

DEFENCE CONSTRUCTION CANADA

2019–2020 *PRIVACY ACT* ANNUAL REPORT

April 1, 2019, to March 31, 2020



Defence Construction Canada
Construction de Défense Canada

Canada

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REPORT ON THE *PRIVACY ACT*

INTRODUCTION

The *Privacy Act* (PA) protects the privacy of Canadian citizens and permanent residents against the unauthorized use and disclosure of personal information about themselves held by a government institution. It also provides individuals with a right of access to that information and the right to correct inaccurate personal information. In addition, the PA legislates how the government collects, stores, disposes of, uses and discloses personal information.

Section 72 of the PA requires the head of every federal government institution to submit an annual report to Parliament on the administration of the PA during the financial year. This annual report summarizes the management and administration of the PA within Defence Construction (1951) Limited (DCC) during the 2019–20 reporting period.

MANDATE OF DCC

The principal mandate of DCC, pursuant to the *Defence Production Act* (DPA), is to meet the infrastructure and environmental needs of the Department of National Defence and the Canadian Armed Forces (DND/CAF) by providing quality services. DCC's mission is to provide timely, effective and efficient project delivery and full lifecycle support for infrastructure and environmental assets required for the defence of Canada. DCC is an agent of the Crown incorporated for the purpose of carrying out the procurement for and delivering of defence infrastructure projects. The DPA defines a defence contract as a contract with an agent of Her Majesty that in any way relates to defence projects or to the designing, manufacturing, producing, constructing, finishing, assembling, transporting, repairing, maintaining, servicing or storing of, or dealing in defence projects. DCC's Letters Patent permit DCC to take on, lease, or in exchange, procure, purchase or otherwise acquire, construct, alter, renovate, add to, improve, and to hold, manage, maintain, operate, supervise, repair, heat, lease, sell, salvage, realize or otherwise dispose of real and personal property—and in particular, lands and buildings. DCC reports to Parliament through the Minister of Public Services and Procurement.

DCC'S ACCESS TO INFORMATION AND PRIVACY OFFICE

DCC's Access to Information and Privacy (ATIP) Office is accountable for developing and implementing effective policies, guidelines, systems and procedures to ensure that DCC meets its responsibilities under the *Access to Information Act* (ATIA) and the PA.

The main activities of the ATIP Office include the following:

- monitoring compliance with relevant Acts, regulations, procedures and policies;
- processing requests under both Acts;
- developing and maintaining policies, procedures and guidelines to ensure that DCC respects the Acts;
- promoting awareness of the Acts within DCC to ensure that employees are aware of their responsibilities;
- preparing annual reports to Parliament and other statutory reports, as well as other material that Central Agencies may require;
- representing DCC in dealings with the Treasury Board of Canada Secretariat (TBS), the Information and Privacy Commissioners, and other government departments and agencies to determine how the Acts apply to DCC; and
- helping DCC meet its commitments to ensure openness and transparency, through proactive and informal disclosure of information.

During the 2019–20 reporting period, the ATIP Office took on the coordination of additional activities in support of DCC's compliance with ancillary statutory requirements. These new activities include the following:

- reporting travel and hospitality expense of senior officials on the Open Government portal;
- responding to parliamentary questions (Order Paper Questions);
- responding to constituent inquiries; and
- reviewing DCC's corporate services contracting documents.

ORGANIZATIONAL STRUCTURE

During the 2019–20 reporting period, the ATIP Office had three full-time positions: one ATIP Coordinator, one ATIP Deputy Coordinator and one ATIP Administrator. The ATIP Administrator position was vacated during the reporting period, and a recruitment process was initiated to staff the role. As is the case for most institutions, recruitment and retention of qualified ATIP professionals is a significant challenge for DCC.

DCC was not party to any service agreements under section 73.1 of the PA during the 2019–20 reporting period.

DELEGATION OF AUTHORITY

Pursuant to section 73 of the PA, the President has delegated his powers and duties to the ATIP Coordinator to allow the Corporation to meet its legislated requirements. These powers are subject to sub-delegation to the Deputy Coordinator as required.

See Appendix A for the Delegation Order.

SUMMARY AND HIGHLIGHTS OF ACTIVITIES

During the reporting period, the ATIP Office once again saw an increase in engagement from other departments within DCC.

Specifically, the ATIP Office was engaged in five major initiatives: the 2019 Virgin Pulse Global Challenge (VPGC), the Adaptive Insights software acquisition, the LinkedIn e-recruitment platform, and the Medisys Medical Surveillance Program, as well as the continuation of the Secure Cloud and Managed Services project. In addition, the ATIP Office provided routine input, from a PA perspective, on corporate initiatives involving personal information. Finally, responding to the novel coronavirus (COVID-19) pandemic required DCC to collect, use and disclose personal information, including sensitive personal medical information, in limited and particular circumstances during the 2019–20 reporting period. Three such circumstances were identified, documented and assessed in the context of the PA, its Regulations, and associated policies and directives. The ATIP Office also conducted a consolidated privacy risk analysis associated with DCC's collection of personal information under those three circumstances in support of accountable and transparent pandemic response management.

For the 2019 VPGC, the ATIP Office reviewed the VPGC's Privacy Policy and all documents cited therein, TBS publications, DCC's corporate policies and the Privacy Impact Questionnaire, and concluded that no privacy impact assessment (PIA) was required for this voluntary, non-administrative and non-decision-making initiative. As a result, there were no changes to DCC's personal information banks.

The ATIP Office also completed a privacy impact questionnaire for the Adaptive Insights software. In doing so, the ATIP Office did not identify any changes to its personal information holdings arising from the use of this software and did not recommend the completion of a PIA. There were no changes to DCC's institution-specific or standard personal information banks resulting from the implementation of this cloud-based software.

The ATIP Office also reviewed privacy risks associated with the use of LinkedIn by DCC's Human Resources (HR) department. As a follow-up to that review, the ATIP Office created an E-Recruitment Agreement to ensure that users in HR were aware of their responsibilities with respect to the protection of personal information, data security and the appropriate use of the third-party platform.

Also, the ATIP Office reviewed and provided feedback on all aspects of the Medisys Medical Surveillance Program for another HR-led initiative. This review included an in-depth analysis of the contracting documentation, sample medical clearance forms and internal protocols for transferring, storing and, when applicable, disclosing of medical clearance reports.

The ATIP Office also continued to work on the formal PIA associated with DCC's Secure Cloud and Managed Services project led by the Information Technology (IT) department. Consultations were carried out on a draft version of this document with the Office of the Privacy Commissioner (OPC) during the 2019–20 reporting period.

Finally, during the 2019–20 reporting period, the ATIP Office continued to monitor the TBS procurement initiative for a new ATIP Processing Software Solution.

TRAINING AND AWARENESS

During the 2019–20 reporting period, DCC continued to present ATIP Office activity to inform senior management of the volume of access to information and privacy requests, increase awareness of access to information and privacy issues, and help the ATIP Office fulfill its mandate.

The ATIP Office briefs DCC's five executives monthly and 20 senior managers twice a year. Topics covered in the presentation include the following:

- annual and quarterly comparisons of ATIP requests handled and pages reviewed;
- consultation requests, by region and government institution; and
- annual ATIP requests, by source type.

During the 2019–20 reporting period, DCC expanded its scope of reporting to include DCC's Board of Directors. Through this quarterly report, the ATIP Office provides an overview of its activities in the administration of both the ATIA and the PA. Topics covered in the ATIP Board Report include the following:

- ATIP activities relating to legislative compliance;
- statistical reporting and presentation of new request summaries for the reporting period;
- corporate risk assessments; and
- ATIP-related environmental scan.

A plain language policy document on the PA is accessible to all employees via the DCC intranet.

The ATIP Office created a training module intended for DCC employees based on the Canada School of Public Service's introductory online ATIP course. This self-directed training covers DCC's responsibilities under the ATIA and PA, and will be reviewed by the ATIP Coordinator.

The ATIP Coordinator continued to provide training to the new ATIP Deputy Coordinator on DCC ATIP processes and practices. The ATIP Deputy Coordinator provided training to the ATIP Administrator on DCC ATIP processes and practices, as well as general training based on OPC resources, including its PIA publication and Privacy Act Bulletins.

POLICIES, GUIDELINES AND PROCEDURES

The development and review of policies, guidelines and procedures related to the PA, including DCC's Privacy Impact Assessment Policy, the DCC Privacy Breach Protocol, and the DCC Privacy Management Framework, continued into this reporting period.

Further, the ATIP Office collaborated with DCC's IT department to develop privacy language for use within two internal policy documents. Specifically, the ATIP Office created privacy and personal information protection guidelines for DCC's Cyber Security Standards and the Cyber Security Policy.

In addition, the ATIP Office continued to use its refined tasking process to identify appropriate points of contact within each region. In the preceding reporting period, lead contacts were identified and compiled in a reference document for use by the ATIP Office. This document is subject to regular update and is intended to improve engagement of appropriate subject-matter experts when retrieving DCC-held records and responding to external consultation requests.

DCC has established and reminds employees of their obligations under the following policies, guidelines and procedures related to the PA:

- DCC ATIP policies and procedures; and
- DCC's Code of Business Conduct, which includes the *Public Servants Disclosure Protection Act* (PSDPA).

DCC requires all employees to review and comply with DCC's Code of Business Conduct as a condition of employment. This Code articulates expectations, incorporates the PSDPA and provides procedures for the disclosure of wrongdoing under that Act.

Each year, DCC employees are required to review their obligations and responsibilities under the Code and to actively acknowledge their continued compliance. This annual process is conducted electronically. DCC sends each employee an e-mail reminder and tracks responses through an automated system. This allows DCC to keep accurate records and to take appropriate follow-up action. New employees must pass an online test regarding the Code shortly after they are hired. In 2019–20, 100% of DCC's employees responded to the annual request for review and all new hires completed the required test.

The Code includes DCC employee obligations under the PA to help ensure effective and consistent administration and compliance with the PA and its regulations.

OVERVIEW OF 2019-20 OPERATING ENVIRONMENT IMPACTING ATIP ACTIVITY

DCC is modernizing its IT infrastructure to ensure that the Corporation keeps pace with its industry and government partners in the use and application of technology for infrastructure and environment services. The schedule for this initiative was accelerated dramatically due to a cyber incident in September 2019 that disrupted DCC's IT systems. DCC was able to recover and restore its IT systems quickly, since most of the project work had already been completed on the secure cloud and managed services project.

Openness, transparency and accountability are guiding principles of the Government of Canada and are fully supported by DCC. However, DCC's ability to administer ATIP activity was impacted by the circumstances and exceptional measures put in place to curb the spread of the novel coronavirus (COVID-19) pandemic and protect the health and safety of its employees. As a result, DCC's ATIP Office was operating at reduced capacity at the end of the 2019–20 reporting period.

In response to the pandemic, DCC took its lead from the Public Health Agency of Canada. DCC employees were supported in their transition to working from home whenever possible. This transition impacted the ATIP Office, whose employees faced, as did other Government of Canada ATIP personnel, the unprecedented reality of working in a new physical location and set-up, while trying to balance multiple work and home responsibilities.

PRIVACY ACT STATISTICAL REPORT

SUMMARY OF REQUESTS

The table below shows the number of PA requests received and processed by DCC over the past four reporting periods:

Reporting Period	Requests Received	Number of Pages Processed	Completion Time
2019–20	0	0	Not applicable
2018–19	2	64	Within 15 days
2017–18	0	0	Not applicable
2016–17	1	28	Within 30 days

Between April 1, 2019, and March 31, 2020, DCC did not receive any personal information requests under the PA and no requests under the PA were carried over from the previous reporting period.

DISPOSITION OF COMPLETED REQUESTS

Not applicable.

COMPLETION TIME AND EXTENSIONS

Not applicable.

EXEMPTIONS INVOKED

Not applicable.

EXCLUSIONS INVOKED

Not applicable.

CONSULTATIONS COMPLETED

DCC did not receive any consultation requests during the reporting period.

MONITORING OF REQUESTS AND CORRECTION OF PERSONAL INFORMATION

The ATIP Deputy Coordinator monitors DCC's case management system daily to check for "red" highlights in case files, which indicate a delay. This ensures continued compliance with principles of the PA.

The ATIP Deputy Coordinator meets with the ATIP Coordinator weekly to review the status of case files and develop appropriate strategies to improve compliance rates.

Additionally, the ATIP Deputy Coordinator distributes the ATIP Monthly Activity Report by e-mail to the Executive Management Group. This report captures new requests, both formal and informal, as well as requests for consultation received during the preceding month. It also contains statistical information regarding ATIP Office activity on a monthly and year-to-date basis.

During the 2019–20 reporting period, DCC's ATIP Office expanded its scope of reporting to include DCC's Board of Directors. This report captures ATIP activity for the preceding quarter. For further information on this report, please refer to the Training and Awareness section of this publication.

No correction of personal information occurred during this reporting period.

PRIVACY BREACH SUMMARY

No material privacy breaches occurred during the reporting period.

PRIVACY IMPACT ASSESSMENT (PIA)

DCC initiated a PIA for the Secure Cloud and Managed Services project. A consultation on the draft version of this PIA was carried out with the OPC, and the PIA is expected to be completed in the next reporting period.

DISCLOSURES PURSUANT TO PARAGRAPH 8(2)(M)

DCC made no disclosures under paragraph 8(2)(m) of the PA during the reporting period.

TRANSLATION

There were no requests for records to be translated during the reporting period.

COSTS

DCC's costs directly associated with the administration of the PA for 2019–20 were estimated to be \$84,513. Another portion of DCC's costs relating to ATIP Office activities were for work under the ATIA and are noted in the 2019–20 Access to Information Act *Annual Report*.

COMPLAINTS AND REQUESTS FOR JUDICIAL REVIEW

DCC did not receive any complaints from the OPC during this reporting period.

**APPENDIX A:
DELEGATION
ORDER – *ACCESS TO
INFORMATION ACT
AND PRIVACY ACT***



Defence Construction Canada
Construction de Défense Canada

ACCESS TO INFORMATION AND PRIVACY ACT DELEGATION ORDER

ARRÊTÉ SUR LA DÉLÉGATION EN VERTU DE LA LOI SUR L'ACCÈS À L'INFORMATION ET DE LA PROTECTION DES RENSEIGNEMENTS PERSONNELS

<p>The President and CEO of Defence Construction (1951) Limited, pursuant to section 73 of the <i>Access to Information Act</i> and the <i>Privacy Act</i>, hereby designates the person holding the position set out below, or the person occupying on an acting basis the position, to exercise the powers and functions of the President as the head of a government institution, under the section of the Act set out in the attached schedules. This Designation Order supersedes all previous Designation Orders.</p>	<p>En vertu de l'article 73 de la Loi sur l'accès à l'information et la Loi sur la protection des renseignements personnels, le Président et premier dirigeant de Construction de Défense (1951) Limitée délègue au titulaire du poste mentionné ci-après, ainsi qu'à la personne occupant à titre intérimaire ledit poste, les attributions dont il est, en qualité de responsable d'une institution fédérale, investie par les articles des Loi mentionnées dans les annexes ci-jointes. Le présent décret de délégation remplace et annule tout décret antérieur.</p>
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Position / Poste	Access to Information Act and Regulations <i>Loi sur l'accès à l'information et règlements</i>	Privacy Act and Regulations <i>Loi sur la protection des renseignements personnels et règlements</i>
<p>Director, Governance and Legal Affairs, and Corporate Secretary</p> <p>Directrice, Gouvernance et Affaires juridiques, et secrétaire de la Société</p>	<p>Schedule A</p> <p>Annexe A</p>	<p>Schedule B</p> <p>Annexe B</p>

<p>Dated, at the City of Ottawa, this <u>17th</u> day of <u>November</u>, 2016.</p>	<p>Daté, en la ville d'Ottawa, ce <u>17^e</u> jour de <u>novembre</u> 2016.</p>
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LE PRÉSIDENT ET PREMIER DIRIGEANT
CONSTRUCTION DE DEFENSE (1951) LIMITEE

ORIGINAL SIGNED BY | ORIGINAL SIGNÉ PAR
JAMES S. PAUL

PRESIDENT AND CEO
DEFENCE CONSTRUCTION (1951) LIMITED

**SCHEDULE B - DELEGATION OF POWERS, DUTIES AND FUNCTIONS PURSUANT TO
SECTION 73 OF THE PRIVACY ACT**

**ANNEXE B - DÉLÉGATION DE POUVOIRS ET D'ATTRIBUTIONS EN VERTU DE L'ARTICLE
73 DE LA LOI SUR LA PROTECTION DES RENSEIGNEMENTS PERSONNELS**

<i>Articles</i>	<i>Privacy Law</i>	<i>Loi sur la protection des renseignements personnels</i>
8(2)(j)	Disclose personal information for research purposes	Communication à des fins de recherche
8(2)(m)	Disclosure in the public interest or in the interest of the individual	Communication dans l'intérêt public ou d'une personne
8(4)	Copies of requests under 8(2)(e) to be retained	Conservation des copies des demandes en vertu de 8(2)(e)
8(5)	Notice of disclosure under 8(2)(m)	Avis de communication en vertu de 8(2)(m)
9(1)	Record of disclosures to be retained	Conservation d'un relevé des cas d'usage
9(4)	Consistent uses	Usages compatibles
10	Personal information to be included in personal information banks	Versement des renseignements personnels dans des fichiers de renseignements personnels
14	Notice where access requested	Notification lors de demande de communication
15	Extension of time limits	Prorogation du délai
17(2)(b)	Language of access	Version de la communication
17(3)(b)	Access to personal information in alternative format	Communication sur support de substitution
18(2)	Exemption (exempt bank) - Disclosure may be refused	Exception (fichiers inconsultables)- autorisation de refuser
19(1)	Exemption - Personal information obtained in confidence	Exception - renseignements obtenus à titre confidentiel
19(2)	Exemption - Where authorized to disclose	Exception - cas où la divulgation est autorisée
20	Exemption - Federal-provincial affairs	Exception - affaires fédéro-provinciales
21	Exemption - International affairs and defence	Exception - affaires internationales et défense
22	Exemption - Law enforcement and investigation	Exception - application de la loi et enquêtes
22.3	Exemption - Public Servants Disclosure Protection Act	Exception - Loi sur la protection des fonctionnaires divulgateurs d'actes répréhensibles
23	Exemption - Security clearances	Exception - enquêtes de sécurité
24	Exemption - Individuals sentenced for an offence	Exception - individus condamnés pour une infraction
25	Exemption - Safety of individuals	Exception - sécurité des individus

26	Exemption – Information about another individual	Exception - renseignements concernant un autre individu
27	Exception – Solicitor-Client privilege	Exception - secret professionnel des avocats
28	Exception – Medical record	Exception - dossiers médicaux
31	Notice of intention to investigate	Avis d'enquête
33(2)	Right to make representation	Droit de présenter ses observations
35(1)	Findings and recommendations of Privacy Commissioner (complaints)	Conclusions et recommandations du Commissaire à la protection de la vie privée
35(4)	Access to be given	Communication accordée
36(3)	Report of findings and recommendations (exempt banks)	Rapport des conclusions et recommandations (fichier inconsultable)
37(3)	Report of findings and recommendations (compliance review)	Rapport des conclusions et recommandations du Commissaire (Contrôle d'application)
51(2)(b)	Special rules for hearings	Règles spéciales (auditions)
51(3)	Ex parte representations	Présentation d'arguments en l'absence d'une partie

Articles	Privacy Regulations	Règlements sur la protection des renseignements personnels
9	Reasonable facilities and time provided to examine personal information	Fournir des installations convenables et fixer un moment pour examiner les renseignements personnels
11(2)	Notification that correction to personal information has been made	Avis que les corrections demandées ont été effectuées
11(4)	Notification that correction to personal information has been refused	Avis que les corrections demandées ont été refusées
13(1)	Disclosure of personal information relating to physical or mental health may be made to a qualified medical practitioner or psychologist for an opinion on whether to release information to the requestor	Le cas échéant, autoriser la communication des renseignements personnels concernant son état physique ou mental à un médecin ou à un psychologue en situation légale d'exercice, afin que celui-ci puisse donner son avis quant à savoir si la prise de connaissance de ces renseignements par l'individu lui porterait préjudice.
14	Disclosure of personal information relating to physical or mental health may be made to a requestor in the presence of a qualified medical practitioner or psychologist	Le cas échéant, communiquer les renseignements personnels concernant son état physique ou mental à l'individu en la présence d'un médecin ou à un psychologue en situation légale d'exercice.



Defence Construction Canada
Construction de Défense Canada

ACCESS TO INFORMATION ACT AND PRIVACY ACT DELEGATION ORDER

ARRÊTÉ DE DÉLÉGATION EN VERTU DE LA LOI SUR L'ACCÈS À L'INFORMATION ET DE LA LOI SUR LA PROTECTION DES RENSEIGNEMENTS PERSONNELS

<p>The President and CEO of Defence Construction (1951) Limited, pursuant to section 73 of the <i>Access to Information Act</i> and the <i>Privacy Act</i>, as amended from time to time, hereby designates the person holding the position set out below, or the person occupying on an acting basis the position, to exercise or perform any of the powers, duties or functions of the President, under the sections of these Acts and related regulations, specified in the attached schedules. This designation replaces all previous delegation orders.</p>	<p>En vertu de l'article 73 de la <i>Loi sur l'accès à l'information</i> et de la <i>Loi sur la protection des renseignements personnels</i>, et de leurs modifications successives, la présidente et première dirigeante de Construction de défense (1951) Limitée délègue au titulaire du poste mentionné ci-après, ou à la personne occupant à titre intérimaire ledit poste, les pouvoirs, les attributions et les fonctions dont elle est investie par les articles des Lois et des règlements y relatifs, mentionnés dans les annexes ci-jointes. Le présent document remplace et annule tout arrêté de délégation antérieur.</p>
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Position Poste	<i>Access to Information Act</i> and Regulations <i>Loi sur l'accès à l'information</i> et règlements	<i>Privacy Act</i> and Regulations <i>Loi sur la protection des renseignements personnels</i> et règlements
Director, Governance and Legal Affairs, and Corporate Secretary Directrice, Gouvernance et Affaires juridiques, et secrétaire de la Société	Schedule A Annexe A	Schedule B Annexe B

Dated, at the City of Ottawa, this 13th day of July, 2019.	Daté, en la ville d'Ottawa, ce 13 ^e jour de juillet 2019.
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LA PRÉSIDENTE ET PREMIÈRE DIRIGEANTE PAR INTÉRIM
CONSTRUCTION DE DÉFENSE (1951) LIMITÉE

ORIGINAL SIGNED BY | ORIGINAL SIGNÉ PAR
MÉLINDA NYCHOLAT

ACTING PRESIDENT AND CEO
DEFENCE CONSTRUCTION (1951) LIMITED

**SCHEDULE B — DELEGATION OF POWERS, DUTIES AND FUNCTIONS PURSUANT TO
SECTION 73 OF THE *PRIVACY ACT***

**ANNEXE B — DÉLÉGATION DES POUVOIRS, DES ATTRIBUTIONS ET DES FONCTIONS EN
VERTU DE L'ARTICLE 73 DE LA *LOI SUR LA PROTECTION DES RENSEIGNEMENTS
PERSONNELS***

Section Article	Powers, Duties or Functions	Pouvoirs, attributions ou fonctions
8(2)(j)	Disclose personal information for research purposes	Communication à des fins de recherche
8(2)(m)	Disclosure in the public interest or in the interest of the individual	Communication dans l'intérêt public ou d'une personne
8(4)	Copies of requests under 8(2)(e) to be retained	Conservation des copies des demandes en vertu de 8(2)e)
8(5)	Notice of disclosure under 8(2)(m)	Avis le de communication en vertu de 8(2)m)
9(1)	Record of disclosures to be retained	Conservation d'un relevé des cas d'usage
9(4)	Consistent uses	Usages compatibles
10	Personal information to be included in personal information banks	Versement des renseignements personnels dans des fichiers de renseignements personnels
14	Notice where access requested	Notification lors de demande de communication
15	Extension of time limits	Prorogation du délai
17(2)(b)	Language of access	Version de la communication
17(3)(b)	Access to personal information in alternative format	Communication sur support de substitution
18(2)	Exemption (exempt bank) - Disclosure may be refused	Exception (fichiers inconsultables)- autorisation de refuser
19(1)	Exemption - Personal information obtained in confidence	Exception - renseignements obtenus à titre confidentiel
19(2)	Exemption - Where authorized to disclose	Exception - cas où la divulgation est autorisée
20	Exemption - Federal-provincial affairs	Exception - affaires fédéro-provinciales
21	Exemption - International affairs and defence	Exception - affaires internationales et défense
22	Exemption - Law enforcement and investigation	Exception - application de la loi et enquêtes
22.3	Exemption - <i>Public Servants Disclosure Protection Act</i>	Exception - <i>Loi sur la protection des fonctionnaires divulgateurs d'actes répréhensibles</i>
23	Exemption - Security clearances	Exception - enquêtes de sécurité
24	Exemption - Individuals sentenced for an offence	Exception - individus condamnés pour une infraction
25	Exemption - Safety of individuals	Exception - sécurité des individus

26	Exemption – Information about another individual	Exception - renseignements concernant un autre individu
27	Exemption – Solicitor-Client privilege	Exception - secret professionnel des avocats
28	Exemption – Medical record	Exception - dossiers médicaux
33(2)	Right to make representation	Droit de présenter ses observations
35(1)(b)	Findings and recommendations of Privacy Commissioner (complaints)	Conclusions et recommandations du Commissaire à la protection de la vie privée
35(4)	Access to be given	Communication accordée
36(3)(b)	Report of findings and recommendations (exempt banks)	Rapport des conclusions et recommandations (fichier inconsultable)
37(3)	Report of findings and recommendations (compliance review)	Rapport des conclusions et recommandations du Commissaire (Contrôle d'application)
51(2)(b)	Special rules for hearings	Règles spéciales (auditions)
51(3)	<i>Ex parte</i> representations	Présentation d'arguments en l'absence d'une partie
72	Report to Parliament	Rapport au Parlement

PRIVACY REGULATIONS
RÈGLEMENT SUR LA PROTECTION DES RENSEIGNEMENTS PERSONNELS

Section Article	Powers, Duties or Functions	Pouvoirs, attributions ou fonctions
9	Reasonable facilities and time provided to examine personal information	Fournir des installations convenables et fixer un moment pour examiner les renseignements personnels
11(2)	Notification that correction to personal information has been made	Avis que les corrections demandées ont été effectuées
11(4)	Notification that correction to personal information has been refused	Avis que les corrections demandées ont été refusées
13(1)	Disclosure of personal information relating to physical or mental health may be made to a qualified medical practitioner or psychologist for an opinion on whether to release information to the requestor	Le cas échéant, autoriser la communication des renseignements personnels concernant son état physique ou mental à un médecin ou à un psychologue en situation légale d'exercice, afin que celui-ci puisse donner son avis quant à savoir si la prise de connaissance de ces renseignements par l'individu lui porterait préjudice.
14	Disclosure of personal information relating to physical or mental health may be made to a requestor in the presence of a qualified medical practitioner or psychologist	Le cas échéant, communiquer les renseignements personnels concernant son état physique ou mental à l'individu en la présence d'un médecin ou à un psychologue en situation légale d'exercice.



Defence Construction Canada
Construction de Défense Canada

ACCESS TO INFORMATION ACT AND PRIVACY ACT DELEGATION ORDER

ARRÊTÉ DE DÉLÉGATION EN VERTU DE LA LOI SUR L'ACCÈS À L'INFORMATION ET DE LA LOI SUR LA PROTECTION DES RENSEIGNEMENTS PERSONNELS

<p>By means of this Order, I, Derrick Cheung, as President and Chief Executive Officer (CEO) of Defence Construction (1951) Limited, operating as Defence Construction Canada (DCC), delegate the authority herein described to the Director, Governance and Legal Affairs and Corporate Secretary, as follows:</p> <ol style="list-style-type: none">I. The Director, Governance and Legal Affairs and Corporate Secretary, may, on my behalf, exercise or perform any of the powers, duties or functions as they relate to the administration of the <i>Access to Information Act</i> (ATIA) and the <i>Privacy Act</i> (PA) and associated Regulations.II. This delegation is made pursuant to section 73 (as amended) of the ATIA and the PA and is subject thereto.III. This delegation is effective immediately and shall run until revoked by me or my successor.IV. The powers, duties or functions delegated by means of this Order are not subject to sub-delegation without my prior and express written consent.	<p>Par la présente, je, soussigné Derrick Cheung, président et premier dirigeant de Construction de défense (1951) Limitée communément appelée Construction de Défense Canada (CDC), délègue les pouvoirs décrits ci-dessous à la directrice, Gouvernance et Affaires juridiques et secrétaire de la Société :</p> <ol style="list-style-type: none">I. La directrice, Gouvernance et Affaires juridiques et secrétaire de la Société, est autorisée à exercer les attributions liées à l'administration de la <i>Loi sur l'accès à l'information</i> (LAI) et la <i>Loi sur la protection des renseignements personnels</i> (LPRP) et aux règlements y relatifs, en mon nom.II. Cette délégation de pouvoirs est accordée en vertu de l'article 73 (tel que modifié) de la LAI et de la LPRP, et leur est assujettie.III. Cette délégation de pouvoirs prend effet immédiatement et restera en vigueur jusqu'à ce qu'elle soit révoquée par moi-même ou par mon successeur.IV. Les attributions déléguées en vertu de cet arrêté ne sont pas sujettes à une subdélégation sans mon consentement écrit, exprès et préalable.
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ORIGINAL SIGNED BY | ORIGINAL SIGNÉ PAR

DERRICK CHEUNG, LL.M., MBA, MA
PRESIDENT AND CEO, DCC | PRÉSIDENT ET PREMIER DIRIGEANT, CDC

DATED | DATÉ : SEPT. 11, 2019

Acknowledged and agreed | Reconnu et accepté :

ORIGINAL SIGNED BY | ORIGINAL SIGNÉ PAR

ALISON LAWFORD, LL.B., LL.M.
DIRECTOR, GOVERNANCE AND LEGAL AFFAIRS AND CORPORATE SECRETARY,
DCC | DIRECTRICE, GOUVERNANCE ET AFFAIRES JURIDIQUES ET SECRÉTAIRE
DE LA SOCIÉTÉ, CDC

DATED | DATÉ : SEPT. 11, 2019



Defence Construction Canada
Construction de Défense Canada

ACCESS TO INFORMATION ACT AND PRIVACY ACT DELEGATION ORDER ARRÊTÉ DE DÉLÉGATION EN VERTU DE LA LOI SUR L'ACCÈS À L'INFORMATION ET LA LOI SUR LA PROTECTION DES RENSEIGNEMENTS PERSONNELS

By means of this Delegation Order (Order), I, Derrick Cheung, as President and Chief Executive Officer (CEO) of Defence Construction (1951) Limited, operating as Defence Construction Canada (DCC), delegate the authority herein described to the Director, Governance and Legal Affairs and Corporate Secretary, as follows:

- I. The Director, Governance and Legal Affairs and Corporate Secretary, may, on my behalf, exercise or perform any of the powers, duties or functions as they relate to the administration of the *Access to Information Act* (ATIA) and the *Privacy Act* (PA) and associated Regulations.
- II. This delegation is made pursuant to section 95 of the ATIA and section 73 of the PA and is subject thereto.
- III. This Order is effective immediately and shall run until revoked by me or my successor and supersedes all previous Orders.
- IV. The powers, duties or functions delegated by means of this Order may be subdelegated to the Specialist, Access to Information and Privacy, with prior and written consent of the Director, Governance and Legal Affairs and Corporate Secretary.

Par cet Arrêté de délégation (Arrêté), je, soussigné Derrick Cheung, président et premier dirigeant de Construction de défense (1951) Limitée communément appelée Construction de Défense Canada (CDC), délègue les pouvoirs décrits ci-dessous à la directrice, Gouvernance et Affaires juridiques et secrétaire de la Société :

- I. La directrice, Gouvernance et Affaires juridiques et secrétaire de la Société, est autorisée à exercer les attributions liées à l'administration de la *Loi sur l'accès à l'information* (LAI) et la *Loi sur la protection des renseignements personnels* (LPRP) et aux règlements y relatifs, en mon nom.
- II. Cette délégation de pouvoirs est accordée en vertu de l'article 95 de la LAI et de l'article 73 de la LPRP, et leur est assujettie.
- III. Cet Arrêté prend effet immédiatement et restera en vigueur jusqu'à ce qu'il soit révoqué par moi-même ou par mon successeur et il remplace tout Arrêté qui le précède.
- IV. Les attributions déléguées en vertu de cet Arrêté peuvent être sujettes à une subdélégation à la spécialiste, Accès à l'information et protection des renseignements, moyennant le consentement écrit et préalable de la directrice, Gouvernance et Affaires juridique et secrétaire de la Société.

ORIGINAL SIGNED BY | ORIGINAL SIGNÉ PAR

DERRICK CHEUNG, LL.M., MBA, MA
PRESIDENT AND CEO, DCC | PRÉSIDENT ET PREMIER DIRIGEANT, CDC

DATED | DATÉ : DEC. 19, 2019

Acknowledged and agreed | Reconnu et accepté :

ORIGINAL SIGNED BY | ORIGINAL SIGNÉ PAR

ALISON LAWFORD, LL.B., LL.M.
DIRECTOR, GOVERNANCE AND LEGAL AFFAIRS AND CORPORATE SECRETARY,
DCC | DIRECTRICE, GOUVERNANCE ET AFFAIRES JURIDIQUES ET SECRÉTAIRE
DE LA SOCIÉTÉ, CDC

DATED | DATÉ : DEC. 19, 2019

APPENDIX B:
STATISTICAL
REPORT ON THE
PRIVACY ACT

Statistical Report on the *Privacy Act*

Name of institution: Defence Construction Canada
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	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	27.1	0
21	0	22.3	0	28	0
		22.4	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

Paper	Electronic	Other
0	0	0

2.5 Complexity

2.5.1 Relevant pages processed and disclosed

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 denied	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 denied	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

	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 Requests 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 Timelines 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

Section 5: Extensions

5.1 Reasons for extensions and disposition of requests

Number of requests where an extension was taken	15(a)(i) Interference with operations				15 (a)(ii) Consultation			15(b) Translation purposes or conversion
	Further review required to determine exemptions	Large volume of pages	Large volume of requests	Documents are difficult to obtain	Cabinet Confidence Section (Section 70)	External	Internal	
0	0	0	0	0	0	0	0	0

5.2 Length of extensions

Length of Extensions	15(a)(i) Interference with operations				15 (a)(ii) Consultation			15(b) Translation purposes or conversion
	Further review required to determine exemptions	Large volume of pages	Large volume of requests	Documents are difficult to obtain	Cabinet Confidence Section (Section 70)	External	Internal	
1 to 15 days	0	0	0	0	0	0	0	0
16 to 30 days	0	0	0	0	0	0	0	0
31 days or greater								0
Total	0	0	0	0	0	0	0	0

Section 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
Carried over to the next reporting period	0	0	0	0

6.2 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	
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

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	
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

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

9.1 Privacy Impact Assessments

Number of PIA(s) completed	0
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9.2 Personal Information Banks

Personal Information Banks	Active	Created	Terminated	Modified
	42	0	0	0

Section 10: 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	\$84,513
Overtime	\$0
Goods and Services	\$0
• Professional services contracts	\$0
• Other	\$0
Total	\$84,513

11.2 Human Resources

Resources	Person Years Dedicated to Privacy Activities
Full-time employees	1.00
Part-time and casual employees	0.00
Regional staff	0.00
Consultants and agency personnel	0.00
Students	0.00
Total	1.00

**APPENDIX C:
SUPPLEMENTAL
STATISTICAL REPORT
ON THE *PRIVACY ACT* –
REQUESTS AFFECTED
BY COVID-19 MEASURES**

Supplemental Statistical Report on the *Privacy Act*

Table 1 – Requests Received

	Number of requests
Received from 2019-04-01 to 2020-03-13	0
Received from 2020-03-14 to 2020-03-31	0
Total	0

Table 2 – Requests Closed

	Number of requests closed within the legislated timelines	Number of requests closed past the legislated timelines
Received from 2019-04-01 to 2020-03-13 and outstanding from previous reporting periods	0	0
Received from 2020-03-14 to 2020-03-31	0	0
Total	0	0

Table 3 – Requests Carried Over

	Number of requests
Requests received from 2019-04-01 to 2020-03-13 and outstanding from previous reporting period that were carried over to the 2020-2021 reporting period	0
Requests received from 2020-03-14 to 2020-03-31 that were carried over to the 2020-2021 reporting period	0
Total	0