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Canada



# *Privacy Act*

## Annual Report 2008-2009



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Catalogue No. CH1-1/2-2009E-PDF  
ISBN 978-1-100-14361-3

# *Privacy Act*

## ANNUAL REPORT (April 1, 2008 to March 31, 2009)

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***Privacy Act***  
**ANNUAL REPORT**  
**(April 1, 2008 to March 31, 2009)**

**1.0 Introduction**

The *Privacy Act* gives Canadian citizens and individuals present in Canada the right to have access to information about them that is held by the federal government, and to request that it be corrected if necessary. The *Act* also protects the privacy of individuals with respect to personal information held by the federal government.

The information contained in this report pertains to the administration of the *Privacy Act* within the Department of Canadian Heritage during the reporting period of April 1, 2008 to March 31, 2009.

**2.0 Mandate of Canadian Heritage**

The Department of Canadian Heritage is responsible for formulating policies and delivering programs that help all Canadians to participate in their shared cultural and civic life.

The *Department of Canadian Heritage Act* sets out the Minister's powers, duties and functions with respect to "Canadian identity and values, cultural development and heritage." The Department's main activities involve funding community and other third party organizations with a view to promoting the benefits of culture, identity, and sport for Canadians. More specifically, areas of responsibility include:

- developing Canadian cultural affairs and broadcasting policy; assisting cultural industries, arts and heritage organizations; encouraging the creation, production, distribution and consumption of cultural and heritage goods and services;
- fostering Canadians' sense of self and promoting civic participation among all members of Canadian society;
- promoting a greater understanding of human rights;
- encouraging and developing sport; and
- advancing the equality of status and use of official languages, and supporting the development of official-language minority communities.



Canadian Heritage makes a strong contribution to the Government of Canada's social, economic, and international policy through its activities in support of dynamic cultural industries, world-class cultural institutions, and healthy communities.

The Minister of Canadian Heritage and Official Languages is responsible for the Department, and is assisted by the Minister of State for the Status of Women, and the Minister of State for Sport. In October 2008, the responsibility for the Multiculturalism portfolio, which was a part of Canadian Heritage, was transferred to the Minister of Citizenship and Immigration who became the Minister of Citizenship, Immigration and Multiculturalism. Consequently, the responsibilities related to multiculturalism were transferred from the Department of Canadian Heritage to Citizenship and Immigration Canada.

### **3.0 The Access to Information and Privacy Secretariat**

The Access to Information and Privacy Secretariat is responsible for administering the *Privacy Act* within Canadian Heritage. Its mandate is to act on behalf of the Minister of Canadian Heritage in ensuring compliance with legislation, regulations, and government policy, and to create departmental directions, including standards, in all matters relating to the *Act*. This includes the processing of requests, providing professional advice and training within the department. The powers, duties and functions of the administration of the *Privacy Act* have been fully delegated by the Minister to the Director of the Access to Information and Privacy Secretariat. See Appendix 1.0 for the Departmental Delegation Order.

During the reporting period, the Secretariat consisted of a Director, four analysts, and one support staff. In the departmental organizational structure, the ATIP Secretariat reports to the Corporate Secretariat.

### **4.0 Administration of Requests under the *Privacy Act***

#### **4.1 Privacy Requests**

Between April 1, 2008 and March 31, 2009, 12 formal requests for information were received under the *Privacy Act*. Two requests were carried forward from the previous reporting period. See Appendix 2.0 for the Report on the *Privacy Act*.

## **4.2 Disposition of Completed Requests**

Thirteen requests were completed during the reporting period, while 1 request was carried forward into the next fiscal year. Of the requests completed, 8 resulted in full disclosure of information. Four requests resulted in the partial disclosure of information. It was not possible to process one of the requests received as no records existed.

## **4.3 Extensions**

In 2 cases, the department required a 30-day time extension because of the number of records, and in one case an extension was required in order to consult with other parties.

## **4.4 Exemptions**

In the processing of requests, two exemptions to withhold information under the *Privacy Act* were invoked. Section 26, personal information about another individual, was invoked in 4 requests, while section 27, solicitor-client privilege, was invoked in 2 files.

## **4.5 Costs**

The costs reported in the statistical report, \$25,359, include those incurred for the processing of requests, and for all other activities associated with the administration of the *Act* such as providing advice, and training and awareness.

## **5.0 Disclosure of Personal Information Pursuant to Section 8(2)**

Section 8(2) of the *Privacy Act* stipulates under which circumstances personal information under the control of a government institution may be disclosed. During the reporting period, no disclosures were made pursuant to section 8(2)(e), (f), (g), or (m) of the *Privacy Act*.

## **6.0 Privacy Impact Assessments**

There were no Preliminary Privacy Impact Assessments initiated during the reporting period. None were carried forward from the previous year.

No new Privacy Impact Assessments (PIAs) were initiated during the reporting period. Of the two Privacy Impact Assessments mentioned in the previous report, the Young Canada Works PIA is on-going. The PIA on the Chinese head tax redress was completed by the Multiculturalism Program. Note that with the transfer of the Multiculturalism portfolio to Citizenship and Immigration Canada, effective October 30, 2008, any activities associated with the reporting on the redress program are now the responsibility of that department.

## **7.0 Data Sharing Activities**

There were no data matching activities during the reporting period.

## **8.0 Personal Information Banks / Classes of Personal Information**

An inventory of personal information databases held by Canadian Heritage has been completed. Some of the Personal Information Banks (PIBs) submitted to Treasury Board Secretariat (TBS) have been abandoned, as the category of information collected will fall under new standard PIBs to be established by TBS. Specifically, “Celebration and Commemoration Events” will be covered by the standard PIB “Outreach”; “Accounts Payable/Employee Accounts” will be included in standard PIB “Accounts Payable/Accounts Receivable”; “Contracts” will fall under standard PIB “Professional Services Contracts”.

## **9.0 Education and Training Activities**

### **Website**

The Access to Information and Privacy Secretariat’s website resides on the department’s intranet site. The website describes the ATIP Secretariat’s roles and responsibilities and provides information on the *Privacy Act* and related departmental policies, including the departmental privacy policy, and procedures. A guide is available to employees of the department, providing them with an overview of the *Privacy Act* so that they have a general understanding of the *Act*, the impact that it has on the department and on their responsibilities. The site is continuously updated with new tools and information.