



Department of Finance
Canada

Ministère des Finances
Canada

Annual Report to Parliament on the *Administration of the Access to Information Act*

2019–2020

Canada

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Introduction

This Annual Report to Parliament on the Administration of the *Access to Information Act* within the Department of Finance Canada (the ‘Department’) is prepared and tabled in Parliament in accordance with section 94 of the *Access to Information Act* and section 20 of the *Service Fees Act*, and covers the period from April 1, 2019 to March 31, 2020.

Purpose of the *Access to Information Act*

The *Access to Information Act* (the *Act*) came into force on July 1, 1983, and saw its most significant amendments during this reporting period with the passage of Bill C-58 on June 21, 2019. Its purpose is to provide a right of access to information in records under the control of a government institution in accordance with the principles that such 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 existing procedures for access to government information; it is not intended to limit access to information that is normally available to the general public. Under the *Act*, Canadian citizens, permanent residents, or any person or corporation present in Canada have the right to request access to information contained in government records. The *Act* also puts into practice the principle of ‘open by default’ in the digital age by making key information available proactively, without the need to make a request.

The Department recognizes that the right of access to information in records under its control and other federal government institutions is an essential element of our system of democracy. It is committed to openness and transparency, respecting both the spirit and the requirements of the *Act*, its regulations and related policy instruments. The Department further acknowledges the importance of facilitating access to records by requiring that its employees make every reasonable effort to assist applicants.

Mandate of the Department of Finance Canada

The Department helps the Government of Canada develop and implement strong and sustainable economic, fiscal, tax, social, security, international and financial sector policies and programs. It plays an important central agency role, working with other departments to ensure that the government's agenda is carried out and that ministers are supported with high-quality analysis and advice.

The Department's responsibilities include:

- Preparing the federal Budget and the Update of Economic and Fiscal Projections;
- Preparing the Annual Financial Report of the Government of Canada and, in cooperation with the Treasury Board of Canada Secretariat and the Receiver General for Canada, the Public Accounts of Canada;
- Developing tax and tariff policy and legislation;
- Managing federal borrowing on financial markets;
- Designing and administering major transfers of federal funds to the provinces and territories;

- Developing financial sector policy and legislation;
- Representing Canada in various international financial institutions and groups.

The Minister of Finance is accountable for ensuring that their responsibilities are fulfilled both within the [portfolio](#) and with respect to the authorities assigned through legislation. In particular, the Minister has direct responsibility for a number of acts as well as fiscal and tax policy relating to other acts that are under the responsibility of other ministers.

Administration of the *Access to Information Act*

Access to Information and Privacy Division

The Access to Information and Privacy (ATIP) Division is part of the Consultations and Communications Branch. The ATIP Division is responsible for administering the *Access to Information Act* and the *Privacy Act* for the Department. As a centralized operation, the ATIP Division coordinates the timely processing of requests under the legislation, conducts interdepartmental consultations, handles complaints lodged with the Information Commissioner, and responds to informal inquiries. Division staff also provides guidance to departmental officials on matters involving the *Act*. As of March 31, 2020, 18 employees within the ATIP Division were dedicated to the administration of the *Access to Information Act* and the *Privacy Act* along with related functions. The ATIP Division is comprised of a director, supported by two managers, twelve ATIP analysts, an administrative assistant, and two students. The Department of Finance Canada did not enter into any service agreements pursuant to section 96 of the *Access to Information Act*.

Principles on Assistance to Applicants

Section 4(2.1) of the *Act* reads as follows:

“The head of a government institution shall, without regard to the identity of a person making a request for access to a record under the control of the institution, make every reasonable effort to assist the person in connection with the request, respond to the request accurately and completely and, subject to the regulations, provide timely access to the record in the format requested.”

The Department is committed to both the spirit and intent of these principles, and adheres to the *Act* and to the *Directive on the Administration of the Access to Information Act* with respect to their application when processing requests under the *Act*.

Policies, Guidelines, Procedures and Initiatives

Bill C-58, “*An Act to amend the Access to Information Act and the Privacy Act and to make consequential amendments to other Acts*”

Bill C-58 received Royal Assent on June 21, 2019, bringing into force important improvements to the openness and transparency of government.

Key changes in the updated *Access to Information Act* include:

- The Information Commissioner now has the power, for complaints made on or after Royal Assent, to make binding orders in relation to access to information requests, including ordering the release of government records.
- Institutions can, with the approval of the Information Commissioner, decline to act on a request that is vexatious, made in bad faith or is otherwise an abuse of the right of access. An institution can exercise this discretion only in relation to requests made on or after the day of Royal Assent.
- The timing of tabling Annual Reports has changed: institutions are now required to table Annual Reports on the administration of the *Access to Information Act* and the *Privacy Act* in each House of Parliament on any day of the first 15 sitting days on which the House is sitting after September 1.
- An exception to the definition of personal information has been added to the *Privacy Act*. The name and title of ministerial staff, as well as the fact that someone is or was a ministerial staff member, will no longer be considered personal information for the purposes of administering the *Access to Information Act* and *Privacy Act*. This change applies to records created on or after the day of Royal Assent.
- Consistent with the Government’s policy since 2016, the government no longer has the authority to set or charge fees, apart from the \$5 application fee.
- Institutions within the same ministerial portfolio now have the option to share request-processing services.
- Institutions are required to proactively publish specific information known to be of interest to the public, without the need for a request.
- The government is required to initiate a review of the Act within one year of Royal Assent and every five years afterward.

All members of the ATIP Division participated in the June 2019 technical briefing led by the Treasury Board Secretariat and the Office of the Information Commissioner immediately following the coming into force of Bill C-58. The Division then updated the Department’s ATIP practices, adjusted its instructions to branch officials informing them of the Information Commissioner’s new powers and reminding them of the importance of respecting deadlines, and delivered training and awareness sessions to employees across the department.

Proactive Publication under Bill C-58

In addition to the regularly scheduled postings now required under the *Access to Information Act*, such as lists of briefing note titles, information related to travel and hospitality, and contracts over 10,000\$, the Department also published the transition briefing material that was provided to the Minister of Finance and to the Minister of Middle Class Prosperity and Associate Minister of Finance following their Cabinet appointments in November 2019. The transition material was posted on the Department's [web site](#) on March 6, 2020, prior to the deadline established by the *Access to Information Act*.

The Department did not post any Question Period notes during the reporting period as no notes were in use by the Ministers on the last sitting day in December 2019. Likewise, although the Minister of Finance appeared before the House of Commons Standing Committee on Finance (FINA) on February 19, 2020, a briefing package was not required for the Minister's appearance, and therefore no information was posted.

The Minister of Middle Class Prosperity and Associate Minister of Finance and the Deputy Minister of Finance appeared before the House of Commons Standing Committee on Finance (FINA) on February 5, 2020. The briefing material to support their appearances was not yet ready for publication at the end of March 2020. The material was posted on June 4, 2020 within the permitted timelines.

In 2019-2020, the Department met the deadline for posting briefing note titles in every month except for one; the titles for February 2020 briefing notes were posted after the March 30 due date as a result of operational and systems constraints relating to COVID-19 described below.

Training and Awareness

During the reporting period, the ATIP Division provided 17 training and awareness sessions to 403 participants.

There was a particular attention on ATIP training and awareness activities this year in order to inform employees of the new requirements under the *Act* as a result of Bill C-58. In addition to drop-in sessions open to all employees following the passing of Bill C-58, sessions were also given to various fora across the Department, including senior management and employees at all levels.

An ATIP awareness session was delivered to employees of the Minister's Office following the appointment of a new minister in the Finance Canada portfolio in November 2019.

Two departmental orientation sessions were provided to new employees who join the Department as a means to introduce them to the activities of each Branch. These sessions provided information to 140 employees about the ATIP Division, the administration of ATIP legislation, and information management practices.

The remaining sessions were given to employees and managers within various branches of the Department on various topics, for example, the effective processing of ATIP requests, understanding legislative requirements, in addition to the provisions of exemptions and exclusions under both Acts.

Impact of COVID-19 on ATIP Operations

In 2020, the COVID-19 pandemic has had an unprecedented impact on the health and economic well-being of people around the world.

A sudden worldwide wave of lockdown measures, based on the guidance of public health officials, were put in place to contain the virus and save lives. In Canada, the first case of COVID-19 was confirmed in late January. On March 11, the World Health Organization declared the global outbreak of COVID-19 a pandemic.

Like other workplaces across Canada, the Government of Canada implemented exceptional workplace measures to curb the spread of COVID-19 and protect federal employees and the public. From March 16 to March 31 (and beyond the end of the reporting period), the Department of Finance and other institutions were operating with significantly reduced on-site workforces, with most employees asked to work remotely. As a result, the Department's ability to meet the legislated timelines under the *Access to Information Act* was significantly constrained, resulting in delays in responding to requests.

Given the nature of the work processes and reliance on physical files stored in the workplace and systems limitations, operations within the ATIP Division were halted for the last remaining weeks of March 2020 and part of the first quarter of 2020-2021. During this period, efforts were focused on informing ATIP stakeholders and clients of the Department's reduced operational capacity caused by the exceptional measures to mitigate the spread of COVID-19. For example, email communications were sent to requesters and a notice was posted on the Department's web site. The Division also provided advice and guidance to other ATIP offices with respect to communicating with stakeholders and other operational considerations. In the first quarter of 2020-2021, ATIP Division modernized its work processes, resulting in an end-to-end digital paperless delivery model permitting the resumption of ATIP activities. These activities will be discussed in the 2020-2021 annual report.

Incoming requests were also tracked and logged during this period. The Department received seven requests between March 16 and March 31, 2020, and was able to respond to one of them by the end of the fiscal year. The remaining six were carried over forward to the next fiscal year.

Delegation of Authority

The delegation of authority approved on December 1, 2015, provides the authority to approve or deny the release of departmental information requested under the *Act*. This is shared by the Deputy Minister, the Associate Deputy Minister, the Assistant Deputy Ministers, General Directors, Executive Directors, Senior Director of Communications Policy, the Access to

Information and Privacy Director, ATIP Team Leaders and Senior ATIP Analysts to sign off on more administrative matters. Generally, the ATIP Director approves all exemptions.

DESIGNATION / DÉLÉGATION

***ACCESS TO INFORMATION ACT /
LOI SUR L'ACCÈS À L'INFORMATION***

***Access to Information Act Designation
Order***

The Minister of Finance Canada, 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 persons occupying on an acting basis those positions, to exercise the powers, duties and functions of the Minister as the head of the Department of Finance, under the provisions of the Act and related regulations set out in the schedule opposite each position.

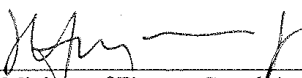
This designation replaces all previous delegation orders.

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

En vertu de l'article 73 de la *Loi sur l'accès à l'information*, le ministre des Finances Canada délègue aux titulaires des postes mentionnés à l'annexe ci-après, ainsi qu'aux personnes occupant à titre intérimaire lesdits postes, les attributions dont [il ou elle] est, en qualité de responsable du Ministère des Finances, investi[e] 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.

Dated in Ottawa on this 1st day of December, 2015 Fait à Ottawa en ce 1^{er} jour de décembre 2015


Minister of Finance Canada/
Le ministre des Finances Canada

SCHEDULE 1
Designation Order—Access to
Information Act

Powers, duties, or functions	Section	Deputy Minister	Associate Deputy Minister	Associate Deputy Minister and G7 Deputy for Canada	Senior Assistant Deputy Ministers Assistant Deputy Ministers Chief of Audit and Head of Evaluation General Directors Executive Directors Senior Director, Communications Policy	Director, ATIP	ATIP Team Leaders, Senior ATIP Analysts
Responsibility of government institutions	4(2.1)					●	●
Notice when access requested	7(a)					●	●
Giving access to record	7(b)					●	●
Transfer of request to another government institution	8(1)					●	●
Extension of time limits	9					●	●
Additional fees	11(2), (3), (4), (5), (6)					●	●
Language of access	12(2)(b)					●	●
Access in an alternative format	12(3)(b)					●	●
Exemption - Information obtained in confidence	13	●	●	●	●	●	
Exemption - Federal-provincial affairs	14	●	●	●	●	●	
Exemption - International affairs and defence	15	●	●	●	●	●	
Exemption - Law enforcement and investigations	16	●	●	●	●	●	
Exemption - <i>Public Servants Disclosure Protection Act</i>	16.5	●	●	●	●	●	
Exemption - Safety of individuals	17	●	●	●	●	●	
Exemption - Economic interests of Canada	18	●	●	●	●	●	
Exemption - Economic interest of the Canada Post Corporation, Export Development Canada, the Public Sector Pension Investment Board and VIA Rail Canada Inc.	18.1	●	●	●	●	●	
Exemption - Personal information	19	●	●	●	●	●	

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Exemption - Third-party information	20	●	●	●	●	●	
Exemption - Operations of Government	21	●	●	●	●	●	
Exemption - Testing procedures, tests and audits	22	●	●	●	●	●	
Exemption - Audit working papers and draft audit reports	22.1	●	●	●	●	●	
Exemption - Solicitor-client privilege	23	●	●	●	●	●	
Exemption - Statutory prohibitions	24	●	●	●	●	●	
Severability	25	●	●	●	●	●	
Exception - Information to be published	26	●	●	●	●	●	
Third-party notification	27(1), (4)					●	●
Third-party notification	28(1)(b), (2), (4)					●	●
Where the Information Commissioner recommends disclosure	29(1)					●	●
Advising Information Commissioner of third-party involvement	33					●	●
Right to make representations	35(2)(b)	●	●	●	●	●	●
Access to be given to complainant	37(4)					●	●
Notice to third party (application to Federal Court for review)	43(1)					●	●
Notice to applicant (application to Federal Court by third party)	44(2)					●	●
Special rules for hearings	52(2)(b), (3)	●	●	●	●	●	●
Facilities for inspection of manuals	71(1)					●	●
Annual report to Parliament	72					●	●

SCHEDULE 1
Designation Order—Access to
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Powers, duties, or functions	Section	Deputy Minister	Associate Deputy Minister	Associate Deputy Minister and G7 Deputy for Canada	Senior Assistant Deputy Ministers Assistant Deputy Ministers Chief of Audit and Head of Evaluation General Directors Executive Directors Senior Director, Communications Policy	Director, ATIP	ATIP Team Leaders, Senior ATIP Analysts
Access to Information Regulations							
Transfer of request	6(1)					●	●
Search and preparation fees	7(2)					●	●
Production and programming fees	7(3)					●	●
Providing access to record(s)	8					●	●
Limitations in respect of format	8.1	●	●	●	●	●	●

Information Holdings

All government institutions subject to the *Access to Information Act* and the *Privacy Act* publish an inventory of their information holdings as well as relevant details about personal information under their control. The information can assist individuals in making an access to information or personal information request, or in exercising their privacy rights.

A description of the Department's programs, activities, and information holdings, including its classes of records and personal information banks can be found in [Info Source: Sources of Federal Government and Employee Information](#).

Some programs and activities, such as human resources and financial management, are common to most government institutions. These are known as [internal services](#) and they involve the following types of information:

- [Standard classes of records](#): These are descriptions of all records created and used to support internal services.
- [Standard personal information banks](#): These are descriptions of personal information contained in records, and collected and used to support internal services.

Interpretation of the Statistical Report (Annex A)

Part 1 – Requests under the *Access to Information Act*

Number of Formal Requests

The number of formal requests received in this reporting period was 744, a 56.8% decrease from the 1,724 formal requests received the previous reporting year. The total number of requests considered was 1,142 as 398 requests remained outstanding from 2018-2019. By the end of 2019-2020, 794 requests were completed and 348 were carried forward to 2020-2021.

This is the first time in more than five years where the number of new requests decreased. Although there was a substantial reduction compared to the previous fiscal year, the five-year trend in Table 1 (Overview of *Access to Information Act* Requests) illustrates that 2018-2019 saw an abnormally large number of requests. Although 2019-2020 also shows a decrease compared to two years prior, it is not as significant a drop as the one-year comparison. In addition, even when comparing this reporting period to the previous one, the number of pages processed corresponds to a much smaller reduction, 13.9%, versus the 56.8% decrease in volume of files.

The decrease might be associated with the passing of Bill C-58, which saw all government institutions required to post their briefing note lists on the Open Government web site, having a distilling effect on the Department of Finance Canada who had adopted this practice before it was required by legislation. With a number of institutions posting their titles for the first time, requesters had a larger pool of briefing notes from which to select. Another perhaps less significant factor might be the timing of the pandemic, which resulted in an observed decrease in

requests submitted in the last two weeks of March 2020 (seven requests during that two-week period compared to an average of 45 requests every two weeks in the previous ten weeks).

2019-2020 was also the first time in more than five years where the Department completed more requests than it received.

Table 1 illustrates a five-year trend.

Table 1. Overview of Access to Information Act Requests

Fiscal Year	New Requests Received	Requests Completed	Number of Pages Processed	Number of Pages Released	On-Time Compliance Rate %
2019-2020	744	794	52,558	21,921	78.0%
2018-2019	1724	1598	61,009	30,623	84.3%
2017-2018	913	874	63,838	32,039	83.9%
2016-2017	839	780	96,174	43,685	83.8%
2015-2016	622	560	36,710	21,163	92.5%

Other Requests

In 2018-2019, the Department received 473 informal requests; this reporting year, the Department received 365 informal requests, a 22.8% decrease.

In 2018-2019, the Department received 332 consultations from other government institutions and organizations on matters of interest to the Department. This reporting year, the Department received 400, a 20.5% increase. The total number of consultations considered was 488 as 88 remained outstanding from 2018-2019. By the end of 2019-2020, 445 consultations were completed and 43 were carried forward to 2020-2021.

Table 2 illustrates a five-year trend of the total number of received formal *Access to Information Act* requests, *Privacy Act* requests, informal requests, and consultations received from other government institutions and organizations. Similar to the trend observed in Table 1 for *Access to Information Act* requests, 2018-2019 was an abnormal year. Compared to the other years, the workload in 2019-2020 was not substantially reduced.

Table 2. ATIP Division Overall Caseload

Fiscal Year	Overall Caseload	Increase/Decrease from Previous Reporting Period
2019-2020	1523	(40.3%)
2018-2019	2550	53.4%
2017-2018	1662	4.1%
2016-2017	1594	64.4%
2015-2016	969	(21.7%*)

Sources of Requests

The greatest change seen in 2019-2020 in sources of requests were in the number of requests received from requestors in the Media and Business categories and those choosing to decline to identify their category of requestor:

Source	2017-2018	2018-2019	2019-2020
Media	275	879	374
Academia	15	27	12
Business	297	435	124
Organization	28	19	39
Public	132	116	99
Decline to Identify	166	248	96
Total	913	1724	744

Part 2 – Decline to act on vexatious, made in bad faith or abuse of right requests

Number of Requests

The Department of Finance did not decline to act on any requests in 2019-2020.

Part 3 – Requests Closed During the Reporting Period

Disposition of Requests

The following table indicates the disposition of the 794 requests completed during this reporting period:

Disposition	Number of Requests	Percentage of Requests
All disclosed	57	7.2%
Disclosed in part	559	70.4 %
All exempted	9	1.1 %
All excluded	32	4.0 %
No records exist	110	13.9%
Request transferred	6	0.8 %
Request abandoned	21	2.6 %
Neither confirmed or denied	0	0%
Decline to act	0	0%
Total	794	100.00%

The following is a comparison of the disposition of requests completed for the last three reporting periods:

Disposition	2017-2018	2018-2019	2019-2020
All disclosed	61	124	57
Disclosed in part	597	1180	559
All exempted	10	6	9
All excluded	17	80	32
No records exist	135	140	110
Request transferred	18	10	6
Request abandoned	36	58	21
Neither Confirmed or Denied	0	0	0
Decline to act	N/A	N/A	0
Completed	874	1598	794

Completion Time

Six hundred and ninety-one (87.0%) of the 794 requests were closed within six months or less, with 245 of these requests (30.9% of the total) having received a response within 30 days, 177 of them (22.3%) requiring between 31 and 60 days, 202 requests (25.4%) requiring between 61 and 120 days, and 67 requests (8.4%), between 121 and 180 days.

One hundred and three requests (13.0%) required 181 days or more. Requests requiring more than six months to complete usually involve large numbers of documents that require extensive internal consultations, consultations with third parties and, often, consultations with other government institutions. Given the nature of the work done by the Department, consultations

must be conducted with other federal government institutions on many of its requests and completion time is consequently impacted by the amount of time required of the other institutions to respond to those consultations.

Exemptions Invoked

In 2019-2020, the Department invoked a total of 2,154 exemptions pursuant to specific sections of the *Act* (more than one exemption can be applied to a specific request).

These exemptions were as follows:

Section of the <i>Act</i>	Description of the Exemptions	Number of Times Exemptions Applied
Section 13	Information obtained in confidence from other governments	68
Section 14	Federal-provincial affairs	192
Section 15	International affairs and defence	105
Section 16	Law enforcement and investigations	196
Section 17	Safety of individuals	1
Section 18	Economic interests of Canada	206
Section 19	Personal information	119
Section 20	Third party information	235
Section 21	Operations of government	969
Section 22	Testing procedures, tests and audits	3
Section 23	Solicitor-client privilege	43
Section 24	Statutory prohibitions	15
Section 26	Information to be published	2

Exclusions Cited

The [Access to Information Act](#) does not apply to information that is already publicly available, such as government publications and material in libraries and museums. It also excludes material such as Cabinet confidences. Consistent with the *Act*, exclusions were invoked 748 times: 32 for information that could be found in the public domain, available for purchase or found in a library and 716 times under section 69 for confidences of the Queen's Privy Council for Canada. Because the Department is responsible for preparing the federal Budget and develops legislation and associated policies, it has a large number of documents classified as Cabinet confidences.

Format of Information Released

Records were provided to applicants in 616 cases, 75 of those (12.2%) in paper format and 541 (87.8%) electronically. No applicants asked to view the records as opposed to receiving a copy.

Complexity

Four hundred and sixty-one requests processed by the Department in 2019-2020 involved complex issues which required the need to consult with several other government institutions and/or third parties. Fifteen files had an added level of complexity in that legal advice was sought. The number of pages in any given file is also a factor in the length of time it takes to complete a file. This year saw five files which contained more than 1,000 pages, with the largest comprising 4,020 pages.

Deemed Refusals

Of the 794 requests completed this fiscal year, 619 (78.0%) were closed on time, a decrease from 2018-2019's 84.3%, owing in large part to the number of older requests outstanding from the previous reporting period that were completed in 2019-2020.

The remaining 175 requests were closed after the statutory deadline for various reasons including consultations, both external and internal, workload pressures and shortage of staff. In 136 instances, extensions of the statutory time limit had been claimed but the files were nonetheless late, due mainly to the volume of pages processed and the consultations both external and internal. In the other 39 instances, no extension of the statutory deadline was taken.

Table 3 provides the completion time for the 175 requests closed past the statutory deadline in 2019-2020.

Table 3. Requests Closed Past the Statutory Deadline	
Number of Requests	Completion Time After the Deadline
41	within 1 to 15 days
17	within 16 to 30 days
21	within 31 to 60 days
29	within 61 to 120 days
13	within 121 to 180 days
24	within 181 to 365 days
30	more than 365 days

Translations

No requests for translations were received.

Part 4 – Extensions

Subsection 9(1) of the *ATI Act* sets out circumstances under which the initial 30-day time limit for response may be extended. Extensions may be taken for the following reasons:

- The request is for a large number of records or requires a search through a large number of records, and meeting the original time limit would unreasonably interfere with the operations of the institution;
- Consultation is necessary with other government institutions, other levels of governments; or
- Notice is to be given to a third party (pursuant to s. 27(1)) of the pending release of commercial information of that third party.

During 2019-2020, the Department claimed 157 extensions under s. 9(1)(a) due to the volume of records and interference with government operations, versus 207 the previous fiscal year. Third party notifications required 75 extensions under s. 9(1)(c), down slightly from 89. This is in part due to the increase of requests for processing individual briefing notes.

Two hundred and two extensions for consultations on Confidences of the Queen's Privy Council and 178 extensions for other types of consultations, for a total of 380 extensions claimed under s. 9(1)(b). Extensions for consultations down from the 615 extensions taken in 2018-2019.

Part 5 – Fees and *Service Fees Act*

As previously noted, only the \$5.00 application can be charged when processing *Access to Information Act* requests.

The *Service Fees Act* requires a responsible authority to report annually to Parliament on the fees collected by the institution.

With respect to fees collected under the *Access to Information Act*, the information below is reported in accordance with the requirements of section 20 of the *Service Fees Act*:

- Enabling authority: *Access to Information Act*
- Fee amount: \$5, the only fee charged for an Access to Information request
- Total revenue: \$2,830
- Fees waived: \$1,585

In accordance with the *Interim Directive on the Administration of the Access to Information Act*, issued on May 5, 2016, and the changes to the *Access to Information Act* that came into force on June 21, 2019, the Department of Finance Canada waives all fees prescribed by the Act and Regulations, other than the \$5 application fee set out in paragraph 7(1)(a) of the Regulations.

The Department of Finance Canada waived \$1,585 in application fees. In order to expedite the processing of Access to Information requests for briefing notes, the ATIP Division processes one ATI request per briefing note to ensure requestors are provided the information in a timelier manner and allows departmental staff to process these requests more efficiently. Subsequently, it waives the application fees associated with these requests.

- Cost of operating the program: \$1,285,753

Part 6 – Consultations Received from Other Institutions and Organizations

The Department received a total of 400 consultations from other government institutions and organizations this reporting year, carried over 88 from the previous fiscal year, and closed 445.

Of the 445 consultations that were completed in 2019-2020, the Department responded to 248 (55.7%) in 30 days or less; 89 (20.0%) were responded to in 31 to 60 days, 59 (13.3%) required 61 to 120 days, and 47 (10.6%) required more than 121 days to complete.

Part 7 – Completion Time of Consultations on Cabinet Confidences

The departmental Legal Services Unit responded to 223 consultations to confirm whether documents were Cabinet Confidences. All but five consultations were responded to within 120 days.

No consultations on Cabinet confidences were forwarded to the Privy Council Office.

Part 8 – Complaints/Investigations/Audits

There were 49 complaints lodged against the Department received during the reporting period:

- Seven complaints concerned the exemption of information;
- Six complaints concerned the exclusion of information under section 69 of the *Act*;
- Thirty-one complaints concerned extensions taken or delay in responding;
- Five complaints were on refusal – no records existed;

The Office of the Information Commissioner rendered 43 findings this year:

- Three complaints were concluded as “not well-founded”;
- Eleven complaints were concluded as “well-founded”;
- Twenty-two complaints were “resolved” during the course of the investigation;
- Seven complaints were “discontinued” by the complainants.

None of the Information Commissioner’s investigations raised any specific issues or concerns with respect to the Department’s handling of these requests and no further action was required of the Department.

No audits were initiated or concluded this fiscal year.

Part 9 – Appeals to the Federal Court of Canada

No appeals to the Federal Court were made in this reporting period.

Part 10 – Resources Related to the *Access to Information Act*

Administration of the *Act* cost the Department \$1,285,733 this reporting year. Costs incurred in the reporting period include the salaries of ATIP staff and the administrative expenses associated with administration of the *Act*. Costs do not include salaries of other departmental personnel involved in processing requests.

Monitoring Compliance

In addition to producing statistics on branch performance across the Department, the ATIP Division continues to send targeted reports showing lists of outstanding branch actions related to *Access to Information Act* requests and consultations from other government departments. These statistics are shared on a weekly basis with senior management, branch ATIP contacts, the Deputy Minister's Office and the Ministers' Offices.

The ATIP Division also updated senior management throughout the fiscal year with a focus on departmental performance, current ATIP activities and implementation of Bill C-58.

ANNEX A

Statistical Report on the *Access to Information Act* (including Supplemental Statistical Report – Requests affected by COVID-19 measures)



Statistical Report on the *Access to Information Act*

Name of institution: Department of Finance

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

Section 1: Requests Under the *Access to Information Act*

1.1 Number of requests

	Number of Requests
Received during reporting period	744
Outstanding from previous reporting period	398
Total	1142
Closed during reporting period	794
Carried over to next reporting period	348

1.2 Sources of requests

Source	Number of Requests
Media	374
Academia	12
Business (private sector)	124
Organization	39
Public	99
Decline to Identify	96
Total	744

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	
359	5	1	0	0	0	0	365

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

Section 2: Decline to act on vexatious, made in bad faith or abuse of right requests

	Number of Requests
Outstanding from previous reporting period	0
Sent during reporting period	0
Total	0
Approved by the Information Commissioner during reporting period	0
Declined by the Information Commissioner during reporting period	0
Carried over to next reporting period	0

Section 3: Requests Closed During the Reporting Period

3.1 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	4	18	20	13	1	1	0	57
Disclosed in part	55	67	121	166	62	42	46	559
All exempted	0	3	2	2	0	2	0	9
All excluded	5	0	8	14	2	3	0	32
No records exist	30	46	25	6	1	2	0	110
Request transferred	6	0	0	0	0	0	0	6
Request abandoned	8	3	1	1	1	1	6	21
Neither confirmed nor denied	0	0	0	0	0	0	0	0
Decline to act with the approval of the Information Commissioner	0	0	0	0	0	0	0	0
Total	108	137	177	202	67	51	52	794

3.2 Exemptions

Section	Number of Requests	Section	Number of Requests	Section	Number of Requests	Section	Number of Requests
13(1)(a)	19	16(2)	21	18(a)	27	20.1	0
13(1)(b)	12	16(2)(a)	0	18(b)	62	20.2	0
13(1)(c)	29	16(2)(b)	0	18(c)	4	20.4	0
13(1)(d)	0	16(2)(c)	163	18(d)	102	21(1)(a)	440
13(1)(e)	8	16(3)	0	18.1(1)(a)	1	21(1)(b)	408
14	80	16.1(1)(a)	0	18.1(1)(b)	10	21(1)(c)	87
14(a)	51	16.1(1)(b)	0	18.1(1)(c)	0	21(1)(d)	34
14(b)	61	16.1(1)(c)	0	18.1(1)(d)	0	22	3
15(1)	64	16.1(1)(d)	0	19(1)	119	22.1(1)	0
15(1) - I.A.*	33	16.2(1)	0	20(1)(a)	9	23	43
15(1) - Def.*	7	16.3	0	20(1)(b)	134	23.1	0
15(1) - S.A.*	1	16.31	0	20(1)(b.1)	0	24(1)	15
16(1)(a)(i)	1	16.4(1)(a)	0	20(1)(c)	63	26	2
16(1)(a)(ii)	0	16.4(1)(b)	0	20(1)(d)	29		
16(1)(a)(iii)	3	16.5	0				
16(1)(b)	0	16.6	0				
16(1)(c)	8	17	1				
16(1)(d)	0						

* I.A.: International Affairs Def.: Defence of Canada S.A.: Subversive Activities

3.3 Exclusions

Section	Number of Requests	Section	Number of Requests	Section	Number of Requests
68(a)	32	69(1)	3	69(1)(g) re (a)	123
68(b)	0	69(1)(a)	29	69(1)(g) re (b)	0
68(c)	0	69(1)(b)	0	69(1)(g) re (c)	111
68.1	0	69(1)(c)	11	69(1)(g) re (d)	62
68.2(a)	0	69(1)(d)	29	69(1)(g) re (e)	179
68.2(b)	0	69(1)(e)	97	69(1)(g) re (f)	59
		69(1)(f)	13	69.1(1)	0

3.4 Format of information released

Paper	Electronic	Other
75	541	0

3.5 Complexity

3.5.1 Relevant pages processed and disclosed

Number of Pages Processed	Number of Pages Disclosed	Number of Requests
52,558	21,921	678

3.5.2 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	55	607	2	312	0	0	0	0	0	0
Disclosed in part	467	6940	74	8927	13	2921	5	2202	0	0
All exempted	8	0	0	0	1	0	0	0	0	0
All excluded	26	0	6	0	0	0	0	0	0	0
Request abandoned	21	12	0	0	0	0	0	0	0	0
Neither confirmed nor denied	0	0	0	0	0	0	0	0	0	0
Total	577	7559	82	9239	14	2921	5	2202	0	0

3.5.3 Other complexities

Disposition	Consultation Required	Assessment of Fees	Legal Advice Sought	Other	Total
All disclosed	28	0	1	0	29
Disclosed in part	396	0	14	0	410
All exempted	4	0	0	0	4
All excluded	31	0	0	0	31
Request abandoned	2	0	0	0	2
Neither confirmed nor denied	0	0	0	0	0
Total	461	0	15	0	476

3.6 Closed requests

3.6.1 Number of requests closed within legislated timelines

	Requests closed within legislated timelines
Number of requests closed within legislated timelines	619
Percentage of requests closed within legislated timelines (%)	78

3.7 Deemed refusals

3.7.1 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
175	91	22	30	32

3.7.2 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 Timeline Where an Extension Was Taken	Total
1 to 15 days	14	27	41
16 to 30 days	4	13	17
31 to 60 days	1	20	21
61 to 120 days	9	20	29
121 to 180 days	3	10	13
181 to 365 days	2	22	24
More than 365 days	6	24	30
Total	39	136	175

3.8 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 4: Extensions

4.1 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	8	2	15	9
Disclosed in part	123	160	157	58
All exempted	3	4	0	1
All excluded	4	23	3	1
No records exist	13	9	0	1
Request abandoned	6	4	3	5
Total	157	202	178	75

4.2 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	86	1	24	6
31 to 60 days	35	4	83	49
61 to 120 days	31	191	65	17
121 to 180 days	2	5	4	2
181 to 365 days	3	1	2	1
365 days or more	0	0	0	0
Total	157	202	178	75

Section 5: Fees

Fee Type	Fee Collected		Fee Waived or Refunded	
	Requests	Amount	Requests	Amount
Application	476	\$2,380	317	\$1,585
Other fees	0	\$0	0	\$0
Total	476	\$2,380	317	\$1,585

Section 6: Consultations Received From Other Institutions and Organizations

6.1 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	398	11450	2	121
Outstanding from the previous reporting period	87	2158	1	2
Total	485	13608	3	123
Closed during the reporting period	443	11599	2	15
Carried over to next reporting period	42	2009	1	108

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

Recommendation	Number of Days Required to Complete Consultation Requests							
	1 to 15 Days	16 to 30 Days	31 to 60 Days	61 to 120 Days	121 to 180 Days	181 to 365 Days	More Than 365 Days	Total
Disclose entirely	99	62	46	44	31	15	0	297
Disclose in part	18	50	42	13	1	0	0	124
Exempt entirely	0	1	0	0	0	0	0	1
Exclude entirely	0	2	0	0	0	0	0	2
Consult other institution	0	0	0	0	0	0	0	0
Other	14	2	1	2	0	0	0	19
Total	131	117	89	59	32	15	0	443

6.3 Recommendations and completion time for consultations received from other organizations

Recommendation	Number of Days Required to Complete Consultation Requests							
	1 to 15 Days	16 to 30 Days	31 to 60 Days	61 to 120 Days	121 to 180 Days	181 to 365 Days	More Than 365 Days	Total
Disclose entirely	1	0	0	0	0	0	0	1
Disclose in part	0	0	1	0	0	0	0	1
Exempt entirely	0	0	0	0	0	0	0	0
Exclude entirely	0	0	0	0	0	0	0	0
Consult other institution	0	0	0	0	0	0	0	0
Other	0	0	0	0	0	0	0	0
Total	1	0	1	0	0	0	0	2

Section 7: Completion Time of Consultations on Cabinet Confidences

7.1 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	75	546	5	127	0	0	0	0	0	0
16 to 30	64	390	11	337	0	0	0	0	0	0
31 to 60	44	345	5	44	0	0	1	29	0	0
61 to 120	10	71	2	67	0	0	0	0	0	0
121 to 180	2	7	1	23	0	0	1	21	0	0
181 to 365	1	13	0	0	0	0	0	0	0	0
More than 365	1	13	0	0	0	0	0	0	0	0
Total	197	1385	24	598	0	0	2	50	0	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

Section 32 Notice of intention to investigate	Subsection 30(5) Ceased to investigate	Section 35 Formal representations	Section 37 Reports of finding received	Section 37 Reports of finding containing recommendations issued by the Information Commissioner	Section 37 Reports of finding containing orders issued by the Information Commissioner
49	0	1	43	0	0

Section 9: Court Action

9.1 Court actions on complaints received before June 21, 2019 and on-going

Section 41 (before June 21, 2019)	Section 42	Section 44
0	0	0

9.2 Court actions on complaints received after June 21, 2019

Section 41 (after June 21, 2019)				
Complainant (1)	Institution (2)	Third Party (3)	Privacy Commissioner (4)	Total
0	0	0	0	0

Section 10: Resources Related to the Access to Information Act

10.1 Costs

Expenditures		Amount
Salaries		\$1,250,999
Overtime		\$0
Goods and Services		\$34,734
• Professional services contracts	\$0	
• Other	\$34,734	
Total		\$1,285,733

10.2 Human Resources

Resources	Person Years Dedicated to Access to Information Activities
Full-time employees	15.73
Part-time and casual employees	0.50
Regional staff	0.00
Consultants and agency personnel	0.00
Students	0.79
Total	17.02

Note: Enter values to two decimal places.

2019-2020 Supplemental Statistical Report – Requests affected by COVID-19 measures

In addition to completing the forms for the Statistical Reports on the ATIA and Privacy Act for 2019-20, institutions are asked to complete this Supplemental Report to help identify the impact of COVID-19 measures on institutional performance for 2019-20 and going forward. The data requirements are set out in the tables below.

Supplemental Statistical Report on the *Access to Information Act*

The following table reports the total number of formal requests received during two periods; 2019-04-01 to 2020-03-13 and 2020-03-14 to 2020-03-31.

Table 1 – Requests Received

		Column (Col.) 1
		Number of requests
Row 1	Received from 2019-04-01 to 2020-03-13	737
Row 2	Received from 2020-03-14 to 2020-03-31	7
Row 3	Total¹	744

¹ – Total for Row 3 should equal the total in the ATI Statistical Report section 1.1 Row 1

The following table reports the total number of requests closed within the legislated timelines and the number of closed requests that were deemed refusals during two periods 2019-04-01 to 2020-03-13 and 2020-03-14 to 2020-03-31.

Table 2 – Requests Closed

		Col. 1	Col. 2
		Number of requests closed within the legislated timelines	Number of requests closed past the legislated timelines
Row 1	Received from 2019-04-01 to 2020-03-13 and outstanding from previous reporting periods	618	175
Row 2	Received from 2020-03-14 to 2020-03-31	1	0
Row 3	Total²	619	175

² – Total for Row 3 Col. 1 should equal the total in the ATI Statistical Report section 3.6.1 Row 1 -- Total for Row 3 Col. 2 should equal the total in the ATI Statistical Report section 3.7.1. Col. 1 Row 1

The following table reports the total number of requests carried over during two periods; 2019-04-01 to 2020-03-13 and 2020-03-14 to 2020-03-31.

Table 3 – Requests Carried Over

		Col. 1
		Number of requests
Row 1	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	342
Row 2	Requests received from 2020-03-14 to 2020-03-31 that were carried over to the 2020-2021 reporting period	6
Row 3	Total³	348

3 – Total for Row 3 should equal the total in the ATI Statistical Report section 1.1 Row 5