

**Canada Enterprise Emergency Funding
Corporation**

Privacy Act

Annual Report to Parliament

April 1, 2021 – March 31, 2022

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Introduction

The *Privacy Act* (Revised Statutes of Canada, Chapter A-1, 1985) was proclaimed on July 1, 1983. The *Privacy Act* extends to individuals the right of access to information about themselves held by federal institutions, again subject to specific and limited exceptions. The law also protects the individual's privacy by preventing others from having access to personal information and gives individuals substantial control over its collection and use.

Canada Enterprise Emergency Funding Corporation (“CEEFC” or the “Corporation”) became subject to the *Privacy Act* on May 11, 2020.

This Annual Report to Parliament on the *Privacy Act* (the “Act”) is prepared and tabled in Parliament in accordance with section 72 of the *Act* and covers the period from April 1, 2021 to March 31, 2022.

Mandate and Organizational Structure

CEEFC was incorporated as a subsidiary of Canada Development Investment Corporation (“CDEV”) in 2020 to administer the Large Employer Emergency Financing Facility as part of Canada’s COVID-19 Economic Response Plan. This program will provide emergency funding support for large Canadian enterprises facing financial challenges in light of the economic impact of the global COVID-19 pandemic. CEEFC has been formed to administer this mandate.

There are service agreements between CDEV and its subsidiaries. CDEV administers the *Act* on behalf of its subsidiaries, excluding TMC.

The Corporation reports to Parliament through the Minister of Finance.

The Corporation has a service agreement in place with CDEV, which includes the provision of Access to Information and Privacy (“ATIP”) services. Two full-time CDEV employees are dedicated part-time to ATIP activities for CDEV and its subsidiaries, excluding TMC. The ATIP department consists of the ATIP Coordinator and one analyst. CDEV retains advice from external legal counsel and independent consultants as needed.

Delegation Order

The Delegation of Authority Order (Appendix A) is reviewed and approved annually by the head of the organization. The authority to approve or deny the release of departmental information requested under the *Act* is shared by the CEO and the ATIP Coordinator of CDEV.

Performance and Highlights of the 2021-2022 Statistical Report

Appendices B and C provide a summarized statistical report on the requests for personal information received under the *Privacy Act* from April 1, 2021 to March 31, 2022.

One new request was received in the reporting period and none were carried over from the previous fiscal year. The request was closed on or before March 31, 2022 and none were carried over to the next reporting period.

One formal request, or 100% of all requests, resulted in no responsive records.

All formal requests were closed within the statutory timeline, resulting in an overall timeline compliance rate of 100%. The closed request was completed within 1 to 15 days (100%).

No active requests are outstanding from previous reporting periods.

No active complaints are outstanding from previous reporting periods.

No consultations for other institutions were completed during this reporting period.

Operations were not impacted by COVID-19 during this reporting period.

A Supplementary Statistical Report is included in this report.

Training and Awareness

CDEV management meet with ATIP administrators to discuss specific requests and consultations as required.

Management are briefed on the status of files and reporting requirements on a regular basis. Summaries of formal and informal ATIP requests for CDEV and its subsidiaries are presented to the board of directors at least annually.

ATIP training was provided to all staff as well as directors of CDEV and its subsidiaries in June 2021. Two sessions were held.

Policies, Guidelines, Procedures and Initiatives

CDEV's privacy policy is reviewed by the board of directors regularly and amended as required. The privacy policy was last reviewed in June 2021.

CEEFC adopted many of CDEV's policies, guidelines and procedures during its first year of operation.

Summary of Key Issues and Actions Taken on Complaints or Audits

No complaints were received and no audits were concluded during the reporting period.

Monitoring Compliance

Outstanding requests are reviewed regularly to ensure the file is current and processing times are met.

Material Privacy Breaches

There were no material privacy breaches during the reporting period.

Privacy Impact Assessments

At March 31, 2022, no required privacy impact assessments have been identified by the Corporation.

Public Interest Disclosures

No public interest disclosure was made under paragraph 8 (2)(m) of the *Privacy Act* in this reporting period.

Appendix A – Privacy Act Designation Order

DESIGNATION/ DÉLÉGATION

*PRIVACY ACT /
LOI SUR LA PROTECTION DES RENSEIGNEMENTS PERSONNELS*

Privacy Act Designation Order

By this order made pursuant to sections 73 and 73.1 of the *Privacy Act*, I hereby authorize those officers and employees of the Canada Development Investment Corporation occupying, on an acting basis or otherwise, the positions identified within the attached schedule to perform on my behalf any of the powers, duties, or functions specified therein.

This designation replaces and repeals all previous orders.

Dated in Toronto on this ^{3rd} day of September 2021

Arrêté sur la délégation en vertu de la Loi sur la protection des renseignements personnels

Par le présent arrêté pris en vertu des articles 73 et 73.1 de la *Loi sur la protection des renseignements personnels*, j'autorise les agents et les employés du Corporation de développement des investissements du Canada occupant, par intérim ou autrement, les postes identifiés dans l'annexe ci-jointe à exercer en mon nom, les attributions, les fonctions et les pouvoirs qui y sont spécifiés.

Le présent document remplace et annule tous les arrêts antérieurs.

Fait à Toronto en ce ^{3^e} jour en septembre 2021



Zoltan Ambrus

President and CEO - Canada Enterprise Emergency Funding Corporation /
Le président et chef de la direction - Corporation de financement d'urgence d'entreprises du Canada

Schedule 1Designation Order- *Privacy Act*

Powers, Duties or Functions	Section	CEO
To disclose personal information to an investigative body specified in the regulations, on the written request of the body, for the purpose of enforcing any law of Canada or a province or carrying out a lawful investigation, if the request specifies the purpose and describes the information to be disclosed	8(2)(e)	yes
To disclose personal information when public interest outweighs invasion of privacy or when disclosure benefits the individual	8(2)(m)	yes

Schedule 2Designation Order- *Privacy Act*

	Section	CEO	ATIP Coordinator
To disclose personal information when satisfied that the purpose for which the information is disclosed cannot reasonably be accomplished unless the information is provided in a form that identifies the person to whom it relates and to obtain a written undertaking that no subsequent disclosure of the information will be made in a form that could reasonably be expected to identify the individual to whom it relates	8(2)(j)	yes	yes
To keep copies of requests made under 8(2)(e), keep records of information disclosed pursuant to such requests and make those copies and records available to the Privacy Commissioner	8(4)	yes	yes
To notify the Privacy Commissioner in writing of disclosure under paragraph 8(2)(m)	8(5)	yes	yes
To retain a record of use of personal information	9(1)	yes	yes
To notify the Privacy Commissioner of consistent use of personal information and update index accordingly	9(4)	yes	yes
To include personal information in personal information banks	10	yes	yes
To give written notice as to whether or not access will be given	14(a)	yes	yes
To give access to requester	14(b)	yes	yes
To extend time limit and give notice of extension	15	yes	yes

To determine the necessity for a translation or interpretation of a record	17(2)(b)	yes	yes
To determine whether a record should be provided in an alternative format	17(3)	yes	yes
To refuse to disclose personal information referred to in that section	18(2)	yes	yes
To refuse to disclose personal information referred to in that section	19(1)	yes	yes
To disclose, with consent, personal information referred to in that subsection	19(2)	yes	yes
To refuse to disclose personal information referred to in that section	20	yes	yes
To refuse to disclose personal information referred to in that section	21	yes	yes
To refuse to disclose personal information referred to in that section	22	yes	yes
To refuse to disclose personal information referred to in that section	22.3	yes	yes
To refuse to disclose personal information referred to in that section	23	yes	yes
To refuse to disclose personal information under that section	24	yes	yes
To refuse to disclose personal information under that section	25	yes	yes
To refuse to disclose personal information under that section	26	yes	yes
To refuse to disclose personal information under that section	27	yes	yes
To refuse to disclose personal information under that section	27.1	yes	yes
To refuse to disclose personal information under that section	28	yes	yes
To receive notice of investigation by the Privacy Commissioner	31	yes	yes
To make representations to the Privacy Commissioner	33(2)	yes	yes
To receive the report of findings of the investigation	35(1)	yes	yes

and give notice of action taken or proposed to be taken or reasons why no action has been or is proposed to be taken			
To provide access to personal information	35(4)	yes	yes
To receive the report of findings of the investigation of files in exempt banks	36(3)	yes	yes
To receive the report of findings after investigation in respect of personal information	37(3)	yes	yes
To request that the matter be heard and determined in the National Capital Region	51(2)(b)	yes	yes
To request the opportunity to make representations <i>ex parte</i>	51(3)	yes	yes
To prepare annual report for submission to Parliament	72	yes	yes
Provision of privacy services	73.1	yes	yes
To carry out responsibilities conferred on the head of the institution by regulations made under section 77, not included above	77	yes	yes

Appendix B – Statistical Report on the *Privacy Act*

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	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	1
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 Request 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
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: Disclosures 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

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 ConfidenceSection (Section 70)	External	Internal	
0	0	0	0	0	0	0	0	0

6.2 Length of extensions

Length of Extensions	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 ConfidenceSection (Section 70)	External	Internal	
1 to 15 days	0	0	0	0	0	0	0	0
16 to 30 days	0	0	0	0	0	0	0	0
31 days or greater								0
Total	0	0	0	0	0	0	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	Number of Pages to Review	Other Organizations	Number of Pages to Review
Received during the reporting period	0	0	0	0
Outstanding from the previous reporting period	0	0	0	0
Total	0	0	0	0
Closed during the reporting period	0	0	0	0
Carried over within negotiated timelines	0	0	0	0
Carried over beyond negotiated timelines	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 (PIBs)**10.1 Privacy Impact Assessments**

Number of PIAs completed	0
Number of PIAs modified	0

10.2 Institution-specific and Central Personal Information Banks

Personal Information Banks	Active	Created	Terminated	Modified
Institution-specific	0	0	0	0
Central	0	0	0	0
Total	0	0	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	\$138
Overtime	\$0
Goods and Services	\$0
• Professional services contracts	\$0
• Other	\$0
Total	\$138

12.2 Human Resources

Resources	Person Years Dedicated to Privacy Activities
Full-time employees	0.001
Part-time and casual employees	0.000
Regional staff	0.000
Consultants and agency personnel	0.000
Students	0.000
Total	0.001

Note: Enter values to three decimal places.

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

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

Name of institution: Canada Enterprise Emergency Funding Corporation

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	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	0	52	52

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	1	0	1
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
Total	1	0	1

Row 8, Col. 3 of Section 3.1 must equal Row 7, Col. 1 of Section 1.1 of the 2021-2022 Statistical Report on the *Access to Information Act*

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	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 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, 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	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
Total	0	0	0

Row 8, Col. 3 of Section 4.1 must equal Row 7, Col. 1 of Section 1.1 of the 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.

Fiscal Year Open Complaints Were Received by Institution	Number of Open Complaints
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 or earlier	0
Total	0

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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