

National Security and Intelligence
Committee of Parliamentarians



Comité des parlementaires sur la
sécurité nationale et le renseignement

ANNUAL REPORT

PRIVACY ACT

**Secretariat to the National Security and Intelligence
Committee of Parliamentarians
April 1, 2019 - March 31, 2020**

**© Secretariat of the National Security and Intelligence Committee of
Parliamentarians, 2020
All rights reserved**

All requests for permission to reproduce this document or any part thereof shall be addressed to Secretariat of the National Security and Intelligence Committee of Parliamentarians.

Cette publication est également disponible en français :
Rapport annuel. Loi sur la protection des renseignements personnels (Secrétariat du
Comité des parlementaires sur la sécurité nationale et le renseignement (Canada))

ISSN 2562-9107

Table of Contents

INTRODUCTION	1
ORGANIZATIONAL STRUCTURE	2
DELEGATION ORDER	2
PERFORMANCE 2019-2020.....	2
TRAINING AND AWARENESS	2
POLICIES, GUIDELINES, PROCEDURES AND INITIATIVES	3
SUMMARY OF KEY ISSUES AND ACTIONS TAKEN ON COMPLAINTS OR AUDITS	3
MONITORING COMPLIANCE.....	3
PRIVACY BREACHES, IMPACT ASSESSMENTS AND PUBLIC INTEREST DISCLOSURES.....	3
ANNEX A – DELEGATION ORDER.....	4
ANNEX B – STATISTICAL REPORT	7

INTRODUCTION

This Annual Report is presented to Parliament for the fiscal year 2019-2020, in accordance with section 72 of the Privacy Act, which purpose is to protect the privacy of individuals with respect to their personal information held by a government institution and to provide a right of access to that information.

The legislation to establish the National Security and Intelligence Committee of Parliamentarians (NSICOP) received Royal Assent in June 2017. The Committee is presently composed of six Members of the House of Commons and three Senators, each of whom holds a Top Secret security clearance.

The mandate of the Committee is to review:

- (a) the legislative, regulatory, policy, administrative, and financial framework for national security and intelligence;
- (b) any activity carried out by a department or agency that relates to national security or intelligence, unless the activity is an ongoing operation and the appropriate Minister determines that the review would be injurious to national security; and
- (c) any matter relating to national security or intelligence referred to it by a minister of the Crown.

In order to fulfill its mandate, the Committee is entitled to have access to any information, with few exceptions, that is under the control of a department.

The Committee is required to submit an annual report of the reviews it conducted during the preceding year to the Prime Minister. It may also issue a Special Report at any time on any matter related to its mandate. A declassified version of those Reports must be laid before both Houses of Parliament. There are two categories of information that may be redacted from the report on the direction of the Prime Minister: information the disclosure of which would be injurious to national security, national defence or international relations; or information that is subject to solicitor-client privilege

In 2019-20, the Committee submitted two reports to the Prime Minister: its 2019 Annual Report, and the Special report on the Collection, Use, Retention and Dissemination of Information on Canadians in the context of the Department of National Defence and Canadian Armed Forces Defence Intelligence Activities. Those reports were tabled in Parliament on March 12, 2020 and are available on the Committee's website at <https://www.nsicop-cpsnr.ca/reports/rp-2020-03-12-ar/intro-en.html>.

ORGANIZATIONAL STRUCTURE

The Secretariat of the NSICOP was established pursuant to s. 24(1) of the NSICOP Act. Its role is to assist the Committee in fulfilling its mandate.

The Executive Director of the Secretariat is appointed by the Governor in Council. According to section 28 of the NSICOP Act, the Executive Director is the chief executive officer of the Secretariat and has the control and management of the Secretariat and all matters connected with it. The Secretariat applies the policies and guidelines of the Treasury Board on access to information and privacy.

DELEGATION ORDER

The Minister heading each government institution is responsible for the implementation of the Privacy Act within his or her institution. The Leader of the Government in the House of Commons (LGHC) is the Minister responsible for the Secretariat.

A Delegation Order was signed by the LGHC in 2018. The persons holding the position or acting in the position of Executive Director and the Director of Operations have full delegation to exercise or perform any of the powers, duties and functions under the Privacy Act.

PERFORMANCE 2019-2020

Section 22.4 of the Privacy Act specifies that the Secretariat of the National Security and Intelligence Committee of Parliamentarians “shall refuse to disclose personal information requested under subsection 12(1) that was obtained or created by it or on its behalf in the course of assisting the Committee in fulfilling its mandate”.

During the 2019-2020 fiscal year, the Secretariat did not receive any requests for records under the Privacy Act nor was it the subject of any complaints. This performance reflects the trend established since the creation of the NSICOP Secretariat in 2017.

There has been no significant impact of COVID-19 related measures on the Secretariat’s ability to fulfill its obligations under the Privacy Act. Any request or consultation request would be handled to the best of our ability within the set timelines.

TRAINING AND AWARENESS

All Secretariat employees are aware that the Secretariat is subject to the Privacy Act and are aware of our obligations pursuant to s.22. 4 of the Privacy Act.

POLICIES, GUIDELINES, PROCEDURES AND INITIATIVES

Pursuant to s. 20 of the NSICOP Act, the Secretariat developed comprehensive internal procedures for the Committee and the Secretariat as a guide to follow in the exercise of the Committee's powers or the performance of its duties and functions. Those procedures refer to the obligations of the Secretariat in processing Privacy Act requests.

SUMMARY OF KEY ISSUES AND ACTIONS TAKEN ON COMPLAINTS OR AUDITS

There have been no complaints, audits or investigations during the reporting period.

MONITORING COMPLIANCE

There is no requirement for specific monitoring of Privacy Act requests. The Executive Director and the Director of Operations are made aware of all requests as soon as received and closely monitor their progress.

PRIVACY BREACHES, IMPACT ASSESSMENTS AND PUBLIC INTEREST DISCLOSURES

There were no privacy breaches during the reporting period. There was no disclosure made pursuant to subsection 8(2)(m) of the Privacy Act during the reporting period. There were no privacy impact assessments (PIA) completed during the reporting period.

ANNEX A – DELEGATION ORDER

Privacy Act

DELEGATION ORDER

The Leader of the Government in the House of Commons, as the Minister responsible for the Secretariat of the National Security and Intelligence Committee of Parliamentarians, and pursuant to section 73 of the *Privacy Act*^a, hereby designates the officers holding the positions set out in the schedule hereto, and any persons acting in those positions, to exercise or perform the powers, duties and functions of the Leader of the Government in the House of Commons as the head of a government institution under the sections of the *Act* and the regulations opposite each position in the schedule.

This delegation order supercedes all previous delegation orders.

Loi sur la protection des renseignements personnels

ARRÊTÉ DE DÉLÉGATION

La leader du gouvernement à la Chambre des communes, en sa qualité de ministre désignée pour le secrétariat du Comité des parlementaires sur la sécurité nationale et le renseignement, et conformément à l'article 73 de la *Loi sur la protection des renseignements personnels*^a, délègue aux titulaires des postes énumérés en annexe, et à toutes autres personnes agissant dans ces postes de façon intérimaire, ses attributions à titre de responsable d'une institution fédérale aux termes des articles de la *Loi* et du règlement figurant en regard de chaque poste à l'annexe.

Le présent arrêté de délégation remplace et annule tout arrêté qui le précède.

Leader of the Government in the House of Commons / Leader du gouvernement à la
Chambre des communes

10 July 2018 / 10 juillet 2018

^a R.S. 1985, c. P-21 / L.R. 1985, ch. P-21

SCHEDULE / ANNEXE

Position / Poste	Sections of the Privacy Act^a / Articles de la Loi sur la protection des renseignements personnels^a	Sections of the Privacy Regulations^b / Articles du Règlement sur la protection des renseignements personnels^b
1. Executive Director, Secretariat / Directrice générale, Secrétariat	Full delegation. / <i>Délégation entière.</i>	Full delegation. / <i>Délégation entière.</i>
2. Director of Operations, Secretariat / Directeur des opérations, Secrétariat	Full delegation. / <i>Délégation entière.</i>	Full delegation. / <i>Délégation entière.</i>

^a R.S. 1985, c. P-21 / L.R. 1985, ch. P-21

^b SOR/83-508 / DORS/83-508

8(4); 8(5); 9(1); 9(4); 10(1);
14; 15; 16; 17; 19; 35(4).

7; 9; 11(2); 11(4).

ANNEX B – STATISTICAL REPORT



Statistical Report on the *Privacy Act*

Name of institution: Secretariat of the National Security & Intelligence Committee of Parliamentarians

Reporting period: 2019-04-01 to 2020-03-31

Section 1: Requests Under the *Privacy Act*

1.1 Number of requests

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

Section 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	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	0	0	0	0	0	0	0	0
Neither confirmed nor denied	0	0	0	0	0	0	0	0
Total	0	0	0	0	0	0	0	0

2.2 Exemptions

Section	Requests	Section	Number of Requests	Section	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	27.1	0
21	0	22.3	0	28	0
		22.4	0		

2.3 Exclusions

Section	Requests	Section	Number of Requests	Section	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

Paper	Electronic	Other
0	0	0

2.5 Complexity

Number of Pages Processed	Number of Pages Disclosed	Number of Requests
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	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	0	0	0	0	0	0	0	0	0	0
Neither confirmed nor	0	0	0	0	0	0	0	0	0	0
Total	0	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	0	0	0	0	0
Total	0	0	0	0	0

2.6 Closed requests

2.6.1 Number of requests closed within legislated timelines

Number of requests closed within legislated timelines	0
Percentage of requests closed within legislated timelines (%)	0

2.7 Deemed refusals

2.7.1 Reasons for not meeting legislated timelines

Number of requests closed past the legislated timelines	Principal Reason			
	Interference with operations / Workload	External Consultation	Internal Consultation	Other
0	0	0	0	0

2.7.2 Request closed beyond legislated timelines (including any extension taken)

Number of Days Past Legislated Timelines	Number of requests past legislated timeline where no extension was taken	Number of requests past legislated timeline 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

2.8 Requests for translation

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

Section 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

Section 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

7.2 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

Section 8: Complaints and Investigations Notices Received

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

Section 9: Privacy Impact Assessments (PIAs) and Personal Information Banks (PIBs)

9.1 Privacy Impact Assessments

Number of PIAs completed	0
--------------------------	---

9.2 Personal Information Banks

Personal Information Banks	Active	Created	Terminated	Modified
	0	0	0	0

Section 10: Material Privacy Breaches

10.1 Material Privacy Breaches

Number of material privacy breaches reported to TBS	0
Number of material privacy breaches reported to OPC	0

Section 11: Resources Related to the *Privacy Act*

11.1 Costs

Expenditures		Amount
Salaries		\$0
Overtime		\$0
Goods and Services		\$0
• Professional services contracts	\$0	
• Other	\$0	
Total		\$0

11.2 Human Resources

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

Note: Enter values to two decimal places.