

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 2008 TO 31 MARCH 2009**

**Canada**



Transportation Safety Board  
of Canada



Bureau de la sécurité des transports  
du Canada

Executive Director

Directeur exécutif

Place du Centre  
200 Promenade du Portage  
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Gatineau, Quebec  
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18 June 2009

The Honourable Josée Verner  
President of the Queen's Privy Council for Canada  
House of Commons  
Ottawa, Ontario  
K1A 0A6

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 2008 to 31 March 2009.

Sincerely,

A handwritten signature in cursive script, appearing to read "Gerard McDonald".

Gerard McDonald

Canada

© Minister of Public Works and Government Services 2009  
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# Table of Contents

1.0	Introduction.....	1
2.0	Delegation of Authority.....	2
3.0	Requests for Personal Information.....	2
4.0	Costs .....	2
5.0	Complaints and Investigations .....	2
6.0	Training and Education .....	2
7.0	Privacy Impact Assessments .....	3
8.0	Disclosures Pursuant to Paragraphs 8(2)(e), (f), (g) and (m) .....	3
9.0	Data Sharing Activities .....	3
10.0	Statistics Required by Treasury Board.....	3
	Appendix A - Delegation Order .....	4
	Appendix B - Statistical Report.....	5



## 1.0 Introduction

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 2008 to 31 March 2009.

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.

The [Canadian Transportation Accident Investigation and Safety Board Act](#) provides the legal framework that governs TSB activities. Our mandate is to advance transportation safety in the marine, pipeline, rail and air modes of transportation by

- conducting independent investigations, including public inquiries when necessary, into selected transportation occurrences in order to make findings as to their causes and contributing factors;
- identifying safety deficiencies, as evidenced by transportation occurrences;
- making recommendations designed to eliminate or reduce any such safety deficiencies; and
- reporting publicly on our investigations and on the findings in relation thereto.

During the reporting period, the TSB completed various projects associated with the review of its A-base budget. These projects have led to some organizational structure adjustments and a realignment of departmental governance committees. These changes have had no impact on TSB programs other than to improve their efficiency.

More information on the TSB is available at [www.tsb.gc.ca](http://www.tsb.gc.ca).

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 deals with both formal requests made pursuant to the *Act* and informal requests, and provides functional advice and guidance to managers and employees concerning the release of information and protection of privacy.

The ATIP Office participated this year in an interdepartmental working group, led by Treasury Board Secretariat (TBS), tasked with revising the statistical information that institutions are required to submit to TBS on an annual basis. This information, which we will continue to report on in our annual report to Parliament, will allow us to better track and describe TSB ATIP activities and trends.



## **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***

Four (4) formal requests for personal information were received during the current reporting period, compared with no requests during the previous period. Of these, records were fully disclosed to two (2) applicants. Of the remaining two requests, one was deemed an Access to Information request and treated accordingly, while no records existed for the other request.

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 2008–2009, the ATIP Office incurred an estimated \$9,320 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.



During the reporting period, the ATIP Office provided training to employees in Corporate Services Directorate and at the Annual Marine Branch Operations Meeting. Approximately 60 TSB employees participated in these two sessions.

The IM Division plans to provide employee training sessions on ATIP and Records Management in all TSB offices in 2009-2010.

## **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 Sharing Activities***

The TSB did not undertake any new 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

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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 <b>TRANSPORTATION SAFETY BOARD OF CANADA BUREAU DE LA SÉCURITÉ DES TRANSPORTS</b>	Reporting period Période visée par le rapport <b>4/1/2008 to/à 3/31/2009</b>
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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	4
Outstanding from previous period En suspens depuis la période antérieure	0
<b>TOTAL</b>	<b>4</b>
Completed during reporting period Traitées pendant la période visée par le	4
Carried forward Reportées	0

### II Disposition of requests completed Disposition à l'égard des demandes traitées

1. All disclosed Communication totale	2
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	2
6. Abandoned by applicant Abandon de la demande	0
7. Transferred Transmission	0
<b>TOTAL</b>	<b>4</b>

### 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

### 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	2
31 to 60 days De 31 à 60 jours	1
61 to 120 days De 61 à 120 jours	1
121 days or over 121 jours ou plus	0

### VI Extensions 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	1	0
Consultation	0	0
Translation Traduction	0	0
<b>TOTAL</b>	<b>1</b>	<b>0</b>

### VII Translations Traductions

Translations requested Traductions demandées	0
Translations prepared Traductions préparées	0
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	2
Examination Examen de l'original	0
Copies and examination Copies et examen	0

### IX Corrections and notation Corrections et mention

Corrections requested Corrections demandées	0
Corrections made Corrections effectuées	0
Notation attached Mention annexée	0

### X Costs Coûts

Financial (all reasons) Financiers (raisons)	(\$000)
Salary Traitement	9,200.0
Administration (O and M) Administration (fonctionnement et maintien)	120.0
<b>TOTAL</b>	<b>9,320.0</b>
Person year utilization (all reasons) Années-personnes utilisées (raisons)	
Person year (decimal format) Années-personnes (nombre décimal)	0.20

