

Atlantic Canada Opportunities Agency

2022-2023 Annual Report on the *Privacy Act*



Atlantic Canada
Opportunities
Agency

Agence de
promotion économique
du Canada atlantique

Canada 

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Catalogue No.: AC2-15/2E-PDF

ISSN: 2817-3716 – 2022-2023 Annual Report to Parliament – *Privacy Act*

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REPORT ON THE *PRIVACY ACT*

1. INTRODUCTION

The *Privacy Act* (hereinafter the Act) gives individuals the right to access their personal information held by federal institutions listed in the schedule of the Act and to request corrections to that information. The Act also imposes obligations on those institutions to respect privacy rights by limiting the collection, use and disclosure of personal information.

This report is prepared in accordance with section 72 of the Act, which requires that the head of the Atlantic Canada Opportunities Agency (ACOA) prepare, for tabling in Parliament, an annual report on the administration of the Act.

ACOA's mandate is to create opportunities for economic growth in Atlantic Canada by helping businesses become more competitive, innovative and productive, by working with diverse communities to develop and diversify local economies, and by championing the strengths of Atlantic Canada. Additional information is available on [ACOA's website \(https://www.canada.ca/en/atlantic-canada-opportunities.html\)](https://www.canada.ca/en/atlantic-canada-opportunities.html).

2. ORGANIZATIONAL STRUCTURE

The Access to Information and Privacy (ATIP) Directorate oversees the administration of the *Access to Information Act* and the *Privacy Act*. It consists of a director (ATIP coordinator), an ATIP analyst and a support staff member located at ACOA's head office in Moncton, N.B. The ATIP Directorate is responsible for processing all access and privacy requests, and for the development, coordination and implementation of effective policies, guidelines and procedures to manage the Agency's compliance with the ATIP acts.

The ATIP Directorate also reviews various documents before publication to ensure that they do not contain information that would be subject to exemption or exclusion under the Act. During this reporting period, the ATIP Directorate reviewed records prepared in response to 112 written parliamentary questions.

The administration of the legislation within ACOA is also facilitated at the branch and regional levels. Each sector and corporate branch has a liaison officer (generally reporting to the deputy minister or an assistant deputy minister) who coordinates the records-retrieval process.

The Agency did not enter into any service agreements with another government institution under section 73.1 of the Act during the reporting period.

3. DELEGATION OF AUTHORITY

For the purpose of the *Privacy Act*, the President delegated full authority to the Vice-President, Finance and Corporate Services and Corporate Secretary and partial authority to the ATIP Coordinator.

A copy of the signed delegation instrument for the *Privacy Act* is attached as [Annex A](#).

4. HIGHLIGHTS OF THE STATISTICAL REPORT

As can be seen from the statistical reports in [Annex B](#) and [Annex C](#), the Agency responded to three requests under the *Privacy Act* in 2022-2023. All requests were completed within the legislated timelines. Two requests were completed within 1 to 15 days, and one within 61 to 120 days. All records were disclosed in response to one request, records were disclosed in part for one request and no records existed for one request. There were no active requests or complaints as of the last day of the reporting period.

The processing of one request required an extension of 30 days beyond the statutory time limit since it necessitated a search through a large number of records and meeting the original time limit would have unreasonably interfered with the operations of government.

The cost of administering the *Privacy Act* in 2022-2023 was \$13,494, which comprised a portion of salary costs as well as operations and maintenance costs.

The following table shows the trend in the number of requests closed in the last 10 fiscal years.

Fiscal Year	2013-2014	2014-2015	2015-2016	2016-2017	2017-2018	2018-2019	2019-2020	2020-2021	2021-2022	2022-2023
Totals	1	2	0	1	2	3	3	1	2	3

The Agency did not receive any requests for consultations from other federal or provincial governments in 2022-2023.

The measures taken by the Agency in response to the COVID-19 pandemic did not have an impact on the organization's ability to fulfill its responsibilities under the *Privacy Act*.

5. TRAINING AND AWARENESS

The ATIP Directorate provides ongoing advice to Agency officials on the processing of privacy requests as well as the interpretation of the Act to ensure the efficient and consistent processing of all requests received by the Agency.

Informal briefings on the requirements of the *Privacy Act* were provided to staff by the ATIP coordinator throughout the reporting period. No formal training sessions were given.

6. POLICIES, GUIDELINES, PROCEDURES AND INITIATIVES

The Agency developed and implemented an identity verification procedure for personal information requests in accordance with Treasury Board of Canada Secretariat Privacy Implementation Notice 2022-02. This procedure provides guidance on the requirement to validate the identity of requesters under the Act.

7. COMPLAINTS AND AUDITS

No privacy complaints were received, and no investigations or audits were conducted during the reporting period.

8. MATERIAL PRIVACY BREACHES

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

9. PRIVACY IMPACT ASSESSMENTS

A Privacy Impact Assessment (PIA) is a risk management process that helps institutions ensure they meet legislative requirements, and identify the impacts their programs and activities will have on the privacy of individuals. To fulfill its mandate, some of the Agency's responsibilities require the collection, use and disclosure of personal information.

During this reporting period, a PIA on e-recruitment was approved and submitted to the Office of the Privacy Commissioner. This PIA sets out the Agency's assessment and resolution of privacy implications related to recruitment video and audio recordings. A summary of the Agency's PIA on e-recruitment is available at: [E-recruiting - Privacy Impact Assessment \(PIA\) summary - Canada.ca](#).

10. PUBLIC INTEREST DISCLOSURES

The Agency did not disclose personal information pursuant to paragraph 8(2)(m) of the *Privacy Act* during the reporting period.

11. MONITORING

In light of the limited number of privacy requests received, no monitoring was required during the reporting period.

ANNEX A***Access to Information Act and Privacy Act Delegation Order***

Pursuant to section 95 of the *Access to Information Act* and to section 73 of the *Privacy Act*, the President 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 President as the head of the Atlantic Canada Opportunities Agency under the provisions of the Acts and related regulations set out in the schedule opposite each position. This Delegation Order supersedes all previous delegation orders.

Schedule

Position	<i>Access to Information Act</i> and Regulations	<i>Privacy Act</i> and Regulations
Vice-President, Finance and Corporate Services and Corporate Secretary	Full authority	Full authority
Coordinator, Access to Information and Privacy	Limited authority (full authority excluding authority to give access to records)	Limited authority (full authority excluding authority to give access to records)



Francis McGuire
President
Atlantic Canada Opportunities Agency

FEB 26 2021

Date

ANNEX B**Statistical Report on the *Privacy Act***

Name of institution: Atlantic Canada Opportunities Agency
Reporting period: April 1, 2022 to March 31, 2023

Section 1 – Requests Under the *Privacy Act***1.1 Number of requests received**

		Number of Requests
Received during reporting period		3
Outstanding from previous reporting periods		0
• Outstanding from previous reporting period	0	
• Outstanding from more than one reporting period	0	
Total		3
Closed during reporting period		3
Carried over to next reporting period		0
• Carried over within legislated timeline	0	
• Carried over beyond legislated timeline	0	

1.2 Channels of requests

Source	Number of Requests
Online	3
E-mail	0
Mail	0
In person	0
Phone	0
Fax	0
Total	3

Section 2 – Informal requests**2.1 Number of informal requests**

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

2.2 Channels of informal requests

Source	Number of Requests
Online	0
E-mail	0
Mail	0
In person	0
Phone	0
Fax	0
Total	0

2.3 Completion time of 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
0	0	0	0	0	0	0	0

2.4 Pages released informally

Less Than 100 Pages Released		100-500 Pages Released		501-1,000 Pages Released		1,001-5,000 Pages Released		More Than 5,000 Pages Released	
Number of Requests	Pages Released	Number of Requests	Pages Released	Number of Requests	Pages Released	Number of Requests	Pages Released	Number of Requests	Pages Released
0	0	0	0	0	0	0	0	0	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	1	0	0	0	0	0	0	1
Disclosed in part	0	0	0	1	0	0	0	1
All exempted	0	0	0	0	0	0	0	0
All excluded	0	0	0	0	0	0	0	0
No records exist	1	0	0	0	0	0	0	1
Request abandoned	0	0	0	0	0	0	0	0
Neither confirmed nor denied	0	0	0	0	0	0	0	0
Total	2	0	0	1	0	0	0	3

3.2 Exemptions

Section	Number of Requests	Section	Number of Requests	Section	Number of Requests
18(2)	0	22(1)(a)(i)	0	23(a)	0
19(1)(a)	0	22(1)(a)(ii)	0	23(b)	0
19(1)(b)	0	22(1)(a)(iii)	0	24(a)	0
19(1)(c)	0	22(1)(b)	0	24(b)	0
19(1)(d)	0	22(1)(c)	0	25	0
19(1)(e)	0	22(2)	0	26	1
19(1)(f)	0	22.1	0	27	0
20	0	22.2	0	27.1	0
21	0	22.3	0	28	0
		22.4	0		

3.3 Exclusions

Section	Number of Requests	Section	Number of Requests	Section	Number of Requests
69(1)(a)	0	70(1)	0	70(1)(d)	0
69(1)(b)	0	70(1)(a)	0	70(1)(e)	0
69.1	0	70(1)(b)	0	70(1)(f)	0
		70(1)(c)	0	70.1	0

3.4 Format of information released

Paper	Electronic				Other
	E-record	Data set	Video	Audio	
0	1	1	0	0	0

3.5 Complexity

3.5.1 Relevant pages processed and disclosed for paper and e-record formats

Number of Pages Processed	Number of Pages Disclosed	Number of Requests
59	53	2

3.5.2 Relevant pages processed by request disposition for paper and e-record formats by size of requests

Disposition	Less Than 100 Pages Processed		100-500 Pages Processed		501-1,000 Pages Processed		1,001-5,000 Pages Processed		More Than 5,000 Pages Processed	
	Number of Requests	Pages Disclosed	Number of Requests	Pages Disclosed	Number of Requests	Pages Disclosed	Number of Requests	Pages Disclosed	Number of Requests	Pages Disclosed
All disclosed	1	3	0	0	0	0	0	0	0	0
Disclosed in part	1	56	0	0	0	0	0	0	0	0
All exempted	0	0	0	0	0	0	0	0	0	0
All excluded	0	0	0	0	0	0	0	0	0	0
Request abandoned	0	0	0	0	0	0	0	0	0	0
Neither confirmed nor denied	0	0	0	0	0	0	0	0	0	0
Total	2	59	0	0	0	0	0	0	0	0

3.5.3 Relevant minutes processed and disclosed for audio formats

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

3.5.4 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
Total	0	0	0	0	0	0

3.5.5 Relevant minutes processed and disclosed for video formats

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

3.5.6 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
Total	0	0	0	0	0	0

3.5.7 Other complexities

Disposition	Consultation Required	Legal Advice Sought	Interwoven Information	Other	Total
All disclosed	0	0	0	0	0
Disclosed in part	0	0	0	0	0
All exempted	0	0	0	0	0
All excluded	0	0	0	0	0
Request abandoned	0	0	0	0	0
Neither confirmed nor denied	0	0	0	0	0
Total	0	0	0	0	0

3.6 Closed requests

3.6.1 Number of requests closed within legislated timelines

Number of requests closed within legislated timelines	3
Percentage of requests closed within legislated timelines (%)	100

3.7 Deemed refusals

3.7.1 Reasons for not meeting legislative timelines

Number of Requests Closed Past the Legislated Timelines	Principal Reason			
	Interference with Operations / Workload	External Consultation	Internal Consultation	Other
0	0	0	0	0

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 Timelines Where an Extension Was Taken	Total
1 to 15 days	0	0	0
16 to 30 days	0	0	0
31 to 60 days	0	0	0
61 to 120 days	0	0	0
121 to 180 days	0	0	0
181 to 365 days	0	0	0
More than 365 days	0	0	0
Total	0	0	0

3.8 Requests for translation

Translation Requests	Accepted	Refused	Total
English to French	0	0	0
French to English	0	0	0
Total	0	0	0

Section 4 – Disclosure Under Subsections 8(2) and 8(5)

Paragraph 8(2)(e)	Paragraph 8(2)(m)	Subsection 8(5)	Total
0	0	0	0

Section 5 – Requests for Correction of Personal Information and Notations

Disposition for Correction Requests Received	Number
Notations attached	0
Requests for correction accepted	0
Total	0

Section 6 – Extensions

6.1 Reasons for extensions and disposition of requests

Number of requests where an extension was taken	15(a)(i) Interference with operations				15 (a)(ii) Consultation			15(b) Translation purposes or conversion
	Further review required to determine exemptions	Large volume of pages	Large volume of requests	Documents are difficult to obtain	Cabinet Confidence Section (Section 70)	External	Internal	
1	0	1	0	0	0	0	0	0

Section 9 – Complaints and Investigations Notices Received

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

Section 10 – Privacy Impact Assessments (PIAs) and Personal Information Banks (PIB)

10.1 Privacy Impact Assessments

Number of PIAs completed	1
Number of PIAs modified	0

10.2 Institution-specific and Central Personal Information Banks

Personal Information Banks	Active	Created	Terminated	Modified
Institution-specific	2	1	0	0
Central	0	0	0	0
Total	2	1	0	0

Section 11 – Privacy Breaches

11.1 Material Privacy Breaches reported

Number of material privacy breaches reported to TBS	0
Number of material privacy breaches reported to OPC	0

11.2 Non-material Privacy Breaches

Number of non-material privacy breaches	0
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Section 12 – Resources Related to the *Privacy Act*

12.1 Allocated Costs

Expenditures	Amount
Salaries	\$13,440
Overtime	\$0
Goods and Services	\$54
• Professional services contracts	\$0
• Other	\$54
Total	\$13,494

12.2 Human Resources

Resources	Person Years Dedicated to Privacy Activities
Full-time employees	0.150

Part-time and casual employees	0.000
Regional staff	0.000
Consultants and agency personnel	0.000
Students	0.000
Total	0.150

Annex C

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

Name of institution: Atlantic Canada Opportunities Agency
Reporting period: April 1, 2022 to March 31, 2023

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	52	52

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

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

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, 2023	Open Requests that are <i>Beyond</i> Legislated Timelines as of March 31, 2023	Total
Received in 2022-2023	3	0	3
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	0	0	0
Received in 2014-2015	0	0	0
Received in 2013-2014 or earlier	0	0	0
Total	3	0	3

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 2022-2023	0
Received in 2021-2022	0
Received in 2020-2021	0
Received in 2019-2020	0
Received in 2018-2019	0
Received in 2017-2018	1
Received in 2016-2017	0
Received in 2015-2016	0
Received in 2014-2015	0
Received in 2013-2014 or earlier	0
Total	1

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.

Fiscal Year Open Requests Were Received	Open Requests that are <i>Within</i> Legislated Timelines as of March 31, 2023	Open Requests that are <i>Beyond</i> Legislated Timelines as of March 31, 2023	Total
Received in 2022-2023	0	0	0
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	0	0	0
Received in 2014-2015	0	0	0
Received in 2013-2014 or earlier	0	0	0
Total	0	0	0

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

Fiscal Year Open Complaints Were Received by Institution	Number of Open Complaints
Received in 2022-2023	0
Received in 2021-2022	0
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	0
Received in 2014-2015	0
Received in 2013-2014 or earlier	0
Total	0

Section 5 – Social Insurance Number

Has your institution begun a new collection or a new consistent use of the SIN in 2022-2023?	No
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Section 6 – Universal Access under the Privacy Act

How many requests were received from confirmed foreign nationals outside of Canada in 2022-2023?	0
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