



# 2021 Annual Report to Parliament

**VIA Rail Canada inc.**

Administration of the  
*Access to Information Act*



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## 1. INTRODUCTION

According to the *Federal Accountability Act* effective September 1, 2007, VIA Rail Canada Inc. ("VIA Rail" or the "Corporation") is subject to the legal requirements of the *Access to Information Act* ("ATIA").

The *ATIA* provides a right of access to records under the control of VIA Rail in accordance with the following principles: 1) government information should be available to the public, 2) necessary exceptions to the right of access should be specific and limited, and 3) decisions on the disclosure of government information may be reviewed independently by the courts.

This annual report is tabled in Parliament according to section 72 of the *ATIA* and covers the period from April 1, 2021 to March 31, 2022.

## 2. INSTITUTION

VIA Rail operates Canada's national passenger rail service on behalf of the Government of Canada. An independent Crown corporation established in 1977, VIA Rail provides a safe, cost-effective and environmentally responsible service from coast to coast in both official languages. The Corporation operates close to 255 train departures weekly on a 12,500-kilometer network, connecting over 400 Canadian communities. With 2,763 active employees, VIA Rail carried 1.5 million passengers in 2021.

### VIA Rail's Services

#### *Inter-city Travel (The Corridor)*

In the densely populated Corridor between Québec City and Windsor, VIA Rail's trains provide travel between the downtown cores of major urban centres, as well as between suburban centres and communities. These trains carry more than 90% of the Corporation's total ridership.

#### *Long-distance Travel and Tourism*

In Western and Eastern Canada, VIA Rail's trains provide intercity services connecting communities while supporting Canada's tourism industry by attracting travelers from around the world. The *Canadian*, VIA Rail's western transcontinental train, provides service between Vancouver and Toronto. In Eastern Canada, the *Ocean* runs between Montreal and Halifax.



***Mandatory Services***

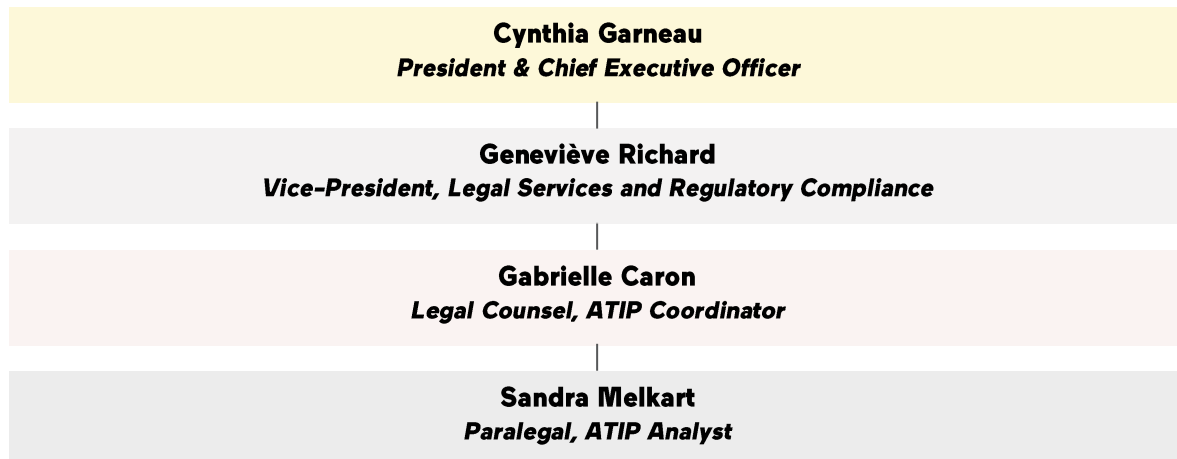
VIA Rail also provides a passenger service in several rural and remote regions of Canada. Mandated by the Government of Canada to meet essential transportation needs, these trains serve many communities where alternative, year-round transportation is limited or unavailable.

**3. ACCESS TO INFORMATION AND PRIVACY ("ATIP") UNIT**

VIA Rail’s ATIP unit was created in 2007. ATIP falls under the responsibility of VIA Rail’s ATIP Coordinator, who also acts as Legal Counsel.

The ATIP Coordinator is responsible for interpreting and applying the statutory and policy requirements as they relate to the public’s right of access to VIA Rail’s records under the ATIA and to personal information under the *Privacy Act*. In more complex cases, the ATIP Coordinator makes recommendations to the President & Chief Executive Officer on the disclosure of information. The ATIP Coordinator’s area of responsibility includes administering the process by which access to information and personal information requests are received and responded to, in compliance with the applicable statutory and policy requirements.

The organizational structure of VIA Rail’s ATIP unit as of March 31, 2022 is as follows:



#### **4. DELEGATION ORDER**

Pursuant to section 95 of the *ATIA*, VIA Rail's President & Chief Executive Officer has delegated the totality of her functions as they relate to the administration of the *ATIA* within VIA Rail to the Corporation's ATIP Coordinator.

The Delegation Order is attached as Appendix 1.

VIA Rail was not party to any service agreements under section 96 of the *ATIA* during the reporting period.

#### **5. PERFORMANCE 2021 – 2022**

The complete Statistical Report for 2021 is attached as Appendix 2.

The complete Supplemental Statistical Report for 2021 is attached as Appendix 3.

***Requests:***

VIA Rail received twenty-six (26) Access to Information requests between April 1, 2021 and March 31, 2022. Of these twenty-six (26) formal requests, ten (10) requests are being carried forward into the next reporting period.

Thirteen (13) requests were carried over from the previous reporting period (April 1, 2020 to March 31, 2021). Seven (7) of said requests were closed during the reporting period.

In total, twenty-nine (29) out of thirty-nine (39) requests were closed at the end of the reporting period. The response percentage to these requests was therefore 74%.

Between April 1, 2021 and March 31, 2022, VIA Rail also received fourteen (14) consultation requests totaling over 3,500 pages to process from the following federal institutions: Transport Canada, Infrastructure Canada, Canada Infrastructure Bank, Public Safety Canada and Parks Canada. VIA Rail's average response time for these consultation requests was fifty-two (52) days. All consultation requests were closed during the reporting period, with the exception of two (2) requests, which are being carried forward into the next reporting period.

**Types of Requests:**

Of the twenty-six (26) Access to Information requests received during the reporting period, 5% originated from academia, 20% each from the media, businesses (private sector) and organizations and 35% from the public.

**Completion Time:**

VIA Rail's average completion time for requests closed during this reporting period is fifty-four (54) days, compared with the legislative requirement of thirty (30) days. The median completion time is thirty (30) days. The percentage of requests responded to within the established timeline is 82,7%.

	2019-2020	2020-2021	2021-2022	
<b>Number of requests by completion time</b>	1 to 15 days	7	7	1
	16 to 30 days	12	8	17
	31 to 60 days	7	7	5
	61 to 120 days	3	16	2
	121 to 180 days	1	1	3
	181 to 365 days	0	0	1
	More than 365 days	0	2	0

**Disposition of Requests**

During this reporting period fifteen (15) requests were 'All Disclosed', seven (7) requests were 'Disclosed in Part', five (5) requests 'No Records Exist', one (1) request was 'Abandoned' and one (1) request was 'All Exempted'.

**Extensions**

During this reporting period, an extension was taken for five (5) requests as they required consultations according to sections 9(1)a), 9(1)b) or 9(1)c) of the ATIA. One (1) request required an extension between 1-30 days, two (2) requests between 16-30 days and one (1) each for 61-120 and 181-365 days.

**Exemptions Applied**

The main exemptions applied by VIA Rail during this reporting period are the following:

- Section 18: Economic interests of Canada;
- Section 18.1: Economic Interest of VIA Rail;
- Section 19: Personal information;

- **Section 20: Third-party information; and**
- **Section 21: Advice.**

		2019-2020	2020-2021	2021-2022
<b>Number of requests by exemption</b>	s. 16(1)a(ii)	0	0	0
	s. 16(2)a)	0	0	0
	s. 16(2)b)	0	0	0
	s. 16(2)c)	0	0	0
	s. 17	1	0	0
	s. 18a)	0	3	0
	s. 18b)	0	3	3
	s. 18d)	0	3	3
	s. 18.1(1)d)	3	7	4
	s. 19(1)	6	6	2
	s. 20(1)a)	0	0	3
	s. 20(1)b)	1	7	3
	s. 20(1)b.1)	0	0	0
	s. 20(1)c)	2	5	3
	s. 20 (1)d)	1	3	3
	s. 21(1)a)	0	1	2
	s. 21(1)b)	0	3	2
	s. 21(1)c)	0	2	0
	s. 23	0	1	0

**Informal Requests:**

Seven (7) informal requests were received during the reporting period. All requests have been processed within the legislated timeframe.

**Fees:**

No fees of were collected regarding requests closed during this reporting period. Indeed, VIA Rail waived a total of \$130.

**Costs:**

The total costs associated with administering the ATIP Unit for Access to Information during this reporting period was \$42,500.

**Human resources:**

As for human resources, it has been estimated that 1.50 FTE (Full-Time Equivalent) was dedicated to access to information activities.

## **6. TRAINING AND AWARENESS**

In order to raise awareness of the Corporation's obligations with respect to access to information requests, VIA Rail has developed a training program to remind employees of the importance of the *ATIA* and to highlight its value to the Corporation.

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

VIA Rail did not implement or review any policies, guidelines or procedures related to access to information during this reporting period.

## **8. PROACTIVE DISCLOSURE**

VIA Rail periodically publishes access to information request summaries on its website as well as on the Open Government website.

## **9. COMPLAINTS**

Five (5) complaints were closed between April 1, 2021 and March 31, 2022.

### ***OIC File #3212-00499***

This complaint was filed with the Office of the Information Commissioner of Canada in February 2019 and was closed in July 2021. The complainant alleged that VIA Rail improperly applied exemptions so as to unjustifiably deny access to records, or portions thereof, requested under the *ATIA*. The response was sent to the Requestor in July 2021. The complaint was well founded.

### ***OIC File #3217-00399***

This complaint was filed with the Office of the Information Commissioner of Canada in June 2017 and was closed in February 2021. The complainant alleged that VIA Rail improperly applied exemptions, so as to unjustifiably deny access to records, or portions thereof, requested under the *ATIA*. The Response to requestor was sent in February 2021. The complaint was well founded.



***OIC File #3219-00203***

This complaint was filed with the Office of the Information Commissioner of Canada in June 2019 and was closed in December 2021. The complainant alleged that VIA Rail improperly applied exemptions, so as to unjustifiably deny access to records or portions thereof and failed to conduct a reasonable search for records in response to the request made under the ATIA. In December 2021, The OIC issued a Notice of Discontinued Complaint. The complaint was abandoned.

***OIC FILE #5820-04314***

This complaint was filed with the Office of the Information Commissioner of Canada in March 2021 and was closed in April 2021. The complainant alleged that VIA Rail failed to respond to the request within the time limits set out in the ATIA. The response and the documentation were sent to the Information Commissioner and the Requestor in April 2020. The complaint was resolved.

***OIC FILE #5821-02595***

The complaint was filed with the Office of the Information Commissioner of Canada in October 2021 and was closed in December 2021. The complainant alleged that VIA Rail failed to respond to the request within the time limits set out in the ATIA. A letter dated December 2021 from the Information Commissioner confirms that the complaint was resolved.

***On-going Files***

There are currently four (4) on-going complaints at the Office of the Information Commissioner of Canada. These complaints are being carried over into the next reporting period.

## **10. MONITORING COMPLIANCE**

VIA Rail analyzes each request as soon as they are received in order to determine the time required to process such request, which is established based on discussions held with appropriate information holders, the necessity for consultations with third parties, etc.

**Since 2017, requests are processed with the additional assistance of a computer software that allows the ATIP Analyst to more effectively process these requests. In addition, a file consolidates all relevant information regarding the status of each active request. This file is being monitored on a weekly basis by the ATIP Coordinator.**

# Appendix 1

## Delegation of Authority

A large, stylized yellow 'V' logo with white diagonal stripes, positioned on the left side of the page.

**DÉLÉGATION D'AUTORITÉ  
LOI SUR L'ACCÈS À L'INFORMATION ET LOI SUR LA  
PROTECTION DES RENSEIGNEMENTS PERSONNELS**

**DELEGATION OF AUTHORITY  
ACCESS TO INFORMATION ACT AND PRIVACY ACT**

Le 31 mars 2022

March 31, 2022

Je, soussignée, Présidente et chef de la direction, conformément à l'article 95 de la *Loi sur l'accès à l'information* et à l'article 73 de la *Loi sur la protection des renseignements personnels*, délègue par la présente les agents et les employés de VIA Rail occupant les postes identifiés dans l'annexe ci-jointe à assumer au nom de la Présidente et chef de la direction les pouvoirs de signature ainsi que les attributions, fonctions et pouvoirs qui y sont spécifiés.

I, the undersigned, President and Chief Executive Officer, pursuant to Section 95 of the *Access to Information Act* and Section 73 of the *Privacy Act*, hereby delegate officers and employees of VIA Rail occupying positions identified within the attached appendix to exercise signing authorities or perform any of the President and Chief Executive Officer's powers, duties or functions specified therein.

Signée à Montréal, ce 31 mars 2022

Signed in Montreal this March 31, 2022

A handwritten signature in black ink that reads 'Cynthia Garneau'.

Cynthia Garneau  
Présidente et chef de la direction  
President and Chief Executive Officer

**VIA Rail Canada Inc.**  
**Delegation of Authority**  
**Under the Access to Information Act**

Subject	Access to Information Act Section	Position / Title		
		ATIP Coordinator	Vice-President, Legal Services	ATIP Analyst

Notice where access requested	7	●	●	●
Transfer of request	8(1)	●	●	●
Extension of Time Limits	9(1)	●	●	●
Notice of extension to Commissioner	9(2)	●	●	●
Notice where access refused	10(1) & (2)	●	●	●
Payment of additional fees	11(2)	●	●	●
Payment of fees from a machine readable record	11(3)	●	●	●
Deposit	11(4)	●	●	●
Notice of fee payment	11(5)	●	●	●
Waiver or refund of fees	11(6)	●	●	●
Translation	12(2)	●	●	●
Access to record in alternate format	12(3)	●	●	●
Refuse access - Information obtained in confidence from another government	13(1)	●	●	●
Grant access – information obtained in confidence from another government when disclosure authorized	13(2)	●	●	●
Refuse access - federal-provincial affairs	14	●	●	●
Refuse access - international affairs, defense	15(1)	●	●	●
Refuse access - law enforcement and investigation	16(1)	●	●	●
Refuse access - security information	16(2)	●	●	●
Refuse access - policing services for provinces or municipalities	16(3)	●	●	●
National Security and Intelligence Committee	16.6	●	●	●
Investigation under the Elections Act	16.31	●	●	●
Refuse access – safety of individuals	17	●	●	●
Refuse access - economic interests of Canada and of VIA Rail	18 / 18.1	●	●	●
Refuse access – personal information	19(1)	●	●	●
Disclose personal information	19(2)	●	●	●

Refuse access - third party information	20(1)	●	●	●
Disclose testing methods	20(2) & (3)	●	●	●
Disclose third party information – if supplier consents	20(5)	●	●	●
Disclose in public interest	20(6)	●	●	●
Refuse access - advice etc.	21	●	●	●
Testing procedure - tests and audits	22	●	●	●
Refuse access - solicitor-client privilege	23	●	●	●
Patent or Trademark privilege	23.1	●	●	●
Refuse access – Statutory prohibitions against disclosure	24(1)	●	●	●
Disclose information - Severability	25	●	●	●
Refuse access - information to be published	26	●	●	●
Notice to third parties	27(1)	●	●	●
Extension of time limit	27(4)	●	●	●
Representation of third party and decision	28(1)	●	●	●
Representation to be made in writing	28(2)	●	●	●
Disclosure of record	28(4)	●	●	●
Disclosure on Commissioner's recommendation	29(1)	●	●	●
Action to take in response to the notice of intention to investigate	32	●	●	●
Notice to third party	33	●	●	●
Right to make representations	35(2)	●	●	●
Findings and recommendations of the Information Commissioner	37(1)(b)	●	●	●
Access given to complainant	37(4)	●	●	●
Notice to third parties of court action	43(1)	●	●	●
Notice to person who requested record	44(2)	●	●	●
Special rules for hearings	52(2)	●	●	●
Ex parte representations	52(3)	●	●	●
Excluded information – Confidences of the Queen's Privacy Council for Canada	69	●	●	●
Manuals may be inspected by public	71(2)	●	●	●



# Appendix 2

## Statistical Report



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

**Name of institution:** VIA Rail Canada Inc.

**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		26
Outstanding from previous reporting periods		13
• Outstanding from previous reporting period	4	
• Outstanding from more than one reporting period	9	
<b>Total</b>		<b>39</b>
Closed during reporting period		29
Carried over to next reporting period		10
• Carried over within legislated timeline	4	
• Carried over beyond legislated timeline	6	

#### 1.2 Sources of requests

Source	Number of Requests
Media	5
Academia	2
Business (private sector)	5
Organization	5
Public	9
Decline to Identify	0
<b>Total</b>	<b>26</b>

### 1.3 Channels of requests

Source	Number of Requests
Online	0
E-mail	20
Mail	6
In person	0
Phone	0
Fax	0
<b>Total</b>	<b>26</b>

## Section 2: Informal Requests

### 2.1 Number of informal requests

		Number of Requests
Received during reporting period		7
Outstanding from previous reporting periods		0
• Outstanding from previous reporting period	0	
• Outstanding from more than one reporting period	0	
<b>Total</b>		<b>7</b>
Closed during reporting period		7
Carried over to next reporting period		0

### 2.2 Channels of informal requests

Source	Number of Requests
Online	0
E-mail	7
Mail	0
In person	0
Phone	0
Fax	0
<b>Total</b>	<b>7</b>

### 2.3 Completion time of informal requests



## 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		More Than 5000 Pages Re-released	
Number of Requests	Pages Re-released	Number of Requests	Pages Re-released	Number of Requests	Pages Re-released	Number of Requests	Pages Re-released	Number of Requests	Pages Re-released
0	0	0	0	0	0	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 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	10	3	1	0	0	0	15
Disclosed in part	0	2	1	1	2	1	0	7
All exempted	0	0	0	0	1	0	0	1
All excluded	0	0	0	0	0	0	0	0
No records exist	0	4	1	0	0	0	0	5
Request transferred	0	0	0	0	0	0	0	0
Request abandoned	0	1	0	0	0	0	0	1

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>	1	17	5	2	3	1	0	29



## 4.2 Exemptions

Section	Number of Requests	Section	Number of Requests	Section	Number of Requests	Section	Number of Requests
13(1)(a)	0	16(2)	0	18(a)	0	20,1	0
13(1)(b)	0	16(2)(a)	0	18(b)	3	20,2	0
13(1)(c)	0	16(2)(b)	0	18(c)	0	20,4	0
13(1)(d)	0	16(2)(c)	0	18(d)	3	21(1)(a)	2
13(1)(e)	0	16(3)	0	18.1(1)(a)	0	21(1)(b)	2
14	0	16.1(1)(a)	0	18.1(1)(b)	0	21(1)(c)	0
14(a)	0	16.1(1)(b)	0	18.1(1)(c)	0	21(1)(d)	0
14(b)	0	16.1(1)(c)	0	18.1(1)(d)	4	22	0
15(1)	0	16.1(1)(d)	0	19(1)	2	22.1(1)	0
15(1) - I.A.*	0	16.2(1)	0	20(1)(a)	3	23	0
15(1) - Def.*	0	16,3	0	20(1)(b)	3	23,1	0
15(1) - S.A.*	0	16.4(1)(a)	0	20(1)(b.1)	0	24(1)	0
16(1)(a)(i)	0	16.4(1)(b)	0	20(1)(c)	3	26	0
16(1)(a)(ii)	0	16,5	0	20(1)(d)	3		
16(1)(a)(iii)	0	16,6	0				
16(1)(b)	0	17	0				
16(1)(c)	0						
16(1)(d)	0						

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

## 4.3 Exclusions

Section	Number of Requests	Section	Number of Requests	Section	Number of Requests
68(a)	0	69(1)	0	69(1)(g) re (a)	0
68(b)	0	69(1)(a)	0	69(1)(g) re (b)	0
68(c)	0	69(1)(b)	0	69(1)(g) re (c)	0
68.1	0	69(1)(c)	0	69(1)(g) re (d)	0
68.2(a)	0	69(1)(d)	0	69(1)(g) re (e)	0
68.2(b)	0	69(1)(e)	0	69(1)(g) re (f)	0
		69(1)(f)	0	69.1(1)	0

#### 4.4 Format of information released

Paper	Electronic				Other
	E-record	Data set	Video	Audio	
0	29	0	0	0	0

#### 4.5 Complexity

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

Number of Pages Processed	Number of Pages Disclosed	Number of Requests
4221	2301	24

**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		100-500 Pages Processed		501-1000 Pages Processed		1001-5000 Pages Processed		More Than 5000 Pages Processed	
	Number of Requests	Pages Processed	Number of Requests	Pages Processed	Number of Requests	Pages Processed	Number of Requests	Pages Processed	Number of Requests	Pages Processed
All disclosed	15	1705	0	0	0	0	0	0	0	0
Disclosed in part	3	21	3	568	0	0	1	1789	0	0
All exempted	0	0	1	138	0	0	0	0	0	0
All excluded	0	0	0	0	0	0	0	0	0	0
Request abandoned	1	0	0	0	0	0	0	0	0	0
Neither confirmed nor denied	0	0	0	0	0	0	0	0	0	0
Declined to act with the approval of the Information Commissioner	0	0	0	0	0	0	0	0	0	0
<b>Total</b>	19	1726	4	706	0	0	1	1789	0	0

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

Number of Minutes Processed	Number of Minutes Disclosed	Number 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		More than 120 Minutes Processed	
	Number of Requests	Minutes Processed	Number of Requests	Minutes Processed	Number 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>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>

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

Number of Minutes Processed	Number of Minutes Disclosed	Number of Requests
0	0	0

**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		More than 120 Minutes Processed	
	Number of Requests	Minutes Processed	Number of Requests	Minutes Processed	Number 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

**4.5.7 Other complexities**

<b>Disposition</b>	<b>Consultation Required</b>	<b>Legal Advice Sought</b>	<b>Other</b>	<b>Total</b>
All disclosed	0	0	0	0
Disclosed in part	4	0	0	4
All exempted	0	0	0	0
All excluded	0	0	0	0
Request abandoned	0	0	0	0
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>	<b>4</b>	<b>0</b>	<b>0</b>	<b>4</b>



## 4.6 Closed requests

### 4.6.1 Requests closed within legislated timelines

<b>Number of requests closed within legislated timelines</b>	24
<b>Percentage of requests closed within legislated timelines (%)</b>	82,75862069

## 4.7 Deemed refusals

### 4.7.1 Reasons for not meeting legislated timelines

<b>Number of requests closed past the legislated timelines</b>	<b>Principal Reason</b>			
	<b>Interference with operations/ Workload</b>	<b>External Consultation</b>	<b>Internal Consultation</b>	<b>Other</b>
5	2	3	0	0

### 4.7.2 Requests closed beyond legislated timelines (including any extension taken)

<b>Number of days past legislated timelines</b>	<b>Number of requests past legislated timeline where no extension was taken</b>	<b>Number of requests past legislated timeline where an extension was taken</b>	<b>Total</b>
1 to 15 days	1	0	1
16 to 30 days	0	2	2
31 to 60 days	0	0	0
61 to 120 days	0	1	1
121 to 180 days	0	0	0
181 to 365 days	1	0	1
More than 365 days	0	0	0
<b>Total</b>	2	3	5

## 4.8 Requests for translation

<b>Translation Requests</b>	<b>Accepted</b>	<b>Refused</b>	<b>Total</b>
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/ Workload	9(1)(b) Consultation		9(1)(c) Third-Party Notice
		Section 69	Other	
All disclosed	3	0	0	0
Disclosed in part	2	0	0	3
All exempted	0	0	0	1
All excluded	0	0	0	0
Request abandoned	0	0	0	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>	<b>5</b>	<b>0</b>	<b>0</b>	<b>4</b>

### 5.2 Length of extensions

Length of Extensions	9(1)(a) Interference With Operations/ Workload	9(1)(b) Consultation		9(1)(c) Third-Party Notice
		Section 69	Other	
30 days or less	2	0	0	0
31 to 60 days	2	0	0	2
61 to 120 days	0	0	0	0
121 to 180 days	1	0	0	1
181 to 365 days	0	0	0	0
365 days or more	0	0	0	1
<b>Total</b>	<b>5</b>	<b>0</b>	<b>0</b>	<b>4</b>

## Section 6: Fees

Fee Type	Fee Collected		Fee Waived		Fee Refunded	
	Number of Requests	Amount	Number of Requests	Amount	Number of Requests	Amount
Application	0	\$0,00	26	\$130,00	0	\$0,00
Other fees	0	\$0,00	0	\$0,00	0	\$0,00
<b>Total</b>	0	\$0,00	26	\$130,00	0	\$0,00

## 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	Number of Pages to Review	Other Organizations	Number of Pages to Review
Received during the reporting period	13	3418	1	89
Outstanding from the previous reporting period	0	0	0	0
<b>Total</b>	13	3418	1	89
Closed during the reporting period	11	1110	1	89
Carried over within negotiated timelines	0	0	0	0
Carried over beyond negotiated timelines	2	2308	0	0

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

Recommendation	Number of Days Required to Complete Consultation Requests							Total
	1 to 15 Days	16 to 30 Days	31 to 60 Days	61 to 120 Days	121 to 180 Days	181 to 365 Days	More Than 365 Days	
Disclose entirely	0	0	0	0	0	0	0	0
Disclose in part	2	2	3	1	1	0	0	9
Exempt entirely	0	0	1	1	0	0	0	2
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>	2	2	4	2	1	0	0	11

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

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

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

### 8.1 Requests with Legal Services

Number of Days	Fewer Than 100 Pages Processed		100-500 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

### 8.2 Requests with Privy Council Office

Number of Days	Fewer Than 100 Pages Processed		100-500 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 9: Investigations and Reports 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>
3	1	0

**9.2 Investigations and Reports of finding**

<b>Section 37(1) Initial Reports</b>			<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>	<b>Received</b>	<b>Containing recommendations issued by the Information Commissioner</b>	<b>Containing orders issued by the Information Commissioner</b>
0	0	0	0	0	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>
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Salaries		\$42 500
Overtime		\$0
Goods and Services		\$0
• Professional services contracts	\$0	
• Other	\$0	
<b>Total</b>		<b>\$42 500</b>

## 11.2 Human Resources

Resources	Person Years Dedicated to Access to Information Activities
Full-time employees	1,500
Part-time and casual employees	0,000
Regional staff	0,000
Consultants and agency personnel	0,000
Students	0,000
<b>Total</b>	<b>1,500</b>

**Note:** Enter values to three decimal places.

# Appendix 3

## Supplemental Statistical Report



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

Name of institution: VIA Rail Canada Inc.

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

### Section 1: Capacity to Receive Requests under the Access to Information Act and the Privacy Act

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	52

### Section 2: Capacity to Process Records under the Access to Information Act and the Privacy Act

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	0	0

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	0	0	0	0

Canada

**Section 3: Open Requests and Complaints Under the Access to Information Act**

3.1 Enter the number of open requests that are outstanding from previous reporting periods.

Fiscal Year Open Requests Were Received	Open Requests that are <i>Within</i> Legislated Timelines as of March 31, 2022	Open Requests that are <i>Beyond</i> Legislated Timelines as of March 31, 2022	Total
Received in 2021-2022	0	0	0
Received in 2020-2021	0	4	4
Received in 2019-2020	0	6	6
Received in 2018-2019	0	0	0
Received in 2017-2018	0	0	0
Received in 2016-2017	0	0	0

Received in 2015-2016 or earlier	0	0	0
<b>Total</b>	<b>0</b>	<b>10</b>	<b>10</b>

Row 8, Col. 3 of Section 3.1 must equal Row 7, Col. 1 of S 2021-2022 Statistical Report on the *Access to Information*

**3.2 Enter the number of open complaints with the Information Commissioner of Canada that are outstanding from previous reporting periods.**

Fiscal Year Open Complaints Were Received by Institution	Number of Open Complaints
Received in 2021-2022	3
Received in 2020-2021	1
Received in 2019-2020	1
Received in 2018-2019	1
Received in 2017-2018	0
Received in 2016-2017	1
Received in 2015-2016 or earlier	0
<b>Total</b>	<b>7</b>

#### **Section 4: Open Requests and Complaints Under the Privacy Act**

**4.1 Enter the number of open requests that are outstanding from previous reporting periods.**

	Open Requests	Open Requests	
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<b>Fiscal Year Open Requests Were Received</b>	<b>that are <i>Within</i> Legislated Timelines as of March 31, 2022</b>	<b>that are <i>Beyond</i> Legislated Timelines as of March 31, 2022</b>	<b>Total</b>
Received in 2021-2022	0	0	0
Received in 2020-2021	0	0	0
Received in 2019-2020	0	0	0
Received in 2018-2019	0	0	0
Received in 2017-2018	0	0	0
Received in 2016-2017	0	0	0
Received in 2015-2016 or earlier	0	0	0
<b>Total</b>	<b>0</b>	<b>0</b>	<b>0</b>

Row 8, Col. 3 of Section 4.1 must equal Row 7, Col. 1 of S 2021-2022 Statistical Report on the *Privacy Act*

**4.2 Enter the number of open complaints with the Privacy Commissioner of Canada that are outstanding from previous reporting periods.**

<b>Fiscal Year Open Complaints Were Received by Institution</b>	<b>Number of Open Complaints</b>
Received in 2021-2022	1
Received in 2020-2021	0
Received in 2019-2020	0
Received in 2018-2019	0

Received in 2017-2018	0
Received in 2016-2017	0
Received in 2015-2016 or earlier	0
Total	1

**Section 5: Social Insurance Number (SIN)**

Did your institution receive authority for a new collection or new consistent use of the SIN in 2021-2022?	No
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