

ANNUAL REPORT ON THE ADMINISTRATION OF THE *PRIVACY ACT*

Export Development Canada

1 April 2022 – 31 March 2023

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INTRODUCTION

The purpose of the *Privacy Act* (“Act”) is to protect the privacy of individuals with respect to their personal information held by government institutions and provide them with a right of access to that information.

Export Development Canada (“EDC”) is a crown corporation and an agent of His Majesty in Right of Canada with a mandate to support and develop trade between Canada and other countries and Canada’s competitiveness in the international marketplace and to provide development financing and other forms of development support. EDC’s mandate also includes supporting and developing domestic business, where requested by the Minister of International Trade, Export Promotion, Small Business and Economic Development and the Minister of Finance.

This report is prepared and tabled in Parliament in accordance with section 72 of the Act. For clarity, this report pertains to EDC specifically. Individual reports have been prepared and will be tabled for each of EDC’s wholly owned subsidiaries, Exinvest Inc. and Development Finance Institute Canada Inc.

ORGANIZATIONAL STRUCTURE

EDC’s Privacy and Information Risk (“P&IR”) Team is part of the Compliance and Ethics Group. The P&IR Team administers the Act for EDC and is responsible for responding to requests submitted to EDC under the Act.

Throughout the reporting period, the team was comprised of 7 full-time employees, of whom 3 were dedicated to ATI and 2 to privacy. The team was overseen by a Director, Compliance and Ethics, who reported to the Chief Compliance and Ethics Officer, who in turn reported to EDC’s Senior Vice-President and Chief Risk Officer, Global Risk Management.

EDC has agreements in place, entered into pursuant to section 73.1 of the Act, for the provision of privacy services to the Development Finance Institute Canada Inc. and Exinvest Inc.

DELEGATION ORDER

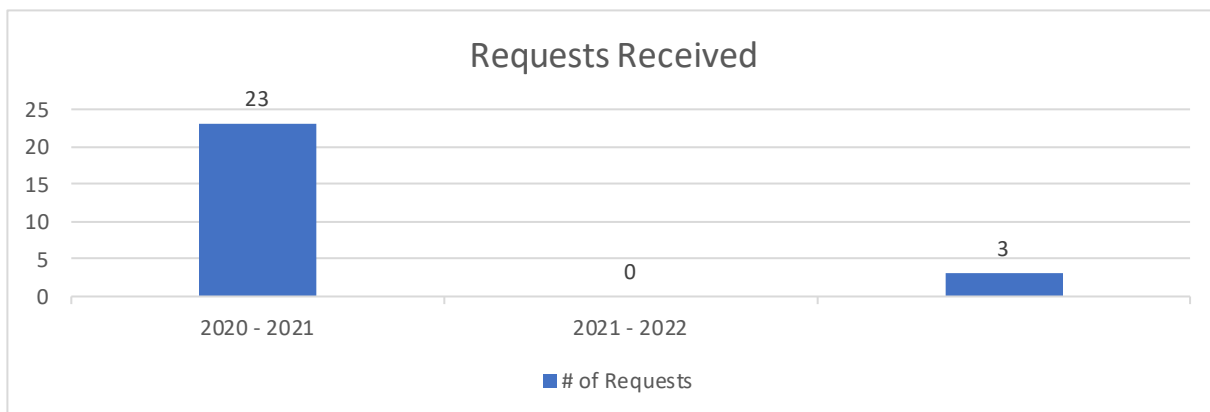
A copy of the delegation order that was made pursuant to section 73.1 of the Act and was in effect at the end of the reporting period is attached at Appendix A.

PERFORMANCE 2022-2023

Below is an overview of EDC’s performance, which is reported in greater detail in EDC’s Statistical Report on the Act for 2022-2023 that is attached at Appendix B and Supplemental ATIP Statistical Report that is attached at Appendix C:

- EDC received 3 new requests during the reporting period.
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- Of the 3 requests that were completed during the reporting period, 66% were completed within legislated timelines.
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- Of the 3 requests that were completed during the reporting period:
 - One was completed within 1 - 15 days,
 - One was completed within 16 – 30 days, and
 - One was completed within 31 – 60 days.
- As of the last day of the reporting period, there were no active requests.
- As of the last day of the reporting period, there were no active complaints.
- One request required an extension because of the high volume of records required to be processed.
- No requests for consultation from other government institutions were received.
- One hundred percent of requests completed involved records that were “disclosed in part” (as compared to “all disclosed”).

EDC had an increase in the number of personal information requests received during the reporting period compared to the previous reporting period. The chart below shows the trend for the past 3 reporting periods.



IMPACT OF COVID-19 PANDEMIC

EDC's COVID-19 pandemic related measures did not impact the institution's ability to fulfill its responsibilities under the Act during the reporting period.

TRAINING AND AWARENESS PROGRAM

During the reporting period, the P&IR Team promoted awareness of EDC's obligations under the Act through mandatory privacy and access to information training for all new employees, who totaled 295 for the reporting period.

INSTITUTION-SPECIFIC POLICIES, GUIDELINES AND PROCEDURES

EDC did not implement any new or revised institution-specific policies, guidelines, or procedures related to privacy during the reporting period.

EDC did not have any new collections or consistent uses of Social Insurance Numbers that began during the reporting period.

INITIATIVES AND PROJECTS TO IMPROVE ACCESS TO INFORMATION

EDC commenced the process for onboarding to ATIP Online, a centralized, publicly facing website hosted by the Treasury Board Secretariat for individuals to submit requests for access to information, including personal information, and is expected to be fully onboarded during the 2023-2024 reporting period.

COMPLAINTS

No complaints under the Act were received or concluded during the reporting period.

MATERIAL PRIVACY BREACHES

No material privacy breaches occurred or were reported to the Office of the Privacy Commissioner or Treasury Board Secretariat during the reporting period.

PRIVACY IMPACT ASSESSMENTS

No privacy impact assessments were completed during the reporting period on new or substantially modified programs or activities, as defined in the Directive on Privacy Impact Assessments.

PUBLIC INTEREST DISCLOSURES

No disclosures of personal information pursuant to section 8(2)(m) of the Act were made during the reporting period.

MONITORING COMPLIANCE

EDC uses AccessPro Suite by CSDC Systems Inc. to manage all requests received under the Act. The software has a dashboard function that enables monitoring of the status and time taken to process access to information requests. In addition to weekly team meetings, access compliance metrics, including response times, were a standing item in EDC Board reporting.

APPENDIX A – DELEGATION OF AUTHORITY

**TABLE OF AUTHORITY DELEGATIONS OF AUTHORITY PURSUANT TO SECTION 73(1) OF *PRIVACY ACT* AND REGULATIONS
COMPLIANCE AND ETHICS / PRIVACY AND ACCESS TO INFORMATION TEAM (PRIVACY & ATI), GLOBAL RISK MANAGEMENT (GRM)
Authorization**

1. Authorization to exercise or perform powers, duties or functions of the head of the institution under the *Privacy Act* and Privacy Regulations.

<i>Privacy Act – Section 73(1)</i>																											<i>Privacy Regulations</i>							
SECTIONS	8(2) (j)	8(2) (m)	8(4)	8(5)	9(1) & (4)	10	14	15	17(2)(b) & (3)(b)	18(2)	19(1) & (2)	20	21	22	22.3	23	24	25	26	27	28	31	33(2)	35(1) & (4)	36(3)	37(3)	51(2)(b) & (3)	72 (1)(4)	9	11 (2)	11 (4)	13 (1)	14	
PRESIDENT & CEO	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
SVP & CHIEF RISK OFFICER, GRM	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X		X	X	X	X	X	X	
VP & CCO, GRM	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X		X	X	X	X	X	X	
DIRECTOR, COMPLIANCE & ETHICS, PRIVACY AND ATI	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X		X	X	X	X	X	X	
PRINCIPAL, PRIVACY AND ATI	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X		X	X	X	X	X	X	
CEBA CALL CENTRE MANAGEMENT		X*																																

* This delegation is for the purposes of enabling timely and informed decision-making in emergency situations. It is specific and limited to authority to making the determination disclosure is authorized in accordance with criteria defined for this purpose by the Director, Compliance and Ethics, Privacy and ATI.

2. Authorization to exercise or perform powers, duties or functions of the head of the institution falling outside of the *Privacy Act* and Privacy Regulations.

In addition, for the purposes of this Table of Authority, “Administrative Function Authorizations” refer to the authority to: (i) respond to requests where the relevant personal information is disclosed entirely, without exemption under the *Privacy Act*; (ii) respond to requests where there is no relevant personal information to be disclosed; and (iii) refer a requester to another institution (i.e, when a requester has submitted the request to EDC in error). Any Administrative Function Authorization requires approval by one employee whose title is one mentioned in the Table of Authority above.

**TABLE OF AUTHORITY DELEGATIONS OF AUTHORITY PURSUANT TO SECTION 73(1) OF *PRIVACY ACT* AND REGULATIONS
COMPLIANCE AND ETHICS / PRIVACY AND ACCESS TO INFORMATION TEAM (PRIVACY & ATI) / GLOBAL RISK MANAGEMENT**

<i>Privacy Act – Sections</i>		<i>Privacy Regulations - Sections</i>	
8(2)(j) disclosure for research purposes	18(2) exemption (exempt bank) – disclosure may be refused	27 exemption - solicitor-client privilege	9 reasonable facilities and time provided to examine personal information
8(2)(m) disclosure in public interest or in interest of the individual	19(1) exemption - personal information obtained in confidence	28 exemption - medical record	11(2) notification that correction to personal information has been made
8(4) copies of requests under paragraph 8(2)(e) to be retained	19(2) exemption – where authorized to disclose	31 notice of intention to investigate	11(4) notification that correction to personal information has been refused
8(5) notice of disclosure under paragraph 8(2)(m)	20 exemption - federal-provincial affairs	33(2) right to make representation	13(1) disclosure of personal information relating to physical or mental health may be made to a qualified medical practitioner or psychologist for an opinion on whether to release information to the requestor
9(1) record of disclosures to be retained	21 exemption - international affairs and defence	35(1) findings and recommendations of the Privacy Commissioner (complaints)	
9(4) consistent uses	22 exemption - law enforcement and investigation	35(4) access to be given	
10 personal information to be included in personal information banks	22.3 exemption – <i>Public Servants Disclosure Protection Act</i>	36(3) report of findings and recommendations (exempt banks)	
14 notice where access requested	23 exemption - security clearances	37(3) report of findings and recommendations (compliance review)	
15 extension of time limits	24 exemption - individuals sentenced for an offence	51(2)(b) special rules for hearings	
17(2)(b) language of access	25 exemption - safety of individuals	51(3) <i>ex parte</i> representations	
17(3)(b) access to personal information in alternative format	26 exemption - information about another individual	72(1)(4) report to Parliament	

**DELEGATIONS OF AUTHORITY - TABLE NOTES PURSUANT TO SECTION 73(1) OF *PRIVACY ACT* AND REGULATIONS
COMPLIANCE AND ETHICS / PRIVACY AND ACCESS TO INFORMATION TEAM (PRIVACY & ATI) / GLOBAL RISK MANAGEMENT (GRM)**

3. TITLES

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

4. PREVIOUS AUTHORITIES

All current authority designations executed by the President and Chief Executive Officer of EDC (e.g. the head of the corporation) (the “Designations”), are replaced by these Table of Authority and Table Notes without in any way affecting the validity of acts done pursuant to such Designations.



President and Chief Executive Officer

January 18, 2021

Date

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	2
Percentage of requests closed within legislated timelines (%)	66.66666667

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
1	1	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	1	1
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	1	1

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 extensions 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	
1	0	1	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	1	0	0	0	0	0	0
16 to 30 days	0	0	0	0	0	0	0	0
31 days or greater	0	0	0	0	0	0	0	0
Total	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 (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	11	0	2	2
Central	0	0	0	0
Total	11	0	2	2

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	4
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Section 12: Resources Related to the Privacy Act**12.1 Allocated Costs**

Expenditures	Amount
Salaries	\$241,903
Overtime	\$0
Goods and Services	\$0
• Professional services contracts	\$0
• Other	\$0
Total	\$241,903

12.2 Human Resources

Resources	Person Years Dedicated to Privacy Activities
Full-time employees	2.360
Part-time and casual employees	0.000
Regional staff	0.000
Consultants and agency personnel	0.000
Students	0.000
Total	2.360

Note: Enter values to three decimal places.

APPENDIX C - SUPPLEMENTAL STATISTICAL REPORT 2022-2023



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

Name of institution: Export Development Canada

Reporting period: 2022-04-01 to 2023-03-31

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	0

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

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	5	1	6
Received in 2021-2022	0	1	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	0	0	0
Received in 2014-2015	0	0	0
Received in 2013-2014 or earlier	0	0	0
Total	5	2	7

Row 11, Col. 3 of Section 3.1 must equal Row 7, Col. 1 of Section 1.1 of the 2022-2023 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 2022-2023	4
Received in 2021-2022	0
Received in 2020-2021	5
Received in 2019-2020	0
Received in 2018-2019	3
Received in 2017-2018	0
Received in 2016-2017	2
Received in 2015-2016	1
Received in 2014-2015	0
Received in 2013-2014 or earlier	0
Total	15

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

Row 11, Col. 3 of Section 4.1 must equal Row 7, Col. 1 of Section 1.1 of the 2022-2023 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 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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Row 1, Col. 1 of Section 6 must be equal to or less than Row 1, Col. 1 of Section 1.1 of the 2022-2023 Statistical Report on the *Privacy Act*

