

**Canadian Northern Economic Development Agency
(CanNor)**

**2020-2021 Annual Report to Parliament on the
*Access to Information Act***

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1. Introduction

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

The *Act* provides every person who is a Canadian citizen or a permanent resident with a right of access to any record under the control of a government institution, with some specific, limited exceptions.

The Canadian Northern Economic Development Agency (CanNor) is fully committed to both the spirit and the intent of the *Access to Information Act* to ensure openness and transparency within the department. This report summarizes the activities of CanNor in implementing the *Act*, and fulfills the requirement under Section 94 of the *Act* which stipulates that, the head of every government institution shall prepare for submission to Parliament an annual report on the administration of this *Act* within the institution during each financial year.

Mandate

CanNor works with partners to advance economic development in Canada's territories. The Agency supports, invests in and advocates for national, territorial and community level economic development; fosters growth and innovation; contributes to building capacity; and invests in foundational economic development projects in the territories. In addition, through the Northern Projects Management Office the Agency coordinates federal participation in the territorial environmental review processes and maintains the Crown consultation record for major projects.

The Agency works closely with all federal partners to advance a whole of government approach to economic development in the territories.

As part of the ISED portfolio, CanNor supports the implementation of the Government of Canada priorities and the mandate letter for the Minister of Economic Development and Official Languages.

2. Organizational Structure

For the purposes of the *Access to Information Act*, the President of CanNor has delegated powers, duties and functions under the *Act* to the Corporate Secretary who performs the role of ATIP Coordinator responsible for leading the ATIP Program. The ATIP Coordinator administers the *Act* with assistance from an Administrative Officer. Assistance may also be obtained via a service agreement entered into with Innovation, Science, and Economic Development (ISED) in accordance with section 96 of the *Access to Information Act*.

The ATIP Coordinator is accountable for the development, coordination and implementation of effective policies, guidelines, systems, and procedures to meet responsibilities under the *Act*, and to permit processing requests, and disclosure of information. Additionally, the ATIP Coordinator provides strategic support and advice to the executive management of the Agency regarding the

administration of the ATIP program, and is responsible for all access to information activities and operations pursuant to the *ATIA* such as:

- processing and responding to all formal requests and interdepartmental consultations under the *Access to Information Act*;
- providing strategic advice to the Agency about ATIP-related matters;
- preparing guidance documents in support of access legislation;
- updating *Info Source* based upon the program alignment architecture and in keeping with the TBS Decentralized Publishing Requirements;
- preparing the Annual Report to Parliament on the *Access to Information Act*;
- training employees on their roles and responsibilities under the *ATIA*; and
- responding to informal inquiries.

3. Delegation Order

The President's *Access to Information Delegation Order (Annex A)*, was updated on March 23, 2020. It provides delegated authority to the Corporate Secretary and the Manager, IM/IT and Chief Information Officer.

4. Performance 2020-2021

CanNor's 2020-2021 Statistical Report on the *Access to Information Act* is attached as Annex B. The following is an overview of key data on CanNor's performance for the fiscal year:

a) Requests Received Under the *Access to Information Act*

CanNor received sixteen new requests and had six requests carried over from the previous reporting period for a total of twenty-two requests. Twenty-one requests were processed and closed during the 2020-2021 fiscal year and one remaining request has been carried over to the 2021-2022 reporting period. Of these twenty-one requests closed, four were completed within 1 to 15 days, nine within 16 to 30 days, two within 31 to 60 days, two within 61 to 120 days, two within 181 to 365 days, and two were completed in more than 365 days. Of twenty-one requests closed, 57% involved records which were all disclosed, 38% which were disclosed in part, and 5% did not yield any records. Two extensions were taken, one for 30 days for consultations with other Government of Canada institutions and another for 60 days in order to issue notice to a third-party. CanNor closed thirteen requests on time, leading to a 61.9% rate of completion within legislated timelines, compared with a 33% rate in 2019-20.

The following table shows a comparison for the past three years with respect to Access to Information requests.

ATIP Requests	2018/2019	2019/2020	2020/2021
Received during reporting period	5	6	16
Outstanding from previous reporting period	0	0	6*
Total	5	6	22
Closed during reporting period	5	4	21
Carried over to next reporting period	0	2(6*)	1

*Due to a technical error which has since been corrected, four requests were received several months after having been submitted via the Online Request Service in 2019-2020. For this reason, last year's annual report only indicates two requests being carried over to 2020-2021 as CanNor was not aware of these at the time.

b) Consultations Received from other Government of Canada Institutions

Twenty-one consultations from other Government of Canada Departments were received and all were closed during the 2020-2021 reporting period. Sixteen were processed within 1-15 days, two within 16-30 days, one within 31 to 60 days, one within 61 to 120 days, and one within 181 to 365 days. Of twenty-one requests, 95% involved recommendations for records to be disclosed entirely and 5% involved records for which the requesting department opted to move forward with disclosure without CanNor's recommendation.

The following table shows the comparison for the past three years with respect to Consultation requests.

Consultation Requests	2018/2019	2019/2020	2020/2021
Received during reporting period	12	23	21
Outstanding from previous reporting period	1	1	0
Total	13	24	21
Closed during reporting period	10	24	21
Carried over to next reporting period	1	0	0

c) Impacts of COVID-19-related Measures and Implemented Mitigation Measures

From the start of the pandemic, including the time period of April 1, 2020, to March 31, 2021, CanNor's ATIP Coordinator and Administrative Officer were provided with network access from their home in order to receive and respond to Access to Information requests, as well as consultation requests received from other Government of Canada institutions. Outside of periodic, locally mandated stay-at-home orders, office building access was available on an as needed basis in case any non-electronic documents or documents labelled "Secret" needed to be reviewed. However, none of the requests received during the reporting period required the review of such documents, therefore, COVID-19-related measures had no impact on CanNor's ability to fulfil its responsibilities under the *Access to Information Act*.

5. Training and Awareness

Informal briefings were provided to CanNor employees on the administration of the *Access to Information Act*. These were conducted one-on-one as needed by way of video or phone call. To raise awareness to employees, an email was sent in the early months of the pandemic to remind colleagues of information management practices in light of working remotely and the use of platforms such as Zoom and MSTeams and their associated chat functions.

6. Policies, Guidelines, Procedures and Initiatives

CanNor complies with the TBS Interim Directive on the Administration of the *Access to Information Act*, posting summaries of completed access to information requests to the Government of Canada's Open Government portal. Posting these summaries demonstrates consistent procedures across government institutions and helps make released records from previously made Access to Information requests discoverable and available at no cost.

CanNor uses tools to assist the Office of Primary Interest with identifying sensitivities in records that makes it easier to identify types of information that may qualify for an exemption. Using standardized retrieval email and template letters improves efficiency.

The Agency did not implement or amend any institution-specific Access to Information policies, guidelines, procedures or initiatives during the reporting period.

7. Summary or Key Issues and Actions Taken on Complaints or Audits

There were no complaints received concerning the administration of the *Access to Information Act*, and no audits, investigations or appeals to the Federal Court were undertaken.

8. Monitoring Compliance

As the official responsible for completion timelines, the Corporate Secretary and ATIP Coordinator is made aware of new and outstanding requests on a continual basis. A shared request database is used when processing Access to Information and Consultation requests which tracks deadlines and allows for effective monitoring.

Annex A – Access to Information Act Delegation Order

**Access to Information Act –
Delegation Order**

Pursuant to the powers of designation conferred upon me by Subsection 95(1) of the *Access to Information Act*, the persons exercising the functions or positions of Manager, IM/IT and Chief Information Officer (position number 000139900), and Corporate Secretary (position number 146270) and their respective successors, including in their absence, a person or officer designated in writing to act in the place of the holder of any such functions or positions are hereby designated to exercise those powers, duties or functions of the President as the Head of the government institution under the *Act*, and as set out in the attached Schedule A and B.

**Loi sur l'accès à l'information -
Ordonnance de délégation de pouvoirs**

En application des pouvoirs de désignation qui me sont conférés en vertu de l'article 95 (1) de la *Loi sur l'accès à l'information*, j'autorise par les présentes les employés exerçant des fonctions ou occupant le poste de Gestionnaire, GI/TI et dirigeant principal de l'information (numéro de poste 000139900) et le Secrétaire Général (numéro de poste 146270) et les employés qui les succéderont, y compris les employés qui les remplacent en leur absence, ou toute personne ou agent désigné par écrit pour les remplacer, à exercer ces pouvoirs, responsabilités ou fonctions dévolus au président en tant que Chef de cette institution administrative en vertu de la *Loi*, et tel qu'énoncés dans les annexes A et B ci-jointes.

President - Canadian Northern Economic Development Agency
Présidente - Agence canadienne de développement économique du Nord

Dated at Ottawa, the 23rd of March, 2020
Signé à Ottawa, le 23 mars, 2020

CANADIAN NORTHERN ECONOMIC DEVELOPMENT AGENCY
SCHEDULE TO DELEGATION ORDER

DESIGNATION PURSUANT TO SECTION 73 OF
THE ACCESS TO INFORMATION ACT

Sections and Powers, Duties or Functions

- 6 Advise requesters that we need additional information to proceed with their request
- 7(a) Give written notice to requestor that we can proceed with the request
- 8(1) Transfer request to another institution or accept transfer from another institution
- 9 Extend time limits
- 10 Refuse to acknowledge or deny the existence of records
- 11 Charge additional fees
- 12(2)(3) Provide access in alternate format
- 13 Exempt information obtained in confidence
- 14 Exempt information pertaining to federal-provincial affairs
- 15 Exempt information pertaining to international affairs and/or defence
- 16 Exempt information pertaining to law enforcement and investigations
- 17 Exempt information pertaining to the safety of individuals
- 18 Exempt information pertaining to the economic interests of Canada
- 19 Exempt personal information
- 20 Exempt or disclose third party information
- 21 Exempt information pertaining to advice, decision-making processes of government plans and positions etc.
- 22 Exempt information pertaining to testing procedures or audits
- 23 Exempt information pertaining to solicitor-client privilege
- 24 Exempt information subject to statutory prohibitions or other Acts of Parliament
- 25 Sever information
- 26 Exempt information to be published within 90 days

- 27(1)(4) Notify third parties of their rights to provide comments/representations regarding the disclosure of their records
- 28(4) Receive third party representations; make a decision as to whether to disclose the record or part thereof; and, notify third party of right to appeal to Federal Court
- 29(1) Disclose information on Information Commissioner's recommendation
- 33 Advise the Information Commissioner of any third party involvement
- 35(2) Make representations to the Information Commissioner during an investigation
- 37(4) Release information to complainant
- 43(1) Issue a notice to a third party of an application for Court review
- 44(2) Issue a notice to an applicant that a third party has applied for Court review
- 52 Request special rules for hearings
- 69 Exclude Cabinet Confidences
- 71 Inspect and exempt information in manuals
- 72(1) Prepare Annual Report to Parliament
- 77 Carry out responsibilities conferred to the Head of the institution by the regulations made under section 77 which are not included in the above

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- 9 Extend time limits
- 11 Charge additional fees
- 27(1)(4) Notify third parties of their rights to provide comments/representations regarding the disclosure of their records
- 28(1)(2) Receive third party representations.
- 28(4) Make a decision as to whether to disclose the record or part thereof; and, notify third party of right to appeal to Federal Court
- 33 Advise the Information Commissioner of any third party involvement
- 35(2) Make representations to the Information Commissioner during an investigation
- 43(1) Issue a notice to a third party of an application for Court review
- 44(2) Issue a notice to an applicant that a third party has applied for Court review

Annex B – Statistical Report on the Access to Information Act

Name of institution: Canadian Northern Economic Development Agency

Reporting period: 4/1/2020 to 3/31/2021

Section 1: Requests Under the Access to Information Act

1.1 Number of requests

	Number of Requests
Received during reporting period	16
Outstanding from previous reporting period	6
Total	22
Closed during reporting period	21
Carried over to next reporting period	1

1.2 Sources of requests

Source	Number of Requests
Media	2
Academia	0
Business (private sector)	0
Organization	1
Public	1
Decline to Identify	12
Total	16

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	
3	0	0	0	0	0	0	3

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

Section 2: Decline to act 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	3	5	2	0	0	2	0	12
Disclosed in part	0	4	0	2	0	0	2	8
All exempted	0	0	0	0	0	0	0	0
All excluded	0	0	0	0	0	0	0	0
No records exist	1	0	0	0	0	0	0	1
Request transferred	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
Decline to act with the approval of the Information Commissioner	0	0	0	0	0	0	0	0
Total	4	9	2	2	0	2	2	21

3.2 Exemptions

Section	Number of Requests	Section	Number of Requests	Section	Number of Requests	Section	Number of Requests
13(1)(a)	0	16(2)	0	18(a)	0	20.1	0
13(1)(b)	0	16(2)(a)	0	18(b)	0	20.2	0
13(1)(c)	0	16(2)(b)	0	18(c)	0	20.4	0
13(1)(d)	1	16(2)(c)	0	18(d)	0	21(1)(a)	5
13(1)(e)	0	16(3)	0	18.1(1)(a)	0	21(1)(b)	1
14	0	16.1(1)(a)	0	18.1(1)(b)	0	21(1)(c)	0
14(a)	0	16.1(1)(b)	0	18.1(1)(c)	0	21(1)(d)	0
14(b)	0	16.1(1)(c)	0	18.1(1)(d)	0	22	0
15(1)	0	16.1(1)(d)	0	19(1)	1	22.1(1)	0
15(1) - I.A.*	0	16.2(1)	0	20(1)(a)	0	23	0
15(1) - Def.*	0	16.3	0	20(1)(b)	2	23.1	0
15(1) - S.A.*	0	16.31	0	20(1)(b.1)	0	24(1)	0
16(1)(a)(i)	0	16.4(1)(a)	0	20(1)(c)	1	26	0
16(1)(a)(ii)	0	16.4(1)(b)	0	20(1)(d)	0		
16(1)(a)(iii)	0	16.5	0				
16(1)(b)	0	16.6	0				
16(1)(c)	0	17	0				
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)	0	69(1)	1	69(1)(g) re (a)	0
68(b)	0	69(1)(a)	0	69(1)(g) re (b)	0
68(c)	0	69(1)(b)	0	69(1)(g) re (c)	0
68.1	0	69(1)(c)	0	69(1)(g) re (d)	0
68.2(a)	0	69(1)(d)	0	69(1)(g) re (e)	0
68.2(b)	0	69(1)(e)	0	69(1)(g) re (f)	0
		69(1)(f)	0	69.1(1)	0

3.4 Format of information released

Paper	Electronic	Other
0	20	0

3.5 Complexity

3.5.1 Relevant pages processed and disclosed

Number of Pages Processed	Number of Pages Disclosed	Number of Requests
1225	949	20

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	12	291	0	0	0	0	0	0	0	0
Disclosed in part	4	57	4	601	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
Declined to act with the approval of the Information Commissioner	0	0	0	0	0	0	0	0	0	0
Total	16	348	4	601	0	0	0	0	0	0

3.5.3 Other complexities

Disposition	Consultation Required	Assessment of Fees	Legal Advice Sought	Other	Total
All disclosed	0	0	0	0	0
Disclosed in part	4	0	0	0	4
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
Declined to act with the approval of the Information Commissioner	0	0	0	0	0
Total	4	0	0	0	4

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	13
Percentage of requests closed within legislated timelines (%)	61.9

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
8	0	1	0	7

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	2	1	3
16 to 30 days	0	1	1
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	3	0	3
More than 365 days	1	0	1
Total	6	2	8

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	0	0	0	0
Disclosed in part	0	1	0	1
All exempted	0	0	0	0
All excluded	0	0	0	0
No records exist	0	0	0	0
Request abandoned	0	0	0	0
Decline to act with the approval of the Information Commissioner	0	0	0	0
Total	0	1	0	1

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	0	1	0	0

31 to 60 days	0	0	0	1
61 to 120 days	0	0	0	0
121 to 180 days	0	0	0	0
181 to 365 days	0	0	0	0
365 days or more	0	0	0	0
Total	0	1	0	1

Section 5: Fees

Fee Type	Fee Collected		Fee Waived or Refunded	
	Requests	Amount	Requests	Amount
Application	0	\$0	16	\$80
Other fees	0	\$0	0	\$0
Total	0	\$0	16	\$80

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	21	1067	0	0
Outstanding from the previous reporting period	0	0	0	0
Total	21	1067	0	0
Closed during the reporting period	21	1067	0	0
Carried over to 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	
Disclose entirely	16	2	0	1	0	1	0	20
Disclose in part	0	0	0	0	0	0	0	0
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	1	0	0	0	0	1
Total	16	2	1	1	0	1	0	21

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	
Disclose entirely	0	0	0	0	0	0	0	0
Disclose in part	0	0	0	0	0	0	0	0
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	0	0	0	0	0	0	0	0

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 Request	Pages Disclosed	Number of Requests	Pages Disclosed	Number of Requests	Pages Disclosed	Number of Requests	Pages Disclosed
1 to 15	0	0	0	0	0	0	0	0	0	0
16 to 30	0	0	0	0	0	0	0	0	0	0
31 to 60	0	0	0	0	0	0	0	0	0	0
61 to 120	0	0	0	0	0	0	0	0	0	0
121 to 180	0	0	0	0	0	0	0	0	0	0
181 to 365	0	0	0	0	0	0	0	0	0	0
More than 365	0	0	0	0	0	0	0	0	0	0
Total	0	0	0	0	0	0	0	0	0	0

7.2 Requests with Privy Council Office

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 Request	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
0	0	0	0	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	\$35,000
Overtime	\$0
Goods and Services	\$537
• Professional services contracts	\$0
• Other	\$537
Total	\$35,537

10.2 Human Resources

Resources	Person Years Dedicated to Access to Information Activities
Full-time employees	0.350
Part-time and casual employees	0.000
Regional staff	0.000
Consultants and agency personnel	0.000
Students	0.000
Total	0.350

Note: Enter values to three decimal places.