



Innovation, Science and  
Economic Development Canada

Innovation, Sciences et  
Développement économique Canada



# **2021–2022**

## **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 2021–2022, ISED supported four ministers:

- the Minister of Innovation, Science and Industry;
- the Minister of International Trade, Export Promotion, Small Business and Economic Development;
- the Minister of Tourism and Associate Minister of Finance; and
- the Minister of 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 at ISED. The ATIP team has a complement of 23 employees, consisting of one director at the executive level, three managers, 17 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. However, ISED currently has no such agreements in place.

## Delegation of Authority

The ATIP Delegation Order in effect on the last day of this reporting period was approved on May 18, 2021. 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 Deputy Minister and Corporate Secretary as well as to the ATIP Services Director and managers (see Annex B).

# Performance

## Responses Within Legislated Timelines

In 2021–2022, 844 access to information requests were brought to conclusion (20% more than the previous year's 703 closures). Of these, 536 were concluded within legislated timelines, resulting in on-time performance of 63.5% (12% lower than in 2020–2021, when ISED's on-time performance was 75.5%).

## Factors Affecting Performance

- Complexity of new requests: An increase in the number of requests for the department's industry and innovation-related program files (33% and 38% respectively) necessitated far greater efforts to identify and protect sensitive information. This is particularly evident in consideration of the number of redactions that were necessary to protect third party information (167% more than the previous year), information pertaining to government operations and advice (92% more than the previous year), and Cabinet confidence (2,366% more than the previous year). See the Annual Statistical Report at Annex A.
- Consultations with other parties: ISED processed 312 consultation requests during the reporting period, representing an overall increase of 39% compared with the previous year's case load of 224 requests. Of this case load, 255 consultations were brought to conclusion (78% more than last year's 143 conclusions) requiring significantly more effort and processing time.
- Proactive Publication: ISED's ATIP Services published 1,590 briefing note titles and reference numbers, as required by the *Access to Information Act's* proactive publication provisions. In addition, ISED ministers appeared before various committees of Parliament on six occasions, the briefing materials for which required full disclosure. These efforts are in addition to other proactive publication reviews, such as those for Question Period cards, transition briefing materials, monthly disclosures of completed ATI requests, and departmental audit and evaluation reports. Proactive publication requirements continue to impact ATIP Services' human resources significantly.
- 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 212 such questions this year.
- COVID-19 Pandemic: ISED's ATIP Services team remained operational through the COVID-19 pandemic, with some limitations. With the easing of pandemic-related public health measures by all levels of government, ATIP Services staff members are now working on-site more frequently which has facilitated the processing of documents with higher classifications and allowed for increased consultation with third parties and

employees within the department. ISED continues to transition to a fully hybrid workplace model which is expected to further facilitate the processing and review of ATIP requests.

## Multi-Year Trends

ISED received a total of 1,206 new ATI requests in 2021–2022, compared to 1,475 new requests in 2020–2021. This represents an 18% decline, year-over-year. In addition, 1,131 incomplete requests were carried from the previous fiscal year into 2021–2022 (see the table under the section, Requests Outstanding and Carried-Forward, below). This resulted in a total caseload in 2021–2022 of 2,337 requests (1,206 plus 1,131).

Of these 2,337 requests, 844 were closed during the 2021–2022 reporting period, and 1,493 were carried forward into 2022–2023. These 1,493 cases represent a 32% increase over the 1,131 cases that were carried forward from 2020–2021.

Additionally, ISED managed 312 consultation requests from other Government of Canada institutions and other organizations (231 new during the reporting period and 81 that were carried over from the previous year). This represents a 39% increase compared with last year's consultation case load of 224 requests. Of the current 312 consultation requests, 255 were closed (78% more than last year's 143 closures) and 57 were carried forward to 2022–2023.

The Department also received and completed 492 informal requests for copies of previously released ATI requests, a 23% increase from last year's 399 informal requests.

## Requests Outstanding and Carried-Forward

Requests Outstanding (Carried-in from 2020–21):

<b>Fiscal Year Requests Were Received</b>	<b>Requests Still On-time as at March 31, 2021</b>	<b>Requests Overdue as at March 31, 2021</b>	<b>Total</b>
<b>2020–2021</b>	364	483	<b>847</b>
<b>2019–2020</b>	9	187	<b>196</b>
<b>2018–2019</b>	6	52	<b>58</b>
<b>2017–2018</b>	1	28	<b>29</b>
<b>2016–2017</b>	1	0	<b>1</b>
<b>Total</b>	<b>381</b>	<b>750</b>	<b>1,131</b>

### Requests Carried-Forward (Carried-out to 2022-23):

<b>Fiscal Year Requests Were Received</b>	<b>Open Requests that were <u>Within</u> Legislated Timelines as at March 31, 2022</b>	<b>Open Requests that were <u>Beyond</u> Legislated Timelines as at March 31, 2022</b>	<b>Total</b>
<b>2021-2022</b>	288	395	<b>683</b>
<b>2020-2021</b>	112	453	<b>565</b>
<b>2019-2020</b>	7	157	<b>164</b>
<b>2018-2019</b>	6	46	<b>52</b>
<b>2017-2018</b>	1	28	<b>29</b>
<b>Total</b>	<b>414</b>	<b>1,079</b>	<b>1,493</b>

### Completion Times for Closed Requests

The 844 ATI requests closed by ISED during the reporting period were completed within the following timeframes:

- 59 within 1 to 15 days (7%)
- 148 within 16 to 30 days (18%)
- 120 within 31 to 60 days (14%)
- 156 within 61 to 120 days (19%)
- 63 within 121 to 180 days (7%)
- 159 within 181 to 365 days (19%)
- 139 more than 365 days (16%)

### Disposition of Requests

The disposition of the 844 completed ATI requests is as follows:

- 174 were fully disclosed (21%)
- 491 were disclosed in part (58%)
- 78 had no existing records (9%)
- 31 were abandoned (4%)
- 28 were transferred (3%)
- 16 were all exempted (2%)
- 26 were all excluded (3%)

Records were fully disclosed in 21% of cases, approximately the same as the 20% of cases in 2020–2021, while 58% were disclosed in part, compared to 40% the previous year. Also, records were fully exempted and excluded in 2% and 3% of requests, respectively, similar to 2020–2021.

## 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 2021–2022 and therefore had no cause to seek any authorizations for 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): 92 uses
- section 20 (third-party information): 438 uses
- section 21 (advice to government): 820 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 13 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, and include eight occasions to exclude published material and 148 occasions to protect Cabinet confidentiality.

## Sources of Requests

The media and business communities continued to represent the most frequent types of requesters, representing 67% of all new requests received in 2021–2022 (57% and 10%, respectively). Requesters who declined to self-identify with a "requester type" declined slightly to 22% (as compared to 25% in the previous year).

Organizations and members of the public submitted 9% of total requests received (8% in the previous year). Consistent with previous years, academic institutions submitted the fewest requests, at 2% (a 2% decrease from the previous year).

## Extensions

In 2021-2022, ISED invoked extensions on ATI requests on 166 occasions for different reasons and lengths.

Consultations on suspected Cabinet confidences accounted for 40 of the extensions (24%); negotiating with or awaiting on approvals of third parties (including other Government of Canada institutions) accounted for 111 cases (67%); and, unreasonable interference with the operations of government was cited the remaining 15 extensions (9%).

The lengths of the extensions taken were as follows:

- 30 days or less, 38 cases (23%)
- 31 to 60 days, 65 cases (39%)
- 61 to 120 days, 57 cases (34%)
- 121 to 180 days, 4 cases (2%)
- 181 to 365 days, 1 case (-1%)
- 365 days or more, 1 case (-1%)

## Topics and Formats of Information Requested

As in the previous year, the top-three most-requested topics of information remained (in order of rank) business issues (281 requests, representing 23% of new cases), telecommunications (180 requests, representing 15% of new cases) and COVID-19 (75 requests, representing 6% of new cases). The remaining 670 requests, representing the final 56% of cases, pertained to a combination of other ISED business topics, such as grants and contributions and other funding programs, intellectual property, competition, science, bankruptcy and insolvency, innovation superclusters, and the automotive and aerospace sectors.

The most requested format of information continues to be in the form of 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 886 requests for information in the form of briefing notes (representing 73% of new requests).

Year	2021–22	2020–21	2019–20	2018–19	2017–18
Total New Requests	1,206	1,475	913	1,110	1,700
Requests for Briefing Notes	886 73%	987 67%	475 52%	632 57%	1,207 71%

## Consultations Completed for Other Institutions

ISED managed a case load of 312 consultation requests from other departments and institutions, including 231 newly received during the year and 81 that were carried over from the previous year. Of the total case load of 312 cases, the Department completed 255 requests

(78% more than the previous year's 143 completed requests) and carried forward 57 cases to the new year.

Of the 255 completed access consultations, ISED recommended disclosure, in full or in part, for 233 cases (91%), with exemptions or other actions being recommended for the remaining 22 cases (9%).

With respect to the processing times of consultations, 164 cases (64%) were completed within two months. A further 38 cases (15%) took up to four months to complete and 42 cases (16%) between four and 12 months to complete. Eleven requests (5%) 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 effectively on its core mandate responsibilities in light of the COVID-19 pandemic. Telework operations that went into effect in March 2020 remained in effect throughout 2021–2022, with ATIP Services team members working on-site as needed and permitted by restrictions. This allowed ATIP operations to continue at near full capacity, to intake new requests and process information to respond to ongoing requests. New communication tools that 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) continued to be used throughout 2021–2022.

As mentioned, while multiple ATIP Services Team members are now working on-site more frequently, partial limits remain on the extent to which consultations with departmental employees and third parties can be carried out. This includes limits on the ability to electronically process secret and Cabinet-level information in relation to ATI requests and, to a lesser extent, the ability to conduct consultations with other departments and organizations, including third-party stakeholders.

At the time of this report, ISED is beginning to transition to a fully hybrid workplace model, which will result in daily on-site attendance of all ATIP team members on a rotational basis. This transition is expected to fully restore processing capacity to a pre-pandemic level.

While 2021–22 saw the introduction of solutions to challenges posed by the pandemic, the upcoming year will see the department continue to enhance its management of the ATIP process for the benefit of Canadians. This includes exploring emerging technological solutions, the hiring of temporary external capacity where appropriate, ongoing engagement with the ATIP community to share best practices, and engaging across the department to strengthen ATIP timeliness and responsiveness.

## 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*.

In accordance with the changes to the *Access to Information Act* that came into force on June 21, 2019, ISED may only charge an application fee of \$5, as set out in paragraph 7(1)(a) of the *Access to Information Regulations*. Pursuant to the Directive on Access to Information Requests, issued on July 13, 2022, institutions can waive this application fee as deemed appropriate.

During the reporting period, ISED collected fees totalling \$2,120 for 424 of its 1,206 newly received ATI requests.

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 2021–2022, ISED waived \$3,910 (representing 782 cases) through this smart practice.

### Operating Costs

The cost of delivering ISED's Access to Information program and services for 2021–2022 was \$1,588,379, based on salary costs and operating expenses.

Salary costs for 2021–2022 totalled \$1,507,807, equating to 18.315 full-time employees, including students, when averaged over the year.

Operating expenses for the year totalled \$80,572, 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, 41 training sessions relating to access to information and/or privacy were delivered to 1,299 employees (220% more than the 405 employees trained last year), 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. This session is also offered in a modified format, on-demand, to focus solely on either the *Access to Information Act* or the *Privacy Act*.
  - 37 sessions, 1,242 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.
  - 1 session, 10 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.
  - 3 sessions, 47 participants

Employee response to ATIP training has remained overwhelmingly positive. In 2021-2022, 77% of survey respondents indicated they would recommend the same training to another colleague, 92% indicated their knowledge of ATIP improved moderately or substantially, and 100% indicated they learned something new by attending.

## 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:

- Continued to use various texts developed in the previous year, 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 all-staff meetings and semi-weekly management team meetings to discuss emerging and ongoing operational and policy issues;
- Maintained ongoing collaboration with ISED stakeholders to assess and potentially mitigate the impact of the pandemic on the effective processing of ATIP requests;
- Contributed input to stage two of the *Access to Information Act* review activities being led by TBS;
- Held monthly teleconferences with the Office of Access to Information Commissioner, resulting in streamlined processes; and,
- Developed guidance on the development and application of non-disclosure agreements vis-à-vis the *Access to Information Act*.

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 39 new complaint notices during the reporting period, as compared to 12 during 2020–2021, a 225% increase year-over-year. These 39 complaints represent 3% of the total ATI requests received for this reporting period (and less than 5% of the total requests closed). The types of complaints received have been identified in the table below.

The Information Commissioner issued findings on 20 complaint investigation during the reporting period. Six 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 – exemptions	9	2	1 – Well founded 1 – Resolved
Refusal – general (i.e., missing information, inadequate search, no records, etc.)	4	3	3 – <u>Not</u> well founded
Delay	26	15	4 – Resolved 11 – Well founded
<b>Total</b>	<b>39</b>	<b>20</b>	

**Note:** Some of the completed complaints include cases that were in progress during the last fiscal year and therefore do not all represent 2021-2022 complaints (see the table under: Total Outstanding Complaint Inventory by Year Received, on the following page).

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

#### Total Outstanding Complaint Inventory by Year Received

Fiscal Year Complaints Were Received	Number of Outstanding Complaints
<b>2021-2022</b>	28
<b>2020-2021</b>	7
<b>2019-2020</b>	6
<b>2018-2019</b>	12
<b>2017-2018</b>	1
<b>Total</b>	<b>54</b>

## 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.

## ANNEX A

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

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

**Reporting period:** 2021-04-01 to 2022-03-31

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

#### 1.1 Number of requests

		Number of Requests
Received during reporting period		1,206
Outstanding from previous reporting periods		1,131
• Outstanding from previous reporting period	848	
• Outstanding from more than one reporting period	283	
<b>Total</b>		2,337
Closed during reporting period		844
Carried over to next reporting period		1,493
• Carried over within legislated timelines	414	
• Carried over beyond legislated timelines	1,079	

#### 1.2 Sources of requests

Sources	Number of Requests
Media	684
Academia	26
Business (private sector)	119
Organization	5
Public	106
Decline to Identify	266
<b>Total</b>	1,206

#### 1.3 Channels of requests

Source	Number of Requests
Online	1,155
E-mail	29
Mail	22
In-person	0
Telephone	0
Facsimile	0
<b>Total</b>	1,206

## Section 2: Informal Requests

### 2.1 Number of informal requests

		Number of Requests
Received during reporting period		492
Outstanding from previous reporting periods		10
• Outstanding from previous reporting period	10	
• Outstanding from more than one reporting period	0	
<b>Total</b>		502
Closed during reporting period		437
Carried over to next reporting period		65

### 2.2 Channels of informal requests

Source	Number of Requests
Online	384
E-mail	108
Mail	0
In-person	0
Telephone	0
Facsimile	0
<b>Total</b>	492

### 2.3 Completion time of informal requests

Completion Time							
1-15 Days	16-30 Days	31-60 Days	61-120 Days	121-180 Days	181-365 Days	+ 365 Days	Total
30	115	223	68	1	0	0	437

### 2.4 Pages released informally

Less Than 100 Pages Released		100-500 Pages Released		501-1000 Pages Released		1001-5000 Pages Released		+ 5000 Pages Released	
# of Requests	Pages Released	# of Requests	Pages Released	# of Requests	Pages Released	# of Requests	Pages Released	# of Requests	Pages Released
0	0	0	0	0	0	0	0	0	0

## 2.5 Pages re-released informally

Less Than 100 Pages Re-released		100-500 Pages Re-released		501-1000 Pages Re-released		1001-5000 Pages Re-released		+ 5000 Pages Re-released	
# of Requests	Pages Released	# of Requests	Pages Released	# of Requests	Pages Released	# of Requests	Pages Released	# of Requests	Pages Released
409	5,278	27	4,963	1	763	0	0	0	0

## Section 3: Applications to the Information Commissioner on Declining to Act on 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
Withdrawn during reporting period	0
Carried over to next reporting period	0

## Section 4: Requests Closed During the Reporting Period

### 4.1 Disposition and completion time

Disposition of Requests	Completion Time							Total
	1-15 Days	16-30 Days	31-60 Days	61-120 Days	121-180 Days	181-365 Days	+ 365 Days	
All disclosed	21	82	17	11	5	27	11	174
Disclosed in part	96	99	62	66	27	62	79	491
All exempted	4	5	2	0	2	3	0	16
All excluded	13	2	1	0	1	5	4	26
No records exist	7	59	8	2	0	2	0	78
Request transferred	28	0	0	0	0	0	0	28
Request abandoned	18	5	2	1	0	1	4	31
Neither confirmed nor denied	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
<b>Total</b>	187	252	92	80	35	100	98	844

## 4.2 Exemptions

Section	# of Requests	Section	# of Requests	Section	# of Requests	Section	# of Requests
13(1)(a)	3	16(1)(b)	1	16.5	0	20(1)(c)	198
13(1)(b)	1	16(1)(c)	13	16.6	0	20(1)(d)	24
13(1)(c)	15	16(1)(d)	0	17	6	20.1	0
13(1)(d)	2	16(2)	1	18(a)	5	20.2	0
13(1)(e)	0	16(2)(a)	0	18(b)	41	20.4	0
14	1	16(2)(b)	0	18(c)	0	21(1)(a)	347
14(a)	24	16(2)(c)	36	18(d)	1	21(1)(b)	419
14(b)	8	16(3)	0	18.1(1)(a)	0	21(1)(c)	48
15(1)	6	16.1(1)(a)	0	18.1(1)(b)	1	21(1)(d)	6
15(1) IA*	11	16.1(1)(b)	0	18.1(1)(c)	0	22	2
15(1) Def*	4	16.1(1)(c)	0	18.1(1)(d)	0	22.1(1)	1
15(1) SA*	1	16.1(1)(d)	0	19(1)	92	23	15
16(1)(a)(i)	1	16.2(1)	0	20(1)(a)	0	23.1	0
		16.3	0				
16(1)(a)(ii)	1	16.4(1)(a)	0	20(1)(b)	216	24(1)	13
16(1)(a)(iii)	0	16.4(1)(b)	0	20(1)(b.1)	0	26	2

\* IA (International Affairs), Def (Defence of Canada), SA (Subversive Activities)

## 4.3 Exclusions

Section	# of Requests	Section	# of Requests	Section	# of Requests
68(a)	8	69(1)	0	69(1)(g) re (a)	44
68(b)	0	69(1)(a)	5	69(1)(g) re (b)	0
68(c)	0	69(1)(b)	0	69(1)(g) re (c)	48
68.1	0	69(1)(c)	0	69(1)(g) re (d)	9
68.2(a)	0	69(1)(d)	10	69(1)(g) re (e)	11
68.2(b)	0	69(1)(e)	15	69(1)(g) re (f)	6
		69(1)(f)	0	69.1(1)	0

## 4.4 Format of information released

Paper	Electronic				Other
	E-Record	Data Set	Video	Audio	
2	800	0	0	0	43

## 4.5 Complexity

### 4.5.1 Relevant pages processed and disclosed for paper and e-record formats

# of Pages Processed	# of Pages Disclosed	# of Requests
146,258	30,380	738

#### 4.5.2 Relevant pages processed per request disposition for paper and e-record formats 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	
	# of Requests	Pages Processed	# of Requests	Pages Processed	# of Requests	Pages Processed	# of Requests	Pages Processed	# of Requests	Pages Processed
All disclosed	169	1,663	5	1,191	0	0	0	0	0	0
Disclosed in part	448	5,337	36	7,181	3	1,887	3	7,469	1	13,712
All exempted	15	286	0	0	0	0	0	0	1	105,000
All excluded	26	678	0	0	0	0	0	0	0	0
Request Abandoned	30	33	0	0	0	0	1	1,821	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>	688	7,997	41	8,372	3	1,887	4	9,290	2	118,712

#### 4.5.3 Relevant minutes processed and disclosed for audio formats

# of Minutes Processed	# of Minutes Disclosed	# of Requests
0	0	0

#### 4.5.4 Relevant minutes processed per request disposition for audio formats by size of requests

Disposition	Less than 60 Minutes Processed		60-120 Minutes Processed		+ 120 Minutes Processed	
	# of Requests	Minutes Processed	# of Requests	Minutes Processed	# of Requests	Minutes Processed
All disclosed	0	0	0	0	0	0
Disclosed in part	0	0	0	0	0	0
All exempted	0	0	0	0	0	0
All excluded	0	0	0	0	0	0
Request abandoned	0	0	0	0	0	0
Neither confirmed nor denied	0	0	0	0	0	0
Declined to act with the approval of the Information Commissioner	0	0	0	0	0	0
<b>Total</b>	0	0	0	0	0	0

#### 4.5.5 Relevant minutes processed and disclosed for video formats

# of Minutes Processed	# of Minutes Disclosed	# of Requests
295	0	1

#### 4.5.6 Relevant minutes processed per request disposition for video formats by size of requests

Disposition	Less than 60 Minutes Processed		60-120 Minutes Processed		+ 120 Minutes Processed	
	# of Requests	Minutes Processed	# of Requests	Minutes Processed	# of Requests	Minutes Processed
All disclosed	0	0	0	0	0	0
Disclosed in part	0	0	0	0	0	0
All exempted	0	0	0	0	1	295
All excluded	0	0	0	0	0	0
Request abandoned	0	0	0	0	0	0
Neither confirmed nor denied	0	0	0	0	0	0
Declined to act with the approval of the Information Commissioner	0	0	0	0	0	0
<b>Total</b>	0	0	0	0	1	295

#### 4.5.7 Other complexities

Disposition	Consultation Required	Legal Advice Sought	Other	Total
All disclosed	12	0	2	14
Disclosed in part	105	37	13	155
All exempted	2	1	0	3
All excluded	1	11	0	12
Request Abandoned	4	0	0	4
Neither confirmed nor denied	0	0	0	0
Declined to act with the approval of the Information Commissioner	0	0	0	0
<b>Total</b>	124	49	15	188

#### 4.6 Closed Requests

<b>Number of requests closed within legislated timelines</b>	536
<b>Percentage of requests closed with legislated timelines</b>	63.51%

#### 4.7 Deemed refusals

##### 4.7.1 Reasons for not meeting legislated timelines

Number of requests closed past the legislated timelines	Principal Reason			
	Interference with operations or workload	External Consultation	Internal Consultation	Other
308	14	58	14	222

##### 4.7.2 Requests closed beyond legislated timelines (including any extensions 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	33	6	39
16 to 30	14	7	21
31 to 60	16	8	24
61 to 120	20	8	28
121 to 180	14	5	19
181 to 365	78	17	95
More than 365	45	37	82
<b>Total</b>	220	88	308

#### 4.8 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 5: Extensions

### 5.1 Reasons for extensions and disposition of requests

Disposition of Requests Where an Extension Was Taken	9(1)(a) Interference With Operations or Workload	9(1)(b) Consultation		9(1)(c) Third-Party Notice
		Section 69	Other	
All disclosed	0	7	7	3
Disclosed in part	14	30	61	29
All exempted	0	1	2	0
All excluded	0	2	5	0
Request abandoned	1	0	4	0
No records exist	0	0	0	0
Declined to act with the approval of the Information Commissioner	0	0	0	0
<b>Total</b>	15	40	79	32

### 5.2 Length of extensions

Length of Extensions	9(1)(a) Interference With Operations or Workload	9(1)(b) Consultation		9(1)(c) Third-Party Notice
		Section 69	Other	
30 days or less	8	25	5	0
31 to 60 days	3	5	25	32
61 to 120 days	2	10	45	0
121 to 180 days	1	0	3	0
181 to 365 days	0	0	1	0
More than 365 days	1	0	0	0
<b>Total</b>	15	40	79	32

## Section 6: Fees

Fee Type	Fee Collected		Fee Waived		Fee Refunded	
	# of Requests	Amount	# of Requests	Amount	# of Requests	Amount
Application	424	\$2,120	782	\$3,910	0	\$0
Other fees	0	\$0	0	\$0	0	\$0
<b>Total</b>	424	\$2,120	782	\$3,910	0	\$0

## Section 7: Consultations Received From Other Institutions and Organizations

### 7.1 Consultations received from other Government of Canada institutions and other organizations

Consultations	Other Government of Canada Institutions	# of Pages to Review	Other Organizations	# of Pages to Review
Received during the reporting period	221	17,650	10	188
Outstanding from the previous reporting period	80	3,414	1	2
<b>Total</b>	301	21,064	11	190
Closed during the reporting period	244	18,307	11	190
Carried over within negotiated timelines	15	744	0	0
Carried over beyond negotiated timelines	42	2,013	0	0

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

Recommendations	Number of Days Required to Complete Consultation Requests							
	1-15 Days	16-30 Days	31-60 Days	61-120 Days	121-180 Days	181-365 Days	+ 365 Days	Total
Disclose entirely	49	32	29	14	4	11	6	145
Disclose in part	5	13	14	23	10	8	4	77
Exempt entirely	8	3	1	1	5	3	1	22
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>	62	48	44	38	19	22	11	244

### 7.3 Recommendations and completion time for consultations received from other organizations outside the Government of Canada

Recommendations	Number of Days Required to Complete Consultation Requests							
	1-15 Days	16-30 Days	31-60 Days	61-120 Days	121-180 Days	181-365 Days	+ 365 Days	Total
Disclose entirely	1	5	2	0	0	0	0	8
Disclose in part	0	0	2	0	1	0	0	3
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>	1	5	4	0	1	0	0	11

## Section 8: Completion Time of Consultations on Cabinet Confidence

### 8.1 Requests with Legal Services

Number of Days	Less Than 100 Pages Processed		101-500 Pages Processed		501-1000 Pages Processed		1001-5000 Pages Processed		More Than 5000 Pages Processed	
	# of Requests	Pages Disclosed	# of Requests	Pages Disclosed	# of Requests	Pages Disclosed	# of Requests	Pages Disclosed	# of Requests	Pages Disclosed
1 to 15	3	0	1	165	0	0	0	0	0	0
16 to 30	1	12	0	0	0	0	0	0	0	0
31 to 60	3	18	0	0	0	0	0	0	0	0
61 to 120	9	127	0	0	0	0	0	0	0	0
121 to 180	11	168	0	0	0	0	0	0	0	0
181 to 365	16	61	0	0	0	0	0	0	0	0
More than 365	10	206	3	476	0	0	0	0	0	0
<b>Total</b>	53	592	4	641	0	0	0	0	0	0

### 8.2 Requests with Privy Council Office

Number of Days	Less Than 100 Pages Processed		101-500 Pages Processed		501-1000 Pages Processed		1001-5000 Pages Processed		More Than 5000 Pages Processed	
	# of Requests	Pages Disclosed	# of Requests	Pages Disclosed	# of Requests	Pages Disclosed	# of Requests	Pages Disclosed	# 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	1	97	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	1	97	0	0	0	0	0	0

## **Section 9: Investigations and Report of Finding**

### **9.1 Investigations**

<b>Section 32 Notice of Intention to Investigate</b>	<b>Subsection 30(5) Ceased to Investigate</b>	<b>Section 35 Formal Representations</b>
39	5	20

### **9.2 Investigations and Reports of Finding**

<b>Section 37(1) Initial Reports</b>		
<b>Received</b>	<b>Containing recommendations issued by the Information Commissioner</b>	<b>Containing orders issued by the Information Commissioner</b>
1	1	0

<b>Section 37(2) Final Reports</b>		
<b>Received</b>	<b>Containing recommendations issued by the Information Commissioner</b>	<b>Containing orders issued by the Information Commissioner</b>
20	1	0

## **Section 10: Court Action**

### **10.1 Court actions on complaints**

<b>Section 41</b>				
<b>Complainant (1)</b>	<b>Institution (2)</b>	<b>Third Party (3)</b>	<b>Privacy Commissioner (4)</b>	<b>Total</b>
0	0	0	0	0

### **10.2 Court actions on third party notifications under paragraph 28(1)(b)**

<b>Section 44 Under paragraph 28(1)(b)</b>
0

## **Section 11: Resources Related to the *Access to Information Act***

### **11.1 Allocated costs**

<b>Expenditures</b>		<b>Amount</b>
Salaries		\$1,507,807
Overtime		\$0
Goods and Services		\$80,572
• Professional services contracts	\$0	
• Other	\$80,572	
<b>Total</b>		<b>\$1,588,379</b>

### **11.2 Human Resources**

<b>Resources</b>	<b>Person years dedicated to Access to Information activities</b>
Full-time employees	16.880
Part-time and casual employees	0.031
Regional staff	0.000
Consultants and agency personnel	0.000
Students	1.404
<b>Total</b>	<b>18.315</b>

## Annex B

### Delegation of ATIP Authority

Delegation in effect on the last day of 2021–2022

#### **The Department of Industry**

(To be known as Innovation, Science and Economic Development Canada)

#### **Le ministère de l'Industrie**

(Qui sera connu sous le nom  
d'Innovation, Sciences et Développement économique Canada)

#### ***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 95(1) of the *Access to Information Act* and section 73(1) of the *Privacy Act*, hereby delegates 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 95(1) de la *Loi sur l'accès à l'information* et l'article 73(1) de 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**

<b><u>Position / Poste</u></b>	<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>
Deputy Minister / Sous ministre	Full authority / Autorité absolue	Full authority / Autorité absolue
Corporate Secretary / Secrétaire général	Full authority / Autorité absolue	Full authority / Autorité absolue
Director, Access to Information and Privacy (ATIP) Services / Directeur (trice), Service d'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 d'AIPRP	Full authority / Autorité absolue	Full authority / Autorité absolue
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And / et

Senior Advisor, ATIP Services / Conseiller (ère) principal(e), Services d'AIPRP	Section / Articles: 7, 8(1), 9, 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
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Dated, at the City of Ottawa, this 18<sup>th</sup>  
day of May, 2021

Daté, à la ville d'Ottawa, ce 18<sup>e</sup>  
jour de mai, 2021

THE HONOURABLE FRANÇOIS-PHILIPPE CHAMPAGNE  
MINISTER OF INDUSTRY  
(To be known as Minister of INNOVATION,  
SCIENCE AND INDUSTRY)



L'HONORABLE FRANÇOIS-PHILIPPE CHAMPAGNE  
MINISTRE DE L'INDUSTRIE  
(Identifié comme Ministre de l'INNOVATION, des SCIENCES  
et de l'INDUSTRIE)