

Office of the Chief Electoral Officer of Canada

Annual Report on the Access to Information Act

For the period ending March 31, 2018



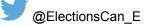
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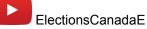
For enquiries, please contact:

Public Enquiries Unit **Elections Canada** 30 Victoria Street Gatineau, Quebec K1A 0M6 Tel.: 1-800-463-6868 Fax: 1-888-524-1444 (toll-free) TTY: 1-800-361-8935 www.elections.ca



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1. Introduction

The Access to Information Act (the Act) extends to Canadians and individuals present in Canada the right to access information in records that are under the control of a government agency. According to the principles of the Act, government information should be available to the public, necessary exceptions to the right of access should be limited and specific and decisions on the disclosure of government information should be reviewed independently of the government.

Section 72 of the Act requires that the head of every institution subject to the Act prepare an annual report for tabling in Parliament. This report describes how Elections Canada administered its responsibilities under the Act during the reporting period from April 1, 2017, to March 31, 2018.

1.1. Mandate of the Office of the Chief Electoral Officer

The Office of the Chief Electoral Officer, commonly known as Elections Canada, is an independent, non-partisan agency that reports directly to Parliament. Its mandate is to:

- be prepared to conduct a federal general election, by-election or referendum;
- administer the political financing provisions of the Canada Elections Act;
- monitor compliance with electoral legislation;
- conduct public information campaigns on voter registration, voting and becoming a candidate;
- conduct education programs for students on the electoral process;
- provide support to the independent commissions in charge of adjusting the boundaries of federal electoral districts following each decennial census;
- carry out studies on alternative voting methods and, with the approval of parliamentarians, test alternative voting processes for future use during electoral events; and,
- provide assistance and cooperation in electoral matters to electoral agencies in other countries or to international organizations.

In fulfilling its mandate, Elections Canada also has the responsibility to:

- appoint, train and support returning officers and retain the services of field liaison officers across Canada;
- maintain the National Register of Electors, which is used to prepare preliminary lists of electors at the start of electoral events;
- publish reports on the conduct of elections and official voting results;
- maintain electoral geography information, which provides the basis for maps and other geographic products;
- register political entities, including political parties, electoral district associations, candidates, nomination contestants, leadership contestants, third parties that engage in election advertising and referendum committees;
- administer the reimbursements and subsidies paid to eligible candidates, registered political parties and auditors;

- disclose information on registered parties and electoral district associations, registered parties' nomination and leadership contestants, candidates, third parties and referendum committees, including their financial returns;
- refer to the Commissioner of Canada Elections information concerning possible offences under the *Canada Elections Act* (or other relevant acts);
- consult the Advisory Committee of Political Parties for advice and recommendations;
- issue written opinions, guidelines and interpretation notes on the application of the *Canada Elections Act* to political entities;
- appoint the Broadcasting Arbitrator, who is responsible for allocating free and paid broadcasting time among political parties and for arbitrating disputes that may arise between parties and broadcasters; and,
- recommend to Parliament amendments for the better administration of the Canada Elections Act by submitting a recommendations report after a general election, as well as by providing expert advice and other special reports.

1.2. Structure of the Access to Information and Privacy Office

The Access to Information and Privacy (ATIP) Office is part of the Information and IT Services Management Division within the Chief Information Officer and Chief Security Officer Branch of the Internal Services Sector. It is managed on a full-time basis by the agency's ATIP Coordinator, with three additional full-time staff as well as full-time consultant(s) as required.

The ATIP Office is responsible for the following activities:

- processing requests under the Access to Information Act and the Privacy Act (the Acts);
- responding to consultation requests from other government institutions;
- providing advice and guidance to senior management and staff of Elections Canada on privacy issues and privacy impact assessments (PIAs);
- developing and delivering awareness training to Elections Canada managers and employees on how to fulfill their obligations under the Acts;
- developing policies, procedures and guidelines in support of ATIP legislation and central agency requirements;
- monitoring institutional compliance with the Acts, procedures and policies;
- acting on behalf of Elections Canada in dealings with the Treasury Board Secretariat, the offices
 of the Information Commissioner and Privacy Commissioner of Canada and other government
 institutions regarding ATIP affairs;
- preparing annual reports to Parliament, in addition to other statutory reports and material that may be required by central agencies;
- preparing and publishing the annual update of Elections Canada's chapter of *Info Source*, describing the agency's record holdings and personal information banks; and,
- representing Elections Canada by participating in ATIP community forums, such as the Treasury Board Secretariat's ATIP Community meetings.

2.1. Education and training

Training under the Act consists of educating the agency on how to assist individuals who request records under the organization's control. In 2017–2018, Elections Canada delivered 20 formal and 1 informal ATIP training and awareness sessions for 199 employees of various levels. All of the sessions provided an overview of the ATIP process, legislation, roles and responsibilities. The ATIP Office also routinely provided Elections Canada with informal briefings and advice on the processing of ATIP requests.

2.2. Institutional access to information policies and procedures

No new institution-specific policies or procedures related to access to information were implemented in this fiscal year. Elections Canada is continuing to review its access to information tools and procedures, and update them as required.

2.3. Institutional monitoring of access to information requests

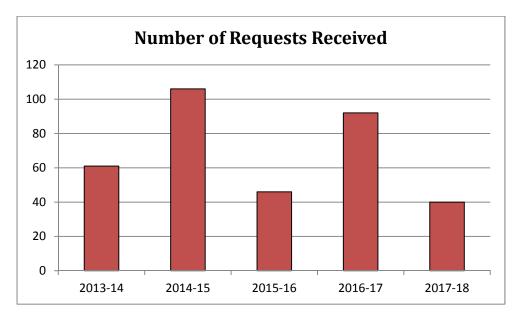
The ATIP Office uses its case management software to monitor the status of each request being processed, including the number of days remaining before the statutory deadline. Weekly status reports of all open and recently closed files are regularly provided to senior officials, including the Chief Electoral Officer and the Executive Committee.

3. Statistical Report on Requests under the Access to Information Act

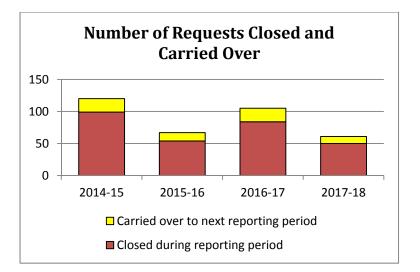
This section provides an interpretation of select statistics on the processing of requests made to Elections Canada under the Act. All figures and data for the 2017–2018 fiscal year are provided in the attached statistical report (see Appendix II).

3.1. Number and origin of formal requests

Elections Canada received 40 new formal requests for information under the Act during the period from April 1, 2017, to March 31, 2018. This number is down by 57 percent from the previous year. Notably, there were fewer requests received for political financing information in comparison to the previous fiscal year.



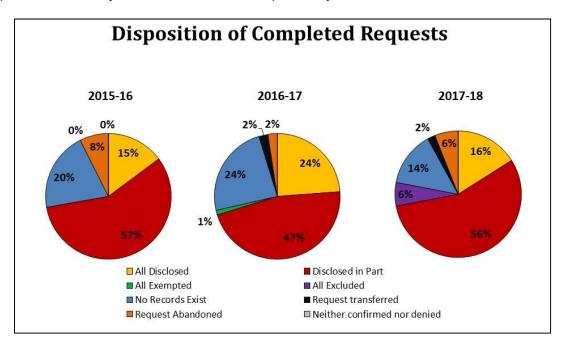
Including 21 requests that were carried over from the previous fiscal year, a total of 61 requests required action in 2017–2018. As the graph below demonstrates, 50 of those requests were closed during the reporting period. This is down 40 percent in comparison to the results in 2016–2017. Eleven requests were carried over into the next reporting period.



These requests were initiated by the media (9), private businesses (7), the general public (12), academia (1) and requesters who declined to identify themselves (11).

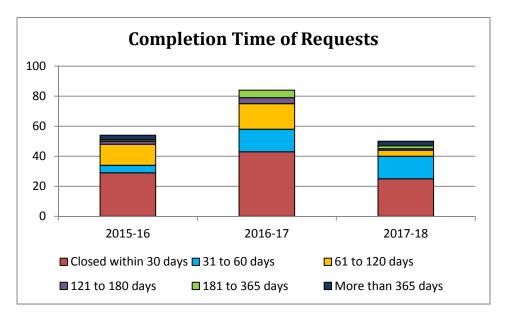
3.2. Disposition of completed requests

Fifty requests were completed during the reporting period, 8 (16 percent) of which resulted in full disclosure, down from 24 percent from the previous year. Twenty-eight requests resulted in a partial disclosure of information and three requests were fully excluded. The ATIP Office was unable to process 7 requests (14 percent) as the records requested either did not exist or there was insufficient information to locate them. Records were partially disclosed 56 percent of the time, a higher number in comparison to the 47 percent in 2016–2017. The share of requests completed under each final disposition is relatively similar to the results from previous years.



3.3. Completion time of requests

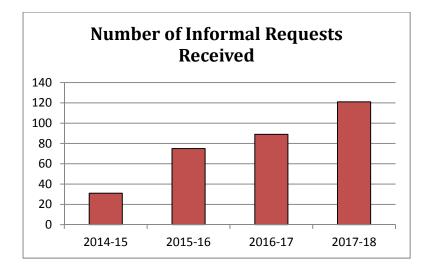
In 2017–2018, a total of 25 requests (50 percent) were completed within 30 days, similar to 51 percent in the previous fiscal year. Fifteen requests (30 percent) were closed within 31 to 60 days, 4 requests (8 percent) within 61 to 120 days, 1 request (2 percent) within 121 to 180 days, and 2 requests (4 percent) within 181 to 365 days. Three requests (6 percent) took longer than a year to complete.



Longer completion times in requests received by Elections Canada can be explained by a variety of factors. They are most commonly attributed to outstanding requests from previous years, workload, requests that require consultations with internal or external parties, and requests that are broad in scope and involve sensitive records related to advice or recommendations developed by or for a government institution, security, or investigations, examinations or reviews under the *Canada Elections Act*.

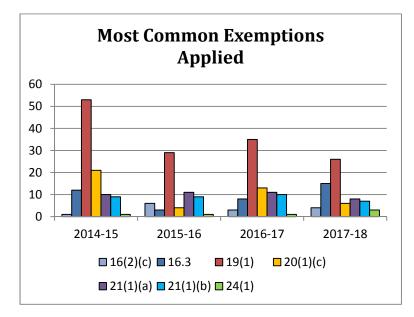
3.4. Informal releases of records

Elections Canada publishes monthly online summaries of all recently completed, formal access to information requests as required by the Treasury Board Secretariat. The published summaries allow individuals to informally request copies of records previously released under the Act. In the 2017–2018 reporting period, there was an increase in the number of request packages released informally in comparison to the previous year. The ATIP Office released 121 packages informally in 2017–2018, up 36 percent from the preceding year.



3.5. Exemptions to the release of information

The attached statistical report (Appendix II) includes the number of requests for which Elections Canada invoked specific types of exemptions and provides details on these exemptions. If an exemption is invoked several times in the same request, it is reported only once. The graph below includes the seven exemptions applied most frequently during the 2017–2018 fiscal year.



As in previous years, the most common exemption applied was under subsection 19(1) of the Act. In 2017–2018, it was used to protect personal information for 26 requests. Paragraph 16(2)(c) permits heads of government institutions to withhold information that could reasonably be expected to facilitate the commission of an offence. Elections Canada invoked paragraph 16(2)(c) for 4 requests. Section 16.3 of the Act allows the Chief Electoral Officer to refuse the disclosure of information obtained or created during investigations, examinations or reviews conducted under the *Canada Elections Act*. Elections Canada invoked section 16.3 for 15 requests. Paragraph 20(1)(c) was applied for 6 requests in order to protect third party information. Paragraph 21(1)(a) permits heads of government institutions to withhold information that contains advice or recommendations developed

by or for government officials, whereas 21(1)(b) allows the exemption of accounts of consultations and deliberations among government staff. These subsections of the Act were used for 8 and 7 requests, respectively. Lastly, information was exempted for 3 requests under section 24(1) as records contained information that was subject to a statutory prohibition against disclosure.

3.6. Extensions of the time limit

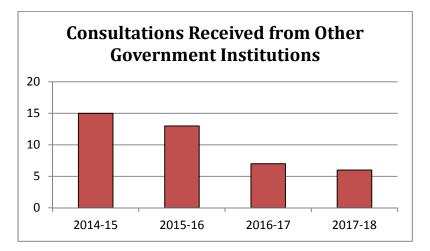
Elections Canada took 23 extensions during the reporting period, 15 of which were taken under paragraph 9(1)(a) of the Act. Paragraph 9(1)(a) allows an extension if a request is for a large volume of records and unreasonably interferes with the operations of the institution. Eight extensions were taken under paragraph 9(1)(b) which states that if a request requires consultations that cannot be reasonably completed by the statutory deadline, an extension is permitted. No extensions were taken under paragraph 9(1)(c) for the notification of third parties.

The majority of these extensions did not exceed 60 days (a total of 20). The time limit of two requests was extended by 61 to 120 days and one extension was taken for a period between 121 and 180 days.

It is the practice of the ATIP Office to provide partial preliminary release of records before the extended due date whenever possible.

3.7. Consultations

The ATIP Office received 6 formal consultations from other government institutions in 2017–2018, all of which were responded to in fewer than 30 days.



3.8. Fees and costs

The ATIP Office collected \$205 in fees during the 2017–2018 fiscal year.

During this reporting period, the ATIP Office expended \$304, 279 to administer the Act. Salaries accounted for \$174,184 of this total, whereas spending on goods and services amounted to \$130,095 (including consultant services).

4. Complaints and Judicial Review

Individuals who are not satisfied with the processing of their access to information request can file a complaint with the Office of the Information Commissioner of Canada (OIC).

The OIC received a total of seven complaints against Elections Canada in 2017–2018. At the beginning of the reporting period, the OIC also had six outstanding complaints to consider.

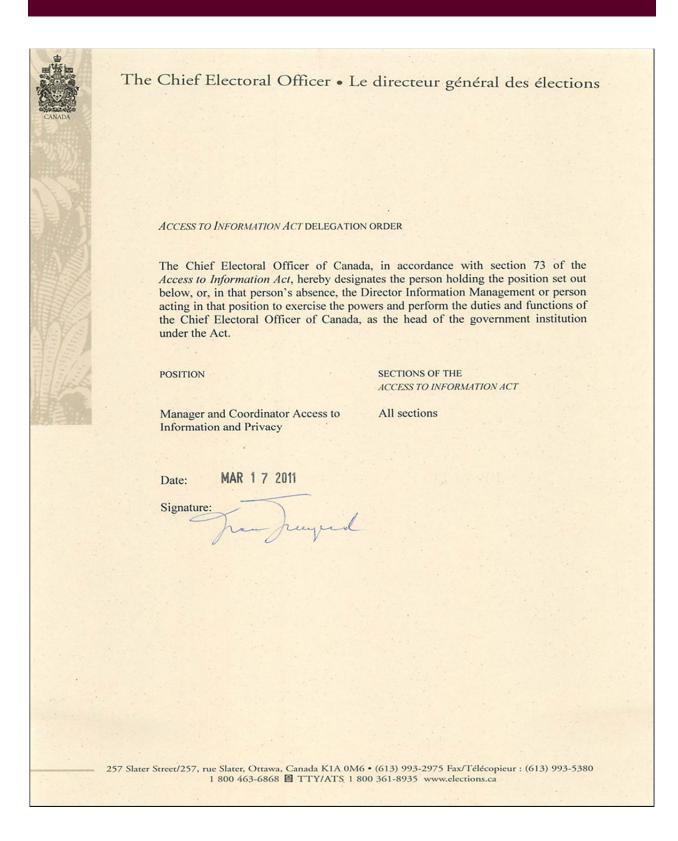
The OIC determined that three complaints received in 2017-2018 were not well-founded as Elections Canada had conducted a thorough and reasonable search for records at the time the request was processed, correctly abandoned a request when the requester refused to provide sufficient clarification for their request, and properly excluded information that was publically available or available for purchase. One complaint from 2017-2018 concerning an alleged delay in providing the requested records, was resolved as the OIC determined that Elections Canada had already provided the records to the requester prior to the start of their investigation.

One complaint received in 2015–2016 was resolved in 2017-2018. The OIC considered this complaint to be well founded as Elections Canada released additional information to the requester that had previously been withheld.

Three complaints received in 2017–2018 relate to Elections Canada's application of exemptions or the existence of records. The investigation of these complaints has not concluded.

No judicial reviews were reported to Elections Canada in 2017–2018.

Appendix I: Delegation of Authority



Appendix II: Statistical Report on the Access to Information Act, 2017–2018



Government Gouvernement du Canada

Statistical Report on the Access to Information Act

Name of institution: Elections Canada

Reporting period: 2017-04-01 to 2018-03-31

Part 1: Requests Under the Access to Information Act

1.1 Number of requests

	Number of Requests
Received during reporting period	40
Outstanding from previous reporting period	21
Total	61
Closed during reporting period	50
Carried over to next reporting period	11

1.2 Sources of requests

Source	Number of Requests
Media	9
Academia	1
Business (private sector)	7
Organization	0
Public	12
Decline to Identify	11
Total	40

1.3 Informal requests

	Completion Time									
1 to 15 Days	16 to 30 Days	31 to 60 Days	61 to 120 Days	121 to 180 Days	181 to 365 Days	More Than 365 Days	Total			
120	1	0	0	0	0	0	121			

Note: All requests previously recorded as "treated informally" will now be accounted for in this section only.

Part 2: Requests Closed During the Reporting Period

	Completion Time								
Disposition of Requests	1 to 15 Days	16 to 30 Days	31 to 60 Days	61 to 120 Days	121 to 180 Days	181 to 365 Days	More Than 365 Days	Total	
All disclosed	3	2	3	0	0	0	0	8	
Disclosed in part	1	7	12	3	0	2	3	28	
All exempted	0	0	0	0	0	0	0	0	
All excluded	1	1	0	1	0	0	0	3	
No records exist	4	2	0	0	1	0	0	7	
Request transferred	1	0	0	0	0	0	0	1	
Request abandoned	3	0	0	0	0	0	0	3	
Neither confirmed nor denied	0	0	0	0	0	0	0	0	
Total	13	12	15	4	1	2	3	50	

2.1 Disposition and completion time

2.2 Exemptions

Section	Number of Requests	Section	Number of Requests	Section	Number of Requests	Section	Number of Requests
13(1)(a)	0	16(2)	1	18(a)	0	20.1	0
13(1)(b)	0	16(2)(a)	0	18(b)	0	20.2	0
13(1)(c)	0	16(2)(b)	0	18(c)	0	20.4	0
13(1)(d)	0	16(2)(c)	4	18(d)	0	21(1)(a)	8
13(1)(e)	0	16(3)	0	18.1(1)(a)	0	21(1)(b)	7
14	0	16.1(1)(a)	0	18.1(1)(b)	0	21(1)(c)	0
14(a)	0	16.1(1)(b)	0	18.1(1)(c)	0	21(1)(d)	0
14(b)	0	16.1(1)(c)	0	18.1(1)(d)	0	22	0
15(1)	1	16.1(1)(d)	0	19(1)	26	22.1(1)	0
15(1) - I.A.*	0	16.2(1)	0	20(1)(a)	0	23	2
15(1) - Def.*	0	16.3	15	20(1)(b)	0	24(1)	3
15(1) - S.A.*	1	16.4(1)(a)	0	20(1)(b.1)	0	26	0
16(1)(a)(i)	0	16.4(1)(b)	0	20(1)(c)	6		
16(1)(a)(ii)	0	16.5	0	20(1)(d)	0		
16(1)(a)(iii)	0	17	0			-	
16(1)(b)	0			-			
16(1)(c)	0						
16(1)(d)	0		* I.A.: Internation	nal Affairs Def.: Def	fence of Canada	S.A.: Subversive Act	ivities

2.3 Exclusions

Section	Number of Requests	Section	Number of Requests	Section	Number of Requests
68(a)	8	69(1)	0	69(1)(g) re (a)	0
68(b)	0	69(1)(a)	0	69(1)(g) re (b)	0
68(c)	0	69(1)(b)	0	69(1)(g) re (c)	0
68.1	0	69(1)(c)	0	69(1)(g) re (d)	0
68.2(a)	0	69(1)(d)	0	69(1)(g) re (e)	0
68.2(b)	0	69(1)(e)	0	69(1)(g) re (f)	0
		69(1)(f)	0	69.1(1)	0

2.4 Format of information released

Disposition	Paper	Electronic	Other Formats
All disclosed	4	4	0
Disclosed in part	8	20	0
Total	12	24	0

2.5 Complexity

2.5.1 Relevant pages processed and disclosed

Disposition of Requests	Number of Pages Processed	Number of Pages Disclosed	Number of Requests
All disclosed	325	325	8
Disclosed in part	11660	9986	28
All exempted	0	0	0
All excluded	12836	0	3
Request abandoned	0	0	3
Neither confirmed nor denied	0	0	0

2.5.2 Relevant pages processed and disclosed by size of requests

Disposition	Less Than 100 Pages Processed		101-500 Pages Processed		501-1000 Pages Processed		1001-5000 Pages Processed		More Than 5000 Pages Processed	
	Number of Requests	Pages Disclosed	Number of Requests	Pages Disclosed	Number of Requests	Pages Disclosed	Number of Requests	Pages Disclosed	Number of Requests	Pages Disclosed
All disclosed	7	116	1	209	0	0	0	0	0	0
Disclosed in part	15	328	7	1992	4	2398	2	5268	0	0
All exempted	0	0	0	0	0	0	0	0	0	0
All excluded	2	0	0	0	0	0	0	0	1	0
Request abandoned	3	0	0	0	0	0	0	0	0	0
Neither confirmed nor denied	0	0	0	0	0	0	0	0	0	0
Total	27	444	8	2201	4	2398	2	5268	1	0

2.5.3 Other complexities

Disposition	Consultation Required	Assessment of Fees	Legal Advice Sought	Other	Total
All disclosed	1	0	0	0	1
Disclosed in part	5	0	0	0	5
All exempted	0	0	0	0	0
All excluded	1	0	1	0	2
Request abandoned	0	0	0	0	0
Neither confirmed nor denied	0	0	0	0	0
Total	7	0	1	0	8

2.6 Deemed refusals

2.6.1 Reasons for not meeting statutory deadline

Number of Requests Closed	Principal Reason						
Past the Statutory Deadline	Workload	External Consultation	Internal Consultation	Other			
10	5	2	1	2			

2.6.2 Number of days past deadline

Number of Days Past Deadline	Number of Requests Past Deadline Where No Extension Was Taken	Number of Requests Past Deadline Where An Extension Was Taken	Total
1 to 15 days	2	1	3
16 to 30 days	0	1	1
31 to 60 days	0	1	1
61 to 120 days	0	0	0
121 to 180 days	0	0	0
181 to 365 days	0	4	4
More than 365 days	0	1	1
Total	2	8	10

2.7 Requests for translation

Translation Requests	Accepted	Refused	Total
English to French	0	0	0
French to English	0	0	0
Total	0	0	0

Part 3: Extensions

3.1 Reasons for extensions and disposition of requests

	9(1)(a)	9 (Con:		
Disposition of Requests Where an Extension Was Taken	Interference With Operations	Section 69	Other	9(1)(c) Third-Party Notice
All disclosed	0	0	1	0
Disclosed in part	15	0	5	0
All exempted	0	0	0	0
All excluded	0	0	1	0
No records exist	0	0	1	0
Request abandoned	0	0	0	0
Total	15	0	8	0

3.2 Length of extensions

	9(1)(a)	9 Con		
Length of Extensions	Interference With Operations	Section 69	Other	9(1)(c) Third-Party Notice
30 days or less	9	0	5	0
31 to 60 days	4	0	2	0
61 to 120 days	1	0	1	0
121 to 180 days	1	0	0	0
181 to 365 days	0	0	0	0
365 days or more	0	0	0	0
Total	15	0	8	0

Part 4: Fees

	Fee Col	lected	Fee Waived or Refunded		
Fee Type	Number of Requests	Amount	Number of Requests	Amount	
Application	41	\$205	1	\$5	
Search	0	\$0	0	\$0	
Production	0	\$0	0	\$0	
Programming	0	\$0	0	\$0	
Preparation	0	\$0	0	\$0	
Alternative format	0	\$0	0	\$0	
Reproduction	0	\$0	0	\$0	
Total	41	\$205	1	\$5	

Part 5: Consultations Received From Other Institutions and Organizations

5.1 Consultations received from other Government of Canada institutions and organizations

Consultations	Other Government of Canada Institutions	Number of Pages to Review	Other Organizations	Number of Pages to Review
Received during reporting period	6	323	0	0
Outstanding from the previous reporting period	0	0	0	0
Total	6	323	0	0
Closed during the reporting period	6	323	0	0
Pending at the end of the reporting period	0	0	0	0

5.2 Recommendations and completion time for consultations received from other Government of Canada institutions

		Number of Days Required to Complete Consultation Requests								
Recommendation	1 to 15 Days	16 to 30 Days	31 to 60 Days	61 to 120 Days	121 to 180 Days	181 to 365 Days	More Than 365 Days	Total		
Disclose entirely	3	1	0	0	0	0	0	4		
Disclose in part	0	0	1	0	0	0	0	1		
Exempt entirely	0	0	0	0	0	0	0	0		
Exclude entirely	0	0	0	0	0	0	0	0		
Consult other institution	0	0	0	0	0	0	0	0		
Other	1	0	0	0	0	0	0	1		
Total	4	1	1	0	0	0	0	6		

5.3 Recommendations and completion time for consultations received from other organizations

		Number of Days Required to Complete Consultation Requests										
Recommendation	1 to 15 Days	16 to 30 Days	31 to 60 Days	61 to 120 Days	121 to 180 Days	181 to 365 Days	More Than 365 Days	Total				
Disclose entirely	0	0	0	0	0	0	0	0				
Disclose in part	0	0	0	0	0	0	0	0				
Exempt entirely	0	0	0	0	0	0	0	0				
Exclude entirely	0	0	0	0	0	0	0	0				
Consult other institution	0	0	0	0	0	0	0	0				
Other	0	0	0	0	0	0	0	0				
Total	0	0	0	0	0	0	0	0				

Part 6: Completion Time of Consultations on Cabinet Confidences

6.1 Requests with Legal Services

	Fewer TI Pag Proce	es		0 Pages essed		1-1000 Processed		1-5000 Processed		nan 5000 rocessed
Number of Days	Number of Requests	Pages Disclose d	Number of Request s	Pages Disclosed	Number of Request s	Pages Disclosed	Number of Requests	Pages Disclosed	Number of Requests	Pages Disclosed
1 to 15	0	0	0	0	0	0	0	0	0	0
16 to 30	0	0	0	0	0	0	0	0	0	0
31 to 60	0	0	0	0	0	0	0	0	0	0
61 to 120	0	0	0	0	0	0	0	0	0	0
121 to 180	0	0	0	0	0	0	0	0	0	0
181 to 365	0	0	0	0	0	0	0	0	0	0
More than 365	0	0	0	0	0	0	0	0	0	0
Total	0	0	0	0	0	0	0	0	0	0

6.2 Requests with Privy Council Office

		Than 100 rocessed	101–500 Proce) Pages essed		-1000 rocessed		-5000 rocessed	More Th Pages Pr	
Number of Days	Number of Requests	Pages Disclosed	Number of Requests	Pages Disclosed	Number of Requests	Pages Disclosed	Number of Requests	Pages Disclosed	Number of Requests	Pages Disclosed
1 to 15	0	0	0	0	0	0	0	0	0	0
16 to 30	0	0	0	0	0	0	0	0	0	0
31 to 60	0	0	0	0	0	0	0	0	0	0
61 to 120	0	0	0	0	0	0	0	0	0	0
121 to 180	0	0	0	0	0	0	0	0	0	0
181 to 365	0	0	0	0	0	0	0	0	0	0
More than 365	0	0	0	0	0	0	0	0	0	0
Total	0	0	0	0	0	0	0	0	0	0

Part 7: Complaints and Investigations

Section 32	Section 35	Section 37	Total
7	0	0	7

Part 8: Court Action

Section 41	Section 42	Section 44	Total
0	0	0	0

Part 9: Resources Related to the Access to Information Act

9.1 Costs

Expenditures		Amount
Salaries		\$174,184
Overtime		\$0
Goods and Services		\$130,095
 Professional services contracts 	\$123,010	
• Other	\$7,085	
Total		\$304,279

9.2 Human Resources

Resources	Person Years Dedicated to Access to Information Activities
Full-time employees	2.27
Part-time and casual employees	0.00
Regional staff	0.00
Consultants and agency personnel	0.47
Students	0.00
Total	2.74

Note: Enter values to two decimal places.