



Innovation, Science and  
Economic Development Canada

Innovation, Sciences et  
Développement économique Canada



# **2020–2021**

## **Annual Report on the**

### ***Access to Information Act***

Canada 

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# Introduction

## Purpose

The *Access to Information Act* (Revised Statutes of Canada, 1985, Chapter A-1) was proclaimed on July 1, 1983.

The *Access to Information Act* gives Canadian citizens and permanent residents a broad right of access to information contained in government records, subject to certain specific and limited exceptions.

Section 94 of the *Access to Information Act* requires that the head of every government institution prepare, for submission to Parliament, an annual report on the administration of the Act within the institution during each financial year.

Section 20 of the *Service Fees Act* requires a responsible authority to report annually to Parliament on the fees collected by institutions.

This annual report is tabled in Parliament pursuant to section 94 of the *Access to Information Act* and section 20 of the *Service Fees Act* and describes how Innovation, Science and Economic Development Canada (ISED) administered its responsibilities for the reporting period.

## Institutional Mandate

ISED helps Canadian businesses grow, innovate, and expand so they can create good-quality jobs and wealth for Canadians. It also supports science research and the integration of scientific considerations into investment and policy choices. The Department helps small businesses grow through trade and innovation and promotes increased tourism in Canada. It also works to position Canada as a global centre for innovation where investments support clean and inclusive growth, the middle class prospers through more job opportunities, and companies become global leaders.

ISED's efforts focus on improving conditions for investment, supporting science, helping small and medium-sized businesses grow, building capacity for clean and sustainable technologies and processes, increasing Canada's share of global trade, promoting tourism, and building an efficient and competitive marketplace.

In 2020–2021, ISED supported four ministers:

- the Minister of Innovation, Science and Industry;
- the Minister of Economic Development and Official Languages;
- the Minister of Small Business, Export Promotion and International Trade; and
- the Minister for Women and Gender Equality and Rural Economic Development.

The Department also supported one deputy minister and one associate deputy minister.

For more information on the Department's organizational mandate letter commitments, see the [ministers' mandate letters](#) section of the Prime Minister's website.

## Organizational Structure

Access to Information and Privacy (ATIP) Services is part of the Office of the Corporate Secretary of ISED. The ATIP team has a complement of 19 employees, consisting of one director at the executive level, three managers, and 13 advisors at various levels, from team leader to junior officer, all of whom are dedicated to processing access to information (ATI) and privacy requests and performing related functions (e.g., proactive publication, policy, training, administration, and outreach).

ATIP Services is responsible for the implementation and management of programs and services relating to the administration of the *Access to Information Act* and the *Privacy Act* for the Department. Specifically, ATIP Services makes decisions on the disposition of ATI and privacy requests; promotes awareness of the legislation to ensure departmental responsiveness to statutory obligations; monitors and advises on departmental compliance with the Acts, regulations, procedures, and policies; and represents ISED on ATIP matters when dealing with the Treasury Board of Canada Secretariat (TBS), the Office of the Information Commissioner of Canada, the Office of the Privacy Commissioner of Canada, the Privy Council Office, and other government institutions. ATIP Services is also responsible for consulting with other federal departments and third parties with respect to ATIP requests.

The Director of ATIP Services is responsible for the development, coordination, and implementation of effective policies, guidelines, and procedures to manage ISED's compliance with the Acts. The administration of the legislation within the Department is managed by ATIP Services, but is also facilitated at the sector, branch, and regional office levels. Each sector and corporate branch has an ATIP liaison officer (reporting to an assistant deputy minister, executive director, etc.) who coordinates activities and provides guidance on the administrative processes and procedures of the Acts. ATIP Services, which is located in Ottawa, responds to all formal requests submitted to the Department under both Acts.

Section 96 of the *Access to Information Act* permits institutions reporting to the same minister to enter into agreements with each other for the purpose of sharing ATIP resources and capacity. In this regard, ISED has entered into an agreement to conduct some ATIP case work on behalf of its Portfolio partner, the Canadian Northern Economic Development Agency.

## Delegation of Authority

The ATIP Delegation Order in effect on the last day of this reporting period was approved on June 10, 2016. Pursuant to subsection 95(1) of the *Access to Information Act* and subsection 73(1) of the *Privacy Act*, that delegation instrument provides full authority to the Corporate Secretary as well as to the ATIP Services Director and managers (see Annex B).

# Performance

## Responses Within Legislated Timelines

In 2020–2021, 703 access to information requests were brought to conclusion. Of these, 531 were concluded within legislated timelines, resulting in an on-time performance of 75.5%, which was approximately 5% lower than in 2019–2020, where ISED's on-time performance was 81%. On-time performance for 2020–2021 was affected by a 62% increase in the number of ATI requests received. In addition, while ISED's ATIP Services team remained operational throughout the COVID-19 pandemic, some of the team's activities—such as consulting with third parties and other government departments and processing documents with higher classifications—were limited due to lockdowns and/or requirements to work from home during various stages of the pandemic, which may have further contributed to the delays.

## Other Factors Affecting Performance

- **Proactive Publication:** ISED provided its four ministers and its deputy minister with 1,658 briefing notes this year, for which all titles and reference numbers required disclosure. In addition, ISED ministers appeared before various committees of Parliament on 15 occasions, the briefing materials for which required full disclosure. These efforts are in addition to other proactive disclosures, such as Question Period cards, transition briefing materials, monthly disclosures of completed ATI requests, and the review of various departmental reports.
- **Parliamentary (Order Paper) Questions:** Though not subject to ATIP legislation, the proposed responses to parliamentary questions are reviewed by ATIP employees prior to disclosure to ensure that the principles of the ATIP legislation are respected, specifically to ensure there are no inadvertent disclosures of proprietary third-party business information, personal information, or other information that might compromise Canada's economy, security, or international affairs. ATIP employees analyzed proposed responses for 249 such questions this year.
- **Parliamentary Motions for the Production of Information:** ATIP employees participated in and reviewed information for disclosure in response to several large parliamentary motions to produce information this year, to ensure that disclosure was in line with the principles of the motion.

## Multi-Year Trends

ISED received a total of 1,475 new ATI requests in 2020–2021, compared to 913 new requests in 2019–2020. This represents a 62% increase, year over year. In addition, 361 incomplete requests were carried from the previous fiscal year into 2020–2021. This resulted in a total caseload in 2020–2021 of 1,836 requests (1,475 plus 361).

Of these 1,836 requests, 703 were closed during the 2020-2021 reporting period, and 1,133 were carried forward into 2021-2022. These 1,133 cases represent a 214% increase over the 361 cases that had been carried forward from 2019-2020.

Additionally, ISED managed 224 consultation requests from other Government of Canada institutions and other organizations (191 new during the reporting period and 33 that were carried over from the previous year). This represents a 61% decrease compared with last year's consultation case load of 581 requests, which can be directly attributed to the number of federal institutions that temporarily ceased to process these types of requests because of the COVID-19 pandemic. Of the current 224 consultation requests, 143 were closed (72% fewer than last year's 506 closures) and 81 were carried forward to 2021–2022.

The Department also received and completed 399 informal requests for copies of previously released ATI requests, a 37% decrease from last year's 631 informal requests.

## Completion Times for Closed Requests

The 703 ATI requests closed by ISED during the reporting period were completed within the following timeframes:

- 253 within 1 to 15 days (36%)
- 229 within 16 to 30 days (33%)
- 74 within 31 to 60 days (11%)
- 62 within 61 to 120 days (9%)
- 29 within 121 to 180 days (4%)
- 49 within 181 to 365 days (7%)
- 7 more than 365 days (less than 1%)

## Disposition of Requests

The disposition of the 703 completed ATI requests is as follows:

- 142 were fully disclosed (20%)
- 283 were disclosed in part (40%)
- 155 had no existing records (22%)
- 34 were abandoned (5%)
- 81 were transferred (12%)
- 5 were all exempted (1%)
- 3 were all excluded (less than 1%)

Records were fully disclosed in 20% of cases, approximately the same as the 19% of cases in 2019–2020, while 40% were disclosed in part, compared to 53% the previous year. Also, records were fully exempted and excluded in less than 1% and 1% of requests, respectively, similar to 2019–2020.

## Vexatious Requests

The June 21, 2019, changes to the *Access to Information Act*, brought about by the royal assent of Bill C-58, allow institutions to seek the approval of the Information Commissioner of Canada to refuse to act on vexatious requests (requests made frivolously, which are not reasonably purposeful and are filed solely to cause annoyance).

ISED received no vexatious requests in 2020–2021 and therefore had no cause to seek any refusals to act from the Commissioner.

## Limits to the Right of Access – Exemptions and Exclusions

Exemptions in accordance with sections 13 through 24 of the *Access to Information Act* were invoked by the Department as outlined in the Annual Statistical Report at Annex A. Several exempting provisions can be applied to withhold information in response to one request, and these are reported separately in the statistical report. However, the same exempting provision invoked to withhold information more than once within the same request is reported only once in the statistical report. The following are those most frequently used:

- section 19 (personal information): 35 uses
- section 20 (third-party information): 164 uses
- section 21 (advice to government): 427 uses

The Department has several statutory exempting provisions recognized under the *Access to Information Act*, pursuant to section 24. Such exemptions are most frequently applied to information relating to the *Competition Act* and the *Investment Canada Act*, and ISED invoked section 24 of the *Access to Information Act* on 14 occasions during the reporting period.

The *Access to Information Act* does not apply to published material, material available for purchase by the public (section 68 of the Act), or confidences of the Queen's Privy Council for Canada (Cabinet confidences) (section 69 of the Act). Annex A shows the frequency these exclusions were invoked, involving nine occasions to exclude published material and six occasions to protect Cabinet confidentiality.

## Sources of Requests

The media and business communities continued to represent the most frequent types of requesters, representing 63% of all new requests received in 2020–2021 (55% and 8%, respectively). Requesters who declined to self-identify with a "requester type" increased to 25% (as compared to 14% in the previous year).

Organizations and members of the public submitted 8% of total requests received (10% in the previous year). Consistent with previous years, academic institutions submitted the fewest requests, at 4% (unchanged from the previous year).



## Extensions

In 2020-2021, ISED invoked extensions on ATI requests on 64 occasions for different reasons and lengths.

Consultations with other federal or private sector organizations accounted for 36 of the extensions (56%); negotiating with or awaiting on approvals of third parties accounted for 19 cases (30%); and, unreasonable interference with the operations of government was cited the remaining nine extensions (14%).

The lengths of the extensions taken are as follows:

- 30 days or less, 15 cases (23%)
- 31 to 60 days, 35 cases (55%)
- 61 to 120 days, 14 cases (22%)

## Topics and Formats of Information Requested

To the exclusion of COVID-19, the topics of information requested during the year were similar to those reported in previous years. Most notably, the most requested topics touched on business issues (220 requests, representing 15% of new cases) and telecommunications (218 requests, also representing 15% of new cases). This year, COVID-19 emerged as a key topic of interest, rounding out the top three most requested topics with 195 requests (representing 13% of new requests). The remaining 842 requests, representing the final 57% of cases, pertained to a combination of other ISED business topics, such as grants and contributions and other funding agreements, intellectual property, competition, science, federally incorporated companies, bankruptcy and insolvency, innovation superclusters, and the automotive and aerospace sectors.

The most requested format of information has remained, five years running, requests for briefing notes, with such requests seeing a sharp increase in volume since Bill C-58 introduced new proactive publishing requirements to the *Access to Information Act* in June 2019. This year saw 987 requests for information in the form of briefing notes (representing 67% of new requests).

Year	2020–21	2019–20	2018–19	2017–18
Total New Requests	1,475	913	1,110	1,700
Requests for Briefing Notes	987 67%	475 52%	632 57%	1,207 71%

## Consultations Completed for Other Institutions

ISED managed a case load of 224 consultation requests from other departments and institutions, including 191 newly received during the year and 33 that were carried over from the

previous year. Of the total case load of 224 cases, the Department completed 143 requests and carried forward 81 cases to the new year.

Of the 143 completed access consultations, ISED recommended disclosure, in full or in part, for 114 cases (80%), with exemptions or other actions being recommended for the remaining 29 cases (20%).

With respect to the processing times of consultations, 80 cases (56%) were completed within two months. A further 34 cases (24%) took up to four months to complete and 28 cases (20%) between four and 12 months to complete. One request took longer than a full year to complete.

## COVID-19 Impacts and Operational Measures

In March 2020, the emerging pandemic necessitated a full-scale shift in the workplace, which included implementation of telework practices, coupled with the rapid adoption of the use of remote working tools and technology. Through this change, ISED took steps to protect the safety of its employees by respecting the pandemic-related health orders and recommendations issued by all levels of government. New safety measures were put in place for those employees who periodically needed to be physically present in the office for work.

The ATIP Services team continued to ensure that it delivered on its core mandate responsibilities effectively in light of the COVID-19 pandemic. Telework operations that went into effect in March 2020 remained in effect throughout 2020–2021, which allowed ATIP operations to continue at near full capacity. In addition, a suite of new communication tools was developed and used to better explain to applicants the delays and other issues in responding to their requests as a result of the pandemic (i.e., why a partial response may have been provided on an interim basis).

While ISED's ATIP operations continued at near full capacity via telework, the inability of ATIP employees—and other ISED and Government of Canada employees—to work on-site continued to limit some operations. This included, in particular, the lack of the ability off-site to electronically process Secret and Cabinet-level information in relation to ATI requests and to conduct consultations with other departments and organizations, including third-party stakeholders, who may have also been affected by restrictions in place as a result of COVID-19.

## Annual Statistical Report

TBS prescribes requirements for annual statistical reports on the *Access to Information Act*, which must comprise part of the corresponding annual reports to Parliament. ISED's Annual Statistical Report on the *Access to Information Act* is enclosed with this report as Annex A.

## Fees and Operating Costs

### Access to Information Fees

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*.

During the reporting period, ISED collected fees totalling \$2,670 for 534 of its 1,475 newly received ATI requests.

Pursuant to the Interim Directive on the Administration of the *Access to Information Act*, issued by TBS on May 5, 2016, and the changes to the *Access to Information Act* that came into force on June 21, 2019, ISED waives all fees prescribed by the Act and its Regulations, to the exclusion of the \$5 application fee prescribed by paragraph 7(1)(a) of the Regulations.

To help ensure that requests are more manageable in volume and deliver responses in a more timely fashion, ISED frequently separates large requests for voluminous information or those that touch upon multiple subjects (e.g., briefing notes) and waives additional application fees in respect of those separated requests. In 2020–2021, ISED waived \$4,705 (representing 941 cases) through this smart practice.

### Operating Costs

The cost of delivering ISED's Access to Information program and services for 2020–2021 was \$1,237,104, based on salary costs and operating expenses.

Salary costs for 2020–2021 totalled \$1,156,331, equating to 13.73 full-time employees, including students, when averaged over the year.

Operating expenses for the year totalled \$80,773, the majority of which was for licensing fees for two case management systems. Other expenses included in this total are stationery, postage, and other administrative costs, such as the HTML-coding of information to meet proactive publishing requirements.

## Training and Awareness

Enhanced awareness and knowledge of ATIP obligations on the part of departmental officials has shown to improve the quality of responses and ISED's rate of compliance with legal obligations.

Throughout 2020–2021, ATIP Services delivered numerous training and awareness sessions to employees across the Department on both the *Access to Information Act* and the *Privacy Act*

(and their requirements). In total, 23 training sessions relating to access to information and/or privacy were delivered to 405 employees, as follows:

- **ATIP 101 at ISED:** An overview of the legislation, associated timelines, and processes, as well as the role of the Department, the courts, and the Information and Privacy Commissioners of Canada, combined with a more in-depth look at the exempting and excluding provisions of the *Access to Information Act*, focusing on the top three such provisions used most frequently at ISED, and how to identify information pertaining to those provisions.
  - 12 sessions, 168 participants
- **ATIP for Ministers' Offices:** Training for staff in Ministers' Offices, providing a high-level overview of legislative requirements and interpretations, and how the ATIP function works within the Department.
  - 3 sessions, 9 participants
- **Personal Information Boot Camp:** Comprehensive training focused solely on the *Privacy Act* and its related policy requirements, including the concept of 'informed consent,' privacy notice statements, privacy impact assessments, and privacy breach administration. This includes an in-depth look at the type and volume of personal information that exists within the Department and the requirements surrounding the collection and use of personal information in relation to ISED and other Government of Canada programs.
  - 7 sessions, 194 participants
- **ATIP Process for GCdocs:** This presentation was developed to familiarize the Department's sectoral ATIP liaison officers with a new process for responding to ATIP requests solely electronically (paperless) using the Department's official recordkeeping system, GCdocs.
  - 1 session, 34 participants

## Policies, Guidelines, Procedures, and Initiatives

To improve the administration of the ATIP program and to ensure that TBS ATIP policies are respected and implemented, ATIP Services traditionally develops and updates various internal guidelines, procedures, and business practices and makes them available to ATIP and departmental staff throughout the year. This included the following:

- Developed various texts to allow ATIP employees to more effectively communicate to applicants the COVID-19-related circumstances that may impact responses to their requests (such as why a response is delayed or why a partial response is being provided on an interim basis);

- Held weekly team roundtable discussions on the operational issues staff encountered while working remotely and how to mount the best response to those issues moving forward;
- Maintained ongoing collaboration with ISED stakeholders to assess and potentially mitigate the impact of the pandemic on the effective processing of ATIP requests;
- Successfully onboarded a new ATIP case management system, which is user-friendly and offers enhanced reporting features;
- Held consultation sessions with internal stakeholders and ISED portfolio representatives on input to stage one of the Access to Information Act review led by TBS;
- Held monthly teleconferences with the Office of Access to Information Commissioner, resulting in streamlined processes; and,
- Developed tools to assist ISED and portfolio partners in the event of a privacy breach.

Finally, ATIP Services continued to enhance its intranet site—where all departmental employees can access plans, reports, acts, regulations, policies, directives, training decks, procedures, and checklists in one convenient place.

## Key Issues and Actions Taken on Complaints

Applicants have the right to register a complaint with the Office of the Information Commissioner of Canada regarding any matter relating to the processing of their requests, and several complaints can be linked to the same request.

ISED received 12 new complaint notices during the reporting period, as compared to 22 during 2019–2020, a 46% decrease. These 12 complaints represent less than 1% of the total ATI requests received for this reporting period (and less than 2% of the total requests closed). The types of complaints received have been identified in the table below.

The Information Commissioner issued findings on one complaint investigation during the reporting period. Seven other complaints were either abandoned or resolved. The nature of these complaints, their findings, and other concluding reasons are summarized as follows:

Complaint type	Received	Completed	Findings
Refusal – exclusions	0	1	1 – Abandoned
Refusal – exemptions	3	3	3 – Abandoned
Refusal – general (i.e., missing information, inadequate search, no records, etc.)	0	1	1 – Abandoned
Delay	9	2	1 – Resolved 1 – Not well founded
<b>Total</b>	<b>12</b>	<b>7</b>	

**Note:** Some of the completed complaints include cases that were in progress at the time of the last annual report. As a result, the chart may show no complaints received but a positive number completed.

One new Federal Court challenge was received during the reporting period, pursuant to section 41 of the *Access to Information Act* (request for review by a complainant), and no challenges were received pursuant to sections 42 or 44 of the Act (request for review by a third party).

No audits relating to the administration of the *Access to Information Act* were conducted during the reporting period.

## Monitoring Compliance

With respect to monitoring the processing time of requests, ATIP Services has a number of measures in place. ATIP Services has continued the following business practices:

- Managers regularly review and monitor the status of access requests using the ATIP case management system;
- Managers regularly review the status of consultation processes on access requests using the ATIP case management system;
- Managers conduct weekly bilateral meetings with staff to review work plans and establish priorities; and
- Managers report weekly to the Director on requests to be closed as well as on-time compliance and issues delaying or otherwise affecting processing.

ATIP Services also has an escalation process to address delays in responses to taskings.

ATIP Services management also meets on a regular basis with representatives of the Office of the Information Commissioner to address outstanding complaints and learn new approaches that could increase compliance and avoid future complaints.

ATIP training sessions address and reinforce the importance of respecting the legislated 30-day timeline.

In 2021-2022, ATIP Services will produce quarterly dashboards intended to further support monitoring and increase compliance within the department, including sector performance and complaints, and report to senior management on overall departmental performance.

# ANNEX A

## Annual Statistical Report for TBS

### Statistical Report on the *Access to Information Act*

**Name of institution:** Innovation, Science and Economic Development Canada

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

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

##### 1.1 Number of requests

	Number of Requests
Received during reporting period	1475
Outstanding from previous reporting period	361
<b>Total</b>	1836
Closed during reporting period	703
Carried over to next reporting period	1133

##### 1.2 Sources of requests

Source	Number of Requests
Media	815
Academia	57
Business (private sector)	123
Organization	9
Public	103
Decline to Identify	368
<b>Total</b>	1475

##### 1.3 Informal requests

Completion Time							
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
16	92	183	98	7	1	2	399

## 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
<b>Total</b>	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	26	65	13	16	8	14	0	142
Disclosed in part	103	65	23	34	20	31	7	283
All exempted	0	4	1	0	0	0	0	5
All excluded	0	2	0	1	0	0	0	3
No records exist	17	90	34	9	1	4	0	155
Request transferred	80	1	0	0	0	0	0	81
Request abandoned	27	2	3	2	0	0	0	34
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
<b>Total</b>	253	229	74	62	29	49	7	703



### 3.2 Exemptions

Section	Number of Requests	Section	Number of Requests	Section	Number of Requests	Section	Number of Requests
13(1)(a)	3	16(2)	0	18(a)	0	20.1	0
13(1)(b)	1	16(2)(a)	0	18(b)	9	20.2	0
13(1)(c)	6	16(2)(b)	0	18(c)	0	20.4	0
13(1)(d)	2	16(2)(c)	10	18(d)	0	21(1)(a)	201
13(1)(e)	0	16(3)	0	18.1(1)(a)	0	21(1)(b)	220
14	1	16.1(1)(a)	0	18.1(1)(b)	0	21(1)(c)	5
14(a)	5	16.1(1)(b)	0	18.1(1)(c)	0	21(1)(d)	1
14(b)	3	16.1(1)(c)	0	18.1(1)(d)	0	22	0
15(1)	14	16.1(1)(d)	0	19(1)	35	22.1(1)	0
15(1) - I.A.*	0	16.2(1)	0	20(1)(a)	0	23	9
15(1) - Def.*	5	16.3	0	20(1)(b)	81	23.1	0
15(1) - S.A.*	0	16.31	0	20(1)(b.1)	4	24(1)	14
16(1)(a)(i)	0	16.4(1)(a)	0	20(1)(c)	77	26	0
16(1)(a)(ii)	0	16.4(1)(b)	0	20(1)(d)	2		
16(1)(a)(iii)	0	16.5	0				
16(1)(b)	4	16.6	0				
16(1)(c)	3	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)	9	69(1)	0	69(1)(g) re (a)	4
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)	1
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)	1	69(1)(g) re (f)	0
		69(1)(f)	0	69.1(1)	0

### 3.4 Format of information released

Paper	Electronic	Other
0	423	2

### 3.5 Complexity

#### 3.5.1 Relevant pages processed and disclosed

Number of Pages Processed	Number of Pages Disclosed	Number of Requests
12091	9595	467

#### 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	132	1335	8	1530	1	982	1	1045	0	0
Disclosed in part	272	2530	11	1790	0	0	0	0	0	0
All exempted	4	0	0	0	1	0	0	0	0	0
All excluded	3	0	0	0	0	0	0	0	0	0
Request abandoned	33	104	1	279	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
<b>Total</b>	444	3969	20	3599	2	982	1	1045	0	0

### 3.5.3 Other complexities

Disposition	Consultation Required	Assessment of Fees	Legal Advice Sought	Other	Total
All disclosed	13	0	1	0	14
Disclosed in part	48	0	2	0	50
All exempted	0	0	0	0	0
All excluded	0	0	1	0	1
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
<b>Total</b>	61	0	4	0	65

### 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	531
Percentage of requests closed within legislated timelines (%)	75.5

### 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
172	97	23	19	33

### 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	29	5	34
16 to 30 days	13	4	17
31 to 60 days	11	5	16
61 to 120 days	34	7	41
121 to 180 days	19	8	27
181 to 365 days	28	9	37
More than 365 days	0	0	0
<b>Total</b>	134	38	172

### 3.8 Requests for translation

Translation Requests	Accepted	Refused	Total
English to French	0	0	0
French to English	0	0	0
<b>Total</b>	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	1	0	9	2
Disclosed in part	8	0	25	17
All exempted	0	1	0	0
All excluded	0	0	1	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
<b>Total</b>	9	1	35	19

## 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	2	0	13	0
31 to 60 days	4	0	15	16
61 to 120 days	3	1	7	3
121 to 180 days	0	0	0	0
181 to 365 days	0	0	0	0
365 days or more	0	0	0	0
<b>Total</b>	9	1	35	19

## Section 5: Fees

Fee Type	Fee Collected		Fee Waived or Refunded	
	Requests	Amount	Requests	Amount
Application	534	\$2,670	941	\$4,705
Other fees	0	\$0	0	\$0
<b>Total</b>	534	\$2,670	941	\$4,705

## 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	188	5703	3	12
Outstanding from the previous reporting period	33	1433	0	0
<b>Total</b>	221	7136	3	12
Closed during the reporting period	141	3723	2	10
Carried over to next reporting period	80	3413	1	2

## 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	14	12	13	17	5	5	0	66
Disclose in part	2	7	9	11	10	6	1	46
Exempt entirely	6	1	1	0	0	0	0	8
Exclude entirely	0	0	0	0	0	1	0	1
Consult other institution	0	0	0	2	0	0	0	2
Other	8	2	3	4	1	0	0	18
<b>Total</b>	<b>30</b>	<b>22</b>	<b>26</b>	<b>34</b>	<b>16</b>	<b>12</b>	<b>1</b>	<b>141</b>

## 6.3 Recommendations and completion time for consultations received from other

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

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

## 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	3	14	0	0	0	0	0	0	0	0
16 to 30	2	40	0	0	0	0	0	0	0	0
31 to 60	0	0	0	0	0	0	0	0	0	0
61 to 120	1	0	1	361	0	0	0	0	0	0
121 to 180	0	0	0	0	0	0	0	0	0	0
181 to 365	1	23	0	0	0	0	0	0	0	0
More than 365	0	0	0	0	0	0	0	0	0	0
<b>Total</b>	<b>7</b>	<b>77</b>	<b>1</b>	<b>361</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>

## 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
12	0	0	1	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
1	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		\$1,156,331
Overtime		\$0
Goods and Services		\$80,773
• Professional services contracts	\$0	
• Other	\$80,773	
<b>Total</b>		<b>\$1,237,104</b>

### 10.2 Human Resources

Resources	Person Years Dedicated to Access to Information Activities
Full-time employees	11.590
Part-time and casual employees	0.000
Regional staff	0.000
Consultants and agency personnel	0.000
Students	2.140
<b>Total</b>	<b>13.730</b>



# Annex B

## Delegation of ATIP Authority

### Delegation in effect on the last day of 2020–2021

**Industry Canada** (to be known as Innovation, Science and Economic Development)

**Industrie Canada** (qui sera connu sous le nom d’Innovation, Sciences et Développement économique)

#### *Access to Information Act and Privacy Act Delegation Order*

#### *Arrêté sur la délégation en vertu de la Loi sur l'accès à l'information et de la Loi sur la protection des renseignements personnels*

The Minister of Industry Canada, pursuant to section 73 of the *Access to Information Act* and the *Privacy 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 and functions of the Minister as the head of a government institution, under the section of the Acts set out in the schedule opposite each position. This Delegation Order supersedes all previous Delegation Orders

En vertu de l'article 73 de la *Loi sur l'accès à l'information* et la *Loi sur la protection des renseignements personnels*, le Ministre d'Industrie Canada délègue aux titulaires des postes mentionnés à l'annexe ci-après, ainsi qu'aux personnes occupant à titre intérimaire les-dits postes, les attributions dont il est, en qualité de responsable d'une institution fédérale, investie par les articles des lois mentionnées en regard de chaque poste. Le présent décret de délégation remplace et annule tout décret antérieur

#### **Schedule / Annexe**

<u>Position / Poste</u>	<i>Access to information Act and Regulations / Loi sur l'accès à l'information et règlements</i>	<i>Privacy Act and Regulations / Loi sur la protection des renseignements personnels et règlements</i>
Corporate Secretary / Secrétaire général	Full authority / Autorité absolue	Full authority / Autorité absolue
Director, Access to Information and Privacy (ATIP) Services / Directeur (trice), Service de l'accès à l'information et à la protection des renseignements personnels (AIPRP)	Full authority / Autorité absolue	Full authority / Autorité absolue

Manager, ATIP Services /  
Gestionnaire, Services de  
l'AIPRP

Full authority / Autorité  
absolue

Full authority / Autorité  
absolue

And / et

Senior Advisor, ATIP  
Services / Conseiller (ère)  
principal(e), Services de  
l'AIPRP

Section / Articles: 7, 8(1), 9,  
11(4)(5), 13, 14, 15, 16, 17,  
18, 19, 20, 21, 22, 23, 24, 25,  
26, 27(1), 68, 69

Section / Articles : 8(1), 14,  
15, 19, 20, 21, 22, 23, 24, 25,  
26, 27, 28, 69, 70

Dated, at the City of Ottawa  
this 10 day of June

, 2016

Daté, en la ville d'Ottawa  
ce 10 jour de juin

2016

THE HONOURABLE NAVDEEP SINGH BAINS  
MINISTER OF INDUSTRY CANADA  
(to be known as Minister of INNOVATION,  
SCIENCE AND ECONOMIC DEVELOPMENT)



MINISTRE D'INDUSTRIE CANADA  
(identifié comme Ministre d'INNOVATION, SCIENCES  
et DÉVELOPPEMENT ÉCONOMIQUE)  
L'HONORABLE NAVDEEP SINGH BAINS