

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

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

**Reporting period: April 1, 2019, to March 31, 2020**

**1. Purpose of the Act**

The purpose of the *Access to Information Act* (R.S.C., 1985, c. A-1) (the “**Act**”) is to extend the present laws of Canada to provide a right of access to information in records under the control of a government institution in accordance with the principles that government information should be available to the public, that necessary exceptions to the right of access should be limited and specific and that decisions on the disclosure of government information should be reviewed independently of government.

**2. Annual report**

This report is prepared and tabled in Parliament in accordance with section 94 of the Act.

**3. BDC’s mandate**

BDC’s mandate, as set out in the *Business Development Bank of Canada Act* (S.C. 1995, c. 28), is to support Canadian entrepreneurship by providing financial and management services and by issuing securities or otherwise raising funds or capital in support of those services. BDC’s investments may be held in the name of BDC Capital, a wholly owned subsidiary of BDC. BDC employees, using BDC resources and facilities, perform all administration of such investments. All relevant records relating to BDC Capital are under the control of BDC.

**4. Organization of Access to Information Activities, Policies and Procedures**

Delegated by the President & CEO, the Assistant Vice President, Compliance and Information Management (the Coordinator), the Assistant Vice President, Legal Affairs, the Counsel and Assistant Corporate Secretary and the Chief Legal Officer and Corporate Secretary are currently exercising the powers, duties and functions under the Act and report to BDC’s President & CEO on access to information matters.

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 her responsibilities pursuant to the Act, although she is available together with her team, to process requests as the volume of the activity may warrant.

BDC receives requests from various sources and for all types of information throughout the year. Decisions on waiving of application and of processing fees permitted under the Act are made on a case-by-case basis.

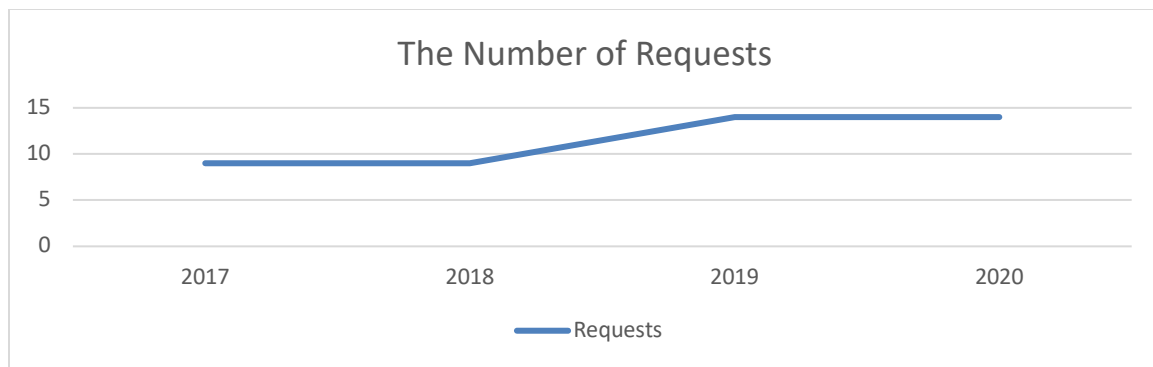
BDC is not party to any service agreement under section 96 of the Act.

## 5. Delegation

A copy of the Delegation Order is attached.

## 6. Statistical Report

As outlined in the attached statistical report, BDC received fourteen new formal requests in this reporting period and had no requests outstanding from the previous period. In relation to the formal requests, all fourteen were completed in the 30-day period provided by the Act and in this reporting period. The relevant records were completely disclosed in two cases, partially disclosed in eleven other cases and were fully exempted in the last instance. In addition, there were seventeen formal consultations received from other departments and agencies of the Government of Canada concerning requests they treated in which some BDC-related records were involved. All seventeen consultations were completed within the agreed timeframe and in this reporting period.



It should be noted that the number of requests remains consistent throughout the years at around ten, while the number of pages processed varies greatly depending on the subject matter. Exemptions applied by BDC are limited to sections 18 (a), 18 (b), 21(1) (d), 23 and 24 (1) of the Act and no exclusions were claimed. No formal requests required an extension of the time limit to be answered. All formal requests and all consultations were completed in the prescribed timeframe.

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

- Media: 72 % (10)
- Business: 14% (2)
- Public: 14% (2)

BDC's ability to fulfill its responsibilities under the Act was unaffected by COVID-19 pandemic.

## 7. Training

During the reporting period, no training activities were performed.

## 8. Policies, Directives, Procedures and Initiatives

During the reporting period, BDC did not implement or revise policies, directives and procedures related to the Act.

**9. Complaints and Investigations**

For this reporting period, BDC received one complaint about an access to information request from the previous fiscal year. There are no other open complaints, audits or investigations deriving from this or preceding periods.

**10. Monitoring of the time to process access to information requests**

As BDC does not receive a large number of access to information requests, no formal monitoring of time is conducted.

# Delegation Order - *Access to Information Act* and *Access to Information Regulations*

The President and Chief Executive Officer of the Business Development Bank of Canada (the "BDC", pursuant to section 73 of the *Access to Information Act* (the "Act") as the head of a government institution for the purpose of the Act, hereby:

- i. designates the BDC Director, Corporate Compliance as BDC's Access to Information Coordinator;
- ii. delegates the persons holding the positions set out in schedule A hereto, to exercise the powers, duties and functions, under the provisions of the Act and related regulations as set out in schedule A in relation to BDC.

These designation and delegation replace all previous delegation orders.

Dated, at the City of Montreal, this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_.

En vertu de l'article 73 de la *Loi sur l'accès à l'information* (la « Loi »), le Président et Chef de la direction de la Banque de Développement du Canada (la « BDC ») à titre de responsable d'une institution fédérale selon la Loi :

- i. désigne la Directrice, Conformité de l'entreprise, à titre de Coordonnateur de l'accès à l'information pour la BDC (le « Coordonnateur ») ;
- ii. délègue aux titulaires des postes mentionnés à l'annexe A, les pouvoirs, tâches et fonctions concernant la BDC, selon les dispositions de la Loi et de ses règlements tel que décrits à l'annexe A.

Le présent document remplace et annule tout arrêté antérieur.

Daté, en la ville de Montréal, le 9 jour de Septembre 2015.



Michael Denham

President and Chief Executive Officer, Business Development Bank of Canada  
Président et chef de la direction de la Banque de développement du Canada

## Delegation under Access to Information Act and Regulations Schedule A

### Délégation en vertu de la Loi sur l'accès à l'information et ses Règlements Annexe A

#### Legend / Légende

<b>DCC / DCE:</b>	Director, Corporate Compliance / Directrice Conformité de l'entreprise.
<b>CACS / ASGA :</b>	Counsel and Assistant Corporate Secretary / Avocate et Secrétaire générale adjointe.
<b>AVP Legal / VPA Légal:</b>	Assistant Vice-President, Legal Affairs / Vice-President adjoint, Affaires juridiques.
<b>SVP Legal / PVP Légal:</b>	Senior Vice President, Legal Affairs and Corporate Secretary / Première vice-présidente, Affaires juridiques et secrétaire générale.

All of the above titles include their equivalent under any future renaming of such titles.

Tous les titres des postes susmentionnés incluent leurs équivalents en vertu de nouvelles désignations.

- (\*) Subject to obtain proper approvals from the BDC legal department, when required.  
Sous réserve d'obtenir, si requis, les approbations des services juridiques de la BDC.

Provision / Article	Description	Positions / Postes			
		1 <sup>st</sup> / 1 <sup>er</sup>	2 <sup>nd</sup> / 2 <sup>e</sup>	3 <sup>rd</sup> / 3 <sup>e</sup>	4 <sup>th</sup> / 4 <sup>e</sup>
<b>Act / Loi</b>					
4(2.1)	Responsibility of head of institution Responsable de l'institution fédérale	DCC * DCE	AVP Legal VPA Légal	CACS ASGA	SVP Legal PVP Légal
7(a)	Notice when access requested Notification de l'auteur de la demande	DCC * DCE	AVP Legal VPA Légal	CACS ASGA	SVP Legal PVP Légal
7(b)	Giving access to the record Communication du document	DCC * DCE	AVP Legal VPA Légal	CACS ASGA	SVP Legal PVP Légal
8(1)	Transfer of request Transmission de la demande	DCC * DCE	AVP Legal VPA Légal	CACS ASGA	SVP Legal PVP Légal
9	Extension of time limits Prorogation du délai	DCC * DCE	AVP Legal VPA Légal	CACS ASGA	SVP Legal PVP Légal
11(2)(3)(4)(5)(6)	Additional Fees Frais supplémentaires	DCC * DCE	AVP Legal VPA Légal	CACS ASGA	SVP Legal PVP Légal
12(2)(b)	Language of access Version de la communication	DCC * DCE	AVP Legal VPA Légal	CACS ASGA	SVP Legal PVP Légal
12(3)(b)	Access in an alternative format Communication sur support de substitution	DCC * DCE	AVP Legal VPA Légal	CACS ASGA	SVP Legal PVP Légal
13	Information obtained in confidence Renseignements obtenus à titre confidentiel	AVP Legal VPA Légal	CACS ASGA	SVP Legal PVP Légal	
14	Federal-provincial affairs Affaires fédéro-provinciales	AVP Legal VPA Légal	CACS ASGA	SVP Legal PVP Légal	
15	International affairs and defence Affaires internationales et défense	AVP Legal VPA Légal	CACS ASGA	SVP Legal PVP Légal	
16	Law enforcement and investigations Application de la loi et enquêtes	AVP Legal VPA Légal	CACS ASGA	SVP Legal PVP Légal	
16.5	Public Servants Disclosure Protection Act Loi sur la protection des fonctionnaires divulgateurs d'actes répréhensibles	AVP Legal VPA Légal	CACS ASGA	SVP Legal PVP Légal	
17	Safety of individuals Sécurité des individus	AVP Legal VPA Légal	CACS ASGA	SVP Legal PVP Légal	
18	Economic interests of Canada Intérêts économiques du Canada	AVP Legal VPA Légal	CACS ASGA	SVP Legal PVP Légal	
18.1	Economic interest of certain government institutions Intérêts économiques de certaines institutions fédérales	AVP Legal VPA Légal	CACS ASGA	SVP Legal PVP Légal	

19	Personal information Renseignements personnels	AVP Legal VPA Légal	CACS ASGA	SVP Legal PVP Légal	
20	Third party information Renseignements de tiers	AVP Legal VPA Légal	CACS ASGA	SVP Legal PVP Légal	
21	Operations of Government Activités du gouvernement	AVP Legal VPA Légal	CACS ASGA	SVP Legal PVP Légal	
22	Testing procedures, tests and audits Examens et vérifications	AVP Legal VPA Légal	CACS ASGA	SVP Legal PVP Légal	
22.1	Internal Audits Vérifications internes	AVP Legal VPA Légal	CACS ASGA	SVP Legal PVP Légal	
23	Solicitor-client privilege Secret professionnel des avocats	AVP Legal VPA Légal	CACS ASGA	SVP Legal PVP Légal	
24	Statutory prohibitions Interdictions fondées sur d'autres lois	AVP Legal VPA Légal	CACS ASGA	SVP Legal PVP Légal	
25	Severability Prélèvements	AVP Legal VPA Légal	CACS ASGA	SVP Legal PVP Légal	
26	Refusal of access where information is to be published Refus de communication en cas de publication	AVP Legal VPA Légal	CACS ASGA	SVP Legal PVP Légal	
27(1), (4)	Third party notification Avis aux tiers	DCC * DCE	AVP Legal VPA Légal	CACS ASGA	SVP Legal PVP Légal
28(1)(b),(2), (4)	Third party notification Avis aux tiers	DCC * DCE	AVP Legal VPA Légal	CACS ASGA	SVP Legal PVP Légal
29(1)	Notice of decision to disclose Avis de la décision de communiquer	DCC * DCE	AVP Legal VPA Légal	CACS ASGA	SVP Legal PVP Légal
33	Notice to Information Commissioner of notices to third parties Avis au Commissaire à l'information des avis aux tiers	DCC * DCE	AVP Legal VPA Légal	CACS ASGA	SVP Legal PVP Légal
35(2)(b)	Right to make representations Droit de présenter des observations	AVP Legal VPA Légal	CACS ASGA	SVP Legal PVP Légal	
37(1)	Notice of actions to implement recommendations of Commissioner Avis des mesures pour la mise en œuvre des recommandations du Commissaire	DCC * DCE	AVP Legal VPA Légal	CACS ASGA	SVP Legal PVP Légal
37(4)	Access to be given to complainant Communication accordée au plaignant	DCC * DCE	AVP Legal VPA Légal	CACS ASGA	SVP Legal PVP Légal
43(1)	Notice to third party of application to Federal Court for review Avis au tiers d'une demande de révision à la Cour fédérale	DCC * DCE	AVP Legal VPA Légal	CACS ASGA	SVP Legal PVP Légal
44(2)	Notice to requester of application for review by third party Avis au demandeur d'un recours en révision du tiers	DCC * DCE	AVP Legal VPA Légal	CACS ASGA	SVP Legal PVP Légal
52(2)(b), 52(3)	Special rules for hearings Règles spéciales pour les auditions	AVP Legal VPA Légal	CACS ASGA	SVP Legal PVP Légal	
71(1)	Facilities for inspection of manuals Installations de consultation des manuels	DCC * DCE	AVP Legal VPA Légal	CACS ASGA	SVP Legal PVP Légal
72	Annual report to Parliament Rapport annuel au Parlement	DCC * DCE	AVP Legal VPA Légal	CACS ASGA	SVP Legal PVP Légal
<b>Regulation / Règlement</b>					
6(1)	Transfer of request Transmission de la demande	DCC * DCE	AVP Legal VPA Légal	CACS ASGA	SVP Legal PVP Légal
7(2)	Search and preparation fees Frais liés à la recherche et à la préparation	DCC * DCE	AVP Legal VPA Légal	CACS ASGA	SVP Legal PVP Légal
7(3)	Production and programming fees Frais liés à la production et la programmation	DCC * DCE	AVP Legal VPA Légal	CACS ASGA	SVP Legal PVP Légal
8	Method of access Méthode d'accès	DCC * DCE	AVP Legal VPA Légal	CACS ASGA	SVP Legal PVP Légal
8.1	Limitations in respect of format Restrictions applicables au support	DCC * DCE	AVP Legal VPA Légal	CACS ASGA	SVP Legal PVP Légal



## Statistical Report on the Access to Information Act

Name of institution: Business Development Bank of Canada

Reporting period: 2019-04-01 to 2020-03-31

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

#### 1.1 Number of requests

	Number of Requests
Received during reporting period	14
Outstanding from previous reporting period	0
<b>Total</b>	<b>14</b>
Closed during reporting period	14
Carried over to next reporting period	0

#### 1.2 Sources of requests

Source	Number of Requests
Media	10
Academia	0
Business (private sector)	2
Organization	0
Public	2
Decline to Identify	0
<b>Total</b>	<b>14</b>

#### 1.3 Informal requests

Completion Time							
1 to 15 Days	16 to 30 Days	31 to 60 Days	61 to 120 Days	121 to 180 Days	181 to 365 Days	More Than 365 Days	Total
5	3	0	0	0	0	0	8

**Note:** All requests previously recorded as “treated informally” will now be accounted for in this section only.



### Section 2: Decline to act on vexatious, made in bad faith or abuse of right requests

	Number of Requests
Outstanding from previous reporting period	0
Sent during reporting period	0
<b>Total</b>	<b>0</b>

Approved by the Information Commissioner during reporting period	0
Declined by the Information Commissioner during reporting period	0
Carried over to next reporting period	0

### Section 3: Requests Closed During the Reporting Period

#### 3.1 Disposition and completion time

Disposition of Requests	Completion Time							Total
	1 to 15 Days	16 to 30 Days	31 to 60 Days	61 to 120 Days	121 to 180 Days	181 to 365 Days	More Than 365 Days	
All disclosed	1	1	0	0	0	0	0	2
Disclosed in part	0	11	0	0	0	0	0	11
All exempted	0	1	0	0	0	0	0	1
All excluded	0	0	0	0	0	0	0	0
No records exist	0	0	0	0	0	0	0	0
Request transferred	0	0	0	0	0	0	0	0
Request abandoned	0	0	0	0	0	0	0	0
Neither confirmed nor denied	0	0	0	0	0	0	0	0
Decline to act with the approval of the Information Commissioner	0	0	0	0	0	0	0	0
<b>Total</b>	<b>1</b>	<b>13</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>14</b>

#### 3.2 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)	3	20.1	0
13(1)(b)	0	16(2)(a)	0	18(b)	1	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)	0	21(1)(a)	0
13(1)(e)	0	16(3)	0	18.1(1)(a)	0	21(1)(b)	0
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)	1
14(b)	0	16.1(1)(c)	0	18.1(1)(d)	0	22	0
15(1)	0	16.1(1)(d)	0	19(1)	0	22.1(1)	0
15(1) - I.A.*	0	16.2(1)	0	20(1)(a)	0	23	2
15(1) - Def.*	0	16.3	0	20(1)(b)	0	23.1	0
15(1) - S.A.*	0	16.31	0	20(1)(b.1)	0	24(1)	9



16(1)(a)(i)	0	16.4(1)(a)	0	20(1)(c)	0	26	0
16(1)(a)(ii)	0	16.4(1)(b)	0	20(1)(d)	0		
16(1)(a)(iii)	0	16.5	0				
16(1)(b)	0	16.6	0				
16(1)(c)	0	17	0				
16(1)(d)	0						

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

### 3.3 Exclusions

Section	Number of Requests	Section	Number of Requests	Section	Number of Requests
68(a)	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

### 3.4 Format of information released

Paper	Electronic	Other
0	13	0

### 3.5 Complexity

#### 3.5.1 Relevant pages processed and disclosed

Number of Pages Processed	Number of Pages Disclosed	Number of Requests
2382	2183	14

#### 3.5.2 Relevant pages processed and disclosed by size of requests

Disposition	Less Than 100 Pages Processed		101-500 Pages Processed		501-1000 Pages Processed		1001-5000 Pages Processed		More Than 5000 Pages Processed	
	Number of Requests	Pages Disclosed	Number of Requests	Pages Disclosed	Number of Requests	Pages Disclosed	Number of Requests	Pages Disclosed	Number of Requests	Pages Disclosed
All disclosed	2	12	0	0	0	0	0	0	0	0
Disclosed in part	7	23	2	319	1	815	1	1014	0	0
All exempted	1	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
<b>Total</b>	<b>10</b>	<b>35</b>	<b>2</b>	<b>319</b>	<b>1</b>	<b>815</b>	<b>1</b>	<b>1014</b>	<b>0</b>	<b>0</b>

#### 3.5.3 Other complexities

Disposition	Consultation Required	Assessment of Fees	Legal Advice Sought	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
<b>Total</b>	0	0	0	0	0

### 3.6 Closed requests

#### 3.6.1 Number of requests closed within legislated timelines

	Requests closed within legislated timelines
Number of requests closed within legislated timelines	14
Percentage of requests closed within legislated timelines (%)	100

### 3.7 Deemed refusals

#### 3.7.1 Reasons for not meeting legislated timelines

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

## Section 4: Extensions

#### 4.1 Reasons for extensions and disposition of requests

Disposition of Requests Where an Extension Was Taken	9(1)(a) Interference With Operations	9(1)(b) Consultation		9(1)(c) Third-Party Notice
		Section 69	Other	
All disclosed	0	0	0	0
Disclosed in part	0	0	0	0
All exempted	0	0	0	0
All excluded	0	0	0	0
No records exist	0	0	0	0
Request abandoned	0	0	0	0
<b>Total</b>	0	0	0	0

#### 4.2 Length of extensions

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

### Section 5: Fees

Fee Type	Fee Collected		Fee Waived or Refunded	
	Requests	Amount	Requests	Amount
Application	0	\$0	14	\$70
Other fees	0	\$0	0	\$0
<b>Total</b>	0	\$0	14	\$70

### Section 6: Consultations Received From Other Institutions and Organizations

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

Consultations	Other Government of Canada Institutions	Number of Pages to Review	Other Organizations	Number of Pages to Review
Received during reporting period	17	187	0	0
Outstanding from the previous reporting period	0	0	0	0
<b>Total</b>	17	187	0	0
Closed during the reporting period	17	0	0	0
Carried over to next reporting period	0	187	0	0



<b>Total</b>	0	0	0	0	0	0	0	0	0
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## 7.2 Requests with Privy Council Office

Number of Days	Fewer Than 100 Pages Processed		101-500 Pages Processed		501-1000 Pages Processed		1001-5000 Pages Processed		More Than 5000 Pages Processed	
	Number of Requests	Pages Disclosed	Number of 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
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 8: Complaints and investigations

Section 32 Notice of intention to investigate	Subsection 30(5) Ceased to investigate	Section 35 Formal representations	Section 37 Reports of finding received	Section 37 Reports of finding containing recommendations issued by the Information Commissioner	Section 37 Reports of finding containing orders issued by the Information Commissioner
1	0	0	0	0	0

## Section 9: Court Action

### 9.1 Court actions on complaints received before June 21, 2019 and on-going

Section 41 (before June 21, 2019)	Section 42	Section 44
0	0	0

### 9.2 Court actions on complaints received after June 21, 2019

Section 41 (after June 21, 2019)				
Complainant (1)	Institution (2)	Third Party (3)	Privacy Commissioner (4)	Total
0	0	0	0	0

## Section 10: Resources Related to the Access to Information Act

### 10.1 Costs

Expenditures	Amount
Salaries	\$27,493
Overtime	\$0

Goods and Services		\$0
• Professional services contracts	\$0	
• Other	\$0	
<b>Total</b>		<b>\$27,493</b>

**10.2 Human Resources**

<b>Resources</b>	<b>Person Years Dedicated to Access to Information Activities</b>
Full-time employees	0.00
Part-time and casual employees	1.00
Regional staff	0.00
Consultants and agency personnel	0.00
Students	0.00
<b>Total</b>	<b>1.00</b>

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