. The Commissioner may not, however, order a complaint resolved in a particular way. He is a specialized ombudsman rather than a judge. Thus, he relies on persuasion to solve disputes, asking for a Federal Court review only if government refuses to follow his recommendations that he believes an individual has been properly denied access and a negotiated solution has proved impossible.

The Access to Information Act is the legislative authority for the activities of the Information Commissioner and his office. The strategic objectives of the program are:

- M** to ensure that the rights and obligations of complainants under the Access to Information Act are respected; complainants, heads of federal government institutions and all third parties affected by complaints are given a reasonable opportunity to make representations to the Information Commissioner and investigations are thorough and timely;
- M** to persuade federal government institutions to adopt information practices in keeping with the Access to Information Act; and
- M** to bring appropriate issues of interpretation of the Access to Information Act before the Federal Court.
- M** to ensure that Parliament is informed of the activities of the Commissioner's office, the general state of health of the right of access and any matter dealt with in the access law requiring reform.

The clients of the program are the users of the Act (including all Canadian citizens, permanent residents and persons or corporations present in Canada), the 155 government institutions subject to the Act and Members of Parliament and Senators.

Operating Environment

The Commissioner remains committed to ensuring that the rights and obligations under the Access to Information Act are respected. However, government restraint measures, information technology strategies and increasing workload are having a substantial impact on the Office's service levels to clients. Under the current resource base, the levels of service provided by the Office is at the border between acceptable and unacceptable.

The Office has gone as far as it can in terms of re-engineering processes to simplify and streamline its structure to help meet increasing public demand for its services--duties mandated by law. There are no remaining savings to be made without negative effect on the Commissioner's ability to serve Parliament and Canadians.

The Office's primary workload--the number of complaints received-- is largely outside the Commissioner's control. Moreover, it is difficult to predict the number of occasions on which government institutions will refuse to accept the Commissioner's recommendations and, by doing so, engender litigation.

Should promised amendments designed to strengthen the access law (additional powers, a public education mandate and additional institutions covered by the Act) be adopted, they will impose a greater burden of work on the Commissioner's office.

Business Line Performance

i) Performance Expectations

The Commissioner's priorities are to convince government to release information informally, without resort to the formalities of the access law or the rigors of the Federal Court; to follow a non-adversarial approach; to resolve complaints in a fair, equitable and expeditious manner; and to ensure that response deadlines are consistently respected across government.

Open access to information held by federal institutions is the key performance expectation of the access to information business line. This expectation is of benefit to both individual clients and Canadians by making government more accountable. To attain this expectation, the Commissioner's office:

M improved the public's awareness of their access rights;

M improved public officials' awareness of their access obligations; and

M sought to settle disputes through negotiation rather than recourse to the Federal Court.

To streamline the handling of a heavy caseload, the increased complexity of access cases, and the budget reductions imposed in 1993, 1994 and 1995, the office places emphasis on the resolution of complaints without recourse to the courts. Complaint investigations have been improved through usage of information technologies.

Equally, the organization continued to refine the framework for enhancing program effectiveness and accountability. Figure 4 illustrates the linkages between the organization's business line, key results reporting and performance measurement strategies.

Figure 4: Linkages Between OIC's Business Line, Key Results Reporting and Performance Measurement Strategies

Legislative Acts	Key Results/Outcomes	Measurement Strategy	Accountability
Access to Information	! Effective and efficient access to information held by federal institutions.	! Improved knowledge of rights of access to information in federal institutions. ! Access to information without legal formalities. ! Greater transparency of information held by federal institutions. ! Innovative and cost-effective complaint resolutions.	Information Commissioner

ii) Performance Accomplishments

The Commissioner's findings and recommendations, made to heads of government institutions, serve to ensure that the rights of complainants are respected and to encourage the growth of more open government.

A professional working relationship with government institutions is key to the business line's effectiveness and, thus, the public's success. The Commissioner's effectiveness is measured by a high proportion of resolved complaints and by persuading government to release information informally, without formal application under the Act.

Experience has shown that an informal approach to investigations is simply more effective than a legalistic approach. Informality facilitates finding solutions; formality fosters rigidity that can lead to litigation. But it takes time and goodwill on both sides to make informality work; time and goodwill are dwindling.

Over the past years, the Commissioner has streamlined program delivery, resulting in improvements of performance. For example:

- M information technology is used to speed-up client service--a staff local area network, a case tracking system (CTS) for complaint investigations, a corporate memory system (CMS) to help legal, research and investigation work, and a correspondence tracking system;
- M costs of transmitting information and publications have been reduced by putting material on the Office's Internet site; and
- M business line performance measures and service standards have been developed and implemented.

In addition to Figure 4 on page 9, illustrating the linkages between OIC's key results to be reported on and the associated performance measurement strategies; performance measurement strategies include occasional surveys of citizens, and selected evaluation studies of identified changes in ministerial practices and attitudes towards open access to information.

The Commissioner's findings and recommendations, made to heads of government institutions reflect a solution-finding rather than a fault-finding philosophy. Figure 5 displays the findings and dispositions of all complaints from 1994-95 to 1997-98.

Figure 5: Complaints Findings

	1994-95 <u>Actual</u>	1995-96 <u>Actual</u>	1996-97 <u>Actual</u>	1997-98 <u>Actual</u>
Resolved	601	980	963	969
Not Resolved	8	6	9	3
Not Substantiated	281	319	390	347
Discontinued	<u>70</u>	<u>225</u>	<u>135</u>	<u>60</u>
Total	<u>960</u>	<u>1530</u>	<u>1497</u>	<u>1379</u>

Figure 6 shows the success the Office has already achieved in improving productivity--measured in turnaround time for investigations. None of the productivity gains, despite and increasing workload, were achieved by means of increased human resources.

Figure 6: Complaints Completed - Turnaround Time (Months)

<u>Complaint Category</u>	<u>1994-95 Actual</u>	<u>1995-96 Actual</u>	<u>1996-97 Actual</u>	<u>1997-98 Actual</u>
Refusal to Disclose	5.87	6.26	7.39	6.23
Delay (Deemed Refusal)	2.36	2.54	2.79	2.19
Time Extension	3.22	2.40	3.31	3.05
Fees	4.36	5.58	7.28	5.81
Language	-	3.48	9.07	8.04
Miscellaneous	4.02	5.76	4.46	3.36
Overall	<u>4.22</u>	<u>3.88</u>	<u>5.00</u>	<u>4.16</u>

SECTION III - OFFICE OF THE PRIVACY COMMISSIONER

Commissioner's Message

The Office of the Privacy Commissioner has had to contend with budgetary and workload pressures over the years, which are well documented in previous reports to the Treasury Board. Several initiatives have been put in place to reduce these pressures, including streamlining the investigation and review process and implementing specific measures to reduce the backlog of outstanding complaint investigations. The Treasury Board has recognized the Office's financial crisis and allocated additional funds to hire more staff on a temporary basis, pending a review of the Office's resource requirements intended to determine adequate reference levels.

The results of the initiatives implemented and the additional funds have allowed the Office to achieve its operational objectives within the parameters of its quality service standards. This places the Office in an ideal position to take on an expanded role, expected next year, as a result of the Government's plan to extend privacy protection to cover the private sector.

Mandate and Objectives

The Office of the Privacy Commissioner of Canada (OPC) is mandated by the Privacy Act to investigate complaints alleging that a federal government institution has denied an individual access to personal information requested under the Act, or is collecting, using, disclosing or disposing of personal information in a manner that breaches the Act.

The Privacy Commissioner is a special ombudsman who reports directly to the Speakers of the Senate and House of Commons. As an ombudsman, the Commissioner cannot order an institution to comply with his recommendations. If he finds that a government agency has improperly denied a complainant access to personal information and cannot negotiate a satisfactory resolution to the complaint, he may ask for a Federal Court review. He may also report directly to Parliament on matters he considers important or urgent.

The Privacy Act is the legislative authority for the activities of the Privacy Commissioner and his Office. The strategic objectives of the program are:

- M to ensure that the rights of complainants under the Privacy Act are respected and that the privacy of individuals with respect to personal information about themselves, held by a federal government institution, is protected; and
- M to encourage the growth of fair information practices by government institutions.

The program's clients include Canadian citizens and any other person legally present in Canada who believe that their rights under the Privacy Act have been violated, and anyone seeking information about the Act and background on privacy issues.

Operating Environment

With the implementation of new and more powerful technologies, our privacy is threatened now more than ever. As a result, Canadians are turning increasingly to the Commissioner's Office for recourse, reassurance, advice and comment. Complaints to the Commissioner increase steadily and there is no indication that this trend will stop.

Several factors are creating financial, administrative and legal problems for the Office. The federal government's call for a leaner and more efficient public service has encouraged every federal institution to use computer technology to streamline operations and eliminate inefficiencies. This has prompted federal agencies to link or integrate information systems and deliver services on-line, often in concert with other governments or the private sector. However, this should not be achieved by trampling on existing fundamental rights, such as our right to a private life. The growing danger is that these initiatives by Government, in conjunction with similar activities in a largely unregulated private sector, will subject Canadians to increased information surveillance in the name of safety and efficiency.

The Federal Government has committed to enact privacy legislation to cover the private sector by the year 2000 at the latest. A Parliamentary motion to extend Privacy Act coverage to all Crown Corporations and reform of the national ports system are initiatives that will impose an additional burden of work on the Commissioner's Office and have significant resource implications.

Extending the Commissioner's mandate to all federally regulated institutions (banks, tele-communication companies, airlines) presents an immediate resource problem for the Office. Cabinet approval has been obtained to draft a new law for the private sector. It is anticipated that a bill will be tabled in the fall.

Business Line Performance

i) Performance Expectations

The Commissioner's priorities are to encourage the growth of fair information practices by government institutions, to be pro-active and service oriented (staff are now more often consulted early in the design and service delivery of government programs and new initiatives), and to pre-empt problems through consultation and assistance to government staff, with less emphasis on formal investigations.

Protection of personal information held by federal institutions is the key performance expectation of the Office's business line. This performance expectation benefits both individual clients and Canadians by making government more accountable. To attain this expectation, the Commissioner's Office:

- M** improved the public's awareness of their privacy rights;
- M** improved public officials' awareness of their privacy obligations; and
- M** sought to settle disputes through negotiation rather than recourse to the Federal Court.

The Office has revised its structure to help meet increasing public demand for its services--duties required of it by law. For example, a "quick response" team of investigators is now dedicated to investigating those complaints of a routine nature which can be finalized within a few weeks, thus reducing the average turn around time for complaint investigations. This, in turn, reduces the number of ongoing investigations carried by the remaining investigators, allowing them to concentrate on the more complex cases under review.

Equally, the organization continued to refine the framework for enhancing program effectiveness and accountability. Figure 7 illustrates the linkages between the organization's business line, key results and performance measurement strategies.

Figure 7: Linkages Between OPC's Business Line, Key Results Reporting and Performance Measurement Strategies

Legislative Acts	Key Results/Outcomes	Measurement Strategy	Accountability
Privacy Act	! Protection of personal information held by federal institutions.	! Investigating and resolving complaints to ensure individuals are accorded their Privacy Act rights. ! Reviewing and auditing federal departmental privacy performance to ensure that they comply with established fair information management practices. ! Responding to inquiries, aimed at improving awareness of personal information rights. ! Advising parliamentarians and federal departments on the adequacy of legislative initiatives in furthering privacy protection for Canadians.	Privacy Commissioner

ii) Performance Accomplishments

The Commissioner's findings and recommendations to heads of government institutions serve to ensure that the rights of complainants are respected and to encourage the growth of fair information practices by government institutions.

Equally, investigators adhere to established quality service standards (turn around times) aimed at reducing the time and effort required to investigate complaints, and spend more time on consultation and assistance to government staff and less on formal audits and follow-ups. Staff are now more often consulted early in the design and service delivery of programs, and in some cases sits on internal or interdepartmental committees to examine new initiatives. Pre-empting problems is the priority.

Over the past years, the Commissioner has streamlined program delivery, resulting in improvements of performance. For example:

- M information technology is used to speed-up client service--a staff local area network, a case tracking system (CTS) for complaint investigations, a corporate memory system (CMS) to help legal, research and investigation work, and a correspondence tracking system;
- M costs of transmitting information and publications have been reduced by putting material on an Internet web site; and
- M business line performance measures and service standards have been developed.

In addition to Figure 7 on page 15, illustrating the linkage between OPC's key results to be reported on and the associated performance measurement strategies, performance management strategies also include occasional surveys of citizens, and periodic evaluation studies of identified changes in ministerial practices and attitudes towards the protection of personal information.

Figure 8 shows the success the Office has already achieved in improving productivity (measured in turnaround time for investigations) despite an increasing workload.

Figure 8: Complaint Investigations Completed - Turnaround Time (Months)

<u>Complaint Category</u>	<u>1994-95 Actual</u>	<u>1995-96 Actual</u>	<u>1996-97 Actual</u>	<u>1997-98 Actual</u>
Access	11.9	13.7	12.8	9.6
Privacy	18.6	15.6	16.4	15.4
Time Limit	5.5	4.7	3.9	3.3
Overall	<u>10.2</u>	<u>9.6</u>	<u>9.7</u>	<u>6.3</u>

SECTION IV - CORPORATE SERVICES

Objectives

The Corporate Management Branch (CMB) provides administrative support services to both the Information and Privacy Commissioners offices. The services include finance, personnel, information technology and general administration (records management, security, procurement, library, reception and management services).

The objective and priority of the Corporate Management Branch and its business line is to ensure that internal overhead functions are in place to support Access to Information and Privacy program management decisions and accountability.

Business Line Performance

During the year, Corporate Management Branch staff provided the requisite administrative support services to both the access to information and privacy business lines. The Branch is a frugal operation with a staff of 14 (who perform multi-functional tasks) and a budget that represents approximately 14 per cent of total 1997-98 expenditures. Figure 9 illustrates the linkages between the organization's business line, key results reporting and performance measurement strategies.

Figure 9: Linkages between CMB's Business Line, Key Results Reporting and Performance Measurement Strategies

Legislative Acts	Key Results/Outcomes	Measurement Strategy	Accountability
Corporate Services	! Cost-effective administrative support services that meet the operational requirements of the program.	! Service quality within published standards. ! Assessment of client satisfaction with service levels.	Director General, Corporate Management

SECTION V - FINANCIAL PERFORMANCE

Like virtually all federal government institutions, the Offices of the Information and Privacy Commissioners of Canada are struggling with dwindling financial resources. The combination of across-the-board percentage cuts and a yearly increase in caseloads has pushed the offices to the critical point that they become a troubling source of a problem in the system.

Over the past ten years, the offices have faced annual increases in the number of complaints. As well, complex and expensive court cases continue due to challenges to jurisdiction and refusal by departments to respect the Commissioners' recommendations.

All possible efficiency improvements, such as the exploitation of technology, management layering, abolition of positions not directly related to investigations have been implemented. Efforts to ensure that investigators have effective conflict resolution skills are ongoing in an effort to help reduce the number of cases that might otherwise result in litigation before the Federal Court.

In response to the Offices' financial crisis and climbing caseload, the Treasury Board Secretariat and the Commissioners have agreed that existing resource levels are inadequate and that there is a need for an A-base review to re-establish appropriate resource levels. It is the Commissioners' hope that the review, based on a careful assessment of the Offices' resource base, standards of service and program delivery, will resolve the financial crisis.

Table 1: Summary of Voted Appropriations

Authorities for 1997-98

Financial Requirements by Authority (millions of dollars)

Vote	1997-98 Planned Spending	1997-98 Total Authorities	1997-98 Actual
Offices of the Information and Privacy Commissioners of Canada			
40 Program Expenditures	5.8	5.8	5.6
(S) Contributions to employee benefit plans	1.0	0.8	0.8
Total Agency	6.8	6.6	6.4

Table 2: Comparison of Total Planned Spending to Actual Spending

Planned Spending to Actual Expenditures, 1997-98 by Business Line

(\$ millions)

Business Line	FTE	Operating	Capital	Voted Grants and Contributions	Subtotal: Gross Voted Expenditures	Statutory Grants and Contributions	Total Gross Expenditures	Less: Revenue Credited to the Vote	Total Net Expenditures
Information Commissioner	33	2.5	-	-	2.5	-	2.5	-	2.5
	<i>33</i>	<i>2.5</i>	-	-	<i>2.5</i>	-	<i>2.5</i>	-	<i>2.5</i>
Privacy Commissioner	34	3.1	-	-	3.1	-	3.1	-	3.1
	<i>34</i>	<i>3.2</i>	-	-	<i>3.2</i>	-	<i>3.2</i>	-	<i>3.2</i>
	34	3.1	-	-	3.1	-	3.1	-	3.1
Corporate Services	15	0.9	-	-	0.9	-	0.9	-	0.9
	<i>15</i>	<i>0.9</i>	-	-	<i>0.9</i>	-	<i>0.9</i>	-	<i>0.9</i>
	15	0.9	-	-	0.9	-	0.9	-	0.9
Totals	82	6.5	-	-	6.5	-	6.5	-	6.5
	<i>82</i>	<i>6.6</i>	-	-	<i>6.6</i>	-	<i>6.6</i>	-	<i>6.6</i>
	82	6.5	-	-	6.5	-	6.5	-	6.5
Other Revenues and Expenditures									
Revenue credited to the Consolidated Revenue Fund									-
									-
									-
Cost of services provided by other departments									0.9
									<i>0.9</i>
									0.9
Net Cost of the Program									7.4
									<i>7.5</i>
									7.4

Note: Numbers in italics denote Total Authorities for 1997-98 (main and supplementary estimates and other authorities). Bolded numbers denote actual expenditures/revenues in 1997-98.

Due to rounding figures may not add to totals shown.

Table 3 Historical Comparison of Total Planned Spending to Actual Spending

Planned Versus Actual Spending by Business Line (millions of dollars)					
Business Line	Actual 1995-96	Actual 1996-97	Planned Spending 1997-98	Total Authorities 1997-98	Actual 1997-98
Information Commissioner	2.7	2.7	2.5	2.5	2.5
Privacy Commissioner	2.9	3.1	3.1	3.2	3.1
Corporate Services	0.9	0.9	0.9	0.9	0.9
Total	6.5	6.7	6.5	6.6	6.5

Note: Total Authorities are main estimates plus supplementary estimates plus other authorities.

Due to rounding figures may not add to totals shown.

It should be noted that the following Tables are not applicable to the Offices of the Information and Privacy Commissioners of Canada and have not been included herein.

Table 4	Crosswalk between Old Structure and New Structure
Table 5	Resource Requirements by Organization and Business Line
Table 6	Revenues to the Vote
Table 7	Revenues to the Consolidated Revenue Fund
Table 8	Statutory Payments
Table 9	Transfer Payments
Table 10	Capital Spending by Business Line
Table 11	Capital Projects by Business Line
Table 12	Status of Major Crown Projects
Table 13	Loans, Investments and Advances
Table 14	Revolving Fund Financial Statements
Table 15	Contingent Liabilities

SECTION VI - SUPPLEMENTARY INFORMATION

The Treasury Board has asked Ministers to assess the impact of several government-wide issues on their departments. While the Commissioners' Offices are within the Department of Justice portfolio, the Offices are independent and thus not affected by that department's policies and program delivery. Nonetheless, there are two horizontal issues the Commissioners wish to address.

1. Year 2000 Readiness

The Commissioners' Offices rely, to a significant extent, upon information technology in the provision of services to Canadians. The Offices have recognized the Year 2000 computer system problem for some time and in the Fall of 1996, an assessment of the Offices' information technology (IT) infrastructure was conducted.

That assessment confirmed that most of the Offices' existing IT infrastructure had to be upgraded if it was to be Year 2000 compliant. It was equally recognized that the Offices did not have sufficient funds within the existing resource base to purchase the requisite hardware and software applications.

An IT Plan prepared jointly for the Offices of the Information and Privacy Commissioners and an associated TB submission were drafted and received approval of Treasury Board Ministers on June 4, 1998. Only \$452,000 of the \$728,700 funds requested for 1998-99 were approved by TB Ministers (TB 826164). A decision on the residual 1998-99 funds, and all future year funding, would be given in concert with the recommendations of the A-base review of the Commissioners' resource base referred to on page 18.

Management expects that the review, based on a careful assessment of the current resource base, standards of service and program delivery practices, will resolve the Offices' financial crisis and IT infrastructure needs.

2. Cost Recovery

The issue of charging user fees was raised and dismissed during the government's Program Review exercise. It was felt that implementing user fees would be entirely inappropriate since it would discourage individuals from exercising their statutory right to obtain access to their personal information and constitute a barrier to the fair adjudication of access rights. Likewise, it would also be inappropriate for the Offices to charge individuals a fee for exercising their statutory right to seek independent review of the government's decisions.

3. **Legislation Administered by the Information and Privacy Commissioners**

The Information and Privacy Commissioners have an oversight responsibility to Parliament for the following Acts:

<i>Access to Information Act</i>	R.S.C., 1985, ch. A-1, amended 1997, c. 23, s. 21
<i>Privacy Act</i>	R.S.C. 1985, ch. P-21, amended 1997, ch. 20, s. 55

4. Statutory Annual Reports and Other Publications

The Commissioners' annual reports and position papers on access to information and privacy issues are available on the Commissioners' internet web sites.

- O Information Commissioner's 1997-98 Annual Report.** Ottawa: Minister of Public Works and Government Services Canada, 1998. (Available from the Office of the Information Commissioner, Ottawa, Canada K1A 1H3; (613)995-2410).
- O Privacy Commissioner's 1997-98 Annual Report.** Ottawa: Minister of Public Works and Government Services Canada, 1998. (Available on audio cassette, computer diskette and hardcopy from the Office of the Privacy Commissioner, Ottawa, Canada K1A 1H3; (613)995-2410 and on the Office's Internet home page).

- O **Performance Report to Parliament, for the period ending March 31, 1997.** Ottawa: Minister of Public Works and Government Services Canada, 1997. (Available through local booksellers or by mail from Public Works and Government Services - Publishing, Ottawa, Canada K1A 0S9).
- O **1998-99 Estimates: A Report on Plans and Priorities.** Ottawa: Minister of Public Works and Government Services Canada, 1998. (Available through local booksellers or by mail from Public Works and Government Services - Publishing, Ottawa, Canada K1A 0S9).
- O Office of the Information Commissioner of Canada Internet home page:
<http://infoweb.magi.com/~accessca/>
- O Office of the Privacy Commissioner of Canada Internet home page:
<http://infoweb.magi.com/~privcan/>

5. **Contact for Further Information**

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