



Public Prosecution  
Service of Canada

Service des poursuites  
pénales du Canada

# Annual Report on the *Privacy Act*

Public Prosecution Service of Canada

2022-2023



**Annual Report on the *Privacy Act* (Public Prosecution Service of Canada), 2022-2023**

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## 1 Introduction

The *Privacy Act* (the Act) came into force on July 1, 1983. The purpose of the Act is to protect the privacy of individuals with respect to personal information about themselves held by government institutions as well as to provide individuals with a right of access to that information.

The Public Prosecution Service of Canada (PPSC) became subject to the Act when it was established as an independent organization on December 12, 2006, with the coming into force of the *Director of Public Prosecutions Act* (Part 3 of the *Federal Accountability Act*).

Pursuant to section 72 of the Act, this 2022-2023 Annual Report on the Act has been prepared for tabling in the House of Commons and the Senate. This Report provides an analysis of the information contained in the PPSC's Statistical Report on the Act. In addition, it reports on emerging trends, training activities, internal policies, guidelines, and procedures with respect to the PPSC's administration of the Act.

## 2 The Public Prosecution Service of Canada

The PPSC's mandate is set out in the *Director of Public Prosecutions Act* (DPPA). The DPPA empowers the Director of Public Prosecutions (DPP), as Deputy Attorney General of Canada, to:

- Initiate and conduct federal prosecutions;
- Intervene in proceedings that raise a question of public interest that may affect the conduct of prosecutions or related investigations;
- Issue guidelines to federal prosecutors;
- Advise law enforcement agencies or investigative bodies on general matters relating to prosecutions and on particular investigations that may lead to prosecutions;
- Communicate with the media and the public on all matters that involve the initiation and conduct of prosecutions;
- Exercise the authority of the Attorney General of Canada in respect of private prosecutions; and
- Exercise any other power or carry out any other duty or function assigned by the Attorney General of Canada that is compatible with the office of the DPP.

The DPPA also empowers the DPP to:

- Initiate and conduct prosecutions under the *Canada Elections Act*; and
- Act, when requested by the Attorney General of Canada, in matters under the *Extradition Act* and the *Mutual Legal Assistance in Criminal Matters Act*.

The DPP has the rank and status of a deputy head of a department and, in this capacity, is responsible for the management of the PPSC as a distinct government institution.

### 3 The ATIP Office

The ATIP Office holds primary responsibility for the implementation and administration of the *Privacy Act*, along with the *Access to Information Act* (collectively known as ATIP). The Office deals directly with the public in relation to personal information requests, liaises with Offices of Primary Interest (the subject matter experts) to prepare responses, and serves as the centre of ATIP expertise within the PPSC.

The ATIP Office fulfills its responsibilities by:

- Processing requests for personal information in accordance with the *Privacy Act*, the *Privacy Regulations* (the Regulations), and the Treasury Board of Canada's policies, directives, and guidelines;
- Responding to consultations submitted by other federal government institutions or other levels of government on PPSC records being considered for release, including the review of solicitor-client privilege in records related to criminal proceedings;
- Providing advice to PPSC managers and employees regarding the application and interpretation of the Act, the Regulations, and Treasury Board policies and directives;
- Reviewing PPSC policies, procedures, and agreements as well as making recommendations to ensure that they comply with the requirements of the Act;
- Monitoring the PPSC's compliance with the Act, its Regulations, and Treasury Board policies and directives;
- Communicating with investigators of the Office of the Privacy Commissioner of Canada to resolve complaints filed against the PPSC;
- Reviewing documents relevant to proactive publication prior to their publication on the PPSC's website, ensuring that they do not contain personal information;
- Delivering training sessions intended to familiarize the PPSC's managers and employees with the requirements of the Act, the Regulations, and Treasury Board policies and directives;
- Updating the PPSC's chapter of the federal government's publication known as *Info Source: Sources of Government and Employee Information*;
- Submitting an annual statistical report on the administration of the Act to the Treasury Board of Canada Secretariat (TBS); and
- Preparing an annual report on the administration of the Act for tabling in both Houses of Parliament.

#### 3.1 Organizational structure

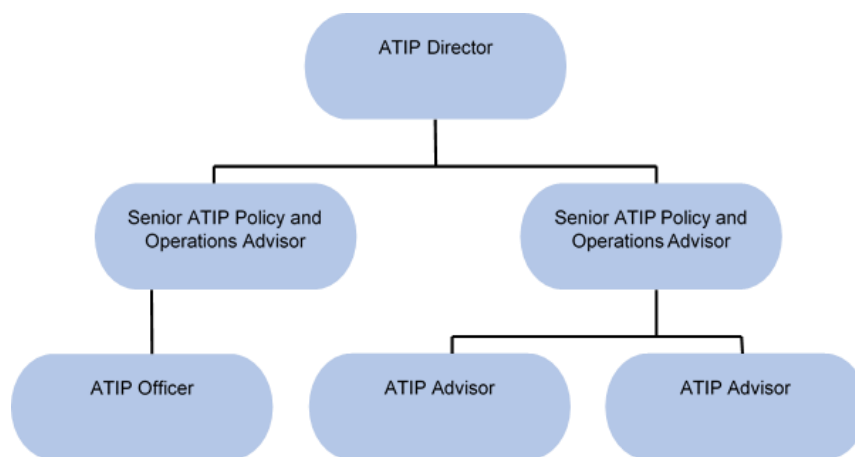
The Director General, Communications and Parliamentary Affairs (CPA), acts as the PPSC's ATIP Coordinator. The Director of the ATIP Office reports to the Director General, CPA.

During the period from April 1, 2022, to March 31, 2023, the ATIP Office comprised the Director, two (2) Senior Advisors, two (2) Advisors, and one (1) ATIP Officer. There were no consultants during this time. The positions of one of the Advisors and the ATIP Officer were vacant at the beginning of the fiscal year. They were filled during the second half of the reporting period.

Section 73.1 of the Act allows for the PPSC to exchange ATIP services with another government institution within the same ministerial portfolio. There were no such service agreements undertaken during this period.

The following chart outlines the organizational structure of the ATIP Office on March 31, 2023:

**Figure 1: Organizational structure**



## 4 Delegated authorities

Pursuant to section 73 of the Act, the head of a government institution may designate one or more officers or employees of that institution, by order, to exercise or perform any of the powers, duties, or functions of the head of the institution under the Act.

The DPP, as the “head of institution,” has designated this authority to the Director General, CPA, as well as the Senior Director General, Corporate Services, and the ATIP Director (Delegation Order in Appendix A). The ATIP Director exercises this authority in the absence of the Director General, CPA. The Senior Director General, Corporate Services, exercises this authority in the absence of both the Director General, CPA, and the ATIP Director.

## 5 Performance

The following section provides an overview of key data on the PPSC’s performance for the fiscal year, as reflected in the 2022-2023 Statistical Report on the Act in Appendix B of this report as well as the 2022-2023 Supplemental Statistical Report in Appendix C.

## 5.1 Requests received under the *Privacy Act*

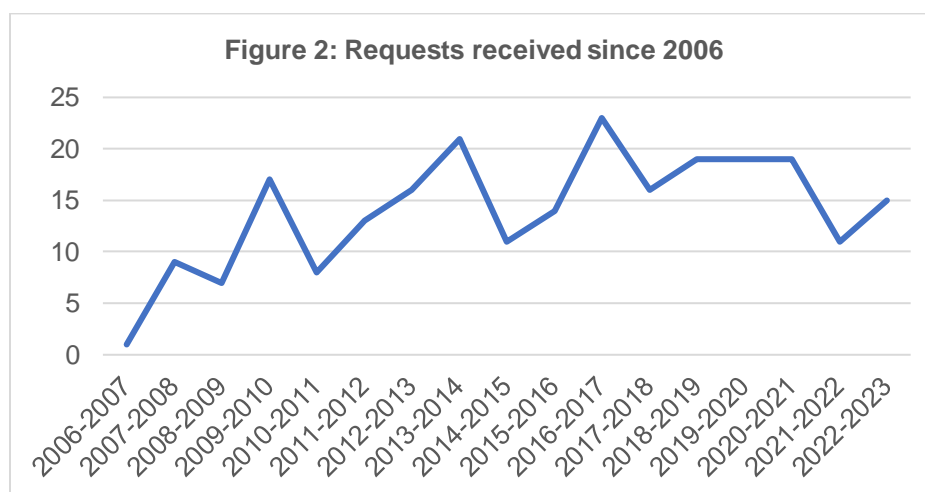
### 5.1.1 Number of requests

The PPSC received 15 formal personal information requests in 2022-2023, four (4) more than the 11 received in the previous fiscal year.

Additionally, four (4) requests were carried over from fiscal year 2021-2022. Altogether, the PPSC had 19 requests to process in 2022-2023.

The PPSC completely received all personal information requests via an **online** channel, known as the ATIP Online Request Service. This is part of a larger trend in increasingly digital ATIP services.

Since its creation on December 12, 2006, the PPSC has received 239 personal information requests in total. Over time, the organization has experienced periodic, sharp increases in the number of requests received each year. The following chart illustrates this trend:



Note: As the PPSC was created on December 12, 2006, data for 2006-2007 only reflects a three-month period.

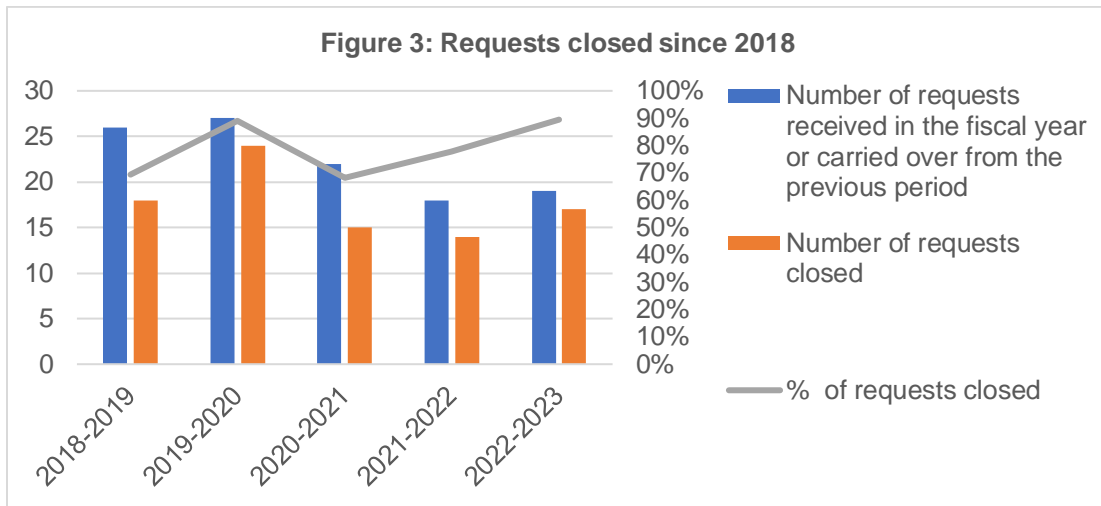
## 5.2 Requests closed during the fiscal year

### 5.2.1 Disposition of requests

The PPSC responded to 17 of the 19 requests received in 2022-2023 or carried over from the previous year, three (3) more than those closed during the last reporting period.

The proportion of requests that are closed in a given year has increased recently. The trend is described in the chart below, which sets out the closure rate from the past five fiscal years:

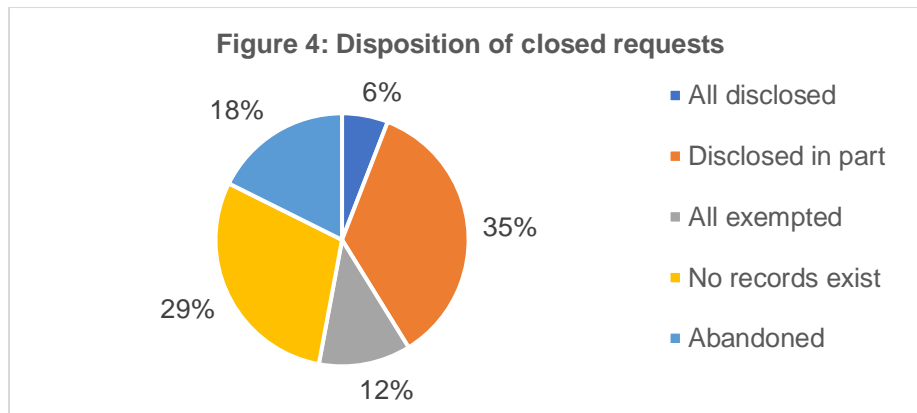




Two (2) requests remained outstanding as of March 31, 2023, and were carried forward to the next fiscal year, which is fewer than the four (4) requests outstanding at the end of the previous year.

The requests still active at the end of the 2022-2023 reporting period were received in earlier years, one (1) in 2020-2021 and the other in 2016-2017. Extensions to the initial 30-day statutory deadline were taken on both files to process a high volume of pages. Despite these extensions, further time is needed for processing and they are now past the extended deadline.

The disposition of requests closed in 2022-2023 is as follows:



Of the 17 requests closed in 2022-2023, records were disclosed in full or in part in seven (7) cases. On average, 63% of requests closed over the past five reporting periods have resulted in a full or partial disclosure of records to applicants.

In 2022-2023, the PPSC closed the following requests which did not result in the disclosure of any records:

*No records exist*

Five (5) requests could not be processed because relevant records under the control of the PPSC did not exist. Where possible, applicants were advised of other government institutions that may have records and were provided with contact information accordingly.

*Abandoned*

Three (3) requests were abandoned by applicants. In most abandoned cases, clarification is needed from the applicants in order to process their requests. When the applicants do not provide clarification, the requests are considered to be abandoned. In other cases, the applicants choose to abandon their requests.

*All exempted*

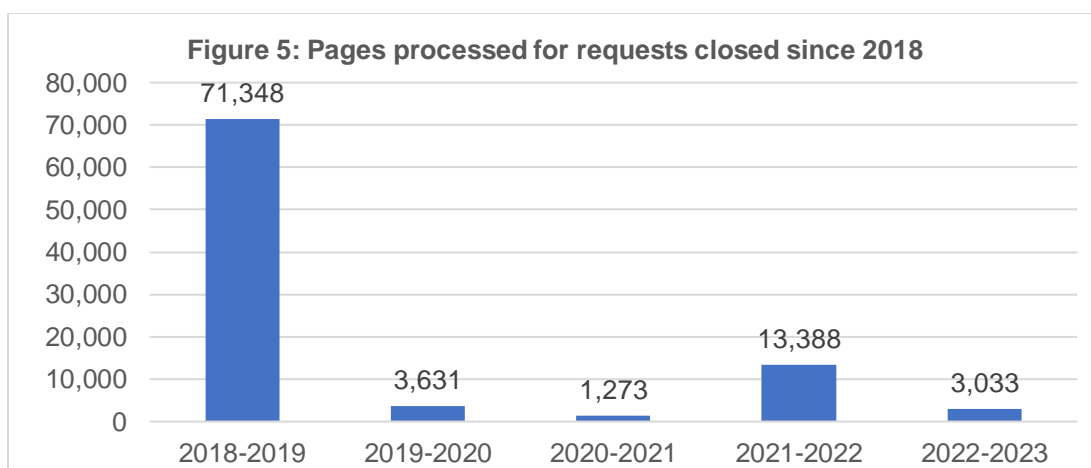
Records were exempted entirely in the remaining two (2) cases. These requests involved confidential records relevant to an anticipated prosecution and which were obtained as part of an ongoing criminal investigation.

**5.2.2 Number of pages processed**

For the 17 cases closed in 2022-2023, the PPSC processed 3,033 pages relevant to the requests, which is significantly less than the 13,388 pages processed in the previous period. The high volume at that time was partially due to a handful of requests representing nearly all of the pages processed that year. In contrast, only one (1) request in 2022-2023 involved more than 1,000 pages.

The PPSC ATIP Office also reviewed an additional 6,802 pages received from across the organization that were deemed not relevant to the requests and were therefore not included as part of the responses.

The following is a summary of the relevant pages processed by the PPSC over the last five fiscal years:

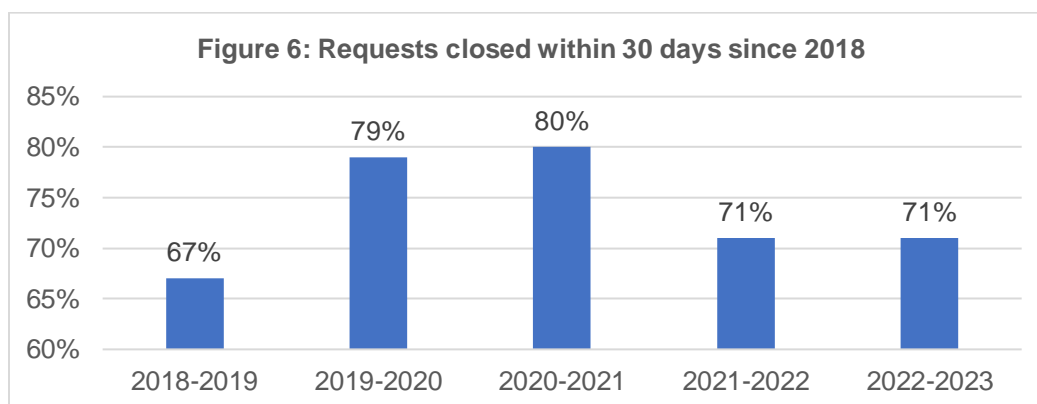


### 5.2.3 Completion time

Of those 17 requests closed in 2022-2023, 12 were processed within the initial 30-day statutory deadline, representing 71% of requests. This is two (2) more than the number closed within the same timeframe in 2021-2022.

The proportion of requests closed within 30 days of receipt has fluctuated in the last five fiscal years. On average, the PPSC has processed 74% of requests within that timeframe. The rate slowly increased since 2018-2019, only to dip further in the past two periods. This year's decline could be attributed to reduced human resources at the beginning of the fiscal year as well as the highest number of access to information requests ever received at the PPSC during the same period.

The overall trend is demonstrated in the chart that follows:



The following table is a breakdown of the number of days taken to respond to requests in 2022-2023:

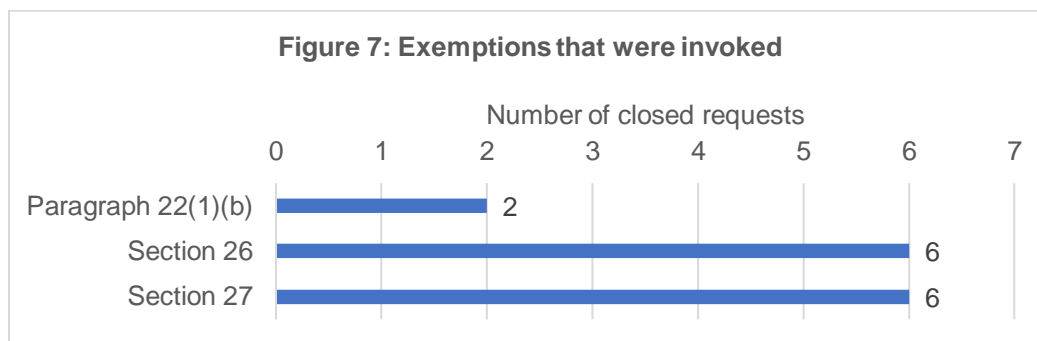
**Table 1: Completion time**

Completion time	Number of requests	%
1 to 15 days	6	35%
16 to 30 days	6	35%
31 to 60 days	2	12%
61 to 120 days	1	6%
121 to 180 days	2	12%
<b>Total</b>	<b>17</b>	<b>100%</b>

### 5.2.4 Exemptions

An individual's right of access to his or her personal information is subject to limited and specific exceptions. Limitations to the right of access are set out in sections 18 through 28 of the Act.

The following is a breakdown of the exemptions applied by the PPSC in 2022-2023 for closed requests:



Over the last five fiscal years, sections 26 (information about another individual) and 27 (solicitor-client privilege) of the Act have been most often invoked by the PPSC when exempting information from disclosure. This reflects the mandate of the PPSC to conduct federal prosecutions, which often involve personal information about individuals, and to provide legal advice to law enforcement agencies and investigative bodies on matters relating to prosecutions.

### 5.2.5 Exclusions

Records or parts thereof to which the Act does not apply are considered to be “excluded.” Pursuant to section 69, the Act does not apply to library or museum material preserved solely for public record or material placed in Library and Archives Canada. Records containing confidences of the King's Privy Council of Canada, also known as Cabinet confidences, and which have been in existence for less than 20 years are also excluded from the Act pursuant to section 70.

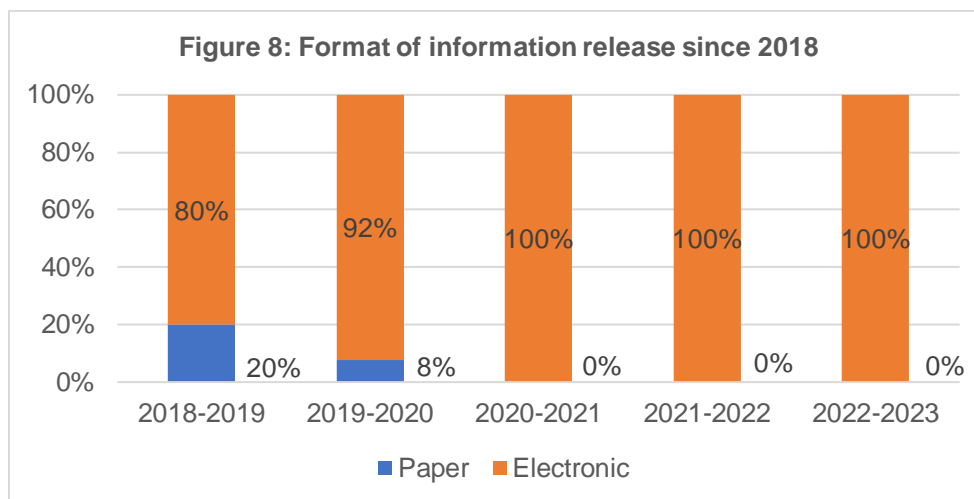
The PPSC did not invoke any exclusions in 2022-2023.

### 5.2.6 Format of information released

Information was released electronically for all seven (7) requests where the PPSC fully or partially disclosed records in 2022-2023.

Overall, in the last five fiscal years, 94% of releases have been in electronic format, whether by email or compact disk, while 6% have been paper-based.

The proportion of electronic to paper-based releases of records from year to year is as follows:



### 5.2.7 Complexity

Due to the nature of the PPSC’s work, processing requests can be challenging, and requests are regularly deemed “complex” based on a number of factors:

- The applicant’s personal information can be intermixed with that of another individual. In these cases, section 26 of the Act could be applied to protect the personal information of other individuals. Intermixed personal information was the main complicating factor in six (6) requests closed in 2022-2023, similar to previous years.
- Legal advice may also be sought by the ATIP Office, which was the case for two (2) other requests closed in 2022-2023.

Adding to the complexity, many of these requests also required that the PPSC retrieve records from regions across the country. In general, regional searches most frequently involved the Quebec Regional Office, which was tasked three (3) times in the current period.

### 5.2.8 Deemed refusals

Requests that are not closed within the initial 30-day statutory deadline or within a timeframe covered by an extension provided by the Act are referred to as “deemed refusals.” Further information on the circumstances in which an extension to the original deadline is permitted by the Act is available in section 5.4 (Extensions) of this report.

The majority of the 17 requests closed in 2022-2023 were responded to within the initial deadline or within an extended timeframe, representing 82% of cases.

Three (3) requests were closed as deemed refusals, one (1) more than in the previous period. These delays were principally due to a high overall workload among ATIP staff as well as an unexpectedly lengthy consultation undertaken with another government institution. In general, extensions to the initial statutory deadline were taken in two (2) of the cases closed as deemed refusals but each required more time to process than the maximum 30 additional days allowed under the Act.

### 5.2.9 Requests for translation

During the 2022-2023 fiscal year, the PPSC did not receive any requests from applicants to translate records from one official language to the other. This is consistent with the last five fiscal years.

### 5.3 Requests for correction of personal information and notations

Paragraph 12(2)(a) of the Act provides every individual that is given access to their personal information the right to request correction if:

- The individual believes there is an error or omission regarding their information; and
- The information has been, is being used, or is available for use for an administrative purpose (i.e., a decision-making process that directly affects the individual).

Where correction is not possible, an individual has the right to request that a **notation** about the error or omission be placed on their file.

There were no requests for correction of personal information or notations in 2022-2023. This has been typical of the last five fiscal years.

### 5.4 Extensions

Paragraph 15(a) of the Act allows for an extension of the initial statutory deadline for a maximum of 30 additional days in cases where meeting the original deadline would unreasonably interfere with the operations of the government institution processing the request, or when consultations with other government institutions are necessary and cannot be reasonably completed within the original deadline.

The PPSC took four (4) extensions to process requests closed during the 2022-2023 reporting period, one (1) more than the previous period.

Half of the extensions were for the maximum length of time permitted by the Act, one (1) because the request involved a high volume of records and the other (1) was taken to consult another government institution.

The other half of the extensions were taken for 15 days or less. The additional time was needed because further analysis was required to determine whether exemptions would apply to the records in question and doing so within the original timeframe would have interfered with the PPSC's operations.

Over the last five fiscal years, the PPSC has taken, on average, **four (4)** extensions under the Act each year.

The following table summarizes the length and reasons for the extensions:

**Table 2: Extensions**

Length of extensions	Reasons for extensions							
	Sub-paragraph 15(a)(i) – Interference with operations				Sub-paragraph 15(a)(ii) – Consultation			Paragraph 15(b) – Translation purposes or conversion
	Further review required to determine exemptions	Large volume of pages	Large volume of records	Records are difficult to obtain	Cabinet confidences (Section 70)	External	Internal	
15 days or less	2	0	0	0	0	0	0	0
16 to 30 days	0	1	0	0	0	1	0	0
<b>Total</b>	<b>2</b>	<b>1</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>1</b>	<b>0</b>	<b>0</b>

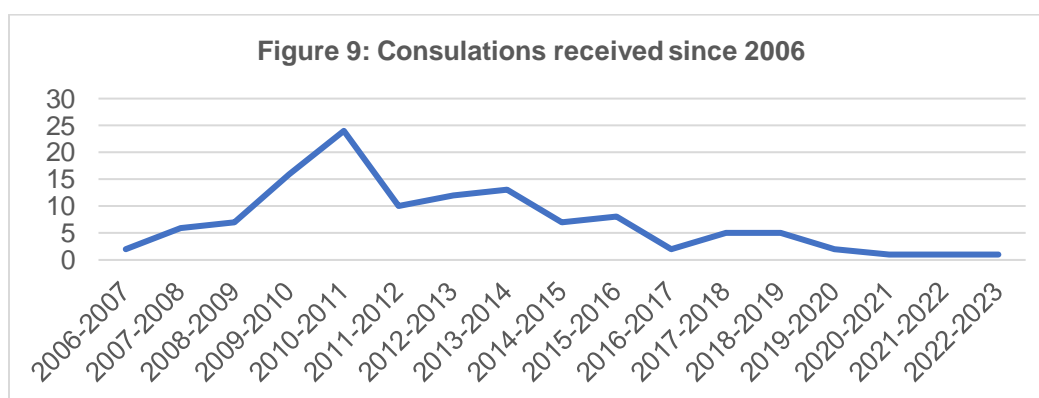
## 5.5 Consultations received from other institutions

### 5.5.1 Number of consultations

The PPSC received one (1) consultation from another government institution for processing under the Act in 2022-2023, as was the case in the last two fiscal years. No consultations were carried over from the previous period.

The PPSC has received 122 consultations in total since December 12, 2006. There was a sharp increase in the number of consultations in 2010-2011, but since then and especially in recent fiscal years, the number of consultations received by the PPSC has generally declined.

The following chart illustrates this trend:



Note: As the PPSC was created on December 12, 2006, data for 2006-2007 only reflects a three-month period.

### 5.5.2 Sources of consultations

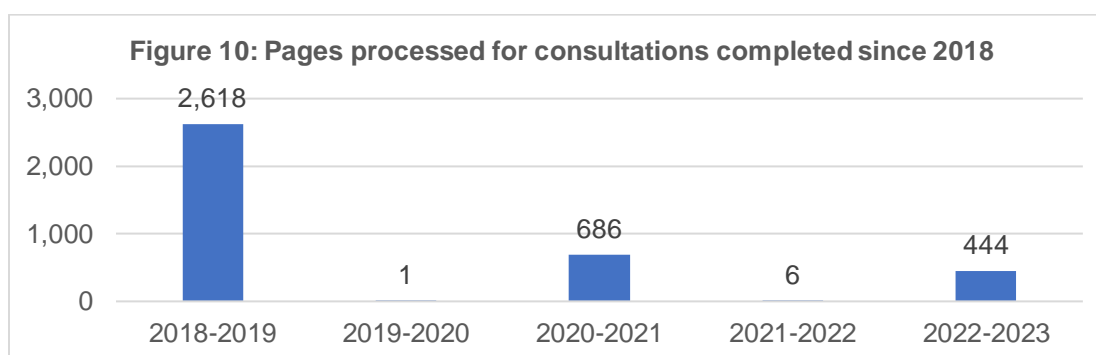
The consultation received in 2022-2023 originated from the Canada Revenue Agency, which is also subject to the Act and has been an occasional source of personal information consultations received by the PPSC in recent years.

### 5.5.3 Disposition and recommendations

The PPSC responded to the one (1) consultation received in 2022-2023. Accordingly, there were no consultations outstanding as of March 31, 2023.

The PPSC processed 444 pages to respond to the consultation. In comparison, only six (6) pages were processed in 2021-2022.

The number of pages processed over the last five fiscal periods has considerably fluctuated from year to year, which is demonstrated in the following chart:



For the consultation completed in 2022-2023, the PPSC recommended that the records be disclosed in part. Over the last five fiscal years, the PPSC has never recommended full exemption of records sent in consultation.

### 5.5.4 Completion time

The consultation closed in 2022-2023 was completed within 38 days of receipt.

Over the last five fiscal years, half of the consultations received were completed within the first 30 days.

## 5.6 Consultations on Cabinet confidences

No consultations regarding section 70 (Cabinet confidences) of the Act were carried out during fiscal year 2022-2023.



## 5.7 Costs

In the 2022-2023 fiscal year, the PPSC spent a total of \$193,651 administering the Act, of which salaries accounted for nearly all expenditures at \$192,070, while goods and services accounted for the remaining \$1,581.

No overtime expenditures were incurred during this period.

## 6 Training and awareness activities

Two (2) formal awareness sessions occurred in 2022-2023. One (1) was a general overview of ATIP responsibilities delivered to legal counsels at the PPSC Headquarters. The other (1) concerned security and privacy breaches. This session was delivered jointly to the PPSC executive by the ATIP Office, Security Services and the Information Management team. The presentation served as a reminder of every employee's responsibility to safeguard material classified as "Protected C," which is information that poses the gravest risk of harm or injury to individuals should the material be improperly handled or breached. An overview of ATIP Office activities was also presented to the PPSC's new Senior Director General, Corporate Services, during the same period.

Presentations were delivered in the past to raise awareness of corporate responsibilities regarding ATIP. These materials continue to be made available to all PPSC employees through the internal website.

ATIP personnel provided informal learning to employees on an *ad hoc* basis regarding the processing of personal information requests and regularly provided advice to PPSC officials on the interpretation of the Act, including the appropriate collection, use, disclosure, and safeguarding of personal information.

## 7 Policies, guidelines, procedures, and initiatives

### 7.1 ATIP governance structure

The PPSC *ATIP Governance Structure* was approved by the PPSC's Executive Council in October 2011. It outlines the reporting relationships within the PPSC and establishes clear responsibilities for decision-making for the purposes of administering the Act.

### 7.2 Info Source

*Info Source: Sources of Government and Employee Information* is published on the Government of Canada's [canada.ca](http://canada.ca) website. It provides information about the functions, programs, activities, and related information holdings of government institutions subject to the *Access to Information Act* and the *Privacy Act*.

It also serves as the Government's repository of personal information banks, which outline how personal information is collected, used, disclosed, retained, and disposed of in order to administer the Government's programs and services.

At least once a year, the PPSC ATIP Office reviews and updates information, if necessary, about the PPSC's activities and information holdings in the publication. No updates were required in 2022-2023.

### 7.3 Initiatives to improve privacy

During the 2022-2023 fiscal year, the PPSC ATIP Office streamlined internal procedures to reduce the levels of administrative approval needed to informally release personal information. These steps were taken to empower senior ATIP staff with decision-making authority outside of the PPSC's ATIP Delegation Order. Additionally, the process improvements were needed so that the organization may respond to all types of requests more efficiently, particularly in light of the record number of formal access to information requests received during the reporting period.

The PPSC also expects to develop revised policies and procedures in coming years in preparation for updated directives supporting the Act and the ongoing modernization of ATIP digital services.

### 7.4 COVID-19 mitigation measures

The COVID-19 pandemic did not affect ATIP operations in 2022-2023. The ATIP Office had adapted its business processes in previous years so no additional measures were needed to mitigate the impact of the pandemic on services provided to request applicants.

Further information on operational capacity during the pandemic is available in the 2022-2023 Supplemental Statistical Report in Appendix C of this report.

## 8 Complaints and investigations

Decisions made under the Act are subject to a two-tiered system of review. This ensures government institutions' compliance with their privacy protection obligations as well as respect for applicants' right of access to their personal information and fair treatment. The first level of review is a formal complaint made to the Privacy Commissioner. The second level is an application for judicial review to the Federal Court.

The PPSC reviews the outcomes of all Office of the Privacy Commissioner (OPC) investigations and incorporates lessons learned into business processes, where appropriate.

No new complaints investigations were formally opened during the 2022-2023 fiscal year, no investigations were closed, or none were outstanding as of March 31, 2023.

The Commissioner did not undertake any privacy audits involving the PPSC in 2022-2023. There were also no applications for judicial review filed with the Federal Court during this same period.

## 9 Monitoring compliance

The ATIP Office maintains a comprehensive statistical reporting and performance measurement system to track the processing of formal requests, informal requests, and consultations received by the PPSC.

Each ATIP staff member is responsible for monitoring the time taken to process files that they are assigned on a regular basis, while the Senior ATIP Advisors meet with the ATIP Director twice a week to review timelines and address challenges that could affect the PPSC's ability to meet its legal obligations under the Act. The ATIP Director meets weekly with the ATIP Coordinator on the status of active requests, complaints, and any issues that have arisen.

When records originating from or involving another institution are reviewed, the ATIP Coordinator, with the support of the ATIP Office, assesses whether a consultation is required. The factors under consideration in the exercise of discretion to consult depend on the circumstances of each file. These factors include cases where disclosure is contemplated, whether exemptions or exclusions are applicable, how similar records from past requests were processed, the expertise of the ATIP Office and other PPSC officials in the subject matter, as well as the expected timelines for receiving a response to the consultation. In this way, the PPSC aims to limit consultations so that requests are responded to within the shortest timelines possible.

The ATIP Office also provides reports to the PPSC's senior management on an *ad hoc* basis about its activities, caseload, performance metrics, and privacy trends. In addition to reporting, the Office advises various PPSC officials on appropriate privacy protections to be included in contracts and information sharing agreements, on request.

The PPSC did not undertake a review in 2022-2023 to assess the feasibility of making frequently requested personal information available through informal means outside of the ATIP Office context.

## 10 Material privacy breaches

A privacy breach involves improper or unauthorized collection, use, disclosure, retention, or disposal of sensitive personal information.

The ATIP Office received seven (7) privacy breach reports in 2022-2023, three (3) of which were considered to be material breaches. A material privacy breach could reasonably be expected to cause serious injury or harm to the individual to whom it relates. These cases are to be reported to the TBS and the OPC, as required by the Treasury Board's *Directive on Privacy Practices*.

All seven (7) breaches involved insufficient safeguarding of packages to be submitted as disclosure to the defence counsel and the accused in the context of legal proceedings. These packages contained personal information of the accused as well other individuals connected to the criminal investigations. In particular, two (2) cases involved disclosure packages made

available through digital repositories. The three (3) material breaches involved the inadvertent disclosure of information within these packages that could potentially identify confidential informants involved in criminal investigations, thereby risking the safety of these individuals.

## **11 Privacy impact assessments**

A privacy impact assessment (PIA) is a tool that assists a government institution in meeting its privacy responsibilities regarding the management of personal information. Institutions initiate PIAs when assessing the privacy implications of new or substantially modified programs and activities involving personal information.

The PPSC completed one (1) PIA in 2022-2023 regarding its National Fine Recovery Program (NFRP). The PPSC is responsible for administering the recovery of outstanding federal fines under the terms of an assignment issued by the Attorney General of Canada in 2007. Through the NFRP, the PPSC enforces sentences by recovering outstanding court-ordered fines levied against individuals and companies convicted under federal statutes, tracking and managing the fines as they become in default. It outsources a portion of fine recovery efforts to private collection agencies.

A PIA was required when the PPSC changed its recovery model to a hybrid approach. In addition to collection agencies, the NFRP now collects, discloses, and retains more information with various other partners such as credit bureaus and federal, provincial, and territorial government institutions.

An overview of the PIA and the privacy risks that were identified is available online: <https://www.ppsc-sppc.gc.ca/eng/tra/pia-efp/nfrp-pnra.html>.

## **12 Public interest disclosures**

Subsection 8(2) of the Act describes the circumstances under which personal information under the control of a government institution may be disclosed without the individual's consent.

In particular, disclosures without consent may be made in the public interest, pursuant to paragraph 8(2)(m) of the Act. The PPSC did not make any such disclosures in 2022-2023.

## 13 Appendix A – Delegation order

### *Access to Information Act and Privacy Act Delegation Order*

#### Arrêté sur la délégation en vertu de la *Loi sur l'accès à l'information* et de la *Loi sur la protection des renseignements personnels*

<p>The Director of Public Prosecutions, pursuant to section 73 of the <i>Access to Information Act</i> and section 73 of the <i>Privacy Act</i>, as they existed prior to June 21, 2019, and pursuant to the current subsection 95(1) of the <i>Access to Information Act</i> and section 73(1) of the <i>Privacy Act</i>, hereby delegates to the persons holding the positions set out in the schedule hereto the powers, duties and functions of the Director of Public Prosecutions as the head of the Office of the Director of Public Prosecutions, under the provisions of the Acts and related regulations set out in the schedule opposite each position. This Delegation Order replaces all previous delegation orders.</p>	<p>En vertu de l'article 73 de la <i>Loi sur l'accès à l'information</i> et de l'article 73 de la <i>Loi sur la protection des renseignements personnels</i>, tels qu'ils existaient avant le 21 juin 2019, et en vertu de l'article 95(1) de la <i>Loi sur l'accès à l'information</i> et de l'article 73(1) de la <i>Loi sur la protection des renseignements personnels</i>, présentement en vigueur, la directrice des poursuites pénales délègue aux titulaires des postes mentionnés à l'annexe ci-après, les attributions qui lui sont conférées, en qualité de responsable du Bureau du directeur des poursuites pénales, par les dispositions des lois ou de leurs règlements d'application mentionnées en ce qui concerne chacun des postes. Le présent arrêté remplace et annule tout arrêté antérieur sur la délégation.</p>
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#### Schedule/Annexe

Position/Poste	<i>Access to Information Act and Regulations/Loi sur l'accès à l'information et son règlement d'application</i>	<i>Privacy Act and Regulations/Loi sur la protection des renseignements personnels et son règlement d'application</i>
Senior Director General, Corporate Services/Directrice générale principale, Services ministériels	Full authority/Autorité absolue	Full authority/Autorité absolue
Director General, Communications and Parliamentary Affairs/Directrice générale, Communications et Affaires parlementaires	Full authority/Autorité absolue	Full authority/Autorité absolue
Manager, ATIP/Gestionnaire, AIPRP	Full authority/Autorité absolue	Full authority/Autorité absolue

Dated, at the City of Ottawa, this            day of            , 2021	Daté, en la ville d'Ottawa, ce            jour de            2021
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**Roussel**  
**Kathleen**

Digitally signed by Roussel, Kathleen  
DN: c=CA, o=GC, ou=EC, EC,  
CN=Roussel, Kathleen  
Reason: I am approving this document  
Location: your signing location here  
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Kathleen Roussel  
Director of Public Prosecutions  
Directrice des poursuites pénales

## 14 Appendix B – Statistical report on the *Privacy Act*



Government of Canada / Gouvernement du Canada

### Statistical Report on the *Privacy Act*

Name of institution: Public Prosecution Service of Canada

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

#### Section 1: Requests Under the *Privacy Act*

##### 1.1 Number of requests received

		Number of Requests
Received during reporting period		15
Outstanding from previous reporting periods		4
• Outstanding from previous reporting period	2	
• Outstanding from more than one reporting period	2	
<b>Total</b>		19
Closed during reporting period		17
Carried over to next reporting period		2
• Carried over within legislated timeline	0	
• Carried over beyond legislated timeline	2	

##### 1.2 Channels of requests

Source	Number of Requests
Online	15
E-mail	0
Mail	0
In person	0
Phone	0
Fax	0
<b>Total</b>	15

**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	
<b>Total</b>		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
<b>Total</b>	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		501-1000 Pages Released		1001-5000 Pages Released		More Than 5000 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	0	1	0	0	0	0	0	1
Disclosed in part	0	1	2	1	2	0	0	6
All exempted	0	2	0	0	0	0	0	2
All excluded	0	0	0	0	0	0	0	0
No records exist	3	2	0	0	0	0	0	5
Request abandoned	3	0	0	0	0	0	0	3
Neither confirmed nor denied	0	0	0	0	0	0	0	0
<b>Total</b>	6	6	2	1	2	0	0	17



**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)	2	24(b)	0
19(1)(d)	0	22(1)(c)	0	25	0
19(1)(e)	0	22(2)	0	26	6
19(1)(f)	0	22.1	0	27	6
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	7	0	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
3033	1612	12

### 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		501-1000 Pages Processed		1001-5000 Pages Processed		More Than 5000 Pages Processed	
	Number of Requests	Pages Processed	Number of Requests	Pages Processed	Number of Requests	Pages Processed	Number of Requests	Pages Processed	Number of Requests	Pages Processed
All disclosed	1	15	0	0	0	0	0	0	0	0
Disclosed in part	1	96	4	864	0	0	1	1280	0	0
All exempted	0	0	2	778	0	0	0	0	0	0
All excluded	0	0	0	0	0	0	0	0	0	0
Request abandoned	3	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>	5	111	6	1642	0	0	1	1280	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

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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
<b>Total</b>	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
<b>Total</b>	0	0	0	0	0	0

**3.5.7 Other complexities**

<b>Disposition</b>	<b>Consultation Required</b>	<b>Legal Advice Sought</b>	<b>Interwoven Information</b>	<b>Other</b>	<b>Total</b>
All disclosed	0	0	0	0	0
Disclosed in part	0	0	6	0	6
All exempted	0	2	0	0	2
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	2	6	0	8

**3.6 Closed requests****3.6.1 Number of requests closed within legislated timelines**

<b>Number of requests closed within legislated timelines</b>	14
<b>Percentage of requests closed within legislated timelines (%)</b>	82.35294118

**3.7 Deemed refusals****3.7.1 Reasons for not meeting legislated timelines**

<b>Number of requests closed past the legislated timelines</b>	<b>Principal Reason</b>			
	<b>Interference with operations / Workload</b>	<b>External Consultation</b>	<b>Internal Consultation</b>	<b>Other</b>
3	2	1	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	1	0	1
61 to 120 days	0	2	2
121 to 180 days	0	0	0
181 to 365 days	0	0	0
More than 365 days	0	0	0
<b>Total</b>	1	2	3

**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: Disclosures Under Subsections 8(2) and 8(5)**

Paragraph 8(2)(e)	Paragraph 8(2)(m)	Subsection 8(5)	Total
1	0	0	1

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### Section 5: Requests for Correction of Personal Information and Notations

Disposition for Correction Requests Received	Number
Notations attached	0
Requests for correction accepted	0
<b>Total</b>	<b>0</b>

### 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	
4	2	1	0	0	0	1	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	2	0	0	0	0	0	0	0
16 to 30 days	0	1	0	0	0	1	0	0
31 days or greater	0	0	0	0	0	0	0	0
<b>Total</b>	<b>2</b>	<b>1</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>1</b>	<b>0</b>	<b>0</b>

**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	1	444	0	0
Outstanding from the previous reporting period	0	0	0	0
<b>Total</b>	1	444	0	0
Closed during the reporting period	1	444	0	0
Carried over within negotiated timelines	0	0	0	0
Carried over beyond negotiated timelines	0	0	0	0

**7.2 Recommendations and completion time for consultations received from other Government of Canada institutions**

Recommendation	Number of Days Required to Complete Consultation Requests							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	
Disclose entirely	0	0	0	0	0	0	0	0
Disclose in part	0	0	1	0	0	0	0	1
Exempt entirely	0	0	0	0	0	0	0	0
Exclude entirely	0	0	0	0	0	0	0	0
Consult other institution	0	0	0	0	0	0	0	0
Other	0	0	0	0	0	0	0	0
<b>Total</b>	0	0	1	0	0	0	0	1

**7.3 Recommendations and completion time for consultations received from other organizations outside the Government of Canada**

Recommendation	Number of days required to complete consultation requests							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	
Disclose entirely	0	0	0	0	0	0	0	0
Disclose in part	0	0	0	0	0	0	0	0
Exempt entirely	0	0	0	0	0	0	0	0
Exclude entirely	0	0	0	0	0	0	0	0
Consult other institution	0	0	0	0	0	0	0	0
Other	0	0	0	0	0	0	0	0
<b>Total</b>	0	0	0	0	0	0	0	0

**Section 8: Completion Time of Consultations on Cabinet Confidences**

**8.1 Requests with Legal Services**

Number of Days	Fewer Than 100 Pages Processed		100-500 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
More than 365	0	0	0	0	0	0	0	0	0	0
<b>Total</b>	0	0	0	0	0	0	0	0	0	0



**8.2 Requests with Privy Council Office**

Number of Days	Fewer Than 100 Pages Processed		100–500 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
More than 365	0	0	0	0	0	0	0	0	0	0
<b>Total</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>

**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	1
Number of PIAs modified	0

**10.2 Institution-specific and Central Personal Information Banks**

Personal Information Banks	Active	Created	Terminated	Modified
Institution-specific	6	0	0	0
Central	0	0	0	0
<b>Total</b>	<b>6</b>	<b>0</b>	<b>0</b>	<b>0</b>

**Section 11: Privacy Breaches****11.1 Material Privacy Breaches reported**

Number of material privacy breaches reported to TBS	3
Number of material privacy breaches reported to OPC	3

**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		\$192,070
Overtime		\$0
Goods and Services		\$1,581
• Professional services contracts	\$0	
• Other	\$1,581	
<b>Total</b>		<b>\$193,651</b>

**12.2 Human Resources**

Resources	Person Years Dedicated to Privacy Activities
Full-time employees	2.090
Part-time and casual employees	0.000
Regional staff	0.000
Consultants and agency personnel	0.000
Students	0.000
<b>Total</b>	<b>2.090</b>

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

## 15 Appendix C – Supplemental statistical report on the *Access to Information Act* and the *Privacy Act*



Government of Canada  
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### Supplemental Statistical Report on the *Access to Information Act* and the *Privacy Act*

Name of institution: Public Prosecution Service of 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	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

**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	4	8	12
Received in 2021-2022	2	1	3
Received in 2020-2021	0	0	0
Received in 2019-2020	0	1	1
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
<b>Total</b>	<b>6</b>	<b>10</b>	<b>16</b>

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	7
Received in 2021-2022	0
Received in 2020-2021	0
Received in 2019-2020	0

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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
<b>Total</b>	<b>7</b>

**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	1	1
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	1	1
Received in 2015-2016	0	0	0
Received in 2014-2015	0	0	0
Received in 2013-2014 or earlier	0	0	0
<b>Total</b>	<b>0</b>	<b>2</b>	<b>2</b>

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.

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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
<b>Total</b>	<b>0</b>

**Section 5: Social Insurance Number**

Has your institution begun a new collection or a new consistent use of the SIN in 2022-2023?	No
--	----

**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*

