

Transportation Safety Board
of Canada



Bureau de la sécurité des transports
du Canada



**ANNUAL REPORT TO PARLIAMENT
ON THE APPLICATION OF
THE *PRIVACY ACT***

01 APRIL 2007 TO 31 MARCH 2008

Canada

Transportation Safety Board
of Canada



Bureau de la sécurité des transports
du Canada

Executive Director

Directeur exécutif

Place du Centre
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The Honourable Rona Ambrose
President of the Queen's Privy Council for Canada
House of Commons
Ottawa, Ontario
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Honourable Minister:

In accordance with section 72 of the *Privacy Act*, the Transportation Safety Board of Canada is pleased to submit to Parliament this report on activities relating to the application of the Act for the period 01 April 2007 to 31 March 2008.

Sincerely,

A handwritten signature in black ink, appearing to read "Gerard McDonald".

Gerard McDonald

Canada

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1.0 Introduction

The purpose of the *Privacy Act* is to protect the privacy of individuals with respect to personal information about themselves held by government institutions such as the Transportation Safety Board (TSB), and to provide individuals with a right of access to that information.

Pursuant to section 72 of the *Privacy Act*, the TSB is pleased to table in Parliament this report on its activities relating to the application of the Act. The report covers the period from 01 April 2007 to 31 March 2008.

The TSB is an independent agency created in 1990 by an Act of Parliament ([Canadian Transportation Accident Investigation and Safety Board Act](#)). It operates at arm's length from other government departments and agencies such as Transport Canada, the Department of Fisheries and Oceans, and the National Energy Board to ensure that there are no real or perceived conflicts of interest. Under the legislation, the TSB's only object is the advancement of transportation safety in the federally regulated elements of the marine, pipeline, rail and air transportation systems. This mandate is fulfilled by conducting independent investigations that can include, if necessary, public inquiries into transportation occurrences. The purpose of these investigations and inquiries is to make findings as to the causes and contributing factors of the occurrences and to identify safety deficiencies. Therefore, recommendations may be made to improve safety and reduce or eliminate risks to people, to property and to the environment. The TSB has the exclusive authority to make findings as to causes and contributing factors when it investigates a transportation occurrence.

The TSB's administration of its Access to Information and Privacy (ATIP) activities is in accordance with the government's stated principles that government information should be available to the public with only specific and limited exceptions. Furthermore, the TSB treats personal information in compliance with the code of fair information practice expressed in the [Privacy Act](#).

The ATIP function of the TSB operates within the Information Management (IM) Division of Corporate Services. This ensures effective integration of ATIP requirements into IM planning, policy development, records management systems and practices, and training and awareness activities. The ATIP Office provides functional advice and guidance to managers and employees concerning the release of information and protection of privacy.

This year, the ATIP Office introduced new guidelines for employees on responding to both formal requests made pursuant to the [Access to Information Act](#) and informal requests. These guidelines are intended to ensure that the *Access to Information Act* and the *Privacy Act* are respected in all types of information disclosure. They provide guidance to TSB staff on the processes for responding to both informal and formal requests, as well as their roles and responsibilities in these processes.

In addition, the TSB invested in new technology to ensure that the small ATIP team is equipped with the best tools available to support them in the processing of access and privacy requests and in reporting on the TSB's administration of the two Acts.



2.0 *Delegation of Authority*

As required by the legislation, a delegation of authority is in place. For the purposes of the *Privacy Act*, the “head of the institution” as defined in section 3 of the Act is the Executive Director. The Director General, Corporate Services, and the Manager, Information Management Division, have been delegated powers by the Executive Director deemed appropriate for the effective administration of the programs and to ensure that the TSB meets all its obligations fairly and consistently.

A copy of the Delegation Order is attached as Appendix A.

3.0 *Requests for Personal Information*

No formal requests for personal information were received during the current reporting period, compared with two (2) received in the previous period. The one (1) request that had been carried forward from 2006-2007 was abandoned by the applicant in 2007-2008.

The TSB’s policy of openness allows for the disclosure of information to individuals without necessarily requiring that they invoke the *Privacy Act*. Human Resources officers and support staff handle this kind of request as part of their routine duties.

The TSB remains vigilant in meeting requirements under the Act to protect personal information under its control. This is achieved by ensuring that employees are cognizant of their responsibility to protect the personal information they handle in the course of their duties and by respecting the code of fair information practice enshrined in the legislation.

4.0 *Costs*

During 2007-2008, the ATIP Office incurred an estimated \$9205 in costs to administer the *Privacy Act*. These costs do not include the resources expended by other areas of the TSB to meet the requirements of the Act.

5.0 *Complaints and Investigations*

No complaints were received during this reporting period.

6.0 *Training and Education*

On-the-job training is provided to TSB ATIP staff on an ongoing basis. ATIP staff attended the annual Canadian Access and Privacy Association workshop, as well as various workshops organized by the Treasury Board Secretariat throughout the fiscal year. These workshops provided ATIP staff with valuable information on trends and best practices within the ATIP community, updates on recent complaints and court cases, and tools to help improve service standards within the field.



No specific training of TSB employees was undertaken by ATIP staff during the reporting period.

7.0 *Privacy Impact Assessments*

The TSB did not undertake any Privacy Impact Assessments (PIA) during the reporting period.

8.0 *Disclosures Pursuant to Paragraphs 8(2)(e), (f), (g) and (m)*

As part of ongoing delivery of its mandate, the TSB disclosed personal information pursuant to paragraph 8(2)(f) during the reporting period. It did not disclose information pursuant to paragraphs (8)(2)(e), (8)(2)(g) or (8)(2)(m).

9.0 *Data Matching and Sharing Activities*

The TSB did not undertake any new data matching or data sharing activities during the reporting period.

10.0 *Statistics Required by Treasury Board*

The statistics required by the Treasury Board Secretariat are found in Appendix B.



Appendix A - Delegation Order

Transportation Safety Board
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DESIGNATION ORDERS

Privacy Act

The Executive Director of the Transportation Safety Board of Canada, pursuant to Section 73 of the *Privacy Act*, hereby designates the persons holding the positions of Director General, Corporate Services and Manager, Information Management Division, Corporate Services, or the persons occupying on an acting basis those positions, to exercise the powers and perform the duties and functions of the Executive Director as the head of a government institution under the *Act*.

A handwritten signature in black ink, appearing to read 'Gerard McDonald'.

Gerard McDonald
Executive Director

Date: 11 June 2007

Canada



Appendix B - Statistical Report



REPORT ON THE PRIVACY ACT RAPPORT CONCERNANT LA LOI SUR LA PROTECTION DES RENSEIGNEMENTS PERSONNELS

Institution TRANSPORTATION SAFETY BOARD OF CANADA/ BUREAU DE LA SÉCURITÉ DES TRANSPORTS	Reporting period / Période visée par le rapport 4/1/2007 to/à 3/31/2008
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I Requests under the Privacy Act / Demandes en vertu de la Loi sur la protection des renseignements personnels	
Received during reporting period / Reçus pendant la période visée par le rapport	0
Outstanding from previous period / En suspens depuis la période antérieure	0
TOTAL	0
Completed during reporting period / Traitées pendant la période visées par le rapport	0
Carried forward / Reportées	1

II Disposition of request completed / Disposition à l'égard des demandes traitées	
1. All disclosed / Communication totale	0
2. Disclosed in part / Communication partielle	0
3. Nothing disclosed (excluded) / Aucune communication (exclusion)	0
4. Nothing disclosed (exempt) / Aucune communication (exemption)	0
5. Unable to process / Traitement impossible	0
6. Abandoned by applicant / Abandon de la demande	1
7. Transferred / Transmission	0
TOTAL	1

III Exemptions invoked / Exceptions invoquées	
S. Art. 18(2)	0
S. Art. 19(1)(a)	0
(b)	0
(c)	0
(d)	0
S. Art. 20	0
S. Art. 21	0
S. Art. 22(1)(a)	0
(b)	0
(c)	0
S. Art. 22(2)	0
S. Art. 23 (a)	0
(b)	0
S. Art. 24	0
S. Art. 25	0
S. Art. 26	0
S. Art. 27	0
S. Art. 28	0

TBS/SCT 350-63 (Rev. 1999/03)

IV Exclusions cited / Exclusions citées	
S. Art. 69(1)(a)	0
(b)	0
S. Art. 70(1)(a)	0
(b)	0
(c)	0
(d)	0
(e)	0
(f)	0

V Completion time / Délai de traitement	
30 days or under / 30 jours ou moins	0
31 to 60 days / De 31 à 60 jours	0
61 to 120 days / De 61 à 120 jours	0
121 days or over / 121 jours ou plus	0

VI Exentions / Prorogations des délais		
	30 days or under / 30 jours ou moins	31 days or over / 31 jours ou plus
Interference with operations / Interruption des opérations	0	0
Consultation	0	0
Translation / Traduction	0	0
TOTAL	0	0

VII Translations / Traductions		
Translations requested / Traductions demandées		0
Translations prepared / Traductions préparées	English to French / De l'anglais au français	0
	French to English / Du français à l'anglais	0

VIII Method of access / Méthode de consultation	
Copies given / Copies de l'original	
Examination / Examen de l'original	
Copies and examination / Copies et examen	

IX Corrections and notation / Corrections et mention	
Corrections requested / Corrections demandées	
Corrections made / Corrections effectuées	
Notation attached / Mention annexée	

X Costs / Coûts	
Financial (all reasons) / Financiers (raisons)	
Salary / Traitement	\$ 7,805.
Administration (O and M) / Administration (fonctionnement et maintien)	\$ 1,400.
TOTAL	\$ 9,205.
Person year utilization (all reasons) / Années-personnes utilisées (raisons)	
Person year (decimal format) / Années-personnes (nombre décimal)	0.15

