

Développement Ca économique Canada De pour les régions du Québec for

Canada Economic Development for Quebec Regions





REPORT ON THE ADMINISTRATION OF THE PRIVACY ACT

2018-19



Canada

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1. INTRODUCTION

SUMMARY OF THE PURPOSE OF THE PRIVACY ACT

The *Privacy Act* (the Act), promulgated on July 1, 1983, aims to extend the present laws of Canada that protect the privacy of individuals with respect to personal information about themselves held by a government institution.

The purpose of the Act is to protect personal information by allowing individuals to consult information about them. It also imposes strict controls on how such information is gathered, used and shared.

THE PRIVACY ACT GIVES INDIVIDUALS GENERAL ACCESS TO PERSONAL INFORMATION ABOUT THEMSELVES HELD BY FEDERAL INSTITUTIONS, SUBJECT TO CERTAIN SPECIFIC AND LIMITED EXCEPTIONS.

ANNUAL REPORT PREPARED IN ACCORDANCE WITH SECTION 72

This document was prepared in response to section 72 of the Act, which requires federal institutions to submit an annual report to Parliament on administration of the Act. This report provides details on activities related to administration of the Act at Canada Economic Development for Quebec Regions (CED).

MANDATE OF THE INSTITUTION

CED is one of the regional development agencies (RDA) that make up the Innovation, Science and Economic Development Portfolio. Quebec communities and businesses especially small and medium-sized enterprises (SMEs)— are at the heart of its action. Through the projects it funds and its networking and integration role, CED is the key federal actor in the Quebec entrepreneurial ecosystem.

CED maintains client relations with businesses and supports them in their projects. It makes strategic investments that promote competitive regional advantages and support the transition and modernization of communities. Aiming to position Quebec businesses at the leading edge of tomorrow's economy, CED focuses on business growth, innovation, clean technologies, inclusive economy and the participation of groups that are generally underrepresented in the labor market.

Well rooted in the regions thanks to its 12 business offices, CED builds on collaboration and creating synergies with businesses, communities, supporting organizations and other levels of government to increase the quality and impact of its programs. For example, it forms partnerships to foster a concerted action by regional economic development actors and ensures a better exchange of information between federal organizations.

CED provides a regional strategic perspective that supports national priorities and works with other departments to ensure coordination of government policies and programs. Its action has a significant impact on Quebec communities and businesses, not only through its direct investments, but also because it contributes to understanding the economic development needs of the regions.

CED's Grants and Contributions Programs and Initiatives, in effect in 2018–19

Main programs:

- Quebec Economic Development Program (QEDP)
 - Targeted and/or temporary initiatives:
 - Economic Recovery Initiative for Lac Mégantic
 - Canadian Initiative for the Economic Diversification of Communities Reliant on Chrysotile
 - o Winter Tourism Initiative Trail Maintenance Support
 - Linguistic Duality Economic Development Initiative (EDI) (Canadawide initiative)
- Regional Economic Growth through Innovation (REGI)¹
 - Targeted and/or temporary initiatives:
 - Women Entrepreneurship Strategy
 - o Fast Forward Challenge
 - o Support to the Steel and Aluminum Sector

Canada-wide program implemented in Quebec by CED:

- Community Futures Program (CFP)

The main recipients of CED's programs are SMEs, business groups or associations and NPOs whose principal mission is to support businesses or economic development. These programs include repayable and non-repayable contributions.

To learn more about the Agency's mandate, programming and operations, go to its Web site: <u>www.dec-ced.gc.ca</u>.

¹ Program delivered by all regional development agencies across Canada.

2. ORGANIZATIONAL STRUCTURE

ACCESS TO INFORMATION AND PRIVACY OFFICE

CED fulfills its Access to Information Act (ATI) and Privacy Act (PA) responsibilities with an Access to Information and Privacy Office (AIPO) to process requests. The AIPO reports directly to the Deputy Minister / President's Chief of Staff.

AIPO has an access to information and privacy coordinator, as well as an advisor and a coordinating agent. The coordinator, with the help of the advisor and agent, oversees compliance with legislation, regulations, procedures and broad government trends.

Through its delegated authority, AIPO represents the Agency on matters relating to the Act in dealings with the public, Treasury Board Secretariat, the Commissioners of Information and Privacy and other federal departments and institutions.

AIPO'S CHIEF DUTIES ARE:

- PROCESSING REQUESTS AND COORDINATING ALL ATTENDANT ADMINISTRATIVE AND LEGAL OPERATIONS.
- ASSISTING APPLICANTS.
- DEVELOPING OPINIONS, GENERAL GUIDELINES AND PROCEDURES RELATING TO THE APPLICATION OF THE ATI AND PA.
- REPORTING ON CED'S APPLICATION OF THE ATI AND PA.
- MEETING THE TRAINING AND
 INFORMATION NEEDS OF CED
 EMPLOYEES.

3. DELEGATION ORDER

CED's enabling legislation identifies its head as being the Deputy Minister / President. In addition to managing the institution and overseeing management of its personnel, the Deputy Minister / President is responsible for application of the *Privacy Act*.

To this end, the authority for application of the Act was delegated to the Coordinator, Access to Information and Privacy, while most administrative authority was delegated to the Advisor, Access to Information and Parliamentary Affairs.

A copy of the signed and dated delegation order is attached to this report.

4. HIGHLIGHTS OF THE STATISTICAL REPORT 2018-19

REQUESTS RECEIVED AND PROCESSED

Over fiscal year 2018-19, eleven privacy requests were received. There was no request carried over from the previous year. Although the eleven requests processed this year is an increase over the last year, each of the requests received were abandoned during the reporting period. Ever since CED has been accepting privacy requests submitted on-line, more requests are abandoned because they were submitted to CED by mistake. The ATIP Office redirected and advised the requesters to submit a new request to the appropriate department and to abandon the request submitted to CED following an error in the applicant's identification of the department. The abandon rate is an increase from the five requests abandoned last year and continues a trend reported over the last three years. As a result, CED received no privacy request for which a response was provided. Owing to its economic development activities, CED holds numerous documents containing information on third parties, but very little in the way of personal information.

The following table illustrates the number of privacy requests received since 2014-15. Excluding abandoned requests, CED has only processed five privacy requests over that period.

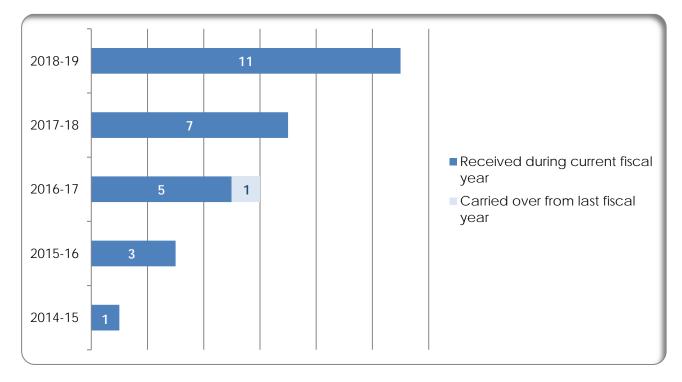


Table 1 Requests received

DISPOSITION, COMPLETION TIMES AND EXTENSIONS

The Act stipulates that privacy requests must normally be answered within 30 calendar days. Extensions may be granted in only rare instances. Each of the eleven requests was abandoned prior to day 15 after it was received.

Table 2 Disposition and completion time

		Completion time						
Disposition	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	0	0	0	0	0	0	0	0
Disclosed in part	0	0	0	0	0	0	0	0
All exempted	0	0	0	0	0	0	0	0
All excluded	0	0	0	0	0	0	0	0
No records exist	0	0	0	0	0	0	0	0
Request abandoned	11	0	0	0	0	0	0	11
Neither confirmed nor denied	0	0	0	0	0	0	0	0
TOTAL	11	0	0	0	0	0	0	11

EXEMPTIONS AND EXCLUSIONS INVOKED

Because CED had no privacy request for which a response was provided, there was no exemption or exclusion invoked during the reporting period.

PAGES PROCESSED AND DISCLOSED

There were no pages processed as part of the eleven requests that were abandoned during 2018-19. As such, no pages were disclosed. During the previous period, CED had processed and released 871 pages. Since CED rarely processes privacy requests, there is no trend that can be detected.

CONSULTATIONS

CED did not resort to any consultation while processing both privacy requests. Also, CED did not process any consultation from other institutions.

COSTS

Expenditures related to the administration of the Act totalled \$12,036 in 2018-19. That amount includes \$11,752 in salaries for 0.14 full-time equivalents. A total of \$284 was spent on travel costs, software leasing, supplies and translation services.

Statistical Report

A copy of the 2018-19 statistical report on the administration of the Privacy Act is attached to this report.

5. TRAINING AND AWARENESS

In 2018-19, one training session was delivered to seven CED employees. The AIPO always remains available to deliver specific training to employees, whose duties call for a certain grasp of matters that relate to the protection of personal information.

Since 2017-18, CED's Access to Information and Privacy Coordinator became an associated faculty member of the Canada School of Public Service. In that capacity, he delivered courses titled "Access to Information in the Government of Canada" and "Privacy in the Government of Canada" during the reporting period.

6. POLICIES, GUIDELINES, PROCEDURES AND INITIATIVES

DEC did not implement any new policies, guidelines, procedures or initiatives during the reporting period.

However, CED is continuing to implement its plan put into place last year in order for to comply with the new proactive disclosure requirements once royal assent is given to Bill C-58, which will amend the Access to Information Act and the Privacy Act and to make consequential amendments to other Acts. This plan details the actions CED has to undertake to proactively disclose new information, such as briefing packages for new or changing deputy heads, briefing package prepared for the deputy head and public servants for parliamentary committee appearances and titles and tracking numbers of briefing notes to submitted to the minister and deputy heads.

7. SUMMARY OF KEY ISSUES AND ACTIONS TAKEN ON COMPLAINTS OR AUDITS

COMPLAINTS

During fiscal year 2018-19, CED did not receive any complaints regarding a privacy request.

AUDITS AND INVESTIGATIONS

CED was not the subject of any audit over the reporting period, nor was CED under any investigation.

8. MONITORING COMPLIANCE

MONITORING OF THE PROCESSING TIME

The AIPO ensures the time to process privacy requests is monitored through a weekly report of on-going requests. The report provides the details of each request, such as the due date and current status, i.e. documents being retrieved, under review, in consultation or in the approval process. This report is distributed to CED's senior management, including its Deputy Head.

Since 2011, the AIPO has equipped itself with software to manage and track access to information requests and privacy requests. This program makes it easier to follow every activity and task related to any request and serves as a tool to monitor processing time to comply with the provisions on timeframes as set out in the Act.

REQUESTS FOR CORRECTION

Requests for correction of personal information are processed by the AIPO and a record is kept within an internal tracking system. There was no request for correction of personal information made over the reporting period.

9. MATERIAL PRIVACY BREACHES

There was no material privacy breach that occurred over the reporting period.

10. PRIVACY IMPACT ASSESSMENTS

No privacy impact assessment was conducted over the reporting period.

11. PUBLIC INTEREST DISCLOSURES

During fiscal year 2018-19, no information was disclosed pursuant to subsection 8.(2)(*m*) of the *Privacy Act.*



Delegation Chart - Privacy Act and Privacy Regulations

The President, pursuant to section 73 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, duties and functions of the President as the head of the Economic Development Agency for the Regions of Quebec, under the provisions of the Act and related regulations set out in the schedule opposite each position. This designation replaces all previous delegation orders.

Privacy Act

nivacy not		Proposed delegation			
Provision	Description	Coordinator, Access to information and Privacy	Advisor, Access to information		
8(2)(<i>j</i>)	Disclose personal information for research purposes	1 ⁰ ✓ 11 ⁰ 10 10			
8(2)(<i>m</i>)	Disclose personal information in the public interest or in the interest of the individual	✓			
8(4)	Retain copy of 8(2)(e) requests and disclosed records	✓	1		
8(5)	Notify Privacy Commissioner of 8(2)(m) disclosures	✓	1		
9(1)	Retain record of use	V	1		
9(4)	Consistent use	✓	1		
10	Include personal information in personal information banks	✓	1		
14(a)	Notice where access requested	1	1		
14(b)	Giving access to the record	1	1		
15 Extension of time limits		1	1		
17(2)(b)	Language of access	1	1		
17(3)(<i>b</i>)	Access to personal information in alternative format	1	1		

Exemption Provisions of the Privacy Act

		Proposed delegation			
Provision	Description .	Coordinator, Access to information and Privacy	Advisor, Access to information		
18(2)	Exemption (exempt bank) – Disclosure may be refused				
19(1)	Exemption – Personal information obtained in confidence	★ 100 100 100 100 100 100 100 100 100 10	nin prez a san		

		Proposed	delegation
Provision	Description	Coordinator, Access to information and Privacy	Advisor, Access to information
19(2)	Exemption – Where authorized to disclose	1	ele telèticano di C entre
20	Exemption – Federal-provincial affairs	✓ Intribution	i - del sen-
21	Exemption – International affairs and defence	1	
22	Exemption – Law enforcement and investigation	1	
22.3	Exemption – Public Servants Disclosure Protection Act		
23	Exemption – Security clearances	1	9
24	Exemption – Individuals sentenced for an offence	1	
25	Exemption – Safety of individuals	1	
26	Exemption – Information about another individual	1	
27	Exemption Solicitor-client privilege	1	
28	Exemption – Medical record		

Other Provisions of the Privacy Act

		Proposed delegation			
Provision	Description	Coordinator, Access to information and Privacy	Advisor, Access to information		
33(2)	Right to make representation	1			
35(1)	Findings and recommendations of Privacy Commissioner (complaints)	1	1		
35(4)	Access to be given	✓ -=			
36(3)	Report of findings and recommendations (exempt banks)	~	1		
51(2), (3)	Special rules for hearings	1			
70 Cabinet confidences*		✓			
72	Report to Parliament	✓ 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1	1		

*Legal advice obtained beforehand

Privacy Regulations

		Proposed delegation			
Provision	Description	Coordinator, Access to information and Privacy	Advisor, Access to information		
7	Retention of personal information requested under paragraph 8(2)(e)	~	1		
9	Examination of information		1		
11(2),11(4)	Notification concerning corrections	1	1		
13(1)	Disclosure of personal information relating to physical or mental health	✓	1		
14	Examination in presence of medical practitioner or psychologist	4	1		

I approve the delegation schedule.

Manon Brassard, Deputy Minister / President

1 7 AOUT 2016

Date



Statistical Report on the *Privacy Act*

Name of institution:	Canada Economic Development for Quebec Regions							
Reporting period:	2018-04-01	to	2019-03-31					

Part 1: Requests Under the Privacy Act

	Number of Requests
Received during reporting period	11
Outstanding from previous reporting period	0
Total	11
Closed during reporting period	11
Carried over to next reporting period	0

Part 2: Requests Closed During the Reporting Period

2.1 Disposition and completion time

	Completion Time								
Disposition of Requests	1 to 15 Days	16 to 30 Days	31 to 60 Days	61 to 120 Days		181 to 365 Days	More Than 365 Days	Total	
All disclosed	0	0	0	0	0	0	0	0	
Disclosed in part	0	0	0	0	0	0	0	0	
All exempted	0	0	0	0	0	0	0	0	
All excluded	0	0	0	0	0	0	0	0	
No records exist	0	0	0	0	0	0	0	0	
Request abandoned	11	0	0	0	0	0	0	11	
Neither confirmed nor denied	0	0	0	0	0	0	0	0	
Total	11	0	0	0	0	0	0	11	

2.2 Exemptions

Section	Number of Requests	Section	Number of Requests	Section	Number of Requests
18(2)	0	22(1)(a)(i)	0	23(a)	0
19(1)(a)	0	22(1)(a)(ii)	0	23(b)	0
19(1)(b)	0	22(1)(a)(iii)	0	24(a)	0
19(1)(c)	0	22(1)(b)	0	24(b)	0
19(1)(d)	0	22(1)(c)	0	25	0
19(1)(e)	0	22(2)	0	26	0
19(1)(f)	0	22.1	0	27	0
20	0	22.2	0	28	0
21	0	22.3	0		

2.3 Exclusions

Section	Number of Requests	Section	Number of Requests	Section	Number of Requests
69(1)(a)	0	70(1)	0	70(1)(d)	0
69(1)(b)	0	70(1)(a)	0	70(1)(e)	0
69.1	0	70(1)(b)	0	70(1)(f)	0
		70(1)(c)	0	70.1	0

2.4 Format of information released

Disposition	Paper	Electronic	Other formats
All disclosed	0	0	0
Disclosed in part	0	0	0
Total	0	0	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	0	0	0
Disclosed in part	0	0	0
All exempted	0	0	0
All excluded	0	0	0
Request abandoned	0	0	11
Neither confirmed nor			
denied	0	0	0
Total	0	0	11

2.5.2 Relevant pages processed and disclosed by size of requests

		han 100 rocessed	101 [.] Pages Pi	-500 rocessed		1000 rocessed		-5000 rocessed		an 5000 rocessed
Disposition	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	0	0	0	0	0	0	0	0	0	0
Disclosed in part	0	0	0	0	0	0	0	0	0	0
All exempted	0	0	0	0	0	0	0	0	0	0
All excluded	0	0	0	0	0	0	0	0	0	0
Request abandoned	11	0	0	0	0	0	0	0	0	0
Neither confirmed nor denied	0	0	0	0	0	0	0	0	0	0
Total	11	0	0	0	0	0	0	0	0	0

2.5.3 Other complexities

Disposition	Consultation Required	Legal Advice Sought	Interwoven Information	Other	Total
All disclosed	0	0	0	0	0
Disclosed in part	0	0	0	0	0
All exempted	0	0	0	0	0
All excluded	0	0	0	0	0
Request abandoned	0	0	0	0	0
Neither confirmed nor denied	0	0	0	0	0
Total	0	0	0	0	0

2.6 Deemed refusals

2.6.1 Reasons for not meeting statutory deadline

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

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: Disclosures Under Subsections 8(2) and 8(5)

Paragraph 8(2)(e)	Paragraph 8(2)(m)	Subsection 8(5)	Total
0	0	0	0

Part 4: Requests for Correction of Personal Information and Notations

Disposition for Correction Requests Received	Number
Notations attached	0
Requests for correction accepted	0
Total	0

Part 5: Extensions

5.1 Reasons for extensions and disposition of requests

	15(a)(i)		a)(ii) Iltation	15(b)
Disposition of Requests Where an Extension Was Taken	Interference With Operations	Section 70	Other	Translation or Conversion
All disclosed	0	0	0	0
Disclosed in part	0	0	0	0
All exempted	0	0	0	0
All excluded	0	0	0	0
No records exist	0	0	0	0
Request abandoned	0	0	0	0
Total	0	0	0	0

5.2 Length of extensions

	15(a)(i)	15(a Consu	15(b)	
Length of Extensions	Interference with operations	Section 70	Other	Translation purposes
1 to 15 days	0	0	0	0
16 to 30 days	0	0	0	0
Total	0	0	0	0

Part 6: Consultations Received From Other Institutions and Organizations

6.1 Consultations received from other Government of Canada institutions and other organizations

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

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

	Num	per of Da	ys Requi	red to C	omplete	Consulta	tion Req	uests
							More	
	4 1 4 4 5	40.1-00	04.12.00	61 to	121 to	181 to	Than	
December 1.	1 to 15 Days	16 to 30 Days	31 to 60 Days	120 Days	180 Days	365 Days	365 Days	Total
Recommendation	Days	Days	Days	Days	Days	Days	Days	TOLAI
All disclosed	0	0	0	0	0	0	0	0
Disclosed in part	0	0	0	0	0	0	0	0
All exempted	0	0	0	0	0	0	0	0
All excluded	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

6.3 Recommendations and completion time for consultations received from other organizations

	Number of days required to complete consultation requests					ests		
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
All disclosed	0	0	0	0	0	0	0	0
Disclosed in part	0	0	0	0	0	0	0	0
All exempted	0	0	0	0	0	0	0	0
All excluded	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 7: Completion Time of Consultations on Cabinet Confidences

7.1 Requests with Legal Services

		han 100 rocessed) Pages essed	-501 Pages Pi			-5000 rocessed		an 5000 ocessed
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

7.2 Requests with Privy Council Office

		han 100 rocessed		0 Pages essed		1000 rocessed		-5000 rocessed		an 5000 rocessed
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 8: Complaints and Investigations Notices Received

Section 31	Section 33	Section 35	Court action	Total
0	0	0	0	0

Part 9: Privacy Impact Assessments (PIAs)

Number of PIA(s) completed

0

Part 10: Resources Related to the Privacy Act

10.1 Costs

Expenditures	Amount	
Salaries	\$11 752	
Overtime		\$0
Goods and Services		\$284
 Professional services contracts 	\$0	
• Other	\$284	
Total		\$12 036

10.2 Human Resources

Resources	Person Years Dedicated to Privacy Activities
Full-time employees	0,14
Part-time and casual employees	0,00
Regional staff	0,00
Consultants and agency personnel	0,00
Students	0,00
Total	0,14

Note: Enter values to two decimal places.

New Exemptions table 2018-2019

Privacy Act					
Section	Number of requests				
22.4 National Security and	0				
Intelligence Committee					
27.1 Patent or Trademark	0				
privilege					