

# Atomic Energy of Canada Limited

## 2020-21 Annual Report on the Administration of the

### ***Privacy Act***

Prepared by :

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Isabelle Gaudreault

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Final review by :

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Grant Gardiner

VP, General Counsel, Corporate Secretary

Approved by :

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Fred Dermarkar

President & CEO

Signed by: Fred Dermarkar

2021 September  
UNRESTRICTED

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## **1. INTRODUCTION**

This annual report to Parliament is prepared and tabled in accordance with section 72 of the [Privacy Act \(PA\)](#). The report provides a summary of the activities related to the administration of the Act within Atomic Energy of Canada Limited (**AECL**) during fiscal year ending March 31, 2021.

The purpose of the *PA* is to protect personal information held by government institutions and to provide individuals with a right of access to their own information.

### **Mandate**

AECL's mandate is to enable nuclear science and technology and to protect the environment by fulfilling the government of Canada's radioactive waste and decommissioning responsibilities.

AECL receives federal funding to deliver on its mandate and reports to Parliament through the Minister of Natural Resources. It also leverages the unique capabilities at its sites to support industry and other third parties on commercial terms.

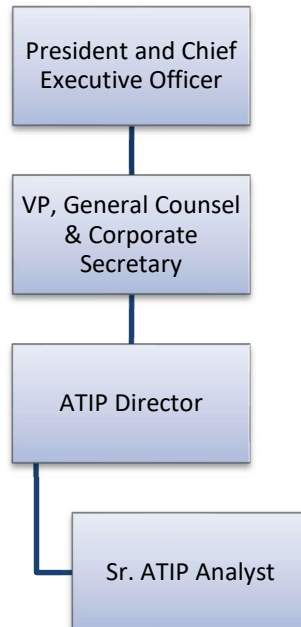
AECL delivers its mandate through long-term contracts with Canadian Nuclear Laboratories for the management and operation of its sites. More information on AECL's activities and governance structure are available on AECL's website at [www.aecl.ca](http://www.aecl.ca).

## **2. ORGANIZATIONAL STRUCTURE**

AECL's Access to Information and Privacy (**ATIP**) Office, located in Ottawa, Ontario, is the focal point for the application of the ATIP legislations within AECL. The mandate of the ATIP Office is to implement and administer AECL's obligations under the [Access to Information Act \(ATIA\)](#) and the *PA*. The Office deals directly with the public and employees in relation to access to information and privacy requests and serves as the center of ATIP expertise in enabling AECL to meet its statutory obligations under the Acts.

The ATIP Office consists of one Director and one Senior Analyst. The ATIP Director reports directly to the Vice-President, General Counsel and Corporate Secretary of AECL. The equivalent of 1.5 full time employee (**FTE**) was applied to *ATIA* matters and 0.5 FTE was applied to *PA* matters.

### Organizational Structure of the ATIP Office



### 3. DELEGATION ORDER

Under the *PA*, the President is the designated head of the institution for the purpose of administering the legislation. Section 73 authorizes the head of the institution to designate, by order, one or more officers or employees of AECL to exercise or perform any powers, duties or functions of the head of AECL that are specified in the order. As ATIP Coordinator, the ATIP Director holds full delegated authority under the *PA*. The signed copy of the Delegation Order is included in appendix A.

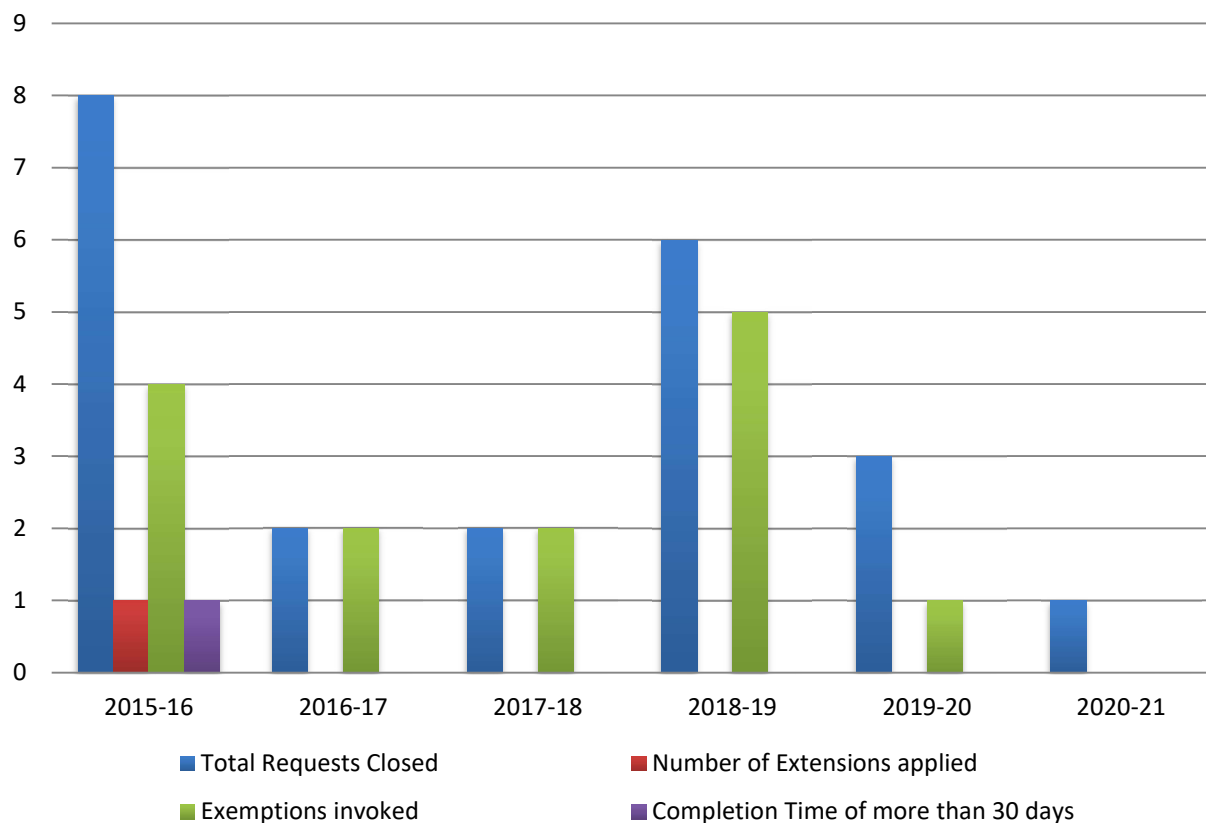
### 4. PERFORMANCE 2020-21

AECL received 1 new request in 2020-21 for personal information subject to the *PA*. The request was completed and fully disclosed within 15 days. Therefore, our compliance rate is of 100% for the reporting year.

In support of the decentralized self-publishing of institutional Info Source chapters, AECL's Info Source Chapter can be found on AECL's external website at [www.aecl.ca](http://www.aecl.ca).

AECL did not disclose any personal information pursuant to subsection 8(2)(m) of the *PA*.

### Multiyear Trend



## 4.1 Interpretation of the Statistical Report, 2020-21

The completed Statistical Report 2020-21 is included in appendix B.

### 4.1.1 Section 1 – Requests under the PA

AECL received and completed 1 new request for personal information under the PA during the reporting year.

### 4.1.2 Section 2 – Requests Closed During the Reporting Period

#### Subsection 2.1 – Disposition and Completion Time

The request was completed and fully disclosed within 15 days.

#### Subsection 2.2 – Exemptions

AECL did not invoke exemptions during the reporting year.

**Subsection 2.3 - Exclusions**

No exclusions were cited in fiscal year 2020-21.

**Subsection 2.4 – Format of Information Released**

Access to the relevant documents for the request was provided in electronic format.

**Subsection 2.5 – Complexity****2.5.1 – Relevant Pages Processed and Disclosed**

Two pages were processed and disclosed in full.

**2.5.2 – Relevant Pages Processed and Disclosed by Size of Requests**

The one fully disclosed request had less than 100 pages processed.

**2.5.3 – Other Complexities**

The request had no other complexities.

**Subsection 2.6 – Closed requests****2.6.1 – Number of requests closed within legislated timelines**

AECL closed the one request (100%) within legislated timelines of the *PA*.

**Subsection 2.7 – Deemed Refusals****2.7.1 – Reasons for not meeting statutory deadline**

AECL has no deemed refusals to report in the fiscal year 2020-21.

**2.7.2 – Number of days past deadline**

AECL has no deemed refusals to report in the fiscal year 2020-21.

**Subsection 2.8 – Request for Translation**

No translations were prepared during the period under review.

**4.1.3                    Section 3 – Disclosures under Subsections 8(2) and 8(5)**

This fiscal year, no disclosures of personal information were made pursuant to s. 8(2)(e) (investigations provision), 8(2)(f) (under an agreement or arrangement between the Government of Canada or an institution), 8(2)(g) (to a Member of Parliament) or 8(2)(m) (public interest override provision) of the *PA*.

**4.1.4                    Section 4 – Requests for Correction of Personal Information and Notations**

Neither corrections nor notations were requested during the reporting period.

**4.1.5 Section 5 – Extensions****Subsection 5.1 – Reasons for extensions and disposition of requests**

No extension was required during the reporting period.

**Subsection 5.2 – Length of extensions**

No extension was required during the reporting period.

**4.1.6 Section 6 – Consultations Received from Other Institutions and Organizations****Subsection 6.1 – Consultations received from other Government of Canada institutions and other organizations**

No consultations were received from other federal institutions or other organizations during the reporting period.

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

No consultations were received from other federal institutions during the reporting period.

**Subsection 6.3 – Recommendations and completion time for consultations received from other organizations**

No consultations were received from other organizations during the reporting period.

**4.1.7 Section 7 – Completion Time of Consultations on Cabinet Confidences**

AECL did not process any Cabinet confidences in relation to requests under the *Privacy Act* during the reporting year.

**Subsection 7.1 – Requests with Legal Services**

No consultations were required with legal services concerning Cabinet confidence during the reporting period.

**Subsection 7.2 Requests with Privacy Council Office**

No consultations were required with Privy Council Office concerning Cabinet confidences during the reporting period.

**4.1.8 Section 8 – Complaints and Investigations Notices Received**

Applicants have the right to file a complaint pursuant to the *PA* and may exercise this right at any time during the processing of their request. AECL has not received any complaints or requests for investigation related to a *PA* and no appeals have been made to the Federal Court during the



reporting period 2020-21.

#### **4.1.9                    Section 9 – Privacy Impact Assessments and Personal Information Banks**

##### **Subsection 9.1 - Privacy Impact Assessments**

AECL did not complete any Privacy Impact Assessments during the reporting period.

##### **Subsection 9.2 - Personal Information Banks**

AECL has 51 active and registered personal information banks. AECL did not create, terminate or modify any personal information banks during the reporting period.

#### **4.1.10                  Section 10 – Material Privacy Breaches**

To our knowledge, no material privacy breaches occurred during the reporting period.

#### **4.1.11                  Section 11 – Resources Related to the PA**

##### **Subsection 11.1 - Costs**

Total salary costs associated with *PA* activities are estimated at \$74,700 for 2020-21. Other operation and maintenance costs amounted to \$5,638 for a total of \$80,338.

##### **Subsection 11.2 - Human Resources**

The associated full-time equivalency human resource was 0.5.

#### **4.1.12                  Supplemental Statistical Report on the *Access to Information Act* and the *Privacy Act***

In addition to completing the forms for the Statistical Reports on the *PA* for 2020-21, institutions were asked to complete a Supplemental Report to help identify the impact of COVID-19 measures on institutional performance for 2020-21 and going forward.

AECL's ATIP office has not been impacted by COVID-19. AECL is completely capable of fulfilling its *PA* responsibilities.

### **5.                        TRAINING AND AWARENESS**

One formal awareness session was provided by video conference to all AECL's employees during the reporting period 2020-21. Additionally, informal briefings, one-on-one training, orientation, and awareness sessions were given regularly by the ATIP Office during the process of retrieval and review of documents in response to *PA* requests.

## **6. POLICIES, GUIDELINES, PROCEDURES AND INITIATIVES**

AECL did not implement any new and/or revised institution-specific Access to Information related policies, guidelines or procedures during the reporting year 2020-21.

AECL continuously worked to identify new collections of personal information and reviewed AECL's Personal Information Banks (**PIBs**) registered with the Information and Privacy Policy Division at Treasury Board Secretariat. Several Privacy statements were added to institution-specific forms collecting personal information. However, no PIB update or registration were necessary during fiscal year 2020-21.

## **7. COMPLAINTS**

Applicants have the right to file a complaint pursuant to the *PA* and may exercise this right at any time during the processing of their request. AECL has not received any complaints or requests for investigation related to a *PA* and no appeals have been made to the Federal Court during the reporting period 2020-21.

## **8. MONITORING COMPLIANCE**

AECL uses Privasoft software as a tool to monitor the time required to process each privacy request and requests for corrections. No other monitoring was necessary or conducted during the reporting period as the one request was completed on time.

## **9. MATERIAL PRIVACY BREACHES**

No material privacy breaches were reported to the Office of the Privacy Commissioner and to Treasury Board of Canada Secretariat (Information and Privacy Policy Division) during the reporting period

## **10. PRIVACY IMPACT ASSESSMENT**

AECL did not complete any Privacy Impact Assessments during the reporting year.

## **11. PUBLIC INTEREST DISCLOSURES**

During this fiscal year and to our knowledge, no disclosures of personal information were made under paragraph 8(2)(m) of the *Privacy Act*.

## 12. APPENDIX A – DELEGATION ORDER



**Delegation Order under the *Access to Information Act* and *Privacy Act*  
/ Arrêté de délégation accordé en vertu de la *Loi sur l'accès à l'information* et de la *Loi sur la protection des renseignements personnels***

Pursuant to subsection 95(1) of the *Access to Information Act* and subsection 73(1) of the *Privacy Act*, the President of Atomic Energy of Canada Limited (AECL), head of AECL, hereby designates the person holding the position set out in the schedule hereto, or the person occupying on an acting basis this position, to exercise the powers, duties and functions of the President, under the provisions of the Acts and related regulations set out in the schedule opposite the position. This designation replaces all previous delegation orders.

En vertu du paragraphe 95(1) de la *Loi sur l'accès à l'information* et du paragraphe 73(1) de la *Loi sur la protection des renseignements personnels*, le Président d'Énergie atomique du Canada limitée (EACL), responsable d'EACL, délègue au titulaire du poste mentionné à l'annexe ci-après, ainsi qu'à la personne occupant à titre intérimaire le dit poste, les attributions dont il est, en qualité de responsable d'EACL, investi par les dispositions de la Loi ou de son règlement mentionnées en regard du poste. Le présent document remplace et annule tout arrêté antérieur.

Schedule / Annexe		
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, Access to Information and Privacy / Directeur, Accès à l'information et protection des renseignements personnels	Full authority / Autorité absolue	Full authority / Autorité absolue



Fred Dermarkar, President and Chief Executive Officer / Président et premier dirigeant

2021 Feb 18

Date

### 13. APPENDIX B - STATISTICAL REPORT, 2020-21



#### Statistical Report on the *Privacy Act*

Name of institution: Atomic Energy of Canada Limited

Reporting period: 2020/04/01 to 2021/03/31

#### Section 1: Requests Under the *Privacy Act*

##### 1.1 Number of requests

	Number of Requests
Received during reporting period	1
Outstanding from previous reporting period	0
<b>Total</b>	<b>1</b>
Closed during reporting period	1
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	1	0	0	0	0	0	0	1
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
<b>Total</b>	<b>1</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>1</b>

## 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	1	0

## 2.5 Complexity

### 2.5.1 Relevant pages processed and disclosed

Number of Pages Processed	Number of Pages Disclosed	Number of Requests
2	2	1

**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	1	2	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
<b>Total</b>	<b>1</b>	<b>2</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>

**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
<b>Total</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>

## 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	1
Percentage of requests closed within legislated timelines (%)	100

## 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
<b>Total</b>	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
<b>Total</b>	<b>0</b>	<b>0</b>	<b>0</b>

**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
<b>Total</b>	<b>0</b>

**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
<b>Total</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>

**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
<b>Total</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
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
<b>Total</b>	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
<b>Total</b>	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 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
<b>Total</b>	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 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
<b>Total</b>	0	0	0	0	0	0	0	0	0	0

## Section 8: Complaints and Investigations Notices Received

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

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

<b>Number of PIA(s) completed</b>	0
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**9.2 Personal Information Banks**

<b>Personal Information Banks</b>	<b>Active</b>	<b>Created</b>	<b>Terminated</b>	<b>Modified</b>
	51	0	0	0

**Section 10: Material Privacy Breaches**

<b>Number of material privacy breaches reported to TBS</b>	0
<b>Number of material privacy breaches reported to OPC</b>	0

**Section 11: Resources Related to the *Privacy Act***
**11.1 Costs**

<b>Expenditures</b>		<b>Amount</b>
Salaries		\$74,700
Overtime		\$0
Goods and Services		\$5,638
• Professional services contracts	\$0	
• Other	\$5,638	
<b>Total</b>		<b>\$80,338</b>

**11.2 Human Resources**

<b>Resources</b>	<b>Person Years Dedicated to Privacy Activities</b>
Full-time employees	0.500
Part-time and casual employees	0.000
Regional staff	0.000
Consultants and agency personnel	0.000
Students	0.000
<b>Total</b>	<b>0.500</b>



## Supplemental Statistical Report on the *Access to Information Act* and *Privacy Act*

Name of institution: Atomic Energy of Canada Limited

Reporting period: 2020-04-01 to 2021-03-31

### Section 1: Capacity to Receive Requests

Enter the number of weeks your institution was able to receive ATIP requests through the different channels.

	Number of Weeks
Able to receive requests by mail	52
Able to receive requests by email	52
Able to receive requests through the digital request service	0

### Section 2: Capacity to Process Records

2.1 Enter the number of weeks your institution was able to process paper records in different classification levels.

	No Capacity	Partial Capacity	Full Capacity	Total
Unclassified Paper Records	0	0	52	52
Protected B Paper Records	0	0	52	52
Secret and Top Secret Paper Records	0	0	52	52

2.2 Enter the number of weeks your institution was able to process electronic records in different classification levels.

	No Capacity	Partial Capacity	Full Capacity	Total
Unclassified Electronic Records	0	0	52	52
Protected B Electronic Records	0	0	52	52
Secret and Top Secret Electronic Records	52	0	0	52