



Information
Commissioner
of Canada

Commissaire
à l'information
du Canada



Annual Report on the Administration of the ACCESS TO INFORMATION ACT

2010-2011

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1 Introduction

This report to Parliament describes the activities of the Office of the Information Commissioner of Canada (OIC) that support compliance with the *Access to Information Act*, Canada's freedom of information legislation. It is submitted pursuant to section 72 of the Act.¹

The purpose of the Act is to provide Canadians with access to records under the control of federal institutions, except for records subject to limited and specific exemptions and exclusions. The Act also specifies that any decisions on disclosure of information should be reviewed independently of government. To this end, the OIC was created as an oversight body reporting to Parliament.

The mandate of the Information Commissioner is to investigate complaints from individuals who feel that their rights to access have not been respected by federal institutions. The Commissioner is also authorized to initiate a complaint relating to requesting or obtaining access to records under the Act if there are reasonable grounds to do so.²

Since the OIC was made subject to the Act in 2007, we must report annually on the administration of our Access to Information (ATI) program. This report details our ATI activities and accomplishments between April 1, 2010 and March 31, 2011. Here are some highlights:

- We completed formal requests in an average of 15 days and provided access to records for requests posted on our website within 2.5 days.
- We took three extensions for files requiring consultations with other federal institutions for no longer than 15 days.
- We fully implemented the duty to assist through various initiatives. As a pilot project, we waived the \$5 application fee from November 1, 2010 to April 30, 2011. We posted summaries of all completed requests and our website enables anyone to ask for records released under a previous request.
- We contributed innovative approaches to enhance the organization's ability to respond to evolving business requirements. One initiative provided for the temporary deployment of two members of the Access to Information and Privacy Secretariat to help with the investigative function.

Anyone who believes that an access request submitted to us was improperly handled is entitled to make a complaint about our handling of the information request. To prevent any conflict of interest and ensure the integrity of the complaints process, an independent Commissioner ad hoc has been mandated to investigate complaints about our processing of access requests. The Commissioner ad hoc is assisted by an investigator and has the same powers and obligations as the Information Commissioner with respect to conducting investigations and making recommendations. During the reporting period:

- No complaints were filed with the Commissioner ad hoc about our processing of requests.

¹ *Access to information Act*, R.S., 1985, c. P-21

² *Ibid.* s.30 (3)

- In his report card on our performance at handling access requests, the Commissioner ad hoc granted us an “A” grade, recognizing our efforts to process requests efficiently with a view to maximizing disclosure.

Following the departure of the Honourable W. Andrew Mackay, Mario Dion briefly occupied the position of Commissioner ad hoc from October to December 2010, before being appointed as Interim Public Sector Integrity Commissioner (see Appendices D and E). [John Sims](#) was selected to replace him as Commissioner ad hoc, starting in May 2011.³

2 Organization

The Information Commissioner is an Agent of Parliament and ombudsperson appointed by Parliament under the *Access to Information Act*. The Commissioner is supported by the OIC, an independent public body established in 1983 under the Act to respond to complaints from the public about access to information.

The OIC was restructured at the end of the reporting period into three branches as follows:

- The **Complaints Resolution and Compliance (CRC) Branch** investigates individual complaints about the processing of access requests, conducts dispute resolution activities and makes formal recommendations to institutions, as required. It also assesses federal institutions’ compliance with their obligations and carries out systemic investigations and analysis.
- **Legal Services** represents the Commissioner in court and provides legal advice on investigations, legislative issues and administrative matters. It closely monitors the range of cases having potential litigation ramifications for the OIC and access to information in general. It also assists investigators by providing them with up-to-date and customized reference tools on the evolving technicalities of the case law.
- **Corporate Services** provides strategic and corporate leadership in human resources and financial management, internal audit as well as information management and technology. It provides policy direction and conducts the OIC’s external relations with a wide range of stakeholders, notably Parliament, government and representatives of the media. It is also responsible for managing the OIC’s access to information and privacy function.

The **Access to Information and Privacy (ATIP) Secretariat** processes access requests filed under the Act for records under the control of the OIC. Prior to the restructuring of the Corporate Services Branch, the ATIP Secretariat comprised four staff members:

³ Commissioner ad hoc, http://www.oic-ci.gc.ca/eng/abu-ans_adh-com-adh.aspx

- the Director, Information Management Division, who also holds full delegated authority under the Act as institutional ATIP Coordinator;
- the Director, ATIP Secretariat, who is responsible for the management of the Secretariat, including oversight of request administration, policy development and training, and holds full delegated authority under the Act as ATIP Coordinator;
- the Senior ATIP Analyst, who is responsible for the processing of complex and/or voluminous files and the second review of completed requests; and
- the Junior ATIP Analyst, who administers less complex and smaller volume applications under the Act.

Since the demand in the ATIP Secretariat decreased this year, we were in a position to offer additional support to increase the organization's investigation capacity. Two staff members were temporarily assigned to the CRC Branch to boost capacity and maximize efficiencies.

3 Delegation order

Under the Act, the Information Commissioner is the designated head of the institution, for the purpose of administering the legislation.

At the start of the reporting period, the delegation order signed January 18, 2010 delegated full authority under section 73 to the Interim Assistant Commissioner, Policy, Communications and Operations; the Acting Director, Information Management; and the ATIP Manager (see Appendix A).

During the reporting period, one change was made to the delegated authority. In September 2010, the delegation to the ATIP Deputy Director was revoked as this individual was being assigned temporarily to help with the investigation of complaints (see Appendix B). The revocation of the delegation ensured there was no conflict of interest as the employee assumed new responsibilities. A new delegation order was issued authorising the Interim Assistant Commissioner, Policy, Communications and Operations as well as the Director, Information Management to exercise authority under the Act (see Appendix C).

4 Statistical report

The statistical report is attached as Appendix F.

5 Interpretation of the statistical report

The statistical report details all aspects of the processing of requests received by the ATIP Secretariat from April 1, 2010, to March 31, 2011. We have added two new categories of data to the statistics required for reporting purposes. One set of data provides information on the processing of requests for records released as a result of previous requests posted on our website. The second set of data outlines our treatment of consultations requested by other federal institutions to process access requests.

During the reporting period, we received 46 requests under the Act. With the addition of 2 requests outstanding from the previous period, we processed a total of 48 requests during 2010–2011. Of these, 46 were completed and two were carried forward to the 2011–2012 reporting period. The latter were received too late in the period to allow for a response before the end of March 2011.

Of the 46 requests received, 19 pertained to investigation files and 11 to administrative records. A total of 11 requests addressed matters concerning another institution and were transferred. The remaining five requests were for other miscellaneous records.

5.1 Sources of requests

Table I—Source of ATI requests received, 2010–2011

Source	Number of requests	Percentage
General public	33	71.74%
Media	8	17.39%
Business	2	4.35%
Legal	2	4.35%
Academia	1	2.17%
Total	46	100%

During the reporting period, nearly 72% of requests came from the general public and slightly more than 17% from representatives of the media.

5.2 Received during reporting period

Table II—ATI workload, 2010–2011

Requests	Number	Percentage
Received during reporting period	46	96%
Carried forward from previous year	2	4%
Total	48	100%

The number of requests received has varied each year from the inception of our access to information program. This year the number stabilized. The size and pace of requests were regular and consistent, allowing us to focus on maximizing efficiencies to achieve an average turnaround time of 15 days.

5.2.1 Requests for previously released records

Table III—ATI requests received for previously released records, 2010–2011

Requests	Number
Electronic	18

During the reporting period, we undertook to post a list that summarizes in both official languages all requests completed under the Act. Anyone can send an electronic message from the OIC website to the ATIP Secretariat to request a copy of previously

released records. Because the files requested rarely required a second review before they could be released again, this type of request was quickly administered in an average of 2.5 days.

This initiative generated interest from various groups of stakeholders, yet the impact on our workload was minimal. We received an average of 1.5 requests per month for a total of 18 requests for the year, most of them coming from Canada. We also received requests from the United States and from countries as far away as Bangladesh.

In one instance, where we had received several requests for the records of an investigation, we prepared two release packages – one for the requester and one for wider distribution, with all personal information removed. We worked closely with the investigative unit handling the file and therefore we were able to release the records to all interested parties as soon as the investigation was completed.

5.3 Disposition of completed requests

Table IV—Disposition of requests completed, 2010–2011		
Disposition	Number	Percentage
Disclosed in part	20	43.48%
Transferred	10	21.74%
All disclosed	9	19.57%
Nothing disclosed (exempt)	3	6.52%
Unable to process	2	4.35%
Abandoned by applicant	2	4.35%
Total	46	100%

Of the requests received, 20 (43.48%) were disclosed in part. In most cases, the information requested was subject to mandatory exemptions requiring us to maintain the confidentiality of the investigative process, even after the investigation was closed.

In contrast with previous years, the second most frequent disposition was a transfer to another institution with greater interest. In these cases, applicants were most likely first-time requesters who thought that we administer all access requests on behalf of public sector institutions.

Full disclosure was provided to applicants in nine instances, or 19.57% of requests.

5.4 Exemptions invoked

Table V—Exemptions invoked, 2010–2011

Section of the Act	Number of Requests	Percentage	Total Number	Total Percentage
Paragraph 15(1)(a) (Defence)	1	2.27%	1	2.27%
Paragraph 16(1)(c)(iii) (Information gathered in the course of a lawful investigation)	2	4.55%	2	4.55%
Paragraph 16(2)(c) (Security of buildings or systems)	1	2.27%	1	2.27%
Paragraph 16.1(1)(c) (Ongoing OIC investigations)	19	43.18%	19	43.18%
Subsection 19(1) (Personal information)	16	36.36%	16	36.36%
Paragraph 21(1)(a) (Policy advice)	1	2.27%	3	6.82%
Paragraph 21(1)(b) (Consultations or deliberations)	1	2.27%		
Paragraph 21(1)(d) (Management of personnel)	1	2.27%		
Section 22 (Testing procedures, tests and audits)	1	2.27%	1	2.27%
Section 23 (Solicitor-client privilege)	1	2.27%	1	2.27%
Total	44	100%	44	100%

The most frequent exemption from disclosure that we applied during the reporting period was paragraph 16.1(1)(c) in 19 requests or 43.18% to protect the confidentiality of the investigative process. Even though requesters often asked for closed OIC investigation files, there remained records that did not qualify for the exception provided in subsection 16.1(2). The second most frequent exemption applied was subsection 19(1) in 16 requests or 36.36% to protect the personal information of individuals. These numbers reverse the trends observed in the previous two years.

5.5 Exclusions cited

Table VI—Exclusions cited, 2010–2011

Section of the Act	Number	Percentage
Paragraph 68(a) (Published material)	1	100%
Total	1	100%

In one instance this year, we had to exclude from disclosure a record that was copyrighted published work, a copy of which was inserted in an investigation file for reference purposes.

5.6 Completion times

Table VII—Time to complete requests, 2010–2011

Period	Number	Percentage
30 days or less	43	93.48%
31–60 days	3	6.52%
61 + days	0	0%
Total	46	100%

For the third consecutive year, the ATIP Secretariat was successful in responding to a large majority of cases within the 30-day legislated timeframe. No requests were in a deemed refusal situation at any point. Overall our average processing time was 15 days.

5.7 Extensions

Table VIII—Extensions to the statutory timelines, 2010–2011

Reason	30 Days or Less	31 Days or More	Total	Percentage
Volume/searching	0	0	0	0%
Consultation	3	0	3	100%
Third party	0	0	0	0%
Total	3	0	0	100%

During the reporting period, we took time extensions to complete three requests requiring consultations with other institutions. In each case, we contacted the institution we were consulting to negotiate the shortest turnaround time possible. This way, we were able to ensure that the extensions were no longer than 15 days. This outcome continues the steady downward trend for extensions applied from 10.7% in 2008–2009 to 6.52% in 2010–2011.

5.8 Translations

There were no translations requested during the reporting period.

5.9 Method of access

Table IX—Method of access to records, 2010–2011

Method	Number of occurrences	Percentage
Copies given	46	100%
Total	46	100%

We used only one method to provide access to records requested under the Act. To avoid reproduction fees to requesters, we continued to produce responses in CD-ROM format. We did not receive any requests to provide the applicant an opportunity to view the records requested.

5.10 Fees

Table X—Fees received, 2010–2011

Type of Fee		Amount
Application		\$40
Reproduction		0
Total		\$40
Fees waived	Frequency	Amount
\$25 or under	38	\$190
Over \$25	0	0
Total	38	\$190

Conscious of the duty to assist and to ensure there are no barriers to requesting access to our records, we decided to waive the \$5 application fee for all requests filed under the Act from November 1, 2010 to April 30, 2011. We did not experience a significant increase in requests as a result of this pilot project. It enabled us to accept requests by e-mail and prevented delays associated with fee payments.

5.11 Consultations

Table XI—Number of consultations administered, 2010–2011

Type of consultation	Number
Consultation requests received	21
Consultations performed	39

We received and administered a large number of consultation requests from other institutions this year. Our average time to respond to consultations was 9.3 days. This performance reflects our commitment to supporting the consultative process in a timely manner to prevent the need for any time extensions.

In turn we consulted institutions a total of 39 times on access requests we received. We made a concerted effort to work with the institution consulted to establish the shortest possible turnaround time. For a single request we had to perform 34 consultations; yet we were able to provide the records to the requester within 30 days as prescribed by the Act.

5.12 Costs to administer the ATI program

Table XII—Costs to administer the ATI program, 2010–2011

Financial	Amount
Salary	\$163,521.90
Administration (Operation & Management)	\$6,243.87
Total	\$169,765.77
Person Year (decimal format)	2.0

Costs incurred during the reporting period are calculated based on the salaries of ATIP Secretariat members and administrative expenses associated with the administration of the Act.

5.13 Duty to assist

We continue to make every effort to fulfill our duty to assist requesters. Here are some examples of how we put this duty into action in 2010–2011:

- In cases where the request pertained to records obtained from an institution in the course of an investigation, we assisted the applicant in making a separate request to the originating institution for those records.
- When extensions were necessary, we provided interim releases.
- When requests were sent to our office in error, we transferred them directly to the institution concerned to minimize response times. This way, the legislated timeframe of 30 days began from the date we received the request as opposed to the date the other institution acknowledged receipt of the request.
- When the wording of applications under the Act could have resulted in limited disclosure, or we were aware of additional records of interest, we notified the requester and gave them the option to modify their applications.
- When consultations were required, we adhered to the shortest timeframes possible in responding.
- When we were not able to release records to a requester that they themselves provided to us due to the mandatory nature of the exemption laid out in 16.1(1)(c), an informal request was opened to allow us to provide them copies of their own records informally.

6 Changes to the organization, programs, operations or policies

6.1 Organizational restructuring

As discussed above, the OIC underwent a restructuring at the end of the reporting period. The former Policy, Communications and Operations Branch was streamlined with a view to enhancing controls and accountability for all corporate functions, including access to information. Policy development and systemic affairs are now under the responsibility of the Complaints Resolution and Compliance Branch. The new Corporate Services Branch includes human resource management.

6.2 IM/IT strategy

The continued implementation of the organization's strategy to renew its information management and information technology further contributed to maintaining our excellent performance in quickly handling access to information requests.

In 2008 a preliminary assessment of our information management and information technology (IM/IT) program was completed and a five-year strategic plan was developed and approved by the Treasury Board Secretariat. The plan sets out the roadmap to integrate the IM/IT infrastructure and develop it to full maturity with the applications, policies and processes needed to fully meet the organization's business requirements.

During the reporting period we operationalized Year 2 of the IM/IT strategy. Our projects included implementing an electronic corporate records repository (RDIMS). The IM section developed and delivered group training on RDIMS and IM, and subsequently posted the training on the OIC website in both official languages to facilitate access. A support function for RDIMS was implemented, including a network of trained IM practitioners representing each business area. The IT team provided programming and technical support to the project.

The IM Section also finished the work on a corporate wide effort to identify and describe all records held by the OIC into a corporate universal classification system.

The division also made an electronic training module on the classification of sensitive information available on the website for all users.

Finally, the first-ever disposition of records under the Multi-Institutional Disposition Authority (MIDA) for case files took place this year. We disposed of more than 20,000 investigative files and began shipping records of archival value to Library and Archives Canada (LAC) to preserve the documentary heritage of Canadians. We also began the disposition of records under the MIDAs for common administrative functions. We anticipate completing the disposition of financial records and ATI files by the end of 2011–2012.

In the IT area, we focused on upgrades to our network which resulted in a 30% reduction in service calls overall to the IT Help Desk. We also worked closely with the investigative branch to customize an off-the shelf software solution to its case management needs. Through user acceptance testing, we further refined the product to fully meet investigators' needs. The new system will be deployed starting in April 2011.

The IT team also focussed on developing sound reporting tools that would enable senior management to monitor the progress of investigations more effectively.

6.3 Access to Information and Privacy Program

During the reporting period the ATIP Secretariat implemented several changes to further facilitate access to OIC information. We introduced two important changes to our ATIP program that promote the use of Web 2.0 technology and contribute to proactive disclosure in line with open government objectives.

6.3.1 Waiving fee for access requests

Starting in November 2010, we waived the \$5 application fee for access requests as a pilot project for a six-month period. We wanted to ensure that the fee does not act as a barrier to access. Since this is done through an exercise of discretion, the requester retains all the benefits of a formal access to information request including the right to complain to the Commissioner ad hoc. It also enabled us to accept requests by e-mail and prevented delays associated with fee payments. To date there has been limited impact on the number of requests filed and on the ATIP workload. Therefore, we intend

to extend the pilot project into 2011–2012. We will share the results of our final assessment with the Treasury Board Secretariat, once completed.

6.3.2 Posting completed requests with electronic capability to request records

We now post a summary of all [completed access requests](#) on the OIC website. Using the file request number, users can electronically ask for the documents released pursuant to a previous request. This capability has enabled us to provide access to previously released information in an average of 2.5 days.

7 New policies or procedures

Throughout the year we revised and refined our ATIP Procedures Manual. This document provides a detailed look at the steps required to process an access to information request. The six pillars of the access to information and privacy regime at the OIC are as follows:

1. Full implementation of duty to assist

- Exercise discretion to waive application fee.
- Advise requesters on ways to clarify their requests to facilitate faster and greater disclosure.
- Expedite consultation process when required.
- Provide interim releases when time extensions are necessary.

2. Maximum disclosure

- Apply a presumption in favour of disclosure and due consideration to the public interest in the information requested. Severances are applied only when the access to information and privacy coordinator is satisfied that disclosure would result in specific and probable harm to the interest covered under a discretionary exemption.

3. Minimal extensions of deadlines

- Resort to extensions only when unavoidable and for the shortest time possible.

4. Timeliness of responses

- Release as soon as possible without waiting for the 30-day deadline.

5. Confidentiality of the investigative process

- Refrain from making recommendations to institutions consulting the office regarding information that could be the subject of a subsequent investigation, thereby eliminating any potential conflict of interest.

6. Protection of personal information

- Guarantee the privacy, confidentiality and security of personal information in accordance with the *Privacy Act*.

To accelerate the processing of access requests, the ATIP Secretariat, with the full support of the executive committee, reduced the tasking time for document retrieval from

7 days to 5 days. As a result, we have been able to complete requests in an average of 15 days.

8 Education and training activities

During 2010–2011, the ATIP Secretariat conducted three training sessions, in both official languages, on the *Access to Information Act* and the *Privacy Act* and related processes.

Legal Services provided one-on-one training on the legislation for all new employees. They also offered four sessions on the Act in general, two sessions on the duty to assist, and four sessions on the exercise of discretion.

The ATIP staff attended the 18th Congress of the *Association sur l'accès et la protection de l'information* held in Quebec City. This three-day conference provided an opportunity to see the developments underway in the Quebec provincial access to information and privacy community.

9 Investigations by the Commissioner ad hoc

There were no complaints filed with the Commissioner ad hoc in 2010–2011. As part of the report card process on institutions recently covered under the *Access to Information Act*, the Commissioner ad hoc assessed our performance in responding to access requests and, as a result, granted us an “A” rating.

Table XIII—Complaints filed with the Commissioner ad hoc, 2010–2011		
Type of complaint	Number	Percentage
Withholding of information	0	0
Length of extensions	0	0
Assessment of fees	0	0
Total	0	0

Table XIV—Outcome of complaints investigated by the Commissioner ad hoc, 2010–2011		
Outcome	Number of Occurrences	Percentage
Not well founded	0	0
Settled	0	0
Discontinued	0	0
Total	0	0



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Appendix A

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Delegation orders for the purpose of the *Access to Information Act* and the *Privacy Act* Arrêté de déléation en vertu de la *Loi sur l'accès à l'information* et de la *Loi sur la protection des renseignements personnels*

The Interim Information Commissioner of Canada, pursuant to Section 73 of the *Access to Information Act* and *Privacy Act*, hereby designates the persons holding the positions set out in the schedule hereto, or the persons occupying on an acting basis those positions, to exercise the powers and functions of the Interim Information Commissioner of Canada as the head of a government institution that is, the Office of the Information Commissioner of Canada.

En vertu de l'article 73 de la *Loi sur l'accès à l'information* et de la *Loi sur la protection des renseignements personnels*, la Commissaire par intérim à l'information du Canada délègue aux titulaires des postes mentionnés à l'annexe ci-après, ainsi qu'aux personnes occupant à titre intérimaire les dits postes, les attributions dont elle est investie en qualité de responsable d'une institution fédérale, c'est-à-dire le Commissariat à l'information du Canada.

Schedule / Annexe

Position/ Poste

	<i>Privacy Act and Regulations/ Loi sur la protection des renseignements personnels et règlements.</i>	<i>Access to Information Act and Regulations/ Loi sur l'accès à l'information et règlements.</i>
Layla Michaud Interim Assistant Information Commissioner/ Commissaire adjointe à l'information par intérim	Full Authority/ Autorité Absolue	Full Authority/ Autorité Absolue
Monica Fuijkschot A/Director, Information Management/ Directrice intérimaire, Gestion de l'information	Full Authority/ Autorité Absolue	Full Authority/ Autorité Absolue
Mario Perrier ATIP Manager, Access to Information and Privacy /Gestionnaire AIPRP, Accès à l'information et protection des renseignements personnels	Full Authority/ Autorité Absolue	Full Authority/ Autorité Absolue

Dated, at the City of Ottawa,
this 18th day of January 2010

Daté, à la ville d'Ottawa
ce 18^è jour de janvier 2010

Suzanne Legault

Interim Information Commissioner of Canada
Commissaire par intérim à l'information du Canada



Office of the
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Appendix B

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Delegation Orders for the purpose of the *Access to Information Act* and the *Privacy Act*

Arrêté sur la délégation en vertu de la *Loi sur l'accès à l'information* et de la *Loi sur la protection des renseignements personnels*

The delegation to Mario Perrier, ATIP
Manager, Access to Information and
Privacy effective January 18, 2010 is
hereby revoked.

La délégation à Mario Perrier, Gestionnaire
AIPRP Accès à l'information et protection
des renseignements personnels, du 18
janvier 2010 est révoquée.

Dated at Ottawa, this 22th day of September
2010.

Signée à Ottawa, le 22 septembre 2010.

Suzanne Legault
Information Commissioner of Canada
Commissaire à l'information du Canada

Appendix C



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Delegation orders for the purpose of the *Access to Information Act* and the *Privacy Act* Arrêté de délégation en vertu de la *Loi sur l'accès à l'information* et de la *Loi sur la protection des renseignements personnels*

The Information Commissioner of Canada, pursuant to Section 73 of the *Access to Information Act* and of the *Privacy Act*, hereby designates the persons holding the positions set out in the schedule hereto, or the persons occupying on an acting basis those positions, to exercise the powers and functions of the Information Commissioner of Canada as the head of a government institution that is, the Office of the Information Commissioner of Canada.

En vertu de l'article 73 de la *Loi sur l'accès à l'information* et de la *Loi sur la protection des renseignements personnels*, la Commissaire à l'information du Canada délègue aux titulaires des postes mentionnés à l'annexe ci-après, ainsi qu'aux personnes occupant à titre intérimaire les dits postes, les attributions dont elle est investie en qualité de responsable d'une institution fédérale, c'est-à-dire le Commissariat à l'information du Canada.

Position/ Poste	<u>Schedule / Annexe</u>	
	<i>Privacy Act and Regulations/ Loi sur la protection des renseignements personnels et règlement.</i>	<i>Access to Information Act and Regulations/ Loi sur l'accès à l'information et règlement.</i>
Layla Michaud Interim Assistant Information Commissioner (Policy, Communications and Operations) / Commissaire adjoint à l'information par intérim (Politiques, communications et opérations)	Full Authority/ Autorité Absolue	Full Authority/ Autorité Absolue
Director, Information Management/ Directeur, Gestion de l'information	Full Authority/ Autorité Absolue	Full Authority/ Autorité Absolue

Dated, at the City of Ottawa,
this 22 day of September 2010

Daté, à la ville d'Ottawa
ce 22 jour de Septembre 2010

Suzanne Legault
Information Commissioner of Canada
Commissaire à l'information du Canada



Information
Commissioner
of Canada

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**Information Commissioner's Delegation of authority to the Commissioner *ad hoc*
pursuant to section 59 of the *Access to Information Act*
Délégation de la Commissaire à l'information des pouvoirs et fonctions au Commissaire *ad hoc*
en vertu des dispositions de l'article 59 de la *Loi sur l'accès à l'information***

Pursuant to subsection 59(1) of the *Access to Information Act* (the "*Act*"), the Information Commissioner of Canada duly appointed pursuant to section 54 of the *Access to Information Act*, does hereby authorize Mario Dion, as Commissioner *ad hoc*, to exercise or perform all of the powers, duties and functions of the Information Commissioner set out in the *Access to Information Act*, including sections 30 to 37 and section 42 inclusive of the *Access to Information Act*, for the purpose of receiving and independently investigate any complaint described in section 30 of the *Access to Information Act* arising in response to access requests made in accordance with the *Act* to the Office of the Information Commissioner of Canada.

This delegation is effective October 8, 2010 for a one year period until such time as it is revoked, amended or renewed.

Dated at Ottawa, this 8th day of October 2010.

En vertu des dispositions de l'article 59 de la *Loi sur l'accès à l'information*, la Commissaire à l'information du Canada, nommée selon l'article 54 de la *Loi sur l'accès à l'information*, délègue à Mario Dion à titre de Commissaire *ad hoc*, tous les pouvoirs et fonctions qui lui sont conférés par la *Loi sur l'accès à l'information*, incluant les articles 30 à 37 et l'article 42 de la *Loi* afin de recevoir et de faire enquête de façon indépendante au sujet de toute plainte énumérée à l'article 30 de la *Loi* provenant des réponses aux demandes de communication faites au Commissariat à l'information du Canada en vertu de la *Loi*.

Cette délégation prendra effet le 8 octobre 2010 pour une période de 1 an, ou jusqu'à ce qu'elle soit révoquée, modifiée ou renouvelée.

Signée à Ottawa, le 8 octobre 2010.

Suzanne Legault
Information Commissioner of Canada
Commissaire à l'information du Canada



Information
Commissioner
of Canada

112 Kent Street,
Ottawa, Ontario
K1A 1H3
(613) 995-2410
1-800-267-0441

Commissaire
à l'information
du Canada

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**Delegation Pursuant to section 59 of the
*Access to Information Act***

**Délégation en vertu des dispositions de l'article 59
de la *Loi sur l'accès à l'information***

The delegation to Mario Dion,
Commissioner ad hoc, is hereby revoked.

La délégation de Mario Dion, Commissaire
ad hoc, est révoquée.

Dated at Ottawa, this 16th day of
December 2010.

Signée à Ottawa, le 16 décembre 2010.

Suzanne Legault
Information Commissioner of Canada
Commissaire à l'information du Canada

Appendix F

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

Institution Office of the Information Commissioner of Canada				Reporting period / Période visée par le rapport 2010-2011	
Source	Media / Médias 8	Academia / Secteur universitaire 1	Business / Secteur commercial 2	Organization / Organisme 2	Public 33

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	46
Outstanding from previous period / En suspens depuis la période antérieure	2
TOTAL	48
Completed during reporting period / Traitées pendant la période visées par le rapport	46
Carried forward / Reportées	2

II Disposition of requests completed / Disposition à l'égard des demandes traitées			
1. All disclosed / Communication totale	9	6. Unable to process / Traitement impossible	2
2. Disclosed in part / Communication partielle	20	7. Abandoned by applicant / Abandon de la demande	2
3. Nothing disclosed (excluded) / Aucune communication (exclusion)	0	8. Treated informally / Traitement non officiel	0
4. Nothing disclosed (exempt) / Aucune communication (exemption)	3	TOTAL	46
5. Transferred / Transmission	10		

III Exemptions invoked / Exceptions invoquées							
S. Art. 13(1)(a)	0	S. Art. 16(1)(a)	0	S. Art. 18(b)	0	S. Art. 21(1)(a)	1
(b)	0	(b)	0	(c)	0	(b)	1
(c)	0	(c)	2	(d)	0	(c)	0
(d)	0	(d)	0	S. Art. 19(1)	16	(d)	1
S. Art. 14	0	S. Art. 16(2)	1	S. Art. 20(1)(a)	0	S. Art. 22	1
S. Art. 15(1) International rel. / Relations intern.	0	S. Art. 16(3)	0	(b)	0	S. Art. 23	1
Defence / Défense	1	S. Art. 17	0	(c)	0	S. Art. 24	0
Subversive activities / Activités subversives	0	S. Art. 18(a)	0	(d)	0	S. Art. 26	0

IV Exclusions cited / Exclusions citées			
S. Art. 68(a)	1	S. Art. 69(1)(c)	0
(b)	0	(d)	0
(c)	0	(e)	0
S. Art. 69(1)(a)	0	(f)	0
(b)	0	(g)	0

V Completion time / Délai de traitement	
30 days or under / 30 jours ou moins	42
31 to 60 days / De 31 à 60 jours	4
61 to 120 days / De 61 à 120 jours	0
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
Searching / Recherche	0	0
Consultation	3	0
Third party / Tiers	0	0
TOTAL	3	0

VII Translations / Traduction		
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	29
Examination / Examen de l'original	0
Copies and examination / Copies et examen	0

IX Fees / Frais			
Net fees collected / Frais net perçus			
Application fees / Frais de la demande	40.00	Preparation / Préparation	0
Reproduction	0	Computer processing / Traitement informatique	0
Searching / Recherche	0	TOTAL	40.00
Fees waived / Dispense de frais		No. of times / Nombre de fois	\$
\$25.00 or under / 25 \$ ou moins		38	\$ 190
Over \$25.00 / De plus de 25 \$		0	\$ 0

X Costs / Coûts	
Financial (all reasons) / Financiers (raisons)	
Salary / Traitement	\$ 163521.90
Administration (O and M) / Administration (fonctionnement et maintien)	\$ 6243.87
TOTAL	\$ 169765.77
Person year utilization (all reasons) / Années-personnes utilisées (raison)	
Person year (decimal format) / Années-personnes (nombre décimal)	2



Additional Reporting Requirements – *Access to Information Act*

In addition to the reporting requirements addressed in form TBS/SCT 350-62 "Report on the *Access to Information Act*", institutions are required to report on the following using this form:

Part III – Exemptions invoked

Subsection 16.1(1)(c): 19 cases

The only exemption listed above invoked was the mandatory exemption in section 16.1(1)(c) which was invoked in 19 cases.

Part IV – Exclusions cited

Subsection 68.1

Subsection 68.2(a)

Subsection 68.2(b)

Subsection 69.1(1)

The OIC did not invoke any of the exclusions noted above during the reporting period.