



Office of the Commissioner  
of Lobbying of Canada

Commissariat au lobbying  
du Canada

# Access to Information Act

ANNUAL REPORT 2019-20

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For a print copy of this publication, please contact:

Office of the Commissioner of Lobbying  
410 Laurier Avenue West, 8<sup>th</sup> Floor  
Ottawa ON K1R 1B7

Tel.: (613) 957-2760  
Fax: (613) 957-3078  
Email: [Info@lobbycanada.gc.ca](mailto:Info@lobbycanada.gc.ca)

This publication is also available electronically on the Web in HTML and PDF formats at the following address:  
[lobbycanada.gc.ca](http://lobbycanada.gc.ca).

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# Introduction

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The *Access to Information Act* (ATIA) (Revised Statutes of Canada 1985, Chapter A-1) was proclaimed on July 1, 1983. The ATIA gives Canadian citizens and permanent residents a broad right of access to information contained in government records, subject to certain specific and limited exceptions.

Section 94 of the ATIA stipulates that the head of every government institution shall prepare and submit to parliament an annual report on the administration of the ATIA for each fiscal year.

Consequently, this annual report is submitted by the Office of the Commissioner of Lobbying (OCL) in accordance with the ATIA. It describes how the OCL fulfilled its access to information responsibilities during the fiscal year 2019-20.

In addition, this annual report is prepared and tabled in accordance with section 20 of the *Services Fees Act*.

## The Office of the Commissioner of Lobbying

The Commissioner of Lobbying's mandate, derived from the *Lobbying Act* (the Act), is to ensure transparency of the lobbying of federal public office holders. This contributes to increasing the confidence Canadians have in the integrity of government decision making.

The Commissioner's mandate is threefold:

- maintaining the Registry of Lobbyists, which contains and makes public the registration information disclosed by lobbyists;
- developing and implementing educational programs to foster public awareness of the requirements of the Act; and
- conducting reviews and investigations to ensure compliance with the Act and the *Lobbyists' Code of Conduct* (the Code).

Under the Act, the Commissioner of Lobbying also has the authority to grant exemptions to former designated public office holders who are subject to a five-year prohibition on lobbying activities.

The Commissioner reports annually to Parliament on the administration of the Act and the Code. The Commissioner is also required to table to Parliament reports on investigations, which include her findings, conclusions and the reasons for her conclusions.

## Organizational Structure and Delegation of Authority

The ATIA provides the authority to the Commissioner of Lobbying to exercise all powers granted under the Act. The OCL's Access to Information and Privacy (ATIP) Coordinator is delegated this authority via a Delegation Order, of which copies are attached in Annex A. The OCL has two employees responsible for the administration of the ATIA, an ATIP Coordinator and an Executive Assistant.

The Director of Investigations and Corporate services was the ATIP Coordinator from April 1<sup>st</sup>, 2019 to March 31, 2020. The ATIP Coordinator is responsible for the development, coordination and implementation of effective policies, guidelines and procedures to ensure the OCL's compliance with the ATIA. The Coordinator makes decisions on the disposition of requests under the ATIA, promotes awareness of the legislation to ensure organizational responsiveness to its obligations, as well as monitors and advises on compliance with the ATIA, regulations, procedures and policies. Further, the Coordinator acts as spokesperson for the OCL in dealings with the Treasury Board Secretariat, the Information Commissioner, and other government departments and agencies. The Coordinator is also responsible for conducting consultations with other federal organizations and other governments within Canada as required.

The Executive Assistant provide support to the ATIP Coordinator on the process of any requests received.

Due to the limited number of requests received, the OCL did not dispose of any service agreements under section 96 of the *Access to Information Act* during the reporting period from April 1<sup>st</sup>, 2019 to March 31, 2020.

Under the Act, the OCL collects information from registrants and lobbyists and the disclosures filed by registrants are accessible on the Registry of Lobbyists at the following address: [lobbycanada.gc.ca](http://lobbycanada.gc.ca).

The OCL's Annual Report and Reports on Investigations must be tabled in both Houses of Parliament. They are also posted on the OCL's website and on the Open Government Portal under the AIA requesting that all reports tabled in Parliament be proactively disclosed.

# Administration of the Access to Information Act

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## Statistical Report

Annex B provides a statistical summary of requests under the *Access to Information Act* (ATIA) received during fiscal year 2019-20.

In 2019-20, the OCL received 14 request under the ATIA: 13 were processed formally and one informally. 100% of the requests were closed within legislated timelines. The requests that were received pertained mainly to lobbying. Four requests were in relation to OCL's communication services and internal services.

### Sources of requests

Of the 13 formal requests received, six came from media, one from an academic organization, one from the business sector, one from an organization, three from the public and one came from an unidentifiable source, as the requestor declined to identify. The informal request was made by a Canadian citizen.

### Disposition and completion time

The informal request was processed in less than 15 days.

#### Three formal requests were closed in 1 to 15 days:

For one of these three requests, the documents were completely disclosed. For the two other requests, no records existed.

#### Nine formal requests were closed in 16 to 30 days:

Of these nine requests, two were completely disclosed and four were disclosed in part as they contained information: obtained under subsection 16.2(1), contained information that is relative to solicitor-client privilege (section 23) or contained personal information (subsection 19(1)). For three of these nine requests, no records existed.

#### One request was closed in 61 to 120 days:

This request was disclosed in part, because some of the documents contained personal information (subsection 19(1)).

### Exemptions

As mentioned, five request were disclosed in part. This was due to the fact that these requests contained information under :

- Subsection 19(1) that refers to material containing personal information;
- Subsection 16.2(1) that refers to information that was obtained or created by the Commissioner or on her behalf in the course of an investigation; or

- Section 23 that refers to information that is subject to solicitor-client privilege or to litigation privilege.

For these requests, the OCL processed and released 10,234 pages on which some information has been redacted.

#### Extensions

An extension was requested for the request that was closed in 61 to 120 days. The extension request was made under subsection 9(1)(c) that authorize the head of a government institution to extend the time limit set out in section 7 or subsection 8(1) if the notice of the request is given pursuant to subsection 27(1) regarding notice to third parties.

#### Consultations from other institutions

In 2019-20, the OCL received 15 consultations for other federal institutions. All these consultations were completed in less that 15 days. A total of 87 pages were reviewed and recommended for full disclosure.

#### Evolution over the years

In 2019-20, the volume of formal request received and completed by the OCL increased by 550% from last fiscal year and had an increased of about 115% on consultations from other federal institutions.

Fiscal year	Formal requests received	Formal requests completed	Consultation completed from other institutions
2019-20	13	13	15
2018-19	2	2	7
2017-18	5	5	12
2016-17	8	8	3
2015-16	5	5	9
2014-15	4	5	9

#### COVID-19 impacts

As the OCL took steps to equip employees to work from home before the pandemic and because the Office receives only a few access to information requests, the COVID-19 pandemic did not have an impact on the processing of access to information requests. Therefore, the OCL did not have to put in place mitigation measures.

## Fees

The *Service Fees Act* requires a responsible authority to report annually to Parliament on the fees collected by the institution. With respect to fees collected by the OCL under the ATIA, the information below is reported in accordance with the requirements of section 20 of the *Service Fees Act*.

The fees collected for the processing of requests under the ATIA during the reporting period totalled \$30.00 for six formal requests. On July 12, 2019, the OCL took the decision to dispense the fees for the processing of requests pursuant to paragraph 7(1)(a) of the *Access to Information Regulations*.



Consequently, the fees were dispensed for seven formal requests received by the OCL for a total of \$35.00.

In accordance with the *Interim Directive on the Administration of the Access to Information Act*, issued on May 5, 2016, the OCL waives all fees prescribed by the Act and Regulations. No fees are imposed for reviewing records, overhead or shipping costs.

The OCL incurred total expenditure of approximately \$ 6,175 for the application of the ATIA in 2019-20. This amount was allotted to staff salary.

## Information Holdings

In accordance with the *Access to Information Act*, the information gathered by the OCL is used only for the purposes for which it was obtained.

The OCL is responsible for providing a full accounting of information holdings to the Treasury Board Secretariat and ensuring that updates are provided for inclusion in the Canada.ca publication. This publication contains a description of the classes of institutional records held by the OCL, and can be obtained through public or academic libraries or it may be viewed online on the Treasury Board Secretariat's website at [Canada.ca](http://Canada.ca).

## Implemented policies, guidelines, procedures and initiatives

During the reporting period, the OCL did not implement new policies, guidelines, procedures or initiatives.

## OCL Website

The OCL's website available at [lobbycanada.gc.ca](http://lobbycanada.gc.ca) allows members of the public to access and search the Registry of Lobbyists, as well as obtaining copies of reports such as the OCL's annual reports on Access to Information and Privacy. Summaries of completed requests are available on the OCL website and on Canada's Open Data Portal.

## Reading Room

A reading room is available at the OCL's office. Our office is located on the 8<sup>th</sup> Floor at 410 Laurier Avenue West, Ottawa, Ontario, K1R 1B7, Canada.

## Education and Training Activities

In 2019-20, the OCL did not provide education and training activities to its staff.

## Complaints

The OCL received one notice of intention to investigate from the Office of the Information Commissioner in 2019-20.

## Application to the Federal Court

There were no applications filed during 2019-20 related to the ATIA.

## Time to Process Access to Information Request Monitoring

Given the small number of requests received and processed by the OCL, no formal monitoring system was required during the reporting period.

# Annex A – Delegation Orders

## *Access to Information Act and Privacy Act*

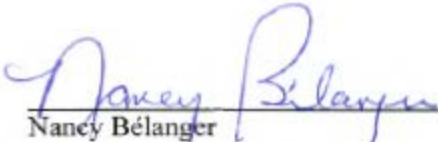
### **Delegation Order**

The Commissioner of Lobbying, pursuant to section 73 of the *Access to Information Act* and section 73 of the *Privacy Act*, hereby designates the person holding the position set out in the schedule hereto, or the person occupying on an acting basis that position, to exercise the powers, duties and functions of the Commissioner of Lobbying as the head of the Office of the Commissioner of Lobbying, under the provisions of the Act and related regulations set out in the schedule opposite each position. This designation replaces all previous delegation orders.

### **Schedule**

Position	<i>Access to Information Act</i> and Regulations	<i>Privacy Act</i> and Regulations
Director of Registration and Client Services	Full authority	Full authority

Dated, at the City of Ottawa, this Tuesday, May 1, 2018,

  
Nancy Bélanger

***Access to Information Act and Privacy Act***

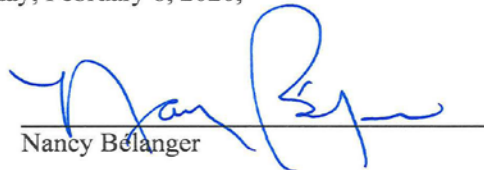
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**Schedule**

Position	<i>Access to Information Act</i> and Regulations	<i>Privacy Act</i> and Regulations
Director of Registration and Client Services / Currently Director, Investigations and Corporate Services (as of September 30, 2019)	Full authority	Full authority

Dated, at the City of Ottawa, this Thursday, February 6, 2020,

  
Nancy Bélanger

# Annex B – 2019-20 Statistical Report



Government of Canada  
Gouvernement du Canada

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

**Name of institution:** Office of the Commissioner of Lobbying of Canada

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

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

#### 1.1 Number of requests

	Number of Requests
Received during reporting period	13
Outstanding from previous reporting period	0
<b>Total</b>	13
Closed during reporting period	13
Carried over to next reporting period	0

#### 1.2 Sources of requests

Source	Number of Requests
Media	6
Academia	1
Business (private sector)	1
Organization	1
Public	3
Decline to Identify	1
<b>Total</b>	13

#### 1.3 Informal 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	
1	0	0	0	0	0	0	1

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

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

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

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

**3.1 Disposition and completion time**

Disposition of Requests	Completion Time							Total
	1 to 15 Days	16 to 30 Days	31 to 60 Days	61 to 120 Days	121 to 180 Days	181 to 365 Days	More Than 365 Days	
All disclosed	1	2	0	0	0	0	0	3
Disclosed in part	0	4	0	1	0	0	0	5
All exempted	0	0	0	0	0	0	0	0
All excluded	0	0	0	0	0	0	0	0
No records exist	2	3	0	0	0	0	0	5
Request transferred	0	0	0	0	0	0	0	0
Request abandoned	0	0	0	0	0	0	0	0
Neither confirmed nor denied	0	0	0	0	0	0	0	0
Decline to act with the approval of the Information Commissioner	0	0	0	0	0	0	0	0
<b>Total</b>	<b>3</b>	<b>9</b>	<b>0</b>	<b>1</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>13</b>

**3.2 Exemptions**

Section	Number of Requests	Section	Number of Requests	Section	Number of Requests	Section	Number of Requests
13(1)(a)	0	16(2)	0	18(a)	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)	0	18(c)	0	20.4	0
13(1)(d)	0	16(2)(c)	0	18(d)	0	21(1)(a)	0
13(1)(e)	0	16(3)	0	18.1(1)(a)	0	21(1)(b)	0
14	0	16.1(1)(a)	0	18.1(1)(b)	0	21(1)(c)	0
14(a)	0	16.1(1)(b)	0	18.1(1)(c)	0	21(1)(d)	0
14(b)	0	16.1(1)(c)	0	18.1(1)(d)	0	22	0
15(1)	0	16.1(1)(d)	0	19(1)	8	22.1(1)	0
15(1) - I.A.*	0	16.2(1)	1	20(1)(a)	0	23	1
15(1) - Def.*	0	16.3	0	20(1)(b)	0	23.1	0
15(1) - S.A.*	0	16.31	0	20(1)(b.1)	0	24(1)	0
16(1)(a)(i)	0	16.4(1)(a)	0	20(1)(c)	0	26	0
16(1)(a)(ii)	0	16.4(1)(b)	0	20(1)(d)	0		
16(1)(a)(iii)	0	16.5	0				
16(1)(b)	0	16.6	0				
16(1)(c)	0	17	0				
16(1)(d)	0						

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

### 3.3 Exclusions

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

### 3.4 Format of information released

Paper	Electronic	Other
1	7	0

### 3.5 Complexity

#### 3.5.1 Relevant pages processed and disclosed

Number of Pages Processed	Number of Pages Disclosed	Number of Requests
10240	10240	8

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

Disposition	Less Than 100 Pages Processed		101-500 Pages Processed		501-1000 Pages Processed		1001-5000 Pages Processed		More Than 5000 Pages Processed	
	Number of Requests	Pages Disclosed	Number of Requests	Pages Disclosed	Number of Requests	Pages Disclosed	Number of Requests	Pages Disclosed	Number of Requests	Pages Disclosed
All disclosed	3	6	0	0	0	0	0	0	0	0
Disclosed in part	3	48	1	307	0	0	0	0	1	9879
All exempted	0	0	0	0	0	0	0	0	0	0
All excluded	0	0	0	0	0	0	0	0	0	0
Request abandoned	0	0	0	0	0	0	0	0	0	0
Neither confirmed nor denied	0	0	0	0	0	0	0	0	0	0
<b>Total</b>	<b>6</b>	<b>54</b>	<b>1</b>	<b>307</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>1</b>	<b>9879</b>

### 3.5.3 Other complexities

Disposition	Consultation Required	Assessment of Fees	Legal Advice Sought	Other	Total
All disclosed	0	0	0	0	0
Disclosed in part	2	0	0	0	2
All exempted	0	0	0	0	0
All excluded	0	0	0	0	0
Request abandoned	0	0	0	0	0
Neither confirmed nor denied	0	0	0	0	0
<b>Total</b>	<b>2</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>2</b>

### 3.6 Closed requests



### 3.6.1 Number of requests closed within legislated timelines

	<b>Requests closed within legislated timelines</b>
<b>Number of requests closed within legislated timelines</b>	13
<b>Percentage of requests closed within legislated timelines (%)</b>	100

### 3.7 Deemed refusals

#### 3.7.1 Reasons for not meeting legislated timelines

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

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

Number of Days Past Legislated Timelines	Number of Requests Past Legislated Timeline Where No Extension Was Taken	Number of Requests Past Legislated Timeline Where an Extension Was Taken	Total
1 to 15 days	0	0	0
16 to 30 days	0	0	0
31 to 60 days	0	0	0
61 to 120 days	0	0	0
121 to 180 days	0	0	0
181 to 365 days	0	0	0
More than 365 days	0	0	0
<b>Total</b>	<b>0</b>	<b>0</b>	<b>0</b>

### 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>	<b>0</b>	<b>0</b>	<b>0</b>

## Section 4: Extensions

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

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

#### 4.2 Length of extensions

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

### Section 5: Fees

Fee Type	Fee Collected		Fee Waived or Refunded	
	Number of Requests	Amount	Number of Requests	Amount
Application	6	\$30	7	\$35
Other fees	0	\$0	0	\$0
<b>Total</b>	6	\$30	7	\$35

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

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

Consultations	Other Government of Canada Institutions	Number of Pages to Review	Other Organizations	Number of Pages to Review
Received during reporting period	15	87	0	0

Outstanding from the previous reporting period	0	0	0	0
<b>Total</b>	15	87	0	0
Closed during the reporting period	15	87	0	0
Carried over to next reporting period	0	0	0	0

## 6.2 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	15	0	0	0	0	0	0	15
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>	15	0	0	0	0	0	0	15

## 6.3 Recommendations and completion time for consultations received from other organizations

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	0
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## Section 7: Completion Time of Consultations on Cabinet Confidences

### 7.1 Requests with Legal Services

Number of Days	Fewer Than 100 Pages Processed		101-500 Pages Processed		501-1000 Pages Processed		1001-5000 Pages Processed		More Than 5000 Pages Processed	
	Number of Requests	Pages Disclosed	Number of Requests	Pages Disclosed	Number of Requests	Pages Disclosed	Number of Requests	Pages Disclosed	Number of Requests	Pages Disclosed
1 to 15	0	0	0	0	0	0	0	0	0	0
16 to 30	0	0	0	0	0	0	0	0	0	0
31 to 60	0	0	0	0	0	0	0	0	0	0
61 to 120	0	0	0	0	0	0	0	0	0	0
121 to 180	0	0	0	0	0	0	0	0	0	0
181 to 365	0	0	0	0	0	0	0	0	0	0
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

### 7.2 Requests with Privy Council Office

Number of Days	Fewer Than 100 Pages Processed		101-500 Pages Processed		501-1000 Pages Processed		1001-5000 Pages Processed		More Than 5000 Pages Processed	
	Number of Requests	Pages Disclosed	Number of Requests	Pages Disclosed	Number of Requests	Pages Disclosed	Number of Requests	Pages Disclosed	Number of Requests	Pages Disclosed
1 to 15	0	0	0	0	0	0	0	0	0	0
16 to 30	0	0	0	0	0	0	0	0	0	0
31 to 60	0	0	0	0	0	0	0	0	0	0
61 to 120	0	0	0	0	0	0	0	0	0	0
121 to 180	0	0	0	0	0	0	0	0	0	0
181 to 365	0	0	0	0	0	0	0	0	0	0
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 8: Complaints and investigations

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

## Section 9: Court Action

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

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

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

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

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

**10.1 Costs**

Expenditures	Amount
Salaries	\$6,175
Overtime	\$0
Goods and Services	\$0
• Professional services contracts	\$0
• Other	\$0
<b>Total</b>	<b>\$6,175</b>

**10.2 Human Resources**

Resources	Person Years Dedicated to Access to Information Activities
Full-time employees	0.10
Part-time and casual employees	0.00
Regional staff	0.00
Consultants and agency personnel	0.00
Students	0.00
<b>Total</b>	<b>0.10</b>

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