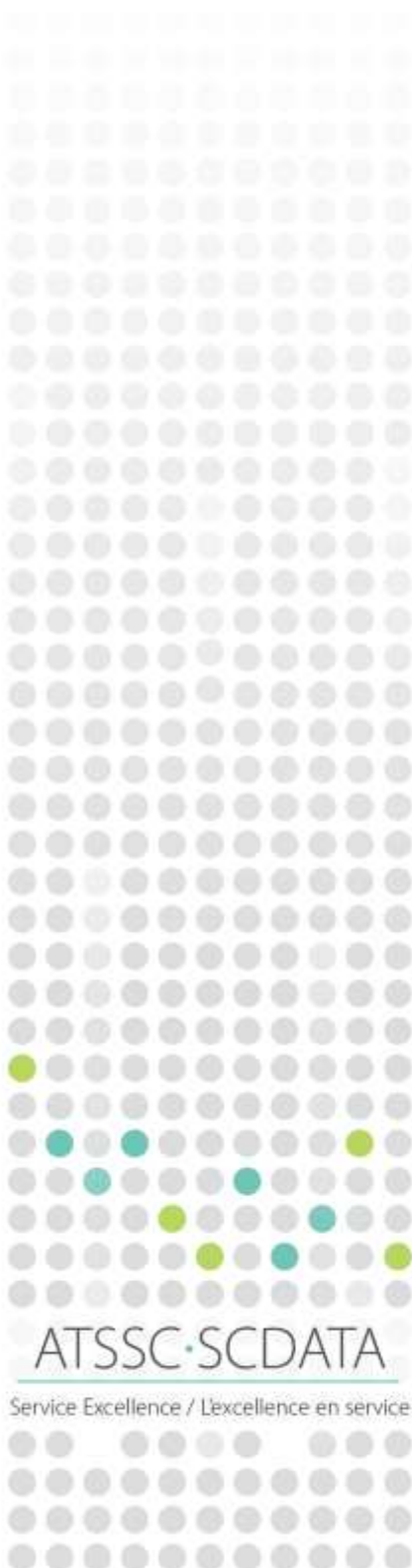




Annual Report to Parliament on the Administration of the *Access to Information Act* *April 1, 2017 to March 31, 2018*



© Her Majesty the Queen in Right of Canada, 2018

Cat. No. J85-3/1E-PDF
ISSN 2371-2430

Table of Contents

Introduction	4
About the ATSSC	5
The Access to Information and Privacy Office.....	6
ATSSC Statistical Overview	7
Sources of Requests	8
Disposition of Completed Requests	8
Exemptions Invoked	8
Extensions and Completion Time.....	9
Consultations	9
Training Activities	10
Policies, Guidelines and Procedures.....	10
Complaints	10
Monitoring	10

Introduction

The Administrative Tribunals Support Service of Canada (ATSSC) is pleased to present to Parliament its annual report on the administration of the *Access to Information Act* (the *Act*) for fiscal year April 1, 2017 to March 31, 2018.

Section 72 of the *Act* requires the head of every federal government institution to prepare and table an annual report to Parliament on the administration of the *Act* during the fiscal year. This report provides an overview of the activities of the ATSSC in implementing the *Act*.

The purpose of the *Access to Information Act* is to provide a right of access to information in records under the control of a government institution. It maintains that government information should be available to the public, that necessary exceptions to the right of access should be limited and specific, and that decisions on the disclosure of government information should be reviewed independently of government.

The *Act* is intended to complement and not replace existing procedures for access to records and is not intended to limit in any way access to the information that is normally available to the public.

The ATSSC is fully committed to both the spirit and the intent of the *Act* to foster a culture of openness and transparency within the organization.

About the ATSSC

The Administrative Tribunals Support Service of Canada (ATSSC) was established with the coming into force on November 1, 2014, of the *Administrative Tribunals Support Service of Canada Act*. The ATSSC is responsible for providing support services and facilities to 11 federal administrative tribunals by way of a single, integrated organization.

These services include the specialized services required to support the mandate of each tribunal (e.g., registry, research and analysis, legal and other mandate or case activities), as well as internal services (e.g., human resources, financial services, information management and technology, accommodation, security, planning and communications). Through these specialized services, the ATSSC supports improving access to justice for Canadians.

The administrative tribunals supported by the ATSSC include:

- the Canada Agricultural Review Tribunal;
- the Canada Industrial Relations Board;
- the Canadian Cultural Property Export Review Board;
- the Canadian Human Rights Tribunal;
- the Canadian International Trade Tribunal;
- the Competition Tribunal;
- the Federal Public Sector Labour Relations and Employment Board;
- the Public Servants Disclosure Protection Tribunal;
- the Social Security Tribunal of Canada;
- the Specific Claims Tribunal Canada; and
- the Transportation Appeal Tribunal of Canada.

The ATSSC also supports the National Joint Council, the forum for co-development, consultation and information sharing between the government as employer and public service bargaining agents.

The Minister of Justice and Attorney General of Canada is responsible for the ATSSC.

The Access to Information and Privacy Office

The Access to Information and Privacy (ATIP) Office is responsible for administering the *Access to Information Act* (the *Act*) on behalf of the ATSSC. Its mandate is to ensure compliance with the legislation, regulations and government policy and to create organizational standards and directives relating to the *Act*. Responsibility for the powers, duties and functions for the administration of the *Act* has been formally established and is outlined in the Delegation Order signed by the Chief Administrator. The Director, Planning and Communications and the ATIP Manager have been delegated authorities as described in the Delegation Order included in Appendix A.

Within the ATSSC's organizational structure, the ATIP Office reports to the Planning and Communications Unit which is under the direction of the Chief Administrator. Oversight of the ATIP Office is administered by the Director, Planning and Communications. The ATIP Office consists of the manager and one analyst dedicated to access to information and privacy activities.

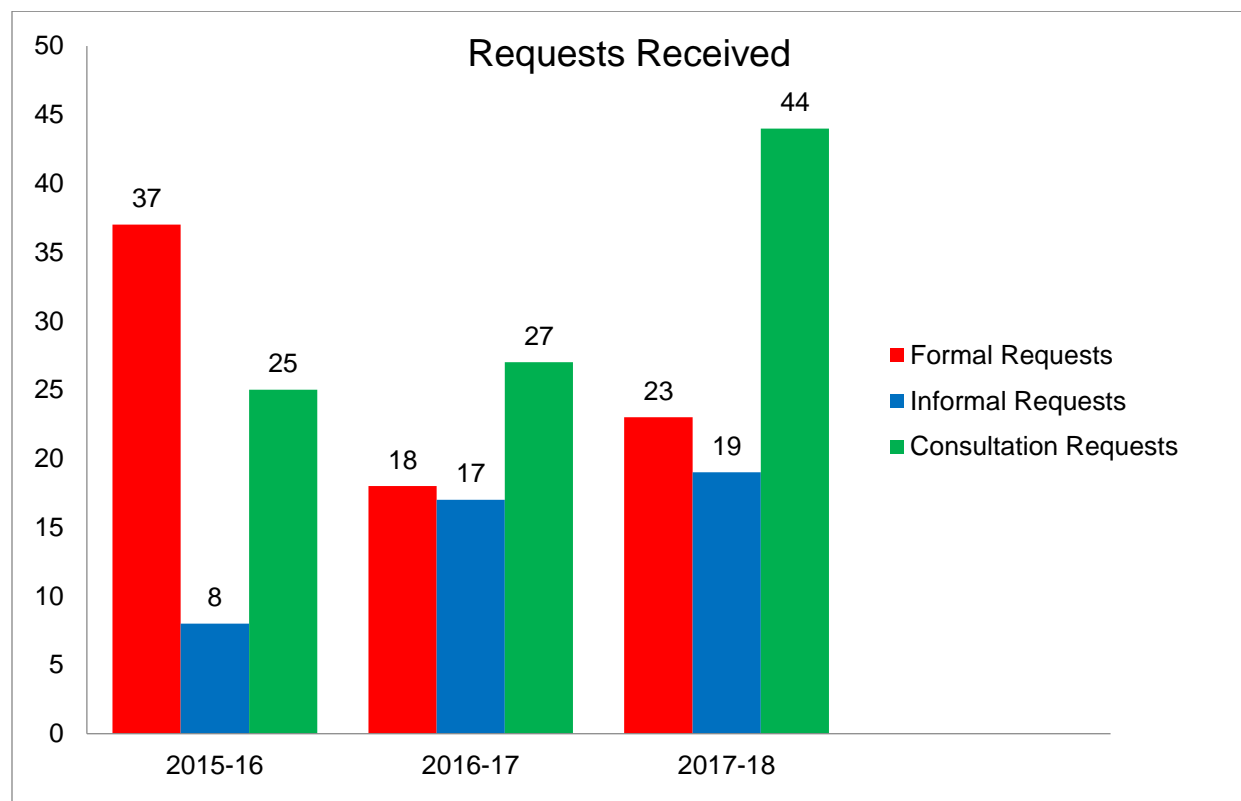
The ATIP Office receives, coordinates and processes requests in accordance with the *Act*, promotes awareness of the *Act* within the organization, fulfills reporting responsibilities relating to the *Act*. The ATIP office also provides expert advice and guidance to senior management and ATSSC staff on matters relating to the *Act*.

ATSSC Statistical Overview

The ATSSC received a total of 23 formal requests under the *Act*. With 7 requests carried over from last fiscal year, 18 of the 30 active requests were completed. Twelve (12) requests were carried forward into the new fiscal year.

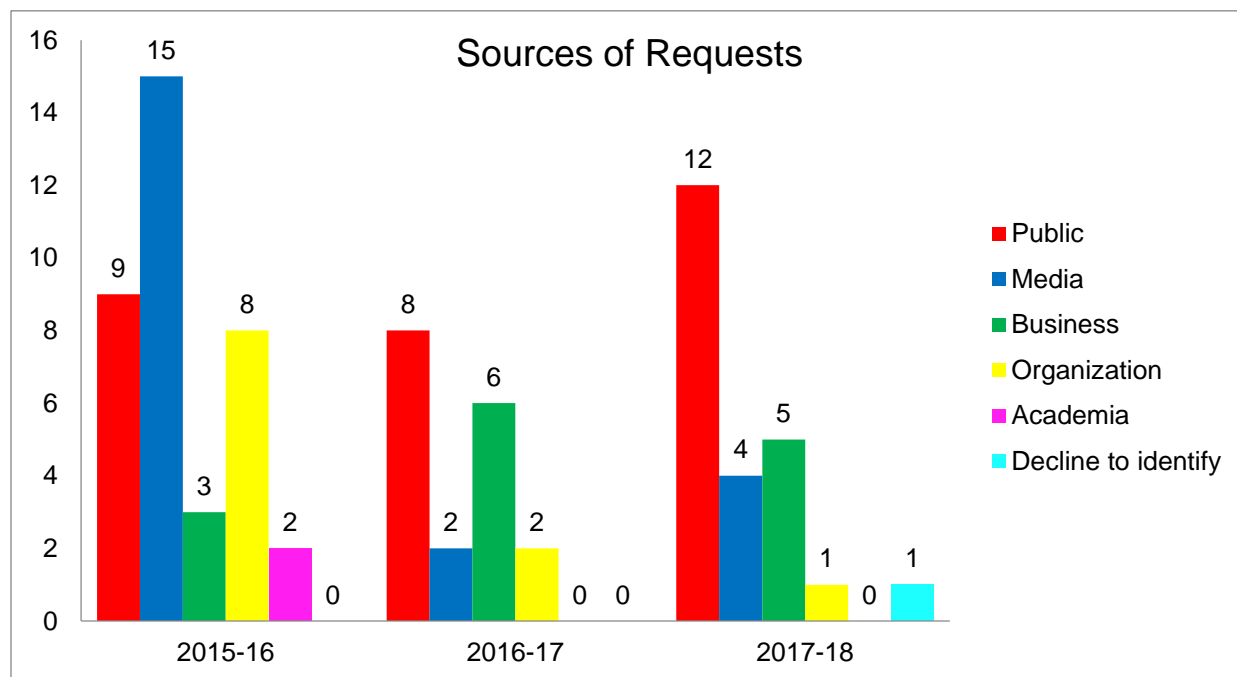
In addition to the formal requests, the ATSSC received 44 consultations from other federal institutions and other organizations as well as 19 informal requests. A copy of the Statistical Report is included in Appendix B.

In the last three reporting periods, the statistics indicate increases of 138% for informal requests and 76% for consultation requests. The ATSSC also noted a 38% decrease in formal requests received. The overall volume of requests has increased by 23% from 70 requests in 2015-16 to 86 requests in this reporting period.



Sources of Requests

Of the 23 requests that were received this reporting period, 12 requests were submitted by the general public and 4 requests were submitted by the media. Requests were also received from businesses (5) and organizations (1). One (1) applicant declined to identify.



Disposition of Completed Requests

During this reporting period, the ATSSC completed 18 requests under the *Act*, 3 of which resulted in a full release. The information sought was released in part in 5 cases and withheld entirely in 1 case. No records existed in 3 cases. The remaining 6 requests were transferred (4) and abandoned (2).

Exemptions Invoked

The *Access to Information Act* sets out specific exceptions to the right of access known as exemptions. Each exemption is intended to protect information relating to a particular public or private interest and form the only basis for refusing access to government information under the *Access to Information Act*. Of the 18 requests completed, exemptions to withhold information were invoked in 6 cases. The most frequently applied exemption, as was the case in the previous reporting year, was subsection 19(1) (records containing personal information) that was invoked in all 6 cases.

Extensions and Completion Time

Requests can be extended beyond the 30-day statutory time frame in three circumstances:

- the request is for a large number of records or necessitates a search through a large number of records (paragraph 9(1)(a) of the *Act*);
- consultations are necessary (paragraph 9(1)(b) of the *Act*); or
- the request requires giving notice to a third party (paragraph 9(1)(c) of the *Act*).

During this reporting period, an extension under paragraph 9(1)(a) of the *Act* was taken in 1 case because the request was for a large number of records or meeting the original time limit would have unreasonably interfered with the operations of the ATSSC.

In 4 cases, an extension was taken under paragraph 9(1)(b) as consultations with other institutions were required.

The ATSSC responded to 7 requests within 1 to 15 days, 7 requests within 16 to 30 days, and 1 request within 31 to 60 days. Two (2) requests required 61 to 120 days to complete and 1 required more than 181 days. Of the 18 requests completed during this reporting period, all but one were completed within the statutory time frame.

Consultations

Along with processing requests received under the *Act*, the ATIP Office provides recommendations to other institutions regarding the release of records that concern the ATSSC. During this reporting period, the ATSSC received 44 consultation requests from other federal institutions and other organizations. Of the 43 requests completed, the ATSSC recommended full disclosure of the records in 37 cases, a partial release in 4 cases and full exemption of the records in 1 case. The ATSSC was unable to respond to the remaining request (1).

Training Activities

To increase the knowledge and understanding of the *Act* across the ATSSC, training and awareness sessions were delivered by the ATIP Office. These sessions provided general information on the purpose and provisions of the *Act*, as well as the roles and responsibilities of employees and the ATIP Office. These awareness sessions were tailored to meet the specific needs of the units concerned.

Ongoing briefings occurred on an ad-hoc basis with our liaison officers. The liaison officers assist the ATIP Office in producing the requested records and providing insight into the subject matter of the requests.

During the reporting period, the ATIP Office delivered 10 awareness sessions to ATSSC employees. A total of 168 individuals participated in these sessions which represents 27% of ATSSC employees.

Policies, Guidelines and Procedures

The ATSSC is guided by the Treasury Board of Canada Secretariat (TBS) suite of access to information policy and guidance instruments. During this reporting period, the ATSSC did not implement any new or revised institution-specific policies, guidelines or procedures.

Complaints

This reporting period, 2 complaints regarding the processing of access to information requests were filed with the Office of the Information Commissioner of Canada (OIC) against the ATSSC. The complainants allege in both cases that the ATSSC failed to provide all responsive records. No investigations concerning the ATSSC were completed by the OIC. At the end of the fiscal year, 4 complaints were ongoing.

Monitoring

The monitoring of access to information requests was conducted through the case management system containing all relevant and necessary information to ensure compliance with the legislated requirements and reporting obligations. The system was updated as new requests were received or the status of a file was changed. Weekly meetings between the ATIP Manager and the Director, Planning and Communications to discuss workload and priorities also assisted the ATSSC in meeting its statutory obligations.

APPENDIX A

Access to Information Act

Delegation Order



Administrative Tribunals
Support Service of Canada

Chief Administrator

Service canadien d'appui
aux tribunaux administratifs

Administrateur en chef

**Delegation Order for the purpose of
the *Access to Information Act* and
*Access to Information Regulations***

The Chief Administrator, pursuant to section 73 of the *Access to Information Act*, hereby designates the persons holding the positions set out in the schedule hereto, or the person occupying the position on an acting basis, to exercise the powers, duties and functions of the Chief Administrator as the head of the Administrative Tribunals Support Service of Canada, under the provisions of the Act and related regulations as specified in the schedule opposite each position.

This Delegation Order supersedes all previous Delegation Orders.

Dated, at the City of Ottawa,
this **28** day of **August**, 2017.

**Arrêté de délégation en vertu de
la *Loi sur l'accès à l'information* et
du *Règlement sur l'accès à l'information***

En vertu de l'article 73 de la *Loi sur l'accès à l'information*, l'Administrateur en chef délègue aux titulaires des postes mentionnés à l'annexe ci-après, ainsi qu'aux personnes occupant à titre intérimaire lesdits postes, les attributions dont l'Administrateur en chef est, en qualité de responsable du Service canadien d'appui aux tribunaux administratifs, investi par les dispositions de la Loi ou de son règlement mentionnées en regard de chaque poste.

Le présent document remplace et annule tout arrêté antérieur.

Daté, en la ville d'Ottawa,
ce **28^e** jour de **août** 2017.


Marie-France Pelletier
Chief Administrator
Administrateur en chef

SCHEDULE

Powers, duties and functions delegated pursuant to Section 73 of the *Access to Information Act* and the *Access to Information Regulations*

Legend:

CA	Chief Administrator
D	Director, Planning and Communications
M	Manager, Access to Information and Privacy

<i>Access to Information Act</i>		Position		
Delegation		CA	D	M
Provision	Description	1	2	3
	ACCESS			
4(2.1)	Responsibility of government institutions	X	X	X
7(a)	Notice when access requested	X	X	X
7(b)	Giving access to the record	X	X	X
8(1)	Transfer of request to another government institution	X	X	X
9	Extension of time limits	X	X	X
11(2), (3), (4), (5), (6)	Additional fees	X	X	X
12(2)(b)	Language of access	X	X	X
12(3)(b)	Access in an alternative format	X	X	X
	EXEMPTIONS			
13	Information obtained in confidence	X	X	
14	Federal-provincial affairs	X	X	
15	International affairs and defence	X	X	
16	Law enforcement and investigations	X	X	
16.5	<i>Public Servants Disclosure Protection Act</i>	X	X	
17	Safety of individuals	X	X	
18	Economic interests of Canada	X	X	
18.1	Economic interest of certain government institutions	X	X	
19	Personal information	X	X	X
20	Third party information	X	X	
21	Operations of Government	X	X	X
22	Testing procedures, tests and audits	X	X	X
22.1	Internal Audits	X	X	X
23	Solicitor-client privilege	X	X	X
24	Statutory prohibitions	X	X	X

Access to Information Act		Position		
Delegation		CA	D	M
Provision	Description	1	2	3
	<i>OTHER PROVISIONS</i>			
25	Severability	X	X	X
26	Information to be published	X	X	X
27(1), (4)	Third party notification	X	X	X
28(1)(b), (2), (4)	Third party notification	X	X	X
29(1)	Where the Information Commissioner recommends disclosure	X	X	X
33	Advising Information Commissioner of third-party involvement	X	X	X
35(2)(b)	Right to make representations	X	X	X
37(4)	Access to be given to complainant	X	X	X
43(1)	Notice to third party (application to Federal Court for review)	X	X	X
44(2)	Notice to applicant (application to Federal Court by third party)	X	X	X
52(2)(b), (3)	Special rules for hearings	X	X	X
71(1)	Facilities for inspection of manuals	X	X	X
72	Annual report to Parliament	X	X	X
<i>Access to Information Regulations</i>				
6(1)	Transfer of request	X	X	X
7(2)	Search and preparation fees	X	X	X
7(3)	Production and programming fees	X	X	X
8	Method of access	X	X	X
8.1	Limitations in respect of format	X	X	X

APPENDIX B

Access to Information Act

Statistical Report



Statistical Report on the *Access to Information Act*

Name of institution: Administrative Tribunals Support Service of 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	23
Outstanding from previous reporting period	7
Total	30
Closed during reporting period	18
Carried over to next reporting period	12

1.2 Sources of requests

Source	Number of Requests
Media	4
Academia	0
Business (private sector)	5
Organization	1
Public	12
Decline to Identify	1
Total	23

1.3 Informal requests

Completion Time							Total
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	
11	7	1	0	0	0	0	19

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

2.1 Disposition and completion time

Disposition of Requests	Completion Time							Total
	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	
All disclosed	0	3	0	0	0	0	0	3
Disclosed in part	0	2	1	1	0	1	0	5
All exempted	0	0	0	1	0	0	0	1
All excluded	0	0	0	0	0	0	0	0
No records exist	1	2	0	0	0	0	0	3
Request transferred	4	0	0	0	0	0	0	4
Request abandoned	2	0	0	0	0	0	0	2
Neither confirmed nor denied	0	0	0	0	0	0	0	0
Total	7	7	1	2	0	1	0	18

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)	0	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)	0	18(d)	0	21(1)(a)	2
13(1)(e)	0	16(3)	0	18.1(1)(a)	0	21(1)(b)	2
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)	0	16.1(1)(d)	0	19(1)	6	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	0	20(1)(b)	2	24(1)	2
15(1) - S.A.*	0	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)	2		
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.: International Affairs Def.: Defence of Canada S.A.: Subversive Activities

2.3 Exclusions

Section	Number of Requests	Section	Number of Requests	Section	Number of Requests
68(a)	0	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	0	3	0
Disclosed in part	3	2	0
Total	3	5	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	491	491	3
Disclosed in part	11196	534	5
All exempted	110	0	1
All excluded	0	0	0
Request abandoned	0	0	2
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	2	72	1	419	0	0	0	0	0	0
Disclosed in part	3	114	1	198	0	0	0	0	1	222
All exempted	0	0	1	0	0	0	0	0	0	0
All excluded	0	0	0	0	0	0	0	0	0	0
Request abandoned	2	0	0	0	0	0	0	0	0	0
Neither confirmed nor denied	0	0	0	0	0	0	0	0	0	0
Total	7	186	3	617	0	0	0	0	1	222

2.5.3 Other complexities

Disposition	Consultation Required	Assessment of Fees	Legal Advice Sought	Other	Total
All disclosed	0	0	0	0	0
Disclosed in part	2	0	1	0	3
All exempted	0	0	0	0	0
All excluded	0	0	0	0	0
Request abandoned	0	0	0	0	0
Neither confirmed nor	0	0	0	0	0
Total	2	0	1	0	3

2.6 Deemed refusals

2.6.1 Reasons for not meeting statutory deadline

Number of Requests Closed Past the Statutory Deadline	Principal Reason			
	Workload	External Consultation	Internal Consultation	Other
1	0	0	1	0

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	0	1	1
16 to 30 days	0	0	0
31 to 60 days	0	0	0
61 to 120 days	0	0	0
121 to 180 days	0	0	0
181 to 365 days	0	0	0
More than 365 days	0	0	0
Total	0	1	1

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

Disposition of Requests Where an Extension Was Taken	9(1)(a) Interference With Operations	9(1)(b) Consultation		9(1)(c) Third-Party Notice
		Section 69	Other	
All disclosed	0	0	0	0
Disclosed in part	1	0	3	0
All exempted	0	0	1	0
All excluded	0	0	0	0
No records exist	0	0	0	0
Request abandoned	0	0	0	0
Total	1	0	4	0

3.2 Length of extensions

Length of Extensions	9(1)(a) Interference With Operations	9(1)(b) Consultation		9(1)(c) Third-Party Notice
		Section 69	Other	
30 days or less	0	0	2	0
31 to 60 days	0	0	1	0
61 to 120 days	0	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	1	0	4	0

Part 4: Fees

Fee Type	Fee Collected		Fee Waived or Refunded	
	Number of Requests	Amount	Number of Requests	Amount
Application	6	\$30	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	6	\$30	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	43	2192	1	11
Outstanding from the previous reporting period	3	19	0	0
Total	46	2211	1	11
Closed during the reporting period	42	2177	1	11
Pending at the end of the reporting period	4	34	0	0

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

Recommendation	Number of Days Required to Complete Consultation Requests							Total
	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	
Disclose entirely	11	18	7	0	0	0	0	36
Disclose in part	3	0	0	1	0	0	0	4
Exempt entirely	1	0	0	0	0	0	0	1
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	16	18	7	1	0	0	0	42

5.3 Recommendations and completion time for consultations received from other organizations

Recommendation	Number of Days Required to Complete Consultation Requests							Total
	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	
Disclose entirely	0	0	0	0	0	0	0	0
Disclose in part	0	0	0	0	0	0	0	0
Exempt entirely	1	0	0	0	0	0	0	1
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	1	0	0	0	0	0	0	1

Part 6: Completion Time of Consultations on Cabinet Confidences

6.1 Requests with Legal Services

Number of Days	Fewer 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
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

Number of Days	Fewer 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
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
2	0	0	2

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		\$142,845
Overtime		\$0
Goods and Services		\$4,637
• Professional services contracts	\$0	
• Other	\$4,637	
Total		\$147,482

9.2 Human Resources

Resources	Person Years Dedicated to Access to Information Activities
Full-time employees	1.58
Part-time and casual employees	0.00
Regional staff	0.00
Consultants and agency personnel	0.00
Students	0.00
Total	1.58

Note: Enter values to two decimal places.