

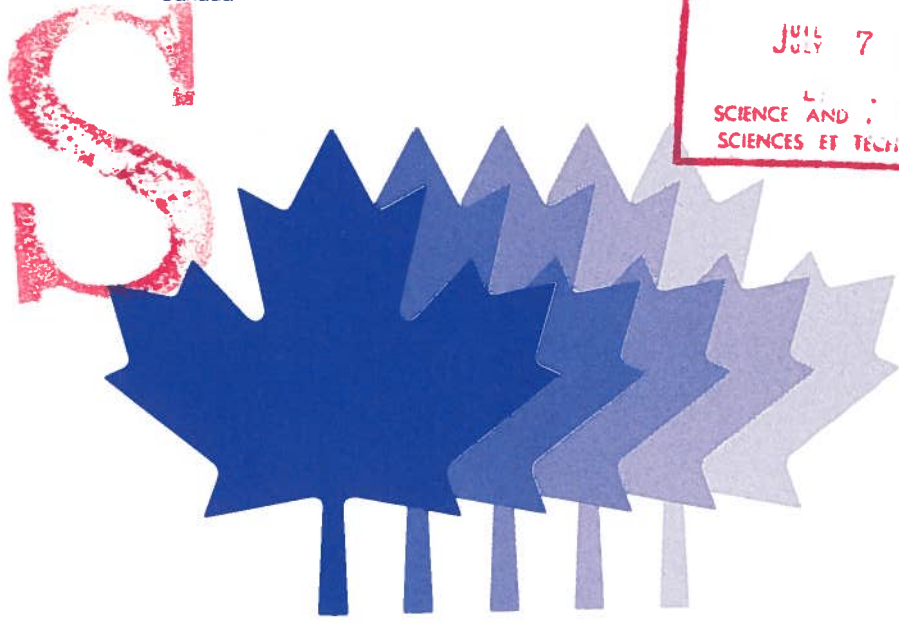
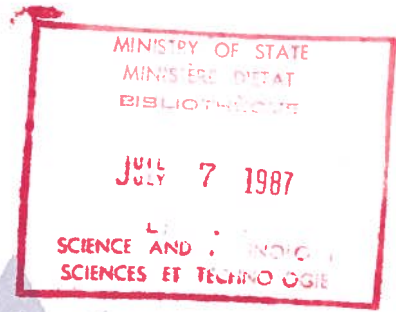


Ministry of State

Ministère d'État

Science and Technology
Canada

Sciences et Technologie
Canada



ANNUAL REPORT

Access to Information and Privacy Acts

1986-1987

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ACCESS TO INFORMATION AND PRIVACY ACTS

ANNUAL REPORT

FOR THE PERIOD OF APRIL 1, 1986 TO MARCH 31, 1987



Minister of State for
Science and Technology



Ministre d'État chargé
des Sciences et de la Technologie

The Honourable L'honorable
Frank Oberle

June 1, 1987

Her Excellency
The Right Honourable Jeanne Sauv 
P.C., C.C., C.M.M., C.D.
Governor General of Canada
Government House
1 Sussex Drive
Ottawa, Ontario
K1A 0A1

Your Excellency:

I have the honour to submit to Your Excellency the annual report on the administration of the Access to Information and Privacy Acts for the period of April 1, 1986 to March 31, 1987, in accordance with section 72 of the legislation.

Respectfully submitted,

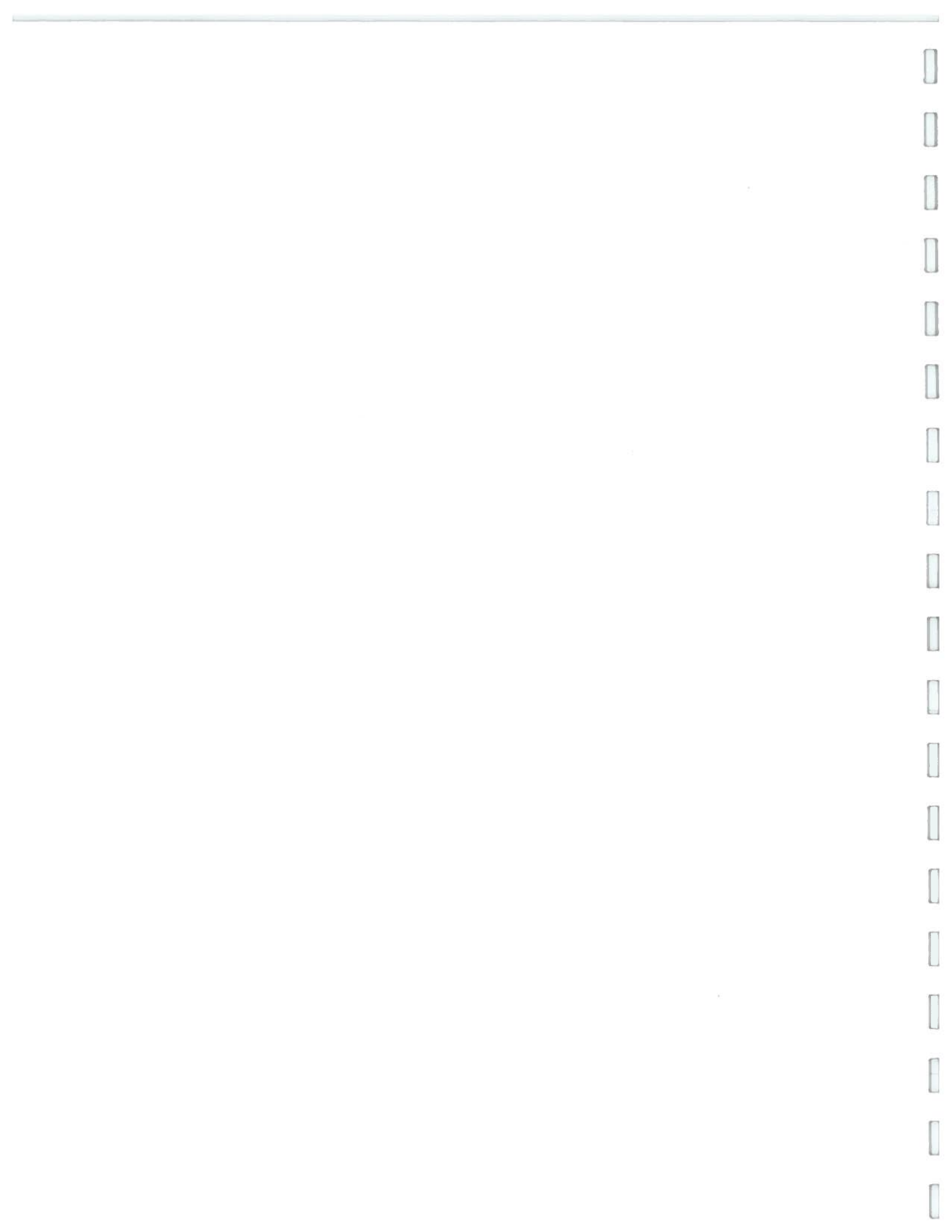
A handwritten signature in cursive script, appearing to read "Frank Oberle".

Frank Oberle



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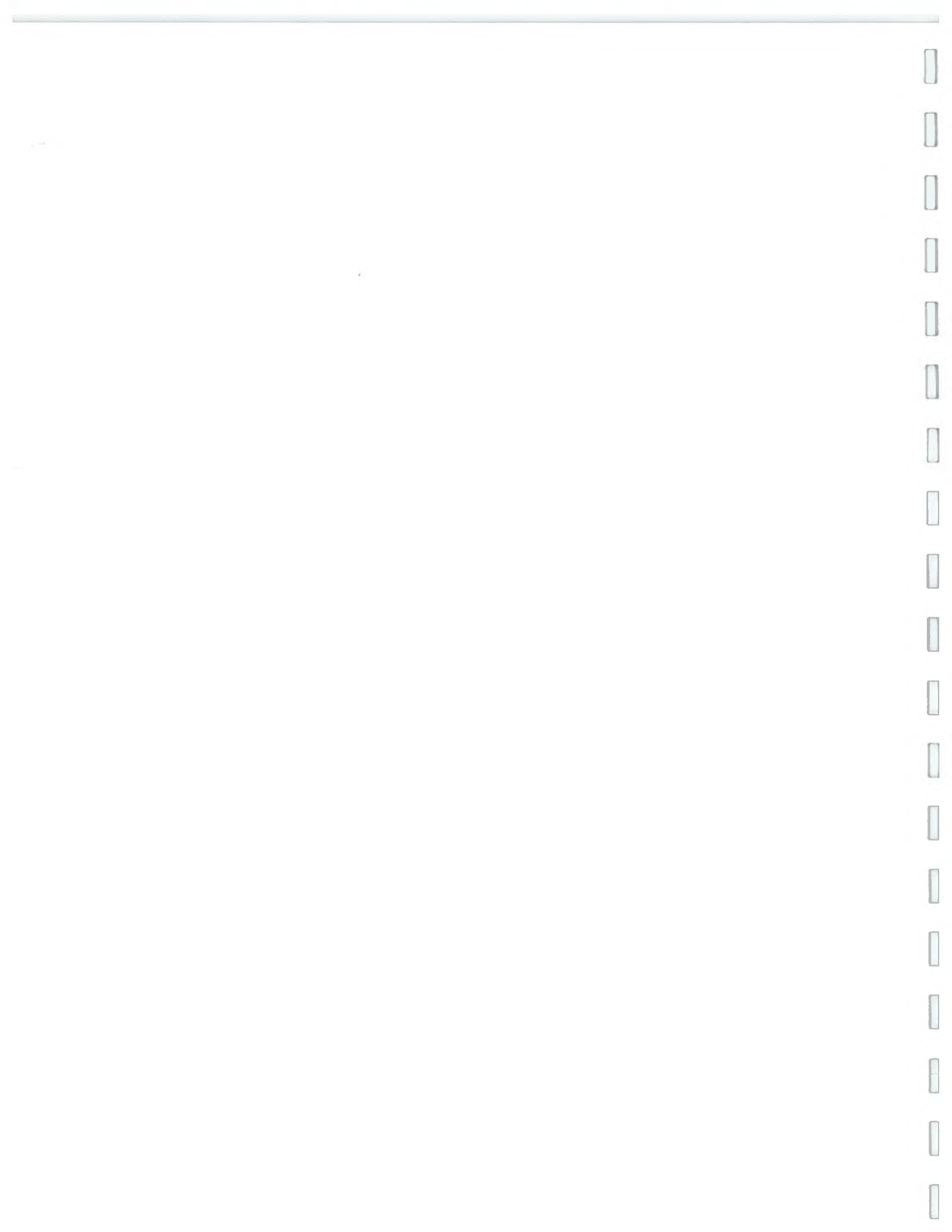
INTRODUCTION

The Access to Information and Privacy Acts (Statutes of Canada, Chapter III, 1980-81-82-83) were proclaimed in force on July 1, 1983.

The Access to Information Act gives Canadian citizens and permanent residents a broad right of access to information contained in government records, subject to specific and limited exceptions. The Privacy Act extends to individuals the right of access to information about themselves held by the government, again subject to specific and limited exceptions. The law also protects their privacy by preventing others from having access to personal information and gives individuals some control over its collection and use.

Section 72 of the Access to Information Act and section 72 of the Privacy Act require that the head of every government institution shall prepare for submission to Parliament an annual report on the administration of the Act within the institution during each financial year.

This annual report is intended to describe how the Ministry of State for Science and Technology administered its responsibilities in the fourth year of operation of the Access to Information and Privacy Acts.



PART 1

THE MINISTRY OF STATE FOR SCIENCE AND TECHNOLOGY



MINISTRY OF STATE FOR SCIENCE AND TECHNOLOGY

Background

The Ministry of State for Science and Technology (MOSST) was established in 1971 by Order-in-Council for the purpose of formulating and developing policies in relation to the activities of the Government of Canada that affect the development and application of science and technology. It is presided over by a Minister of State and a Secretary reporting to the Minister.

Since July of 1983, the Secretary has also been Chief Science Advisor (CSA) to the government with the responsibility for providing expert and objective advice to Cabinet and its committees on priorities for, and the planning of, Canada's overall science and technology effort.

This change of role necessitated the reorganization of the Ministry in order to give the Chief Science Advisor direct access to Cabinet and enable the Ministry to function as the lead department within the federal government for overall science and technology policy development and co-ordination.

On May 27, 1985, the Prime Minister directed the Minister of State for Science and Technology to undertake new functions not previously identified in the mandate of the Ministry. These new responsibilities included the preparation of an annual overview and analysis of the government's S&T activities; the formulation of advice on measures to strengthen the effectiveness of federal S&T program expenditures, especially concerning industrial support, technology transfer and strategic technologies; as well as responsibilities for the negotiation and management of federal/provincial agreements on science and technology.

Overall Responsibilities

The responsibilities of the Ministry, as set out in the 1971 Order-in-Council, are to formulate and develop policies as well as give advice with regard to the establishment of priorities for science and technology; the support of science and technology and its application in furthering national objectives; the optimum investment in science and technology by governments, industry and universities; the co-ordination of federal science and technology programs with other government policies; co-operation with the provinces, other organizations and other nations; the organization of science and technology in the public service; the allocation of financial and personnel resources; and the extent and nature of Canada's participation in international science undertakings.

On July 31, 1980, the Ministry was designated as the lead department for space research and the development and co-ordination of space activities among federal government departments and agencies. In July of 1983, when it was decided that the Secretary would assume the new role of Chief Science Advisor to the federal government, the Ministry was given additional responsibility for advising on the integration of a long-range science perspective into the policy development process and into specific proposals put forward by departments and ministries; on the identification of areas which are science

and technology intensive and which will have a significant impact on Canada; and on the quality and effectiveness of science and technologies policies. Other responsibilities include assessing the science and technology-related policies and programs of the federal government, as they relate to the provincial governments and the industrial and university sectors in Canada and foreign countries, which have an impact on the Canadian economy; negotiating and managing federal/provincial agreements on science and technology; identifying areas of significant impact on the economy, society, international relations and national defence; recommending priorities for science and technology and developing cohesive and comprehensive strategies to achieve them.

Organization

The Ministry is organized into four sectors and two branches: Government Research and Universities Sector; National Science and Technology Policy Sector; Industry, Trade and Technology Sector; Space Policy Sector; Communications Branch; and Corporate Management Branch.

Government Research and Universities Sector

Assists the federal government to co-ordinate and manage more effectively its expenditures on R&D programs and its support of university research.

National Science and Technology Policy Sector

Co-ordinates and participates in the development and implementation of policies and programs to improve the harmonization of, and collaboration in, federal and provincial S&T initiatives.

Industry, Trade and Technology Sector

Promotes the better management and co-ordination of the government's programs that assist industry to increase its level of R&D, to develop and exploit strategic technologies, and to improve linkages between government, industry and academic institutions.

Space Policy Sector

Promotes the effective management and co-ordination of Canada's Space Program through the development of space R&D policies and strategies and the management and co-ordination of federal space programs.

Communications Branch

Co-ordinates and implements the public affairs and information aspects of the Ministry and the science and technology policy and program initiatives of the government.

Corporate Management Branch

Provides core support services for the Ministry such as planning, finance, human resources and administration.

PART 2
REPORT ON THE ACCESS TO INFORMATION ACT



1. Highlights

The Ministry experienced a decrease in the number of requests under the Access to Information Act in the 1986-87 period over the 1985-86 period. The number of requests received went from 14 to 4, or a 71.4 percent decrease. There were no complaints to the Information Commissioner, or appeals to the Federal Court.

2. Organization of Access to Information and Privacy Activities

In the first year of operation of the Access to Information and Privacy Acts, the Access Coordinator of the Ministry of State for Economic and Regional Development (MSERD) was responsible for providing access support to the Ministry of State for Science and Technology (MOSST) with the latter's co-location with MSERD. When MSERD was disbanded in July, 1984, however, the Access to Information and Privacy Office of the Department of Regional Industrial Expansion (DRIE) assumed the responsibility for providing these services to MOSST.

The primary responsibilities of the Access to Information and Privacy Office include:

- developing ministerial policies, procedures and guidelines for the orderly implementation of the Access to Information and Privacy Acts;
- processing formal requests and advising senior management on the operation of the legislation and the disposition of cases;
- promoting awareness of the legislation to ensure departmental responsiveness to the obligations imposed on the government;
- acting as spokesperson for the Ministry in dealings with Treasury Board Secretariat, the Information and Privacy Commissioners and other government departments and agencies;
- co-ordinating activities for the maintenance of current inventories of ministerial information holdings; and
- co-ordinating the preparation of information for management and Parliamentary reports as well as other material that may be required by central agencies.

3. Processing of Formal Requests - Summary

The following summarizes the Ministry's process of dealing with formal access requests. All such requests are forwarded to the Access to Information and Privacy Office where they are reviewed for clarity and conformity with the legislation. Each request is then assigned to a responsibility centre having the primary interest in the request. This responsibility centre is responsible for locating and retrieving the

records containing the information sought and assists in determining the costs and fees associated with the processing of the request. After review of the relevant records, the responsibility centre is responsible for formulating recommendations on the disposition of the case. These are evaluated by the Access to Information and Privacy Office before a final recommendation is presented to the Secretary of the Ministry.

4. Delegation of Authority

The responsibility for approving recommendations to deny or provide access to information held by the Ministry and requested under the Access to Information Act has been delegated to the Secretary of the Ministry.

5. Formal/Information Interface

The Access to Information Act is intended to complement, not replace, existing procedures and channels for access to government information. Individuals seeking information from the Ministry are encouraged to use regular and informal procedures and channels of information to the fullest extent possible.

6. Reading Room

Section 71 of the Act requires government institutions to provide facilities where the public may inspect manuals used by employees or the institution in administering or carrying out programs or activities. In accordance with this section, a reading room was established by the Ministry in 1983. This facility is located in the Communications Branch and holds current copies of the Access Register and Personal Information Index, access request forms and general information for the public on how to exercise their rights under the legislation. The Ministry has no manuals of the type contemplated by section 71 of the Act.

7. Statistical Report - Interpretation and Explanation

Appendix A provides a statistical report on the Access to Information applications dealt with in the period from April 1, 1986 to March 31, 1987. The following endeavours to provide explanations and interpretations for information contained in this report:

I. Requests under the Access to Information Act

Eight requests were dealt with during 1986-87. Of this total, four (50%) represented new requests received in this reporting period. Four requests (50%) were carried forward from the previous year.

Appendix B attempts to provide a categorization of the requests received by MOSST in terms of known affiliations and provinces of origin.

II. Disposition of Requests Completed

Of the eight requests dealt with, seven requests (87.5%) were completed during the 1986-87 reporting period. It follows that one request (12.5%) remained to be processed as of March 31, 1987. A completed request is defined as a request for which either a disclosure or denial of access has taken place. The completed requests were disposed of in the following manner:

- All Disclosed: In one case, all of the information was disclosed to the requestor.
- Disclosed in Part: In three cases, the requestors received partial disclosures.
- Nothing Disclosed (exempt): In one case, the records involved were totally exempted from disclosure.
- Abandoned: One request was abandoned by the requestor.
- Does Not Exist: In one case, the Ministry was unable to locate any records relevant to the request.

III. Exemptions Invoked

As will be noted from Appendix A, exemptions under sections 16 and 21 of the Access to Information Act were invoked by the Ministry in dealing with a number of cases. The Appendix is intended to show the types of exemptions and exclusions invoked to deny access. For example, if in one request three different exemptions were used, this is reported for as total of three. If the same exemption is used several times for the same request, it is reported only once.

IV. Exclusions Cited

The Access to Information Act does not apply to records considered Confidences of the Queen's Privy Council pursuant to section 69 of the Act. As shown in Appendix A, in five instances records or parts thereof were deemed to constitute Cabinet confidences.

V. Completion Time

Two requests were completed within 30 days. Five were completed within 60 days.

VI. Extensions

Five extensions of 30 days were authorized to allow for external consultations.

VII. Translations

No translations were required.

VIII. Method of Access

In four cases, copies of records were given to the requestor.

IX. Fees

The fees collected during the reporting period totalled \$30.00. In four cases, fees of \$25.00 or under were waived. The application fee was refunded in one case where no record existed.

X. Costs

Total salary costs associated with Access to Information Act activities are estimated at \$11,385.32 for 1986-87. Administration costs were \$1,223.21. The total person-year resources for 1986-87 are estimated as totalling 0.4. Fees collected during the reporting period are estimated to represent 0.23 percent of the Ministry's total costs.

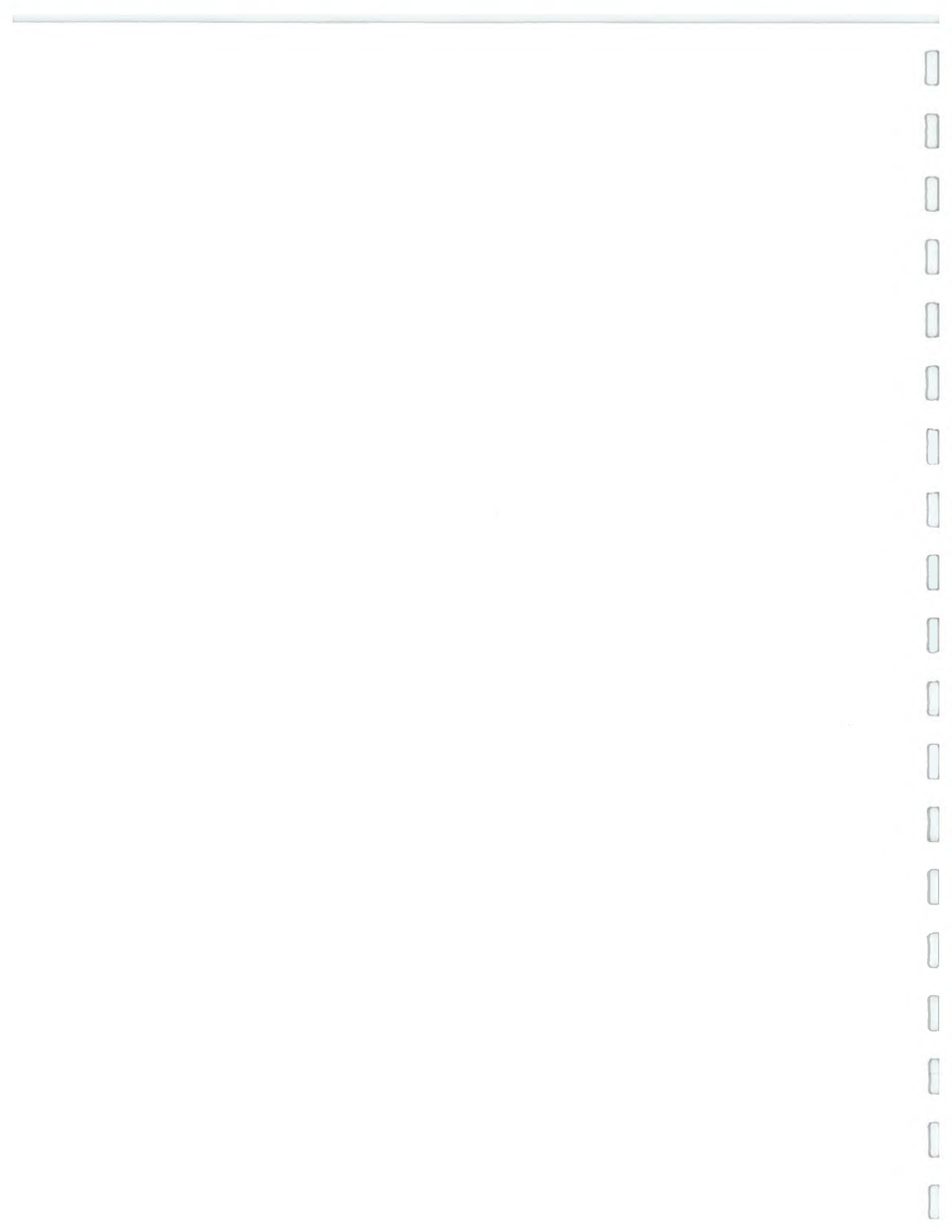
XI. Appeals to the Information Commissioner

No complaints were lodged with the Information Commissioner during this reporting period.

XII. Appeals to the Federal Court

No appeals were filed with the Federal Court under the Access to Information Act in 1986-87.

PART 3
REPORT ON THE PRIVACY ACT



1. Summary of Activities

There were no requests received in 1986-87.

2. Organization of Access to Information and Privacy Activities

Certain features that were common to the activities of both the Access to Information and Privacy Acts are referred to in Part I and Part II, section 2 of the Access to Information Act Report.

3. Processing of Formal Requests

The processing of formal requests under the Privacy Act is as described in Part II, section 3 of the Access to Information Act Report.

4. Delegation of Authority

The responsibility for approving recommendations, to deny or provide access to personal information requested under the Privacy Act has been delegated to the Secretary.

5. Formal/Informal Interface

Access to the type of personal information that has generally been available to individuals has been continued without formal recourse to the Privacy Act. Where access cannot be granted through informal channels, individuals are informed of their right to submit a formal request under the Act.

6. Exempt Banks

No personal information bank has been designated as exempt in accordance with section 18 of the Privacy Act.

7. Disclosure under paragraph 8(2)(e) of the Privacy Act

The Ministry did not receive any requests from the investigative bodies specified in the Regulations during this reporting period. The Secretary of the Ministry is the officer who is authorized to disclose personal information under paragraph 8(2)(e) of the Act.

8. Use and Disclosure

The Ministry's Access to Information and Privacy Policy Directive outlines the intent and requirements of the Privacy Act and Treasury Board guidelines with respect to the collection, use, disclosure, retention and disposal of personal information so that all staff will be aware of their responsibilities for the proper management of information holdings. They are particularly advised that no personal information is to be collected unless it relates directly to an operating program or activity; that the

individuals from whom they collect information are to be informed of the purpose for which the information is being collected unless this would result in the collection of inaccurate or misleading information, that such personal information is to be retained for a minimum of two years unless the individual consents to earlier disposal.

9. Statistical Report - Interpretation and Explanation

Appendix C provides a statistical report on the requests for personal information received under the Privacy Act which were dealt with in the period from April 1, 1986 to March 31, 1987.

I. Requests under the Privacy Act

No requests were received by MOSST during this reporting period.

II. Disposition of Requests Completed

N/A

III. Exemptions Invoked

N/A

IV. Exclusions Cited

N/A

V. Completion Time

N/A

VI. Extensions

N/A

VII. Translations

N/A

VIII. Method of Access

N/A

IX. Correction and Notation

N/A

X. Costs

Total salary costs associated with the Privacy Act activities are estimated at \$10,473.40 for 1986-87. Administrative costs were \$1,223.21. The total person-year resources for 1986-87 are therefore estimated as totalling 0.4.

XI. Complaints to the Privacy Commissioner

No complaints were lodged with the Privacy Commissioner during this reporting period.

XII. Appeals to the Federal Court

No appeals were filed with the Federal Court under the Privacy Act in 1986-87.



Institution Ministry of State for Science and Technology	Reporting period 860401 to 870331
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Me IIa	5	Academia	1	Business	1	Organization	1	Public
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I Requests under the Access to Information Act		II Disposition of requests completed			
Received during reporting period	4	1. All disclosed	1	6. Unable to process	
Outstanding from previous period	4	2. Disclosed in part	3	7. Insufficient information	
TOTAL	8	3. Nothing disclosed (excluded)		8. Abandoned	1
Completed during reporting period	7	4. Nothing disclosed (exempt)	1	9. Does not exist	1
Carried forward	1	5. Transferred		10. Treated informally	
		TOTAL			7

III Exemptions invoked				IV Exclusions cited			
S. 13(1) (a)		S. 16(1) (d)		S. 20(1) (c)		S. 68 (a)	
(b)		S. 16(2)	1	(d)		(b)	
(c)		S. 16(3)		S. 21(1) (a)	2	(c)	
(d)		S. 17		(b)	2	(d)	
S. 14		S. 18 (a)		(c)	1	S. 69(1) (a)	2
S. 15(1) Internat. rel.		(b)		(d)	1	(b)	
Defence		(c)		S. 22		(c)	
Subversive activities		(d)		S. 23		(d)	
S. 16(1) (a)		S. 19(1)		S. 24		(e)	1
(b)		S. 20(1) (a)		S. 25		(f)	
(c)		(b)		S. 26		(g)	2

V Completion time		VI Extensions		VII Translations		VIII Method of access	
30 days or under	2		30 days or under	Translation requested		Copies given	4
31 to 60 days	5	Searching		Translation prepared	English to French	Examination	
61 to 120 days		Consultation	5		French to English	Copies and examination	
121 days or over		Third party			TOTAL	5	
		TOTAL	5				

IX Fees			X Costs			Complaints to information commissioner (con't)			Complaints to information commissioner (con't)		
Net fees collected			Financial (all reasons)			Reasons for complaints			Disposition of complaints		
Application fees	30.00		Salary	11385.32		Non-disclosure		Complaint unjustified	4		
Reproduction			Administration (O and M)	1223.21		Fees		Concurrence with institution			
Searching			TOTAL	12608.53		Extension		No finding			
Preparation			Person year utilization (all reasons)			Publication		Recommendation accepted			
Computer processing			Person year (decimal format)	.4		Denial of translation		Recommendation rejected			
TOTAL	30.00		XI Complaints to info. commissioner			Time to prepare translation			XII Appeals to Federal Court		
Fees waived	No. of times	\$	Complaints activity			Other			Outstanding from previous period		
\$25.00 or under	4	\$ 39.20	Outstanding from previous period			Certificates produced		Number initiated during period			
Over \$25.00		\$	No. initiated during reporting period					Number completed during period			
			Number completed during period					Number carried forward			
			Number carried forward								

APPENDIX B

Requests dealt with under the Access to Information Act

<u>Affiliation Groups</u>	<u>No.</u>	<u>Percentage of Requests</u>
Media	5	72
Business	1	14
Organization	1	14
	<hr/>	<hr/>
	7	100

<u>Provinces of Origin</u>	<u>No.</u>	<u>Percentage of Requests</u>
Ontario	6	86
Saskatchewan	1	14
	<hr/>	<hr/>
Total	7	100

REPORT ON THE PRIVACY ACT

Institution Ministry of State for Science and Technology	Reporting period 860401 to 870331
-------------------------------------------------------------	--------------------------------------

I Requests under the Privacy Act

Received during reporting period	0
Outstanding from previous period	0
TOTAL	0
Completed during reporting period	0
Carried forward	0

II Disposition of requests completed

1. All disclosed		6. Insufficient information	
2. Disclosed in part		7. Abandoned	
3. Nothing disclosed (excluded)		8. Does not exist	
4. Nothing disclosed (exempt)		9. Transferred	
5. Unable to process		TOTAL	

III Exemptions invoked

S. 18 (2)		S. 21		S. 23 (b)	
S. 19 (1) (a)		S. 22 (1) (a)		S. 24	
(b)		(b)		S. 25	
(c)		(c)		S. 26	
(d)		S. 22 (2)		S. 27	
S. 20		S. 23 (a)		S. 28	

IV Exclusions cited

S. 69 (1) (a)	
(b)	
S. 70 (1) (a)	
(b)	
(c)	
(d)	
(e)	
(f)	

V Completion time

30 days or under	
31 to 60 days	
61 to 120 days	
121 days or over	

VI Extensions

	30 days or under	31 days or over
Interference with operations		
Consultation		
Translations		
TOTAL		

VII Translations

Translation requested		
Translation prepared	English to French	
	French to English	

VIII Method of access

Copies given	
Examination	
Copies and examination	

IX Correction and notation

Corrections requested	Corrections made	Notation attached
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X Costs

Financial (all reasons)	
Salary	10473.40
Administrative (O and M)	1223.21
TOTAL	11696.61
Person year utilization (all reasons)	
Person year (decimal format)	.4

XI Complaints to privacy commissioner

Complaints activity	
Outstanding from previous period	
Number initiated during period	
Number completed during period	
Number carried forward	
Reasons for complaints	
Use and disclosure	
Non disclosure	
Extension	
Publication	
Denial of translation	
Time to prepare translation	
Other	

Complaints to privacy commissioner (con't)

Disposition of complaints	
Complaint unjustified	
Concurrence with institution	
No finding	
Recommendation accepted	
Recommendation rejected	

Number of new exempt banks

Number of new exempt banks	
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XII Appeals to Federal Court

Outstanding from previous period	
Number initiated during period	
Number completed during period	
Number carried forward	

