



Health
Canada

Santé
Canada

*Your health and
safety... our priority.*

*Votre santé et votre
sécurité... notre priorité.*

ANNUAL REPORT 2006–2007

Access to Information Act and Privacy Act



2006–2007



Canada

Health Canada is the federal department responsible for helping Canadians maintain and improve their health. We assess the safety of drugs and many consumer products, help improve the safety of food, and provide information to Canadians to help them make healthy decisions. We provide health services to First Nations people and to Inuit communities. We work with the provinces to ensure our health care system serves the needs of Canadians.

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Annual Report 2006–2007

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Preface

The Access to Information Act gives the public a broad right of access to information contained in federal government records, subject to certain specific and limited exceptions.

The *Privacy Act* gives individuals the right of access to information about themselves held by the federal government with certain specific and limited exceptions. This Act also protects an individual's privacy by preventing others from accessing his or her personal information, as well as granting individuals basic rights in relation to the collection, use and disclosure of personal information.

Section 72 of the Access to Information Act and section 72 of the *Privacy Act* require that the head of every federal government institution submit an annual report to Parliament on the administration of the Acts during the fiscal year. This report describes how Health Canada fulfilled its access to information and privacy responsibilities during the fiscal year 2006–2007.

About Health Canada

Overview

Health Canada is the federal department responsible for helping Canadians maintain and improve their health, while respecting individual choices and circumstances. Its goal is that Canada's population be one of the healthiest in the world as measured by longevity, lifestyle and effective use of the public health care system.

Health Canada is comprised of fourteen Branches, Offices and Bureaus and four agencies. It maintains a presence in seven regions across the country:

- British Columbia
- Alberta
- Manitoba and Saskatchewan
- Ontario
- Quebec
- Atlantic
- Northern Region

For more information about Health Canada, please visit our website at www.hc-sc.gc.ca



2006–2007

The Access to Information and Privacy (ATIP) Division, Corporate Services Branch

The Department's Access to Information and Privacy (ATIP) Division has the following responsibilities:

- responding to access to information and privacy requests;
- promoting awareness and providing training regarding the *Access to Information Act and the Privacy Act*;
- developing corporate-wide Access to Information and Privacy policies and practices to guide access to and protection of personal information;
- liaising and coordinating efforts with Information and Privacy Commissioners, other government departments and agencies, provincial ministries of health and other key stakeholders;
- coordinating and overseeing the Privacy Impact Assessment process;
- analysing privacy practices in the health care sector; and
- defining privacy standards for information and communication technologies, e-health and e-services.

Delegation of Authority

Health Canada has amended its Delegation Order in response to the recommendation in the 2005 Report Card by the Information Commissioner. This recommendation stated that “the Delegation Order be amended to provide the Access to Information and Privacy Coordinator with similar delegated powers for the administration of the *Privacy Act* as for the administration of the *Access to Information Act*.” The Delegation Order is attached as Appendix I.

Highlights and Accomplishments for 2006–2007

The health care field is an information-intensive sector. Consequently, Health Canada is the custodian of sensitive and personal health information. Ensuring public trust regarding the collection, use and disclosure of that information is critical to successfully developing, implementing and managing programs, policies and services to best serve Canadians' health needs. Such trust is built on integrity, transparency and openness.

The fiscal year 2006–2007 saw continued efforts at Health Canada to review, improve and update information management and privacy practices.

Info Source

Health Canada updates its Personal Information Banks and its information holdings to provide the public with a current and relevant picture of the organization and its program records. This assists members of the public in exercising their rights under the *Access to Information Act and the Privacy Act*. It was considered a key activity of the Access to Information and Privacy Division.

Advice and consultation

Privacy awareness in the Department has increased mainly due to the impact of training activities and support provided in the context of Privacy Impact Assessments. The expertise of the Access to Information and Privacy Division was increasingly sought to provide advice and solutions across Health Canada.

Privacy Breach Guidelines

As part of its educational initiatives and risk management practices, Health Canada developed privacy breach guidelines to be used in the event of such a breach.

Health Portfolio Information Sharing Policy

The Access to Information and Privacy Division at Health Canada, in collaboration with its partners, is completing the development of a Health Portfolio Information Sharing Policy. The policy aims to strengthen protection measures for privacy and confidentiality when sensitive information is shared.

Privacy Impact Assessment Tool Kit

The Privacy Impact Assessment Tool Kit underwent a major revision. The final product includes operational guidelines, checklists, templates, samples, and references. The Office of the Privacy Commissioner recognized this tool kit as an excellent guide for procedures and practices.

Awareness Raising Initiatives

During the fiscal year 2006–2007, efforts were focussed on training and awareness activities. The Office of the Privacy Commissioner praised Health Canada's privacy-related training stating their belief that the training programs will go a long way in ensuring that the Department "becomes a leader in protecting the privacy of Canadians in the delivery of critical health services. Indeed the training program is one of the more comprehensive suites currently available within the federal government, and could very well become a benchmark for future employee privacy training." Over 500 Health Canada and Public Health Agency of Canada employees attended ATIP-related courses in 2006–2007.

The Health Canada Access to Information and Privacy training programs included:

- The three-hour "Privacy: It's all about us" course continued raising awareness of the importance of privacy in the delivery of programs and services.
- Two new courses were launched at Health Canada: a 3-hour Access to Information course and a three-hour Privacy Impact Assessment (PIA) course.
- A 2-day Privacy Impact Assessment (PIA) workshop, designed to assist managers in understanding each step of the development of a Privacy Impact Assessment for their respective program or service, was piloted in Alberta in January 2007. Designed as a hands-on learning session, the workshop builds managers' capacity to conduct or oversee the Privacy Impact Assessment process.

Numerous specialized sessions were also developed and delivered. An example of specialized sessions is the collaboration between the Access to Information and Privacy Division and the Chief Scientist's Office at Health Canada to deliver regional training programs for staff working with the Ethics Research Board. Sessions were presented in Winnipeg, Edmonton and Vancouver and provided researchers with information on legislation, best practices and reference material.

Since its inception, the Access to Information and Privacy training program has served approximately 2,000 people through courses in the National Capital Region and across the country.

Information Management Awareness Campaign

Together with colleagues in Records Management and Security Management, the Access to Information and Privacy Division continued to deliver the Information Management Awareness sessions. This effort consists of a ninety-minute presentation including a video and four speakers. In 2006–2007, over 1,000 employees attended these sessions, bringing the total over two years to approximately 2,000 employees.

Case Load

During fiscal year 2006–2007, Health Canada received 1,442 new access requests and 137 new privacy requests. There were 575 access requests and 53 privacy requests carried over from the previous fiscal year. The 2,207 active requests represent a significant case load in numbers, scope, complexity and volume. In spite of the large volume, the Department was able to complete the processing of 1,815 requests (1,644 access requests and 171 privacy requests), while 392 requests were carried forward to 2007–2008.

Regional Case Load

A total of 422 additional privacy requests were received and processed by Health Canada regional offices. Of these, full disclosure was provided in 218 cases. The remaining 204 requests could not be processed.

Fees

The ATIPimage software, implemented in 2004–2005, allows information formally requested under the *Access to Information Act* to be provided to a requester on CD-Rom, free of charge. The *Access to Information Act* authorizes fees for certain activities related to the processing of formal requests under the Act. The fee structure is specified in the *Access to Information Regulations*. No fees are imposed for reviewing records, overhead or shipping. In accordance with section 11 of the Act, no fees are charged for the first five hours required to search for a record or prepare any part of it for disclosure.

In accordance with Treasury Board guidelines, the Department waived 58 fees of \$25 or less during the reporting period.

No fees are applicable under the *Privacy Act*.

Reading Rooms

Section 71 of the *Access to Information Act* requires government institutions to provide facilities where members of the public may obtain information. The following Health Canada locations in Ottawa have been designated as public reading rooms.

Access to Information and Privacy Division
1010 Somerset Street West, 1st Floor
Ottawa, Ontario, K1A 0K9

Health Canada Departmental Library
Jeanne Mance Building
200 Eglantine Driveway
Tunney's Pasture, Ottawa, Ontario, K1A 0K9

Banting Research Centre Library
Sir Frederick G. Banting Research Centre
251 Sir Frederick Banting Driveway
Tunney's Pasture, Ottawa, Ontario, K1A 0K9

Environmental Health Library
Environmental Health Centre
50 Columbine Driveway
Tunney's Pasture, Ottawa, Ontario, K1A 0K9

Laboratory Centre of Disease Control Library
Centre for Disease Control Building
100 Eglantine Driveway
Tunney's Pasture, Ottawa, Ontario, K1A 0K9

Product Safety Library
1800 Walkley Road
Ottawa, Ontario, K1H 8K3

Radiation Protection Library
775 Brookfield Road
Ottawa, Ontario, K1A 1C1



Part I: Access to Information

Statistical Report—Interpretation and Explanation

Appendix II provides a summarized statistical report on *Access to Information Act* applications processed by Health Canada (including the Public Health Agency of Canada) between April 1, 2006 and March 31, 2007. The following text provides explanations and interpretations for the statistical information.

I. Requests under the *Access to Information Act*

Overall, the number of new access to information requests has decreased. In 2006–2007, the number of new access to information requests was 1,442, which represents a 22% decrease over the previous year. During this time period, Health Canada processed 1,644 requests, which includes requests carried over from the previous fiscal year.

| Fiscal Year | New Requests |
|-------------|--------------|
| 2001–2002 | 1 474 |
| 2002–2003 | 1 367 |
| 2003–2004 | 1 543 |
| 2004–2005 | 1 363 |
| 2005–2006 | 1 842 |
| 2006–2007 | 1 442 |

Source of Requests

The largest number of new requests (950) came from the business sector. The percentage breakdown follows:

| | |
|----------------|--------|
| Business | 65,9 % |
| Public | 19,8 % |
| Media | 8,8 % |
| Organizations* | 4,7 % |
| Academia | 0,8 % |

* Examples – Associations, Political Parties and Unions

II. Disposition of Requests

Of a total 2,017 request inventory, 1,644 (81.6%) requests were completed during the 2006–2007 fiscal year and 373 requests (18.4%) were carried forward to the 2007–2008 fiscal year.

Completed requests were classified as follows:

All disclosed – Of the 1,644 completed requests, in 413 (25.1%) instances the requesters were provided with total access to the relevant records.

Disclosed in part – In 806 (49%) cases, requesters were granted partial access.

Nothing disclosed (excluded) – There were two requests for which no information was disclosed because it was excluded under the Act.

Nothing disclosed (exempt) – In 43 (2.6%) cases, no access could be provided because all of the information was exempted under the Act.

Transferred – In accordance with the Act, five requests were transferred to other government institutions because the relevant records were not within the Department's purview.

The Department was unable to process 247 requests and dealt with nine informally. Applicants abandoned 119 requests.

III. Exemptions Invoked

Section III of the statistical summary in Appendix II categorizes exemptions according to the section or sections of the Act invoked. This information is provided to illustrate the types of exemptions invoked to refuse disclosure. It should be noted that these numbers do not total because information could be denied under more than one exemption. For example, if for one request five different sections were cited, one exemption under each relevant section would be reported for a total of five. However, if the same exemption is used several times for the same request, it is reported only once.

The three most frequently cited reasons for denying access to information are that it contains third party information, personal information or information that would affect government operations. Other reasons cited would include that the disclosure could impact on federal-provincial affairs or on law enforcement/investigations, that it violates solicitor-client privilege, or that it was obtained in confidence.

IV. Exclusions Cited

The *Access to Information Act* does not apply to published material, material available for purchase by the public or confidences of the Queen's Privy Council, pursuant to sections 68 and 69 of the Act. As explained under Exemptions Invoked, the information in the statistical summary is provided to illustrate the types of exclusions invoked to deny access.

V. / VI. Completion Time and Extensions

The Department was able to respond within 30 days or less in 627 (38.1%) of completed cases. Response times for the remaining cases were 280 (17.1%) within 31 days to 60 days, 400 (24.3%) within 61 to 120 days, and 337 (20.5%) in 121 or more days.

Extensions were most frequently required (584 cases) to allow time for searching. In 352 cases, extensions were necessary to conduct consultation, 133 of which required more than 30 days. A total of 311 extensions were to allow for third party consultations.

VII. Translations

No translations were required to respond to 2006–2007 access requests.

VIII. Method of Access

Statistics compiled for this section are based solely on those requests for which information was all disclosed or disclosed in part. In only one instance did the applicant obtain access in person, and in only eight instances did applicants obtain access through a combination of copies and in-person examination. In 1,210 cases, applicants received copies of the material they requested.

IX. Fees

Health Canada collected \$12,076.30 in net fees. In addition, the Department waived \$6,329.20 for 104 requests.

X. Costs

The Department spent a total of \$1,366,043.90 administering the Act, of which salaries accounted for \$1,189,573.91 and operational costs accounted for \$176,470.00. Staffing for the fiscal year amounted to 25 employees.

Complaints and Appeals

During 2006–2007, 55 access to information complaints against Health Canada were filed with the Office of the Information Commissioner of Canada. The complaints concerned refusals, delays, exemptions and extensions.

Formal/Informal Interface

The *Access to Information Act* is intended to complement, rather than replace, existing procedures for obtaining government information. In accordance with this principle, Health Canada encourages individuals and organizations to continue to address informal requests directly to the appropriate Branch or Regional Office.

Part II: Privacy

Statistical Report – Interpretation and Explanation

Appendix III provides a summarized statistical report on *Privacy Act* applications processed by Health Canada (including the Public Health Agency of Canada) between April 1, 2006 and March 31, 2007. The following text provides explanations and interpretations for the statistical information.

I. Requests under the *Privacy Act*

The Department received 137 new requests for personal information under the *Privacy Act* and had 53 requests carried forward from the previous fiscal year, for a total of 190 requests.

II. Disposition of Requests Completed

Of the 190 requests, the Department processed 171 (90%) to completion, leaving 19 (10%) requests to be carried over into the next fiscal year.

The completed requests were classified as follows:

All disclosed – Of the 171 completed requests, full disclosure was provided for 63 (36.8%) requests.

Disclosed in part – In 64 (37.4%) other cases, the requesters were granted partial disclosure.

Nothing disclosed - In one case, the records were excluded in their entirety.

Of the remaining 43 (25.1%) requests, the Department was unable to process 20 requests for reasons such as inability to locate the applicant or that the records were not under our control. Applicants abandoned 22 requests and one request was transferred.

III. Exemptions Invoked

As noted in Appendix III, the Department invoked exemptions pursuant to sections 26 and 27 of the *Privacy Act*, which pertain to personal information about other individuals and solicitor-client privilege.

IV. Exclusions Cited

One exclusion was invoked in 2006–2007.

V. / VI. Completion Time and Extensions

The Department was able to respond within 30 days or less in 102 (59.6%) of completed cases. Response times for the remaining cases were: 28 (16.4%) within 31 to 60 days, nine (5.3%) within 61 to 120 days, and 32 (18.7%) in 121 or more days.

VII. Translations

No translation was required to respond to 2006–2007 privacy requests.

VIII. Method of Access

Statistics compiled for this section are based solely on those requests for which information was all disclosed or disclosed in part. In 126 cases, copies of the records were provided and in one other case, copies and examination were provided.

IX. Corrections and Notation

No corrections or notations were required.

X. Costs

The total cost associated with *Privacy Act* activities was \$312,950.00, of which salaries accounted for \$277,656.00 and operational costs accounted for \$35,294.00. Staffing for the fiscal year amounted to five employees.

Data Matching

Data matching activities are reported through the Privacy Impact Assessment process.

Privacy Impact Assessments and Preliminary Privacy Impact Assessments

To fulfill its mandate, many of Health Canada's responsibilities require the collection, use and disclosure of personal information. As a trusted custodian of this information, the Department uses Privacy Impact Assessments (PIAs) and Preliminary Privacy Impact Assessments (PPIAs), in accordance with Treasury Board policy, as a risk management tool. Privacy Impact Assessments are forwarded to the Office of the Privacy Commissioner.

Preliminary Privacy Impact Assessments may also be conducted if an initiative is at an early concept or design stage and detailed information is not available, or when it is not clear whether a Privacy Impact Assessment needs to be conducted.

During the year, Health Canada initiated seven Privacy Impact Assessments and three Preliminary Privacy Impact Assessment as part of its efforts to ensure that personal information entrusted to the Department was protected.

Privacy Impact Assessment/Preliminary Privacy Impact Assessment summaries are available on the Access to Information and Privacy portion of the Health Canada web site:

http://hc-sc.gc.ca/ahc-asc/activit/atip-aiprp/priv/index_e.html

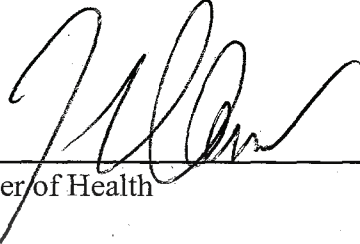



Access to Information Act – Delegation Order

Pursuant to the powers of delegation conferred upon me by Section 73 of the *Access to Information Act*, the person exercising the functions and position of departmental Access to Information and Privacy Coordinator and the respective successor, including in the Coordinator's absence, a person or officer designated in writing to act in the place of the holder of such functions and position is hereby authorized to exercise these powers, duties or functions of the Minister as the head of the government institution under the Act, set out in the attached schedule.

The person exercising the functions and position of departmental Access to Information and Privacy Coordinator and the respective successor, including in the Coordinator's absence, a person or officer designated in writing to act in the place of the holder of such functions and position, is hereby authorized to exercise these powers, duties or functions of the Minister as the head of the government institution under the Act, set out in sections 6, 8, 9 and 10 of the Act.

This delegation order supersedes any previous order executed pursuant to section 73 of the Act.


Minister of Health


Date

HEALTH CANADA
SCHEDULE TO THE DELEGATION ORDER

**DELEGATION OF POWERS, DUTIES AND FUNCTIONS PURSUANT TO SECTION
73 OF THE ACCESS TO INFORMATION ACT**

| SECTIONS OF ACT | POWERS, DUTIES OR FUNCTIONS | RESPONSIBLE POSITION |
|--------------------------|---|-----------------------------|
| 6 | Clarify a request | ATIP Co-ordinator |
| 7 (a) | Issue notice where access requested | ATIP Co-ordinator |
| 8 (1) | Transfer to another institution or to accept transfer from another institution | ATIP Co-ordinator |
| 9 | Extension of time limits | ATIP Co-ordinator |
| 11 (2),(3), (4),(5), (6) | Additional fees and waiver of fees | ATIP Co-ordinator |
| 12 (2), (3) | Language of access | ATIP Co-ordinator |
| 13 | Refuse to disclose information obtained in confidence | ATIP Co-ordinator |
| 14 | Refuse to disclose information pertaining to federal-provincial affairs | ATIP Co-ordinator |
| 15 | Refuse to disclose information pertaining to international affairs and/or defence | ATIP Co-ordinator |
| 16 | Refuse to disclose information pertaining to law enforcement and investigations | ATIP Co-ordinator |
| 17 | Refuse to disclose information pertaining to the safety of individuals | ATIP Co-ordinator |
| 18 | Refuse to disclose information pertaining to the economic interest of Canada | ATIP Co-ordinator |
| 19 | Refuse to disclose personal information | ATIP Co-ordinator |
| 19(2)(a)(b)(c) | Disclose personal information when authorized | ATIP Co-ordinator |
| 20 | Refuse to disclose or disclose third party information | ATIP Co-ordinator |

| | | |
|-------------|---|-------------------|
| 21 | Refuse to disclose information pertaining to advice and recommendations for the government institution. | ATIP Co-ordinator |
| 22 | Refuse to disclose information pertaining to testing procedures | ATIP Co-ordinator |
| 23 | Refuse to disclose information subject to solicitor-client privilege | ATIP Co-ordinator |
| 24 | Refuse to disclose information subject to statutory prohibitions | ATIP Co-ordinator |
| 25 | Sever information | ATIP Co-ordinator |
| 26 | Refuse to disclose information to be published | ATIP Co-ordinator |
| 27 (1)(4) | Carry-out third party notification | ATIP Co-ordinator |
| 28(1)(2)(4) | Receive third party representation; make a decision as to whether to disclose the record or part thereof and notify the third party of the right to appeal to the Federal court | ATIP Co-ordinator |
| 29(1) | Disclose information on the recommendation of the Information Commissioner | ATIP Co-ordinator |
| 33 | Advise the Information Commissioner of third party involvement | ATIP Co-ordinator |
| 35(2) | Make representations to the Information Commissioner during an investigation | ATIP Co-ordinator |
| 37(4) | Give access to records | ATIP Co-ordinator |
| 43(1) | Issue a notice to a third party of an application for Court review | ATIP Co-ordinator |
| 44(2) | Issue a notice to an applicant that a third party has applied for Court review | ATIP Co-ordinator |
| 52(2)(3) | Request special rules for hearings | ATIP Co-ordinator |
| 69 | Refuse to disclose Cabinet confidences | ATIP Co-ordinator |

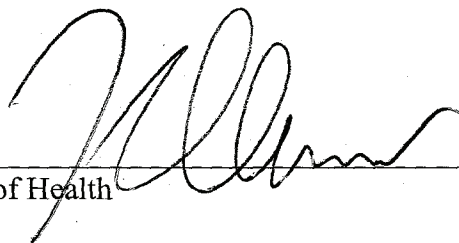
| | | |
|-------|---|-------------------|
| 71(2) | Refuse to disclose information from manuals | ATIP Co-ordinator |
| 72(1) | Prepare an Annual Report to Parliament | ATIP Co-ordinator |
| 77 | Carry out responsibilities conferred on the head of the institution by the regulations made under section 77 which are not included above | ATIP Co-ordinator |

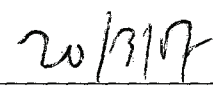
Privacy Act – Delegation Order

Pursuant to the powers of delegation conferred upon me by Section 73 of the *Privacy Act*, the person exercising the functions and position of departmental Access to Information and Privacy Coordinator and the respective successor, including in the Coordinator's absence, a person or officer designated in writing to act in the place of the holder of such functions and position is hereby authorized to exercise these powers, duties or functions of the Minister as the head of the government institution under the Act, set out in the attached schedule.

The person exercising the functions and position of departmental Access to Information and Privacy Coordinator and the respective successor, including in the Coordinator's absence, a person or officer designated in writing to act in the place of the holder of such functions and position, is hereby authorized to exercise these powers, duties or functions of the Minister as the head of the government institution under the Act, set out in sections 13 and 15 of the Act.

This delegation order supersedes any previous order executed pursuant to section 73 of the Act.


Minister of Health


Date

HEALTH CANADA
SCHEDULE TO THE DELEGATION ORDER

**DELEGATION OF POWERS, DUTIES AND FUNCTIONS PURSUANT
TO SECTION 73 OF THE *PRIVACY ACT***

| SECTIONS OF ACT | POWERS, DUTIES OR FUNCTIONS | RESPONSIBLE POSITION |
|------------------------|--|-----------------------------|
| 8(2) | Disclose personal information without the consent of the individual to whom it relates | ATIP Co-ordinator |
| 8(4) | Retain a copy of 8(2)(e) requests and disclosed records | ATIP Co-ordinator |
| 8(5) | Notify the Privacy Commissioner of 8(2)(m) disclosures | ATIP Co-ordinator |
| 9(1) | Retain a record of the use of personal information | ATIP Co-ordinator |
| 9(4) | Notify the Privacy Commissioner of a consistent use of personal information and update the index accordingly | ATIP Co-ordinator |
| 10 | Include personal information in personal information banks | ATIP Co-ordinator |
| 14 | Respond to a request for access within statutory deadlines; give access or give notice | ATIP Co-ordinator |
| 15 | Extend the time limit and notify the applicant | ATIP Co-ordinator |
| 17(2)(b) | Determine the necessity for a translation or interpretation for requested personal information | ATIP Co-ordinator |
| 18(2) | Refuse to disclose information contained in an exempt bank | ATIP Co-ordinator |
| 19(1) | Refuse to disclose information obtained in confidence from another government | ATIP Co-ordinator |

| | | |
|-------|---|-------------------|
| 19(2) | Disclose any information referred in 19(1) if the other government consents to the disclosure or makes the information public | ATIP Co-ordinator |
| 20 | Refuse to disclose information injurious to federal-provincial affairs | ATIP Co-ordinator |
| 21 | Refuse to disclose information injurious to international affairs and/or defence | ATIP Co-ordinator |
| 22 | Refuse to disclose information injurious to law enforcement and investigation | ATIP Co-ordinator |
| 23 | Refuse to disclose information injurious to security clearance | ATIP Co-ordinator |
| 24 | Refuse to disclose information collected by the Canadian Penitentiary Service, the National Parole Service or the National Parole Board | ATIP Co-ordinator |
| 25 | Refuse to disclose information which could threaten the safety of the individual | ATIP Co-ordinator |
| 26 | Refuse to disclose information about other individuals, and shall refuse to disclose such information where disclosure is prohibited under Section 8 | ATIP Co-ordinator |
| 27 | Refuse to disclose information subject to solicitor-client privilege | ATIP Co-ordinator |
| 28 | Refuse to disclose information relating to an individual's physical or mental health where disclosure is contrary to the best interests of the individual | ATIP Co-ordinator |
| 31 | Receive notice of an investigation by the Privacy Commissioner | ATIP Co-ordinator |
| 33(2) | Make representations to the Privacy Commissioner during an investigation | ATIP Co-ordinator |
| 35(1) | Receive the Privacy Commissioner's report of findings of the investigation and give notice of action taken | ATIP Co-ordinator |

| | | |
|----------|---|-------------------|
| 35(4) | Give the complainant access to information after a 35(1)(b) notice | ATIP Co-ordinator |
| 36(3) | Receive the Privacy Commissioner's report of findings of investigation of exempt banks | ATIP Co-ordinator |
| 37(3) | Receive the report of the Privacy Commissioner's findings after a compliance investigation | ATIP Co-ordinator |
| 51(2)(b) | Request that a matter be heard and determined in the National Capital Region | ATIP Co-ordinator |
| 51(3) | Request and make representations in Section 51 hearings | ATIP Co-ordinator |
| 72(1) | Prepare an Annual Report to Parliament | ATIP Co-ordinator |
| 77 | Carry out responsibilities conferred on the head of the institution by regulations made under section 77 which are not included above | ATIP Co-ordinator |

Appendix II



Government of Canada / Gouvernement du Canada

REPORT ON THE ACCESS TO INFORMATION ACT RAPPORT CONCERNANT LA LOI SUR L'ACCÈS À L'INFORMATION

| | | | | | | |
|--|-----------------------|--|--------------------------------------|---|---------------|--|
| Institution HEALTH CANADA SANTÉ CANADA | | | | Reporting period / Période visée par le rapport 4/1/2006 to/à 3/31/2007 | | |
| Source | Media / Médias 127 | Academia / Secteur universitaire 12 | Business / Secteur commercial 950 | Organization / Organisme 68 | Public 285 | |

| | |
|---|--------------|
| I Requests under the Access to Information Act / Demandes en vertu de la Loi sur l'accès à l'information | |
| Received during reporting period / Reçues pendant la période visée par le rapport | 1,442 |
| Outstanding from previous period / En suspens depuis la période antérieure | 575 |
| TOTAL | 2,017 |
| Completed during reporting period / Traitées pendant la période visée par le | 1,644 |
| Carried forward / Reportées | 373 |

| | | | |
|---|-----|---|--------------|
| II Disposition of requests completed / Disposition à l'égard des demandes traitées | | | |
| 1. All disclosed / Communication totale | 413 | 6. Unable to process / Traitement impossible | 247 |
| 2. Disclosed in part / Communication partielle | 806 | 7. Abandoned by applicant / Abandon de la demande | 119 |
| 3. Nothing disclosed (excluded) / Aucune communication (exclusion) | 2 | 8. Treated informally / Traitement non officiel | 9 |
| 4. Nothing disclosed (exempt) / Aucune communication (exemption) | 43 | TOTAL | 1,644 |
| 5. Transferred / Transmission | 5 | | |

| | | | | | | | |
|--|----|------------------|----|------------------|-----|------------------|-----|
| III Exemptions invoked / Exemptions | | | | | | | |
| S. Art. 13(1)(a) | 43 | S. Art. 16(1)(a) | 1 | S. Art. 18(b) | 2 | S. Art. 21(1)(a) | 105 |
| (b) | 17 | (b) | 1 | (c) | 2 | (b) | 114 |
| (c) | 26 | (c) | 4 | (d) | 9 | (c) | 56 |
| (d) | 1 | (d) | 0 | S. Art. 19(1) | 535 | (d) | 18 |
| S. Art. 14 | 74 | S. Art. 16(2) | 34 | S. Art. 20(1)(a) | 156 | S. Art. 22 | 2 |
| S. Art. 15(1) International rel. / Relations intern. | 6 | S. Art. 16(3) | 0 | (b) | 560 | S. Art. 23 | 68 |
| Defence / Défense | 19 | S. Art. 17 | 8 | (c) | 312 | S. Art. 24 | 6 |
| Subversive activities / Activités subversives | 0 | S. Art. 18(a) | 2 | (d) | 175 | S. Art. 26 | 5 |

| | | | |
|--|---|------------------|----|
| IV Exclusions cited / Exclusions citées | | | |
| S. Art. 68(a) | 6 | S. Art. 69(1)(c) | 1 |
| (b) | 0 | (d) | 1 |
| (c) | 0 | (e) | 11 |
| S. Art. 69(1)(a) | 3 | (f) | 2 |
| (b) | 0 | (g) | 23 |

| | |
|--|-----|
| V Completion time / Délai de traitement | |
| 30 days or under / 30 jours ou moins | 627 |
| 31 to 60 days / De 31 à 60 jours | 280 |
| 61 to 120 days / De 61 à 120 jours | 400 |
| 121 days or over / 121 jours et plus | 337 |

| | | |
|--|--------------------------------------|------------------------------------|
| VI Extensions / Prorogations des délais | | |
| | 30 days or under / 30 jours ou moins | 31 days or over / 31 jours ou plus |
| Searching / Recherche | 251 | 333 |
| Consultation | 219 | 133 |
| Third party / Tiers | 13 | 298 |
| TOTAL | 483 | 764 |

| | | |
|--|--|---|
| 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 communication | |
| Copies given / Copies de l'original | 1,210 |
| Examination / Examen de l'original | 1 |
| Copies and examination / Copies et examen | 8 |

| | | | |
|--|------------|---|--------------------|
| IX Fees / Frais | | | |
| Net fees collected / Frais nets perçus | | | |
| Application fees / Frais de la demande | \$6,910.00 | Preparation / Préparation | \$0.00 |
| Reproduction | \$75.00 | Computer processing / Traitement informatique | \$50.00 |
| Searching / Recherche | \$5,041.30 | TOTAL | \$12,076.30 |
| Fees waived / Dispense de frais | | No. of times / Nombre de fois | \$ |
| \$25.00 or under / 25 \$ ou moins | | 58 | \$310.00 |
| Over \$25.00 / De plus de 25 \$ | | 46 | \$6,019.20 |

| | |
|--|--------------------|
| X Costs / Coûts | |
| Financial (all reasons) / Financiers (raisons) (\$000) | |
| Salary / Traitement | 1,189,573.9 |
| Administration (O and M) / Administration (fonctionnement et maintien) | 176,470.0 |
| TOTAL | 1,366,043.9 |
| Person year utilization (all reasons) / Années-personnes utilisées (raisons) | |
| Person year (decimal format) / Années-personnes (nombre décimal) | 25.00 |

Appendix III

REPORT ON THE PRIVACY ACT

RAPPORT CONCERNANT LA LOI SUR LA PROTECTION DES RENSEIGNEMENTS PERSONNELS

| | | | |
|-------------|-------------------------------|---|-------------------------|
| Institution | HEALTH CANADA SANTÉ CANADA | Reporting period / Période visée par le rapport | 4/1/2006 to/à 3/31/2007 |
|-------------|-------------------------------|---|-------------------------|

| I Requests under the Privacy Act / Demandes en vertu de la Loi sur la protection | |
|--|------------|
| Received during reporting period / Reçus pendant la période visée par le rapport | 137 |
| Outstanding from previous period / En suspens depuis la période antérieure | 53 |
| TOTAL | 190 |
| Completed during reporting period / Traitées pendant la période visée par le | 171 |
| Carried forward / Reportées | 19 |

| II Disposition of requests completed / Disposition à l'égard des demandes traitées | |
|--|------------|
| 1. All disclosed / Communication totale | 63 |
| 2. Disclosed in part / Communication partielle | 64 |
| 3. Nothing disclosed (excluded) / Aucune communication (exclusion) | 1 |
| 4. Nothing disclosed (exempt) / Aucune communication (exemption) | 0 |
| 5. Unable to process / Traitement impossible | 20 |
| 6. Abandoned by applicant / Abandon de la demande | 22 |
| 7. Transferred / Transmission | 1 |
| TOTAL | 171 |

| 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) | 1 |
| (c) | 0 |
| S. Art. 22(2) | 0 |
| S. Art. 23(a) | 0 |
| (b) | 0 |
| S. Art. 24 | 0 |
| S. Art. 25 | 1 |
| S. Art. 26 | 60 |
| S. Art. 27 | 12 |
| S. Art. 28 | 4 |

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

| V Completion time / Délai de traitement | |
|---|-----|
| 30 days or under / 30 jours ou moins | 102 |
| 31 to 60 days / De 31 à 60 jours | 28 |
| 61 to 120 days / De 61 à 120 jours | 9 |
| 121 days or over / 121 jours ou plus | 32 |

| 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 | 22 | 0 |
| Consultation | 8 | 0 |
| Translation / Traduction | 0 | 0 |
| TOTAL | 30 | 0 |

| 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 | 126 |
| Examination / Examen de l'original | 0 |
| Copies and examination / Copies et examen | 1 |

| 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 | 277,656.0 |
| Administration (O and M) / Administration (fonctionnement et maintien) | 35,294.0 |
| TOTAL | 312,950.0 |
| Person year utilization (all reasons) / Années-personnes utilisées (raisons) | |
| Person year (decimal format) / Années-personnes (nombre décimal) | 5.00 |