



# 2022 Annual Report to Parliament

**VIA Rail Canada Inc.**

Administration of the  
*Access to Information Act*

# TABLE OF CONTENTS

<b>1. Introduction .....</b>	<b>1</b>
<b>2. Institution .....</b>	<b>1</b>
<b>3. Access to Information and Privacy ("ATIP") Unit.....</b>	<b>2</b>
<b>4. Delegation order.....</b>	<b>3</b>
<b>5. Performance 2022 – 2023.....</b>	<b>3</b>
<b>6. Training and Awareness.....</b>	<b>6</b>
<b>7. Policies, guidelines, procedures and initiatives .....</b>	<b>6</b>
<b>8. Proactive disclosure .....</b>	<b>6</b>
<b>9. Complaints .....</b>	<b>6</b>
<b>10. Monitoring Compliance .....</b>	<b>7</b>

## 1. INTRODUCTION

According to the *Federal Accountability Act* effective September 1, 2007, VIA Rail Canada Inc. ("VIA Rail" or the "Corporation") is subject to the legal requirements of the *Access to Information Act* ("ATIA").

The *ATIA* provides a right of access to records under the control of VIA Rail in accordance with the following principles: 1) government information should be available to the public, 2) necessary exceptions to the right of access should be specific and limited, and 3) decisions on the disclosure of government information may be reviewed independently by the courts.

This annual report is tabled in Parliament according to section 94 of the *ATIA* and covers the period from April 1, 2022 to March 31, 2023.

## 2. INSTITUTION

VIA Rail operates Canada's national passenger rail service on behalf of the Government of Canada. An independent Crown corporation established in 1977, VIA Rail provides a safe, cost-effective and environmentally responsible service from coast to coast in both official languages. The Corporation operates close to 328 train departures weekly on a 12,500-kilometer network, connecting over 400 Canadian communities. With 3,438 active employees, VIA Rail carried 3.3 million passengers in 2022.

### VIA Rail's Services

#### *Inter-city Travel (The Corridor)*

In the densely populated Corridor between Québec City and Windsor, VIA Rail's trains provide travel between the downtown cores of major urban centres, as well as between suburban centres and communities. These trains carry more than 90% of the Corporation's total ridership.

#### *Long-distance Travel and Tourism*

In Western and Eastern Canada, VIA Rail's trains provide intercity services connecting communities while supporting Canada's tourism industry by attracting travelers from around the world. The *Canadian*, VIA Rail's western transcontinental train, provides service between Vancouver and Toronto. In Eastern Canada, the *Ocean* runs between Montreal and Halifax.

**Mandatory Services**

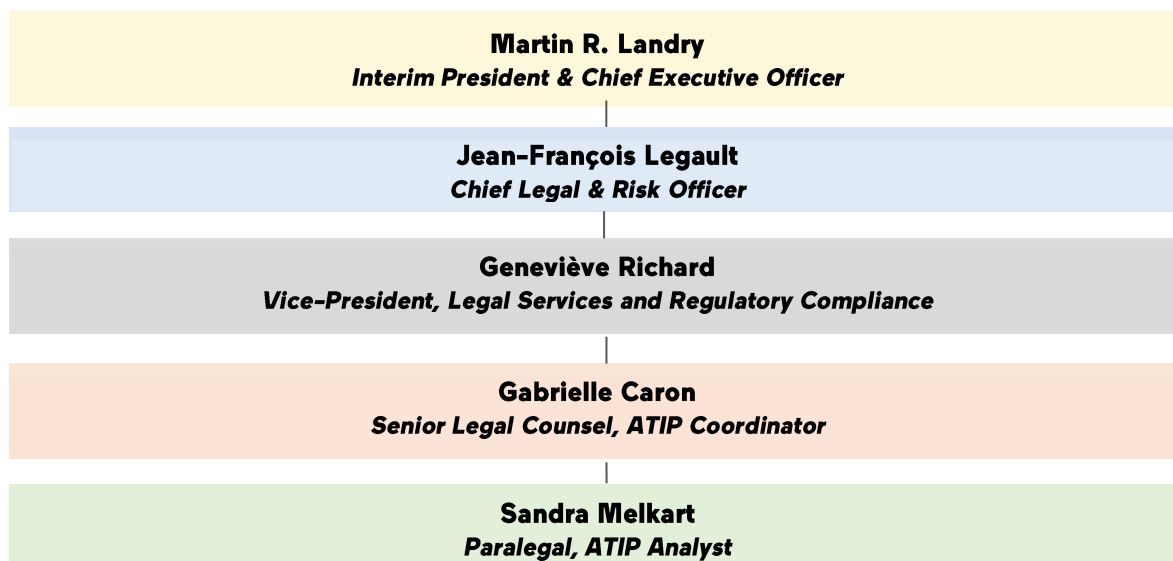
VIA Rail also provides a passenger service in several rural and remote regions of Canada. Mandated by the Government of Canada to meet essential transportation needs, these trains serve many communities where alternative, year-round transportation is limited or unavailable.

**3. ACCESS TO INFORMATION AND PRIVACY ("ATIP") UNIT**

VIA Rail’s ATIP unit was created in 2007. ATIP falls under the responsibility of VIA Rail’s ATIP Coordinator, who also acts as Legal Counsel.

The ATIP Coordinator is responsible for interpreting and applying the statutory and policy requirements as they relate to the public’s right of access to VIA Rail’s records under the ATIA and to personal information under the *Privacy Act*. In more complex cases, the ATIP Coordinator makes recommendations to the President & Chief Executive Officer on the disclosure of information. The ATIP Coordinator’s area of responsibility includes administering the process by which access to information and personal information requests are received and responded to, in compliance with the applicable statutory and policy requirements.

The organizational structure of VIA Rail’s ATIP unit as of March 31, 2023 was as follows:



#### **4. DELEGATION ORDER**

Pursuant to section 95 of the *ATIA*, VIA Rail's President & Chief Executive Officer has delegated the totality of his functions as they relate to the administration of the *ATIA* within VIA Rail to the Corporation's ATIP Coordinator.

The Delegation Order is attached as Appendix 1.

VIA Rail was not party to any service agreements under section 96 of the *ATIA* during the reporting period.

#### **5. PERFORMANCE 2022 – 2023**

The complete Statistical Report for 2022 is attached as Appendix 2.

The complete Supplemental Statistical Report for 2022 is attached as Appendix 3.

***Requests:***

VIA Rail processed a total of forty-six (46) access to information requests between April 1, 2022 and March 31, 2023. These forty-six (46) requests consist of thirty-six (36) requests received during the present reporting period and ten (10) requests that were carried over from previous reporting periods, namely six (6) requests from 2019-2020 and four (4) requests from 2021-2022.

Thirty-eight (38) requests were closed during the reporting period, including seven (7) requests carried over from previous reporting periods (2019-2020 & 2021-2022). The response percentage to these requests is therefore 83%.

Eight (8) requests are being carried forward into the next reporting period.

Between April 1, 2022 and March 31, 2023, VIA Rail also received eleven (11) consultation requests totaling over 600 pages to process from the following federal institutions: Transport Canada, Transportation Safety Board and Infrastructure Canada. VIA Rail's average response time for these consultation requests was eighteen (18) days. All consultation requests were closed during the reporting period.

**Types of Requests:**

Of the thirty-six (36) access to information requests received during the reporting period, 42% percent were from the public, 22% from businesses (private sector), 20% from the media and 16% from organizations.

**Completion Time:**

VIA Rail's average completion time for requests closed during this reporting period is thirty-two (32) days, compared with the legislative requirement of thirty (30) days. The median completion time is twenty-nine (29) days. The percentage of requests responded to within the established timeline is 68%.

		2020-2021	2021-2022	2022-2023
<b>Number of requests by completion time</b>	<b>1 to 15 days</b>	<b>7</b>	<b>1</b>	<b>5</b>
	<b>16 to 30 days</b>	<b>8</b>	<b>17</b>	<b>19</b>
	<b>31 to 60 days</b>	<b>7</b>	<b>5</b>	<b>6</b>
	<b>61 to 120 days</b>	<b>16</b>	<b>2</b>	<b>1</b>
	<b>121 to 180 days</b>	<b>1</b>	<b>3</b>	<b>0</b>
	<b>181 to 365 days</b>	<b>0</b>	<b>1</b>	<b>1</b>
	<b>More than 365 days</b>	<b>2</b>	<b>0</b>	<b>6</b>

**Disposition of Requests**

During this reporting period twenty-four (24) requests were 'All Disclosed', five (5) requests were 'Disclosed in Part', one (1) request each for 'All Exempted' and 'No Records Exist', and seven (7) requests were 'Abandoned'.

**Extensions**

During this reporting period, an extension was taken for twelve (12) requests due to interference with operations/workload, according to sections 9(1)(a) of the ATIA. Five (5) requests required an extension between 1-30 days, one (1) request between 31-60 days and six (6) between 181-365 days.

**Exemptions Applied**

The main exemptions of the ATIA applied by VIA Rail during this reporting period are the following:

- Section 18: Economic interests of Canada;
- Section 18.1: Economic Interest of VIA Rail;

- **Section 19: Personal information; and**
- **Section 20: Third-party information.**

	2020-2021	2021-2022	2022-2023
<b>Number of requests by exemption</b>			
s. 16(1)a)(ii)	0	0	0
s. 16(2)a)	0	0	0
s. 16(2)b)	0	0	1
s. 16(2)c)	0	0	0
s. 17	0	0	1
s. 18a)	3	0	0
s. 18b)	3	3	0
s. 18d)	3	3	0
s. 18.1(1)d)	7	4	4
s. 19(1)	6	2	2
s. 20(1)a)	0	3	0
s. 20(1)b)	7	3	1
s. 20(1)b.1)	0	0	0
s. 20(1)c)	5	3	2
s. 20 (1)d)	3	3	11
s. 21(1)a)	1	2	0
s. 21(1)b)	3	2	0
s. 21(1)c)	2	0	0
s. 23	1	0	0

**Informal Requests:**

Three (3) informal requests were received during the reporting period.

**Fees:**

No fees were collected regarding requests closed during this reporting period. Indeed, VIA Rail waived a total of \$180.

**Costs:**

The total costs associated with administering the ATIP Unit for Access to Information during this reporting period were \$60,225.

**Human resources:**

As for human resources, it has been estimated that 1.1 FTE (Full-Time Equivalent) was dedicated to access to information activities.

## **6. TRAINING AND AWARENESS**

No training or awareness activities were provided to VIA Rail employees during the reporting period.

## **7. POLICIES, GUIDELINES, PROCEDURES AND INITIATIVES**

VIA Rail did not implement or review any policies, guidelines or procedures related to access to information during this reporting period.

## **8. PROACTIVE DISCLOSURE**

VIA Rail periodically publishes access to information request summaries on its website as well as on the Open Government website.

## **9. COMPLAINTS**

Five (5) complaints were closed between April 1, 2022 and March 31, 2023.

### ***OIC File #5820-00694***

This complaint was filed with the Office of the Information Commissioner of Canada in June 2020 and was closed in February 2023. The complainant alleged that VIA Rail improperly applied exemptions, so as to unjustifiably deny access to records, or portions thereof, requested under the ATIA. A Notice under subsection 30(5) ATIA was received wherein the Information Commissioner designated the matter that was the subject of the complaint moot.

### ***OIC FILE #5820-00695***

This complaint was filed with the Office of the Information Commissioner of Canada in June 2020 and was closed in February 2023. The complainant alleged that VIA Rail improperly applied exemptions, so as to unjustifiably deny access to records, or portions thereof, requested under the ATIA. The Complainant has discontinued the complaint.

### ***OIC File #5820-01526***

This complaint was filed with the Office of the Information Commissioner of Canada in October 2020 and was closed in June 2022. The complainant alleged that VIA Rail failed to respond to the request within the time limits set out in the ATIA. A Notice under subsection 30(5) ATIA was received wherein the Information Commissioner wrote that any further investigation of the complaint would have no practical benefit now that the requested information has been provided.



**OIC FILE #5822-00142**

This complaint was filed with the Office of the Information Commissioner of Canada in April 2022 and was closed in October 2022. The complainant alleged that VIA Rail failed to respond to the request within the time limits set out in the *ATIA*. A Notice under subsection 30(5) *ATIA* was received wherein the Information Commissioner designated the matter that was the subject of the complaint moot.

**OIC FILE #5822-05390**

This complaint was filed with the Office of the Information Commissioner of Canada in December 2022 and was closed in March 2023. The complainant alleged that VIA Rail failed to respond to the request within the time limits set out in the *ATIA*. A Notice under subsection 30(5) *ATIA* was received wherein the Information Commissioner wrote that any further investigation of the complaint would have no practical benefit now that the requested information has been provided.

***On-going Files***

There are currently two (2) on-going complaint at the Office of the Information Commissioner of Canada, one of which date from the 2021-2022 reporting period and the other from the 2022-2023 reporting period. Both complaints are being carried forward to the next reporting period.

**10. MONITORING COMPLIANCE**

VIA Rail analyzes each request as soon as they are received in order to determine the time required to process such request, which is established based on discussions held with appropriate information holders, the necessity for consultations with third parties, etc.

Since 2017, requests are processed with the additional assistance of a computer software that allows the ATIP Analyst to more effectively process these requests. In addition, a file consolidates all relevant information regarding the status of each active request. This file is being monitored on a weekly basis by the ATIP Coordinator.

VIA Rail's ability to fulfill its *ATIA* responsibilities were not affected by any impact of COVID-19 during this reporting period.

# Appendix 1

## Delegation of Authority

A large, stylized yellow 'V' logo with a white diagonal stripe, positioned on the left side of the page.

DÉLÉGATION D'AUTORITÉ  
*LOI SUR L'ACCÈS À L'INFORMATION ET LOI SUR LA  
PROTECTION DES RENSEIGNEMENTS PERSONNELS*

DELEGATION OF AUTHORITY  
*ACCESS TO INFORMATION ACT AND PRIVACY ACT*

Le 23 juin 2022

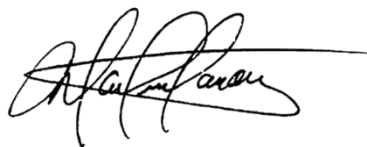
June 23, 2022

Je, soussigné, Président et chef de la direction par intérim, conformément à l'article 95 de la *Loi sur l'accès à l'information* et à l'article 73 de la *Loi sur la protection des renseignements personnels*, délègue par la présente les agents et les employés de VIA Rail occupant les postes identifiés dans l'annexe ci-jointe à assumer au nom de Président et chef de la direction les pouvoirs de signature ainsi que les attributions, fonctions et pouvoirs qui y sont spécifiés.

I, the undersigned, Interim President and Chief Executive Officer, pursuant to Section 95 of the *Access to Information Act* and Section 73 of the *Privacy Act*, hereby delegate officers and employees of VIA Rail occupying positions identified within the attached appendix to exercise signing authorities or perform any of the President and Chief Executive Officer's powers, duties or functions specified therein.

Signée à Montréal, ce 23 juin 2022

Signed in Montreal this June 23, 2022

A handwritten signature in black ink, appearing to read 'Martin R. Landry', with a long horizontal flourish extending to the right.

Martin R. Landry  
Président et chef de la direction par intérim  
Interim President and Chief Executive Officer

**VIA Rail Canada Inc.**  
**Delegation of Authority**  
**Under the *Access to Information Act***

Subject	Access to Information Act Section	Position / Title		
		ATIP Coordinator	Vice-President, Legal Services	ATIP Analyst

Notice where access requested	7	●	●	●
Transfer of request	8(1)	●	●	●
Extension of Time Limits	9(1)	●	●	●
Notice of extension to Information Commissioner	9(2)	●	●	●
Notice where access is refused	10(1) & (2)	●	●	●
Payment of fees from a machine readable record	11(3)	●	●	●
Deposit	11(4)	●	●	●
Notice of fee payment	11(5)	●	●	●
Waiver or refund of fees	11(6)	●	●	●
Translation	12(2)	●	●	●
Access to record in alternate format	12(3)	●	●	●
Refuse access - Information obtained in confidence from another government	13(1)	●	●	●
Grant access – information obtained in confidence from another government when disclosure authorized	13(2)	●	●	●
Refuse access - federal-provincial affairs	14	●	●	●
Refuse access - international affairs, defense	15(1)	●	●	●
Refuse access - law enforcement and investigation	16(1)	●	●	●
Refuse access - security information	16(2)	●	●	●
Refuse access - policing services for provinces or municipalities	16(3)	●	●	●
National Security and Intelligence Committee	16.6	●	●	●
Refuse access – safety of individuals	17	●	●	●
Refuse access - economic interests of Canada and of VIA Rail	18 / 18.1	●	●	●
Refuse access – personal information	19(1)	●	●	●
Disclose personal information	19(2)	●	●	●
Refuse access - third party information	20(1)	●	●	●

Disclose testing methods	20(2) & (3)	●	●	●
Disclose third party information – if supplier consents	20(5)	●	●	●
Disclose in public interest	20(6)	●	●	●
Refuse access - advice etc.	21	●	●	●
Testing procedure - tests and audits	22	●	●	●
Refuse access - solicitor-client privilege	23	●	●	●
Patent or Trademark privilege	23.1	●	●	●
Refuse access – Statutory prohibitions against disclosure	24(1)	●	●	●
Disclose information - Severability	25	●	●	●
Refuse access - information to be published	26	●	●	●
Notice to third parties	27(1)	●	●	●
Extension of time limit	27(4)	●	●	●
Representation of third party and decision	28(1)	●	●	●
Representation to be made in writing	28(2)	●	●	●
Disclosure of record	28(4)	●	●	●
Action to take in response to the notice of intention to investigate	32	●	●	●
Notice to third party	33	●	●	●
Right to make representations	35(2)	●	●	●
Findings and recommendations of the Information Commissioner	37(1)(b)	●	●	●
Access given to complainant	37(4)	●	●	●
Notice to third parties of court action	43(1)	●	●	●
Notice to person who requested record	44(2)	●	●	●
Special rules for hearings	52(2)	●	●	●
Ex parte representations	52(3)	●	●	●
Excluded information – Confidences of the Queen's Privacy Council for Canada	69	●	●	●

**VIA Rail Canada Inc.**  
**Delegation of Authority**  
**Under the *Privacy Act***

Subject	Privacy Act Section	Position / Title			
		ATIP Coordinator	Vice-President, Legal Services	ATIP Analyst	Chief of Police

Disclosure for any purposes in accordance with any Act of Parliament	8(2)(b)	●	●	●	●
Disclosure for any purposes in accordance with the <i>Security of Canada Information Act</i>	8(2)(b)	●	●	●	●
Disclosure to investigative bodies	8(2)(e)	●	●	●	●
Disclosure for research and statistics	8(2)(j)	●	●	●	●
Disclosure in public interest, benefit of individual	8(2)(m)	●	●	●	●
Copy of requests under paragraph 8(2) e) to be retained	8(4)	●	●	●	●
Notice of disclosure under paragraph 8(2)(m)	8(5)	●	●	●	●
Record of disclosures to be retained	9(1)	●	●	●	●
Notify Privacy Commissioner of consistent uses	9(4)	●	●	●	●
Personal information in banks	10(1)	●	●	●	●
Notice where access is requested	14	●	●	●	●
Extension of time limits	15	●	●	●	●
Notice where access is refused	16	●	●	●	●
Decision regarding translation	17(2)(b)	●	●	●	●
Conversion to alternate format	17(3)(b)	●	●	●	●
Refuse access - exempt bank	18(2)	●	●	●	●
Refuse access - confidential information obtained from another government	19(1)	●	●	●	●
Disclose confidential information obtained from another government	19(2)	●	●	●	●
Refuse access - federal-provincial affairs	20	●	●	●	●
Refuse access - international affairs and defense	21	●	●	●	●
Refuse access - law enforcement and investigation	22	●	●	●	●
National Security and Intelligence Committee	22.4	●	●	●	●
Refuse access - security clearance	23	●	●	●	●

Refuse access – individual sentenced for an offence	24	●	●	●	●
Refuse access - safety of individuals	25	●	●	●	●
Refuse access - another individual's information	26	●	●	●	●
Refuse access - solicitor-client privilege	27	●	●	●	●
Patent or Trademark privilege	27.1	●	●	●	●
Refuse access - medical record	28	●	●	●	●
Action to take in response to the notice of intention to investigate	31	●	●	●	●
Representation to Privacy Commissioner	33(2)	●	●	●	●
Information previously exempted	35(1)(b)	●	●	●	●
Access to be given	35(4)	●	●	●	●
Response to review of exempt banks	36(3)(b)	●	●	●	●
Report of findings and recommendations	37(3)	●	●	●	●
Request court hearing in the National Capital Region	51(2)	●	●	●	●
Ex-parte representation to court	51(3)	●	●	●	●

# Appendix 2

## Statistical Report





## Statistical Report on the *Access to Information Act*

Name of institution: VIA Rail Canada Inc.

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

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

#### 1.1 Number of requests

		Number of Requests
Received during reporting period		36
Outstanding from previous reporting periods		10
• Outstanding from previous reporting period	6	
• Outstanding from more than one reporting period	4	
<b>Total</b>		46
Closed during reporting period		38
Carried over to next reporting period		8
• Carried over within legislated timeline	0	
• Carried over beyond legislated timeline	8	

#### 1.2 Sources of requests

Source	Number of Requests
Media	7
Academia	0
Business (private sector)	8
Organization	6
Public	15
Decline to Identify	0
<b>Total</b>	36

#### 1.3 Channels of requests

Source	Number of Requests
Online	0
E-mail	36
Mail	0
In person	0
Phone	0
Fax	0
<b>Total</b>	36

### Section 2: Informal Requests

#### 2.1 Number of informal requests

		Number of Requests
Received during reporting period		3
Outstanding from previous reporting periods		0
• Outstanding from previous reporting period	0	



2.5 Pages re-released informally

Less Than 100 Pages Re-released		100-500 Pages Re-released		501-1000 Pages Re-released		1001-5000 Pages Re-released		More Than 5000 Pages Re-released	
Number of Requests	Pages Re-released	Number of Requests	Pages Re-released	Number of Requests	Pages Re-released	Number of Requests	Pages Re-released	Number of Requests	Pages Re-released
0	0	0	0	0	0	0	0	1	7754

**Section 3: Applications to the Information Commissioner on Declining to Act on Requests**

	Number of Requests
Outstanding from previous reporting period	0
Sent during reporting period	0
<b>Total</b>	0
Approved by the Information Commissioner during reporting period	0
Declined by the Information Commissioner during reporting period	0
Withdrawn during reporting period	0
Carried over to next reporting period	0

**Section 4: Requests Closed During the Reporting Period**

4.1 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	4	16	3	1	0	0	0	24
Disclosed in part	0	2	3	0	0	0	0	5
All exempted	0	1	0	0	0	0	0	1
All excluded	0	0	0	0	0	0	0	0
No records exist	1	0	0	0	0	0	0	1
Request transferred	0	0	0	0	0	0	0	0
Request abandoned	0	0	0	0	0	1	6	7
Neither confirmed nor denied	0	0	0	0	0	0	0	0
Declined to act with the approval of the Information Commissioner	0	0	0	0	0	0	0	0
<b>Total</b>	5	19	6	1	0	1	6	38

## 4.2 Exemptions

Section	Number of Requests	Section	Number of Requests	Section	Number of Requests	Section	Number of Requests
13(1)(a)	0	16(2)	0	18(a)	0	20,1	0
13(1)(b)	0	16(2)(a)	0	18(b)	0	20,2	0
13(1)(c)	0	16(2)(b)	1	18(c)	1	20,4	0
13(1)(d)	0	16(2)(c)		18(d)	0	21(1)(a)	0
13(1)(e)	0	16(3)	0	18.1(1)(a)	0	21(1)(b)	0
14	0	16.1(1)(a)	0	18.1(1)(b)	0	21(1)(c)	0
14(a)	0	16.1(1)(b)	0	18.1(1)(c)	0	21(1)(d)	0
14(b)	0	16.1(1)(c)	0	18.1(1)(d)	4	22	0
15(1)	0	16.1(1)(d)	0	19(1)	2	22.1(1)	0
15(1) - I.A.*	0	16.2(1)	0	20(1)(a)	0	23	0
15(1) - Def.*	0	16,3	0	20(1)(b)	1	23,1	0
15(1) - S.A.*	0	16.4(1)(a)	0	20(1)(b.1)	0	24(1)	0
16(1)(a)(i)	0	16.4(1)(b)	0	20(1)(c)	2	26	0
16(1)(a)(ii)	0	16,5	0	20(1)(d)	11		
16(1)(a)(iii)	0	16,6	0				
16(1)(b)	0	17	1				
16(1)(c)	0						
16(1)(d)	0						

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

## 4.3 Exclusions

Section	Number of Requests	Section	Number of Requests	Section	Number of Requests
68(a)	0	69(1)	0	69(1)(g) re (a)	0
68(b)	0	69(1)(a)	0	69(1)(g) re (b)	0
68(c)	0	69(1)(b)	0	69(1)(g) re (c)	0
68.1	0	69(1)(c)	0	69(1)(g) re (d)	0
68.2(a)	0	69(1)(d)	0	69(1)(g) re (e)	0
68.2(b)	0	69(1)(e)	0	69(1)(g) re (f)	0
		69(1)(f)	0	69.1(1)	0

## 4.4 Format of information released

Paper	Electronic				Other
	E-record	Data set	Video	Audio	
0	29	0	0	0	0

## 4.5 Complexity

### 4.5.1 Relevant pages processed and disclosed for paper and e-record formats

Number of Pages Processed	Number of Pages Disclosed	Number of Requests
842	842	37

**4.5.2 Relevant pages processed per 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	23	586	1	121	0	0	0	0	0	0
Disclosed in part	5	135	0	0	0	0	0	0	0	0
All exempted	1	0	0	0	0	0	0	0	0	0
All excluded	0	0	0	0	0	0	0	0	0	0
Request abandoned	7	0	0	0	0	0	0	0	0	0
Neither confirmed nor denied	0	0	0	0	0	0	0	0	0	0
Declined to act with the approval of the Information Commissioner	0	0	0	0	0	0	0	0	0	0
<b>Total</b>	36	721	1	121	0	0	0	0	0	0

**4.5.3 Relevant minutes processed and disclosed for audio formats**

Number of Minutes Processed	Number of Minutes Disclosed	Number of Requests
0	0	0

**4.5.4 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
Declined to act with the approval of the Information Commissioner	0	0	0	0	0	0
<b>Total</b>	0	0	0	0	0	0

**4.5.5 Relevant minutes processed and disclosed for video formats**

Number of Minutes Processed	Number of Minutes Disclosed	Number of Requests
0	0	0

**4.5.6 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
Declined to act with the approval of the Information Commissioner	0	0	0	0	0	0
<b>Total</b>	0	0	0	0	0	0

**4.5.7 Other complexities**

Disposition	Consultation Required	Legal Advice Sought	Other	Total
All disclosed	0	0	0	0
Disclosed in part	0	0	0	0
All exempted	0	0	0	0
All excluded	0	0	0	0
Request abandoned	0	0	0	0
Neither confirmed nor denied	0	0	0	0
Declined to act with the approval of the Information Commissioner	0	0	0	0
<b>Total</b>	0	0	0	0

## 4.6 Closed requests

### 4.6.1 Requests closed within legislated timelines

Number of requests closed within legislated timelines	26
Percentage of requests closed within legislated timelines (%)	68,42105263

## 4.7 Deemed refusals

### 4.7.1 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
12	11	0	0	1

### 4.7.2 Requests closed beyond legislated timelines (including any extension taken)

Number of days past legislated timelines	Number of requests past legislated timeline where no extension was taken	Number of requests past legislated timeline where an extension was taken	Total
1 to 15 days	1	2	3
16 to 30 days	2	0	2
31 to 60 days	1	0	1
61 to 120 days	0	0	0
121 to 180 days	0	0	0
181 to 365 days	6	0	6
More than 365 days	0	0	0
<b>Total</b>	10	2	12

## 4.8 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 5: Extensions

### 5.1 Reasons for extensions and disposition of requests

Disposition of Requests Where an Extension Was Taken	9(1)(a) Interference With Operations/ Workload	9(1)(b) Consultation		9(1)(c) Third-Party Notice
		Section 69	Other	
All disclosed	0	0	0	0
Disclosed in part	2	0	0	0
All exempted	0	0	0	0
All excluded	0	0	0	0
Request abandoned	0	0	0	0
No records exist	0	0	0	0
Declined to act with the approval of the Information Commissioner	0	0	0	0
<b>Total</b>	<b>2</b>	<b>0</b>	<b>0</b>	<b>0</b>

### 5.2 Length of extensions

Length of Extensions	9(1)(a) Interference With Operations/ Workload	9(1)(b) Consultation		9(1)(c) Third-Party Notice
		Section 69	Other	
30 days or less	2	0	0	0
31 to 60 days	0	0	0	0
61 to 120 days	0	0	0	0
121 to 180 days	0	0	0	0
181 to 365 days	0	0	0	0
365 days or more	0	0	0	0
<b>Total</b>	<b>2</b>	<b>0</b>	<b>0</b>	<b>0</b>

## Section 6: Fees

Fee Type	Fee Collected		Fee Waived		Fee Refunded	
	Number of Requests	Amount	Number of Requests	Amount	Number of Requests	Amount
Application	0	\$0,00	36	\$180,00	0	\$0,00
Other fees	0	\$0,00	0	\$0,00	0	\$0,00
<b>Total</b>	<b>0</b>	<b>\$0,00</b>	<b>36</b>	<b>\$180,00</b>	<b>0</b>	<b>\$0,00</b>





## 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>	0	0	0	0	0	0	0	0	0	0

## Section 9: Investigations and Reports of finding

### 9.1 Investigations

Section 32 Notice of intention to investigate	Subsection 30(5) Ceased to investigate	Section 35 Formal Representations
3	3	0

### 9.2 Investigations and Reports of finding

Section 37(1) Initial Reports			Section 37(2) Final Reports		
Received	Containing recommendations issued by the Information Commissioner	Containing orders issued by the Information Commissioner	Received	Containing recommendations issued by the Information Commissioner	Containing orders issued by the Information Commissioner
0	0	0	1	0	0

## Section 10: Court Action

### 10.1 Court actions on complaints

Section 41				
Complainant (1)	Institution (2)	Third Party (3)	Privacy Commissioner (4)	Total
0	0	0	0	0

### 10.2 Court actions on third party notifications under paragraph 28(1)(b)

Section 44 - under paragraph 28(1)(b)
0

## Section 11: Resources Related to the *Access to Information Act*

### 11.1 Allocated Costs

Expenditures		Amount
Salaries		\$60 225
Overtime		\$0
Goods and Services		\$0
• Professional services contracts	\$0	
• Other	\$0	
<b>Total</b>		<b>\$60 225</b>

### 11.2 Human Resources

Resources	Person Years Dedicated to Access to Information Activities
Full-time employees	1,100
Part-time and casual employees	0,000
Regional staff	0,000
Consultants and agency personnel	0,000
Students	0,000
<b>Total</b>	<b>1,100</b>

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

# Appendix 3

## Supplemental Statistical Report

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

Name of institution: VIA Rail Canada Inc.

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	0	5	5
Received in 2021-2022	0	3	3
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
<b>Total</b>	<b>0</b>	<b>8</b>	<b>8</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	1
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	0

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



earlier	0	0	0
<b>Total</b>	<b>0</b>	<b>0</b>	<b>0</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.**

Fiscal Year Open Complaints Were Received by Institution	Number of Open Complaints
Received in 2022-2023	0
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	0
Received in 2014-2015	0
Received in 2013-2014 or earlier	0
<b>Total</b>	<b>1</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
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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*

Canada