

**BUSINESS DEVELOPMENT BANK OF CANADA (“BDC”)  
and BDC CAPITAL INC. (“BDC Capital”)**

**ANNUAL REPORT on the ACCESS TO INFORMATION ACT**

**Reporting period: April 1, 2009 to March 31, 2010**

**Mandate:**

BDC’s mandate, as set out in the *Business Development Bank of Canada Act*, is to support Canadian entrepreneurship by providing financial, consulting and venture capital services. BDC’s investments may be held in the name of BDC Capital, a wholly-owned subsidiary of BDC. All administration of such investments is performed by BDC employees, using BDC resources and facilities. All relevant records relating to BDC Capital are under the control of BDC.

**Organization of Access to Information activities, policies and procedures:**

Procedures are in place for directing formal access requests to the Access to Information Coordinator who ensures that they are processed in accordance with the provisions of the Act. The Coordinator is normally occupied part-time at BDC’s Montreal Head Office in carrying out his responsibilities pursuant to the Act, although he is available at all times together with other administrative support, to process requests as the volume of activity may warrant. The Assistant Vice President, Legal Affairs in BDC’s legal department is currently designated as the Access to Information Coordinator, exercises delegated authority to exercise the powers, duties and functions under the Act and reports to BDC’s President & CEO in access to information matters. A copy of the Delegation Order is attached. The Coordinator has extensive knowledge of access to information and privacy laws and policies.

BDC receives requests from many sources and for all types of information throughout the year. BDC's approach in determining whether to deal with such requests informally or whether to require the requestor to make a formal request under the Act depends on whether the information is of the type that obviously can be disclosed without having to consider applying exemptions and whether the relevant records can be easily identified and located. Decisions on waiving application and processing fees permitted under the Act are made on a case-by-case basis.

**Activities:**

As outlined in the attached statistical report, BDC received five new formal requests in this reporting period and processed four requests carried forward from the last reporting period. In relation to the nine requests that were completed, the relevant records were fully disclosed in four of those files, while in the rest, portions of the records were exempt. In addition, there were five formal consultations from other departments and agencies concerning requests they received in which some BDC-related records were involved.

The percentage breakdown for the source of requests received during this reporting period is as follows:

40. % Media  
40. % Public  
20. % Organizations

### **Education and Training**

During the reporting period, the Coordinator attended a full-day ATIP community meeting organized by the Canadian Access and Privacy Association in Ottawa.

### **Policies, Guidelines and Procedures**

During the reporting period, BDC did not implement any new or revised access to information policies, guidelines or procedures.

### **Complaints and Investigations**


During the reporting period, BDC received notice from the Office of the Information Commissioner of complaint and investigation in two related files, in which BDC claimed exemption for records it considers to have proprietary and strategic value.

**Access to Information and Privacy Acts**  
**Designation Order**

Pursuant to section 73 of both the *Access to Information Act* and the *Privacy Act* (collectively, the "Acts"), Jean-René Halde, President and Chief Executive Officer of the Business Development Bank of Canada ("BDC") and head of a government institution for the purpose of the Acts in relation to BDC, hereby:

1. revokes all previous designations relating to the exercise of powers and performance of duties and functions of the head of a government institution under the Acts in relation to BDC (the "Powers"), and;
2. hereby designates Robert Annett, Assistant General Counsel, and should Mr. Annett be absent or unable to perform his duties and functions himself, then François Rivest, Assistant General Counsel, in his place, to exercise or perform such Powers and to be designated as BDC's Access to Information and Privacy Coordinator for that purpose.

Dated at Montreal, Quebec, this 28<sup>th</sup> day of August, 2007.

  
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Jean-René Halde,  
President and Chief Executive Officer



REPORT ON THE ACCESS TO INFORMATION ACT / RAPPORT CONCERNANT LA LOI SUR L'ACCÈS À L'INFORMATION

Institution / <b>BUSINESS DEVELOPMENT BANK OF CANADA</b> BANQUE DE DÉVELOPPEMENT DU CANADA				Reporting period / Période visée par le rapport F2010 (2009/01/04 - 2010/31/03)	
Source	Media / Médias 2	Academia / Secteur universitaire 0	Business / Secteur commercial 0	Organization / Organisme 1	Public 2

<b>I Requests under the Access to Information Act / Demandes en vertu de la Loi sur l'accès à l'information</b>	
Received during reporting period / Reçues pendant la période visée par le rapport	5
Outstanding from previous period / En suspens depuis la période antérieure	4
<b>TOTAL</b>	<b>9</b>
Completed during reporting period / Traitées pendant la période visées par le rapport	9
Carried forward / Reportées	0

<b>II Disposition of requests completed / Disposition à l'égard des demandes traitées</b>			
1. All disclosed / Communication totale	4	6. Unable to process / Traitement impossible	
2. Disclosed in part / Communication partielle	5	7. Abandoned by applicant / Abandon de la demande	
3. Nothing disclosed (excluded) / Aucune communication (exclusion)		8. Treated informally / Traitement non officiel	
4. Nothing disclosed (exempt) / Aucune communication (exemption)		<b>TOTAL</b>	<b>9</b>
5. Transferred / Transmission			

<b>III Exemptions invoked / Exceptions invoquées</b>					
S. Art. 13(1)(a)		S. Art. 16(1)(a)	3	S. Art. 21(1)(a)	3
(b)		(b)		(b)	2
(c)		(c)	3	(c)	1
(d)		(d)	S. Art. 19(1)	(d)	1
S. Art. 14		S. Art. 16(2)	S. Art. 20(1)(a)	S. Art. 22	
S. 15(1) Art. International rel. / Relations interm.		S. Art. 16(3)	(b)	S. Art. 23	1
Defence / Défense		S. Art. 17	(c)	S. Art. 24	1
Subversive activities / Activités subversives		S. Art. 18(a)	3	S. Art. 26	2

<b>IV Exclusions cited / Exclusions citées</b>			
S. Art. 68(a)		S. Art. 69(1)(c)	
(b)		(d)	
(c)		(e)	1
S. Art. 69(1)(a)	1	(f)	
(b)	1	(g)	

<b>V Completion time / Délai de traitement</b>	
30 days or under / 30 jours ou moins	5
31 to 60 days / De 31 à 60 jours	3
61 to 120 days / De 61 à 120 jours	1
121 days or over / 121 jours ou plus	

<b>VI Extensions / Prorogations des délais</b>		
	30 days or under / 30 jours ou moins	31 days or over / 31 jours ou plus
Searching / Recherche	1	
Consultation	2	
Third party / Tiers		
<b>TOTAL</b>	<b>3</b>	

<b>VII Translations / Traduction</b>		
Translations requested / Traductions demandées		
Translations prepared / Traductions préparées	English to French / De l'anglais au français	
	French to English / Du français à l'anglais	

<b>VIII Method of access / Méthode de consultation</b>	
Copies given / Copies de l'original	9
Examination / Examen de l'original	
Copies and examination / Copies et examen	

<b>IX Fees / Frais</b>			
Net fees collected / Frais net perçus			
Application fees / Frais de la demande	15	Preparation / Préparation	
Reproduction		Computer processing / Traitement informatique	
Searching / Recherche		<b>TOTAL</b>	<b>15</b>
Fees waived / Dispense de frais		No. of times / Nombre de fois	\$
\$25.00 or under / 25 \$ ou moins		2	\$ 10
Over \$25.00 / De plus de 25 \$			\$

<b>X Costs / Coûts</b>	
Financial (all reasons) / Financiers (raisons)	
Salary / Traitement	\$ 10 462.
Administration (O and M) / Administration (fonctionnement et maintien)	\$ 2 411.
<b>TOTAL</b>	<b>\$ 12 873.</b>
Person year utilization (all reasons) / Années-personnes utilisées (raison)	
Person year (decimal format) / Années-personnes (nombre décimal)	<b>0.085</b>

