

# Health Canada

## Annual Report on the *Access to Information Act* and the *Privacy Act*

2023-2024



Health Canada is the federal department responsible for helping the people of Canada maintain and improve their health. Health Canada is committed to improving the lives of all of Canada's people and to making this country's population among the healthiest in the world as measured by longevity, lifestyle and effective use of the public health care system.

- Health Canada's mission and vision statement

Également disponible en français sur le site Web de Santé Canada sous le titre :  
Rapport annuel 2023-2024 sur la *Loi sur l'accès à l'information* et la *Loi sur la protection des renseignements personnels*

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# Introduction

Health Canada is pleased to present to Parliament its consolidated annual report on the administration of Access to Information and Privacy (ATIP) services, in accordance with section 94 of the *Access to Information Act* (ATIA), section 72 of the *Privacy Act* and section 20 of the *Service Fees Act*. The report describes activities that support compliance with these laws for the fiscal year beginning April 1, 2023 and ending March 31, 2024.

## About Health Canada

Health Canada is the federal department responsible for helping Canadians maintain and improve their health, while respecting individual choices and circumstances. Health Canada has regional offices in British Columbia, Alberta, Saskatchewan, Manitoba, Ontario, Quebec, and the Atlantic and Northern Regions.

For more information about Health Canada, please [visit our website](#).

## Purpose of the Acts

The ATIA gives Canadian citizens, permanent residents of Canada, and anyone present in Canada the right to access information contained in federal government records, subject to certain specific and limited exceptions. The ATIA complements, but does not replace, other means of obtaining government information.

The *Privacy Act* protects an individual's privacy by setting out provisions related to the collection, retention, accuracy, disposal, use and disclosure of personal information. It also gives individuals the right of access to information about themselves held by the federal government, with certain specific and limited exceptions.

# Organizational Structure

## Shared Services Partnership Agreement

ATIP Operations Division and the Privacy Management Division provide services to both Health Canada and the Public Health Agency of Canada, and do so as part of the Shared Services Partnership Agreement. These divisions are housed under the Corporate Policy, Planning and Services Directorate of Health Canada's Corporate Services Branch. ATIP Operations Division manages the processing of requests under both the ATIA and the *Privacy Act*, while the Privacy Management Division is responsible for privacy policy and providing guidance to programs. Although ATIP services are provided to both institutions, the statistics and financial data in this report are only for Health Canada.

## Access to Information and Privacy Operations Division

The primary function of the ATIP Operations Division is to ensure compliance of Health Canada's program delivery with the provisions of the ATIA and the *Privacy Act*, along with the policies and directives issued by the Treasury Board of Canada Secretariat.

The ATIP Operations Division is responsible for responding to access to information and privacy requests. It reviews information to support various disclosures including the appropriate sharing of investigation reports, proactive publication under Part 2 of the ATIA, as well as providing advice to

Parliamentary Affairs when responding to Parliamentary motions. In addition, ATIP Operations Division promotes awareness of ATIP obligations and provides ATIP training to staff.

In 2023–2024, there were 70.490 full-time equivalents within the ATIP Operations Division supporting Health Canada’s administration of both the ATIA and the *Privacy Act*. A breakdown of the different types of full-time equivalents is provided in the table below.

## Privacy Management Division

The primary functions of the Privacy Management Division include supporting compliance of Health Canada's program delivery with the provisions of the *Privacy Act* and the privacy-related policies and directives of the Treasury Board of Canada Secretariat. Responsibilities include:

- The development of privacy policies, procedures and practices;
- The delivery of privacy training and awareness programs to staff;
- Assessing and reporting on privacy breaches;
- Providing review and attestation of Treasury Board Submissions and Memoranda to Cabinet as Privacy Functional Area;
- Providing review and approval of section 8(2)(j) disclosures (for research) and section 8 (2)(m) disclosures (for public interest or to benefit the individual);
- Coordinating the Department’s InfoSource input; and
- Providing privacy analysis and advice using a number of tools including Privacy Impact Assessments and Privacy Protocols.

In 2023-2024, there were 13.935 full-time equivalents within the Privacy Management Division supporting compliance of Health Canada's program delivery with the provisions of the *Privacy Act* and the privacy-related policies and directives of the Treasury Board of Canada Secretariat. A breakdown of the different types of full-time equivalents is provided in the table below.

## Total Full-Time Equivalents Supporting the ATIA and the *Privacy Act*

In 2023-2024, there were a total of 84.425 full-time equivalents supporting the administration of the ATIA and the *Privacy Act*. This comprised of 62.560 full-time equivalents supporting the ATIA and 21.865 full-time equivalents supporting the *Privacy Act*.

The following table illustrates the total resources from the ATIP Operations Division and the Privacy Management Division supporting the administration of the ATIA and the *Privacy Act*.

**Total Full-Time Equivalents (FTE) Supporting the ATIA and the *Privacy Act* by Division**

Type of FTE	ATIA ATIP Operations Division	<i>Privacy Act</i> ATIP Operations Division	<i>Privacy Act</i> Privacy Management Division	Total
Full-time employees	51.657	6.548	11.055	<b>69.260</b>
Part-time and casual employees	2.999	0.380	1.683	<b>5.062</b>
Regional staff	0.000	0.000	0.000	<b>0.000</b>
Consultants and agency personnel	7.904	1.002	0.602	<b>9.508</b>
Students	0.000	0.000	0.595	<b>0.595</b>
<b>Total FTEs ATIA and <i>Privacy Act</i></b>	<b>62.560</b>	<b>7.930</b>	<b>13.935</b>	<b>84.425</b>

**Governance**

Initiatives related to access to information and privacy are governed through the ATIP Executive Leaders Committee. This committee is made up of executive-level representatives from across Health Canada who provide leadership and strategic direction on key topics, communicating them within their respective branches. The Committee is chaired by the Director General, Corporate Policy, Planning and Services Directorate, Corporate Services Branch, who is responsible for the ATIP Operations Division and the Privacy Management Division.

ATI and privacy matters requiring a higher level of oversight are also brought forward to Health Canada's Executive Committee for strategic direction.

**Delegation of Authority**

In keeping with Treasury Board of Canada Secretariat recommendations on best practices, the Delegation Order extends authorities to multiple positions including the Deputy Minister, the Corporate Services Branch's Assistant Deputy Minister, the Director General of Corporate Policy, Planning and Services Directorate, the Director of the Privacy Management Division, the Executive Director of ATIP Operations Division and ATIP Coordinator. As appropriate, certain administrative authorities are delegated to various levels within the ATIP Operations Division and the Privacy Management Division to support the effective and efficient administration of the ATIA and the *Privacy Act*. The delegation order that was in effect at the end of 2023-2024 is included in this report ([Appendix A](#)).

**Openness and Transparency**

Health Canada is committed to being open and transparent and continues to make more information available to Canadians. The Department continues to publish information in accordance with Part 2 of the ATIA including briefing note titles, travel and hospitality expenses, reclassification of positions, and contracts over \$10,000.

## Part 2 of the *Access to Information Act* and Proactive Publication of Information

Health Canada is a government institution that is listed in Schedule I of the *Financial Administration Act* for the purposes of Part 2 of the ATIA.

The ATIP Operations Division worked with the Strategic Policy Branch, Chief Financial Officer Branch, Corporate Services Branch and the Communications and Public Affairs Branch to ensure that records identified under Part 2 of the ATIA are proactively published. Health Canada leveraged existing procedures to facilitate the proactive publication of information.

The processing of records for proactive publication involves several steps. Many of these steps are automated and an efficient approval process was implemented. A front-end approach for translation and ATI review has been established. Branches proactively identify information that may be subject to valid exceptions and ensure that briefing materials are prepared such that they can be readily published on the website.

The Strategic Policy Branch is responsible for proactively publishing the records listed in the table below for the Ministers' Office and on behalf of Health Canada. In 2023-2024, the Strategic Policy Branch published all applicable proactive requirements within legislated timelines.

Please see the following tables for the details.

For the Minister's Office	Number of times the requirement was published	Published within legislated timelines
Briefing packages prepared by the institution for new or incoming Ministers	2	100%
Titles and tracking numbers of briefing notes prepared by Health Canada for the Minister	12	100%
Question period binders	2	100%
Binders for the Ministers' Parliamentary Committee appearances	8	100%

On behalf of Health Canada	Number of times the requirement was published	Published within legislated timelines
Reports tabled in Parliament	20	100%
Briefing packages for new or changing deputy heads	n/a	n/a
Titles and tracking number of briefing notes to deputy heads	12	100%
Binders for Parliamentary Committee appearances prepared for the deputy head or equivalent for the purpose of the appearance	8	100%



The Chief Financial Officer Branch is responsible for proactively publishing the records listed in the table below for the Ministers' Office and on behalf of Health Canada. In 2023-2024, the Chief Financial Officer Branch proactively disclosed all applicable proactive requirements within legislated timelines. Please see the following tables for the details.

<b>For the Minister's Office</b>	<b>Number of times the requirement was published</b>	<b>Published within legislated timelines</b>
Travel and hospitality expenses	12	100%
Contracts over \$10,000, including contract amendments	4	100%
Annual reports on all expenses incurred by the Ministers' Office Published by TBS on behalf of all institutions	1	100%

<b>On behalf of Health Canada</b>	<b>Number of times the requirement was published</b>	<b>Published within legislated timelines</b>
Travel and hospitality expenses of senior officials	12	100%
Contracts over \$10,000, including contract amendments	4	100%
Grants and contributions over \$25,000, including amendments	4	100%

The Corporate Services Branch is responsible for proactively publishing records related to the reclassification of positions. In 2023-2024, the Corporate Services Branch published all notices for reclassification of position within legislated timelines. Please see the following table for the details.

<b>On behalf of Health Canada</b>	<b>Number of times the requirement was published</b>	<b>Published within legislated timelines</b>
Reclassification of positions	4	100%

The Communications and Public Affairs Branch is responsible for publishing records to the Government of Canada's Open Government website. Records that have been proactively published can be found on Canada.ca: [Proactive Disclosure](#).

# Performance for 2023-2024

In 2023-2024, Health Canada received 3,497 requests (Access to Information, Access Informal and Privacy) and closed 3,744. When compared to the previous fiscal year, Health Canada received 24% more requests and closed 43% more requests.

Type of Request	Received	Closed
Access to Information	1,632	1,562
Access Informal	1,657	1,984
Privacy	208	198
<b>Total</b>	<b>3,497</b>	<b>3,744</b>

The following section of the report includes an interpretation and explanation of the data contained in Health Canada's Statistical Report, which summarizes Access to Information and Privacy-related activity for the period between April 1, 2023 and March 31, 2024 ([Appendix B – ATI](#) and [Appendix C – Privacy](#))

## ***Access to Information Act***

### **Access Informal Requests**

Requests can be made for records previously released under the ATIA, which are referred to as Access Informal Requests. Summaries of previously released access to information requests are posted monthly on the [Open Government](#) website where the public can make a request for the previously released records. This forms part of the Government of Canada's commitment to openness and transparency.

Health Canada received 1,657 Access Informal requests and processed 1,984 in 2023-2024. A total of 57 requests were carried over to the next reporting period.

### **Caseload, Carry Forward and Outstanding Active Access to Information Requests**

During 2023-2024, Health Canada managed a total of 3,548 active access to information requests. Of these active requests, 731 were outstanding from 2022-2023 and 1,185 were outstanding from previous years. Further details of the breakdown for outstanding requests from previous years can be found in [Section 3.1 of Appendix C](#).

Health Canada closed 1,562 access to information requests and carried forward 1,986 to the 2024-2025 fiscal year. Of the 1,986 that are carried forward, 413 are within legislated timelines while 1,573 are beyond legislated timelines. Further details of this breakdown can be found in [section 1 of Appendix B](#).

A high volume of requests were carried forward. This is largely due to the pandemic and its impact to operations early on. The ATIP Operations Division is well-equipped to handle its accumulated inventory with a dedicated Backlog Team. This team has experience processing some of the oldest, largest and most complex requests.

Although Health Canada received and closed fewer requests when compared to the previous fiscal year, it reviewed more pages in 2023-2024. In the previous fiscal year, 385,225 pages were reviewed

and 1,679 requests were closed while 454,024 pages were reviewed and 1,562 requests were closed in 2023-2024. This number of pages reviewed has increased steadily over the last three years as Health Canada works through its accumulated inventory. Details are included in the table below.

### Processing Times for Requests

In 2023-2024, Health Canada closed a total of 1,562 requests. Below is the breakdown of the time taken to process these requests:

- 142 were closed within 1 to 15 days
- 217 were closed within 16 to 30 days
- 101 were closed within 31 to 60 days
- 431 were closed within 61 to 120 days
- 135 were closed within 121 to 180 days
- 141 were closed within 181 to 365 days
- 395 took more than 365 days

Of the 1,562 requests that Health Canada closed in 2023-2024, 690 requests (44%) were closed within legislated timelines (30 days plus applicable extension) while 872 (56%) were closed past the legislated timelines.

The breakdown of the time taken to process the 872 requests closed past legislated timelines (including any extensions taken) is as follows:

- 103 were closed 1 to 15 days past legislated timelines
- 75 were closed 16 to 30 days past legislated timelines
- 77 were closed 31 to 60 days past legislated timelines
- 104 were closed 61 to 120 days past legislated timelines
- 49 were closed 121 to 180 days past legislated timelines
- 100 were closed 181 to 365 days past legislated timelines
- 364 were closed more than 365 days past legislated timelines

Requests are closed past the legislated timelines for a number of reasons:

- 441 were closed past the legislated timelines due to 'interference with operations/ workload'
- 89 were closed past the legislated timelines due to 'external consultations'
- 13 were closed past the legislated timelines due to 'internal consultations'
- 329 were closed past the legislated timelines for reasons 'other' than those specified above

### Data Quality

Please note that small data variances may exist from year to year, including in the previously reported number of outstanding requests carried forward into the current fiscal year. Several reasons contribute to inevitable shifts in data, including requests by the Office of the Information Commissioner to re-open access to information requests in the context of complaint resolution, and requesters seeking to divide one incoming request into several files while retaining the initial date

received.

### Access to Information Requests Received & Completed

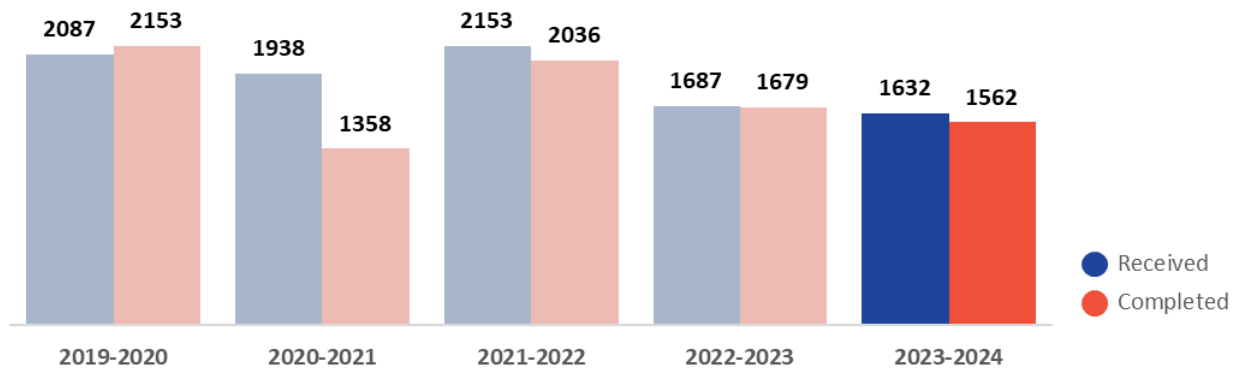


Figure 1: Access to Information Requests Received and Completed each fiscal year from 2019-2020 to 2023-2024

### Key Statistics by Fiscal Year

Fiscal Year	Number of Requests Received	Number of Requests Outstanding from Previous Fiscal Years	Total Caseload	Number of Requests Closed	Number of Pages Reviewed for Closed Files
2019-2020	2,087	1,289	3,376	2,153	320,066
2020-2021	1,938	1,221	3,159	1,358	225,307
2021-2022	2,153	1,801	3,954	2,036	364,151
2022-2023	1,687	1,913	3,600	1,679	385,225
2023-2024	1,632	1,916	3,548	1,562	454,024

### Source of Requests under the *Access to Information Act*

The majority of Health Canada’s access to information requests come from private businesses, mostly in the health sector (pharmaceutical, medical devices, natural health products, etc.), requesting records related to their competitors and their own products. Private businesses made up 51.7% of requests.

A total of 15.4% of requests came from the public, 10.2% from the media, 7.5% from organizations, 3.4% from academia, and 11.7% declined to identify which category they associate with.

### Proportion of Requests Among Sources

Source	Number of Requests	Proportion of Requests*	Change from 2022-2023
Business (Private Sector)	844	51.7%	0%
Public	252	15.4%	+0.7%
Media	167	10.2%	-3%

Source	Number of Requests	Proportion of Requests*	Change from 2022-2023
Decline to Identify	191	11.7%	-1.1%
Organizations (e.g. political party, association, union)	123	7.5%	+2%
Academia	55	3.4%	+1.3%
<b>Total</b>	<b>1,632</b>		

\*Numbers may not add up to 100% due to rounding.

### Extensions

The majority of extensions, 836 (83%) invoked under the ATIA were to conduct consultations with third parties and other government departments while 174 (17%) were taken due to interference with operations for requests involving a large volume of records.

Completing consultations with other government organizations and third parties is a necessary step in the process, enabling Health Canada to release as much information as possible. Over the last several years, Health Canada has made more information accessible, continuously reassessing the balance between its commitment to openness and transparency, with the need to safeguard confidential business information. Health Canada's commitment to transparency can be at odds with the views of third parties, who can challenge Health Canada's proposed release of information, by seeking judicial review of Health Canada's intended disclosure.

### Consultations Completed From Other Institutions

In addition to processing its own requests, Health Canada also completes consultations received from other institutions and organizations.

In 2023-2024, Health Canada managed 206 consultations from other Government of Canada institutions (174 received in the 2023-2024 fiscal year and 32 received in 2022-2023). Health Canada also managed 24 consultations from other organizations (23 received in the 2023-2024 fiscal year and one received in 2022-2023).

Health Canada closed 214 consultations, reviewing 9,004 pages of records. A total of seven consultations were carried over to 2024-2025 within negotiated timelines, while nine were carried over beyond negotiated timelines.

Health Canada received fewer consultations (-20%) from other Government of Canada institutions and other organizations when compared to the previous fiscal year and closed fewer consultation requests (-9%). In most cases, Health Canada consented to full disclosure of the records.

## Disposition of Completed Requests

Of the access to information requests completed in 2023-2024, 76% were either disclosed in part (70% of requests) or all disclosed (6% of requests). A total of 12% of access to information requests were abandoned, while no records existed for 11% of requests. The breakdown of the remaining 'other' completed files is as follows:

- 1.15% request transferred
- 0.38% all exempted
- 0.06% all excluded
- 0.06% neither confirmed nor denied
- 0.06% decline to act with the approval of the Information Commissioner

\*Numbers may not add up due to rounding.

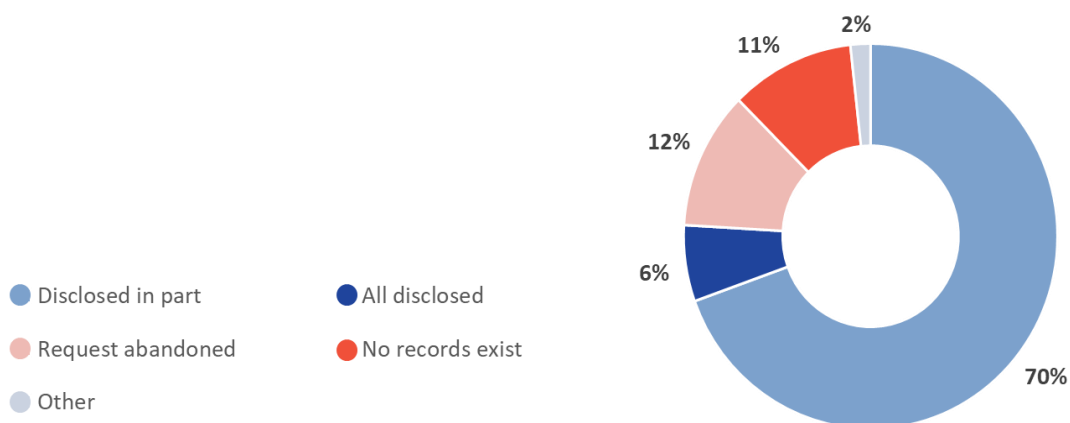


Figure 2: Disposition of Completed Access to Information Requests

## Exemptions Invoked

Sections 13 to 24 of the ATIA provides specific legislated exemptions intended to protect information from disclosure, while section 26 provides a temporary exemption relating to information that will soon be published. In some instances, records may have multiple exemptions applied to them to appropriately safeguard information.

The majority (1,062) of exemptions applied were for section 19(1), a mandatory exemption that safeguards personal information. The application of section 20 (to protect third party information) in 399 requests required consultations in many cases to ensure that only proprietary and commercially sensitive information is protected. Section 21 (the protection of information related to government operations) was applied to 113 requests. For a detailed breakdown of exemptions see table [4.2 Exemptions](#).

## Exclusions Cited

The ATIA does not apply to published material, material available to the public for purchase, or for public reference (section 68), nor does it apply to confidences of the Privy Council (section 69). Requests containing proposed exclusions under section 69 require consultation with the Department of Justice and, in some cases, the Privy Council Office.

In 2023-2024, 18 requests contained exclusions for publicly available material and 50 requests had records pursuant to confidences of the Privy Council.

### **Decline to Act**

In 2023-2024, two applications were made to the Information Commissioner, requesting to decline to act on requests. Of these two applications, one was approved within the fiscal year, while the other one was carried forward to the 2024-2025 reporting period.

In October 2023, Health Canada submitted an application to decline to act, citing that the access request was an abuse of the right to make a request. The Information Commissioner granted approval after reviewing the case and the department's attempts to assist the requester in refining the request. Health Canada closed the request and informed the requester of this decision in writing. Although there is a right to access that right must not be abused. For more information on the Information Commissioner's decision, refer to [Decision pursuant to 6.1, 2023 OIC 47](#).

### **Translations**

No translations were required to respond to requests in 2023-2024.

### **Format of Information Released**

Of the requests that were fully or partially disclosed, 1,127 were released as electronic copies, 53 were released in paper format, and nine were released as a data set. Health Canada releases records in the preferred format of the requestor while encouraging the use of the Government of Canada's ATIP Online Request Service platform to receive timely and secure access to the records.

### ***Privacy Act***

#### **Informal Requests**

No informal requests were made in 2023-2024.

#### **Caseload and Carry forward and Outstanding Active Requests**

In 2023-2024, Health Canada managed 251 active privacy requests. Of this, 208 were privacy requests received in 2023-2024 while 43 were outstanding requests from previous reporting periods.

A total of 198 privacy requests were closed and 53 privacy requests were carried forward to the 2024-2025 fiscal year. Of the 53 privacy requests carried forward to 2024-2025, 19 were carried forward within legislated timelines while 34 were carried over beyond the legislated timelines. For detailed information about outstanding requests from previous fiscal years, please see [section 1 of Appendix C](#).

Many of the requests received are for access to public servants' medical records, as the Public Service Occupational Health Program is operated by Health Canada. In addition, requests are received from current and former Health Canada employees who want to obtain their personal information, and from people who have applied for employment at Health Canada or the Public Health Agency of Canada, seeking the details of their applications.

## Processing Time for Requests

In 2023-2024 Health Canada closed a total of 198 privacy requests. Below is a breakdown of the time taken to process these requests:

- 107 were closed within 1 to 15 days
- 46 were closed within 16 to 30 days
- 17 were closed within 31 to 60 days
- 13 were closed within 61 to 120 days
- 6 were closed within 121 to 180 days
- 6 were closed within 181 to 365 days
- 3 took more than 365 days

Of the 198 requests that Health Canada closed in 2023-2024, 153 (77%) privacy requests were closed within legislated timelines (30 days plus applicable extensions) while 45 (23%) were closed beyond legislated timelines.

The breakdown of the time taken to process the 45 requests closed past legislated timelines (including any extensions taken) is as follows:

- 10 were closed 1 to 15 days past legislated timelines
- 9 were closed 16 to 30 days past legislated timelines
- 8 were closed 31 to 60 days past legislated timelines
- 8 were closed 61 to 120 days past legislated timelines
- 4 were closed 121 to 180 days past legislated timelines
- 4 were closed 181 to 365 days past legislated timelines
- 2 were closed more than 365 days past legislated timelines

Requests are closed past the legislated timelines for a number of reasons:

- 26 were closed past the legislated timelines due to 'interference with operations/ workload'
- 0 were closed past the legislated timelines due to 'internal consultations'
- 0 were closed past the legislated timelines due to 'external consultations'
- 19 were closed past the legislated timelines for reasons 'other' than those specified above

In accordance with the Treasury Board of Canada Secretariat Directive on Personal Information Requests and Correction of Personal Information, Health Canada continues to notify requesters in writing of anticipated delays.

## Extensions

Nine extensions were taken in 2023-2024. Seven extensions were taken as the documents were difficult to obtain, and two extensions were taken for internal consultation. Under the *Privacy Act*, 30 days is the longest extension that can be taken.



### Privacy Requests Received and Completed



Figure 3: Privacy requests received and completed each fiscal year from 2019-2020 to 2023-2024

### Key Statistics by Fiscal Year

Fiscal Year	Number of Requests Received	Number of Requests Outstanding from Previous Fiscal Years	Total Caseload	Number of Requests Closed	Number of Pages Reviewed for Closed Files
2019-2020	235	54	289	236	19,008
2020-2021	139	54	193	144	9,630
2021-2022	219	56	268	212	15,762
2022-2023	208	56	264	221	16,173
2023-2024	208	43	251	198	17,628

### Consultations Completed from Other Institutions

Health Canada received no consultations from other Government of Canada institutions in 2023-2024.

### Disposition of Completed Requests

Approximately 40% of the privacy requests completed in 2023-2024 were either disclosed in part (33% of requests) or all disclosed (8% of requests). The breakdown of the remaining files is as follows:

- 48% request abandoned
- 11% no records exist
- 0% all exempted
- 0% all excluded
- 1% neither confirmed nor denied

\*Numbers may not add up due to rounding.

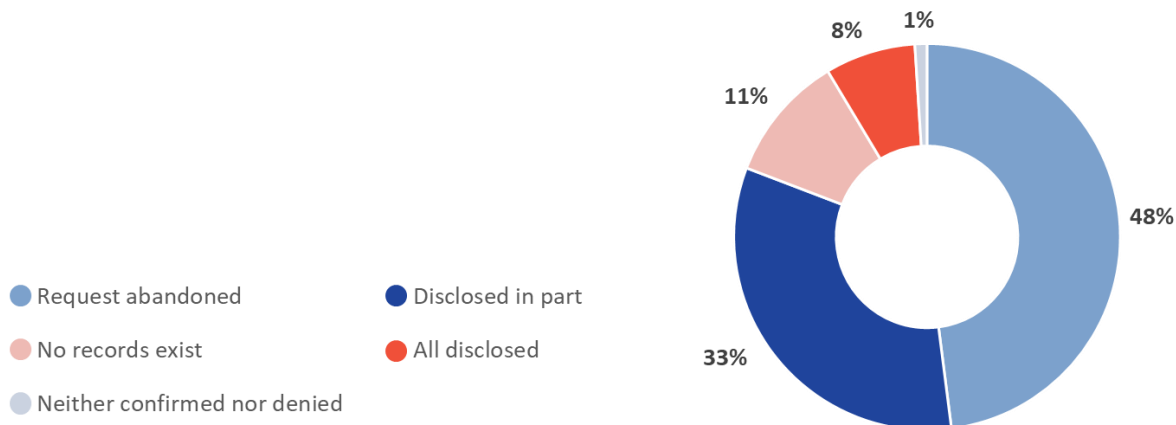


Figure 4: Disposition of completed Privacy Requests for 2023-2024.

### Exemptions Invoked

Of the 73 exemptions applied to privacy requests in 2023-2024, 65 (89%) were to protect the personal information of individuals other than the requester, six exemptions (8%) were invoked due to solicitor-client privilege and the two (3%) remaining exemptions were related to investigations.

### Exclusions Cited

No exclusions were applied to privacy request releases made in 2023-2024.

### Translations

No translations were required to respond to requests in 2023-2024.

### Format of Information Released

Of the requests that were fully or partially disclosed, 71 were released as electronic copies, and nine in paper format.

### Privacy Management Division Advisory Services

During 2023-2024, the Privacy Management Division received a total of 913 requests for privacy advice from Health Canada program clients. In the previous fiscal year, the Privacy Management Division received 590 requests. The significant increase in the number of files can be attributed to a large volume of new privacy work (102 requests received) to support the development of the Canadian Dental Care Plan. Year after year, the volume and complexity of files continues to increase, requiring in-depth privacy analysis, on an expanding range of topics.

In 2023-2024, the Privacy Management Division provided privacy advice to Health Canada program clients on contracts, digital solutions, the handling of personal information, use and disclosure of personal information, and privacy risk assessments of programs, activities and research projects.

Health Canada is committed to properly handling personal information under its control and ensuring that privacy requirements and risks are considered when new initiatives are developed and deployed.

## Reporting on Fees for the *Service Fees Act*

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 under the ATIA, the information below is reported in accordance with the requirements of section 20 of the *Service Fees Act*.

**Enabling authority:** *Access to Information Act*

**Fee amount:** The \$5.00 application fee is the only fee charged for an access to information request.

**Total Revenue:** The total fee revenue for 2023-2024 was \$6,955.

**Fees waived:** In accordance with the changes to the ATIA that came into force on June 21, 2019, Health Canada may only charge an application fee of \$5, as set out in paragraph 7(1)(a) of the Regulations. Pursuant to section 11 of the *Access to Information Act*, institutions can waive this application fee as deemed appropriate.

A total of \$1,205 was waived or refunded by Health Canada in 2023-2024.

In February 2024, Treasury Board Secretariat issued an Implementation Notice regarding waiving the \$5 application fee in support of advancing Indigenous Reconciliation. Health Canada has implemented a process to align with this direction.

## Costs for Administering the *Access to Information Act*

Health Canada spent a total of \$7,022,062 on ATI functions in 2023-2024. Of this total, salaries and overtime costs represent \$5,036,367 and goods and services costs were \$1,985,695. Most of the goods and services costs (\$1,867,002) were used to retain temporary resources to address outstanding active requests.

## Costs for Administering the *Privacy Act*

Health Canada spent a total of \$2,567,349 on privacy functions in 2023-2024. Of this total, salaries and overtime costs were \$2,102,486. Temporary resources to support the processing of privacy requests accounted for \$405,005 and other goods and services costs were \$59,858.

## Training and Awareness

### Access to Information Training

An online ATIP Fundamentals course, offered by the Canada School of Public Service, is available to all staff and is recommended as a foundation for all departmental employees. A total of 845 Health Canada employees completed this course in 2023-2024.

Health Canada also offers targeted training specific to the department and its processes. This includes a one-hour course, ATIP for Branch Single Window Contacts, which is offered to all new Single Windows. Additionally, a facilitated course, Introduction to ATIP Requests at Health Canada, is available to all employees. Training is promoted at all Single Window working group meetings, at the

ATIP Executive Leaders Committee, through Broadcast News messages, and on Health Canada's intranet site.

### **Access to Information Awareness**

In 2023, Canada celebrated Right to Know Week from September 25<sup>th</sup> to October 1<sup>st</sup>. Health Canada kicked off the event with a message from the Assistant Deputy Minister of the Corporate Services Branch, marking 40 years of ATIP legislation and highlighting that the right to privacy and the right for individuals to access information under the government's control are fundamental in an open, free, and democratic society. Health Canada promoted the online ATIP courses offered by the Canada School of Public Service and shared resources on how to respond to ATIP requests and manage information.

During the 2023-2024 fiscal year, communications were sent to all employees promoting access to information training and emphasizing its importance. In addition, information was provided to all employees addressing common questions, such as how to conduct record searches and what types of records need to be provided. The goal is to foster a culture of transparency while also promoting the timely provision of high-quality information.

### **Privacy Training**

During 2023-2024, the Privacy Management Division delivered several virtual privacy training sessions to various groups within Health Canada. In total, 140 Health Canada employees attended the Privacy Management Division's virtual training sessions.

The Privacy Management Division's online privacy training is available to all Health Canada employees. Approximately, 698 Health Canada employees completed the training in 2023-2024.

### **Privacy Awareness**

In 2023, Canada celebrated Privacy Awareness Week from May 8<sup>th</sup> to 12<sup>th</sup>, and in 2024, Canada celebrated Data Privacy Week from January 22<sup>nd</sup> to 26<sup>th</sup>. 2023 also marked the 40<sup>th</sup> anniversary of the entering into force of the *Privacy Act*. Health Canada commemorated each event with a message from the Assistant Deputy Minister of Corporate Services Branch, highlighting key privacy messages such as the importance of appropriate safeguards to protect personal information. Health Canada shared several privacy resources with its employees, such as responsibly managing Personal Information Banks and preventing privacy breaches.

Throughout the year, regular communications are sent to all employees' privacy-related matters with the aim of supporting a culture of strong privacy awareness within the department.

## **Policies, Guidelines, Procedures and Initiatives**

### **Betterment Solutions Working Group**

The ATIP Operations Division's Betterment Solutions Working Group continued to meet regularly throughout 2023-2024 to foster a culture of innovation by promoting employee-led improvements. At this working group, ATIP Analysts and support staff from a variety of levels identify and prioritize operational issues, in an effort to find and implement solutions. The working group also provides horizontal input in response to policy consultations from Treasury Board Secretariat.

## **ATIP Operations Division’s Professional Development Program**

The ATIP Operations Division’s Professional Development Program was launched in January 2017. This program allows employees to progress based on performance, without the need of a competitive hiring process. In 2023-2024, 40 analysts were enrolled in the program and 15 advanced in level. The Professional Development Program helps increase ATIP capacity within the Government of Canada.

## **Privacy Breach Reporting Portal**

The Privacy Management Division launched a new privacy breach reporting portal in January 2024. The interactive portal is available to all Health Canada employees on the Department’s intranet to use to report a potential privacy breach. The portal is easy to use and helps employees to provide the Privacy Management Division with the right information that it needs to analyse the potential breach.

## **Privacy Act Modernization**

Health Canada continues to participate in *Privacy Act* modernization efforts led by the Department of Justice Canada. In 2023-2024, the Privacy Management Division provided feedback on the unique health-related aspects of the amendments being considered for a modernized Act.

# Summary of Key Issues and Actions Taken on Complaints and Audits

## **Privacy Management Audit**

An internal privacy audit was concluded during fiscal year 2019-2020 on the management of privacy practices at Health Canada and the Public Health Agency of Canada. The audit made four recommendations to further strengthen the management of privacy practices.

The Privacy Management Division completed all remaining recommendations and formally closed the Management Response and Action Plan in 2023-2024. A copy of the full audit report can be found at [Audit of the Management of Privacy Practices at Health Canada and the Public Health Agency of Canada](#).

## **Complaints Management**

Individuals and organizations who believe federal institutions have not respected their rights under the ATIA may ask the Office of the Information Commissioner to investigate within 60 days of receiving a response from a federal institution or if they have not received a response within the legislated timeline.

Individuals and organizations who think their personal information has been mishandled have the right to file a complaint to the Privacy Commissioner of Canada.

## **Complaints to the Information Commissioner of Canada**

In 2023–2024, 85 complaints under the ATIA were filed with the Office of the Information Commissioner for Health Canada's requests, representing an increase from the 60 filed in 2022-2023. Of these 85 complaints, 59 were discontinued. Health Canada received 28 final investigation reports from the Office of the Information Commissioner. Nine of the 28 final reports contained recommendations, while 19 contained orders issued by the Information Commissioner.

Areas of complaint include deemed refusal (late), time extensions taken, and exemptions applied, in particular related to personal information and third party information.

Health Canada supports the Office of the Information Commissioner during investigations by providing details on the way a file was or is being processed, providing evidence of the search that was undertaken, explaining key considerations in applying exemptions, conducting new searches, providing rationales, etc. Health Canada reviews the outcomes of all Office of the Information Commissioner investigations, ensures follow-up on recommendations or orders is completed, and where appropriate, incorporates lessons learned into business processes.

### **Outstanding Number of Access to Information Complaints**

There are 68 open complaints with the Information Commissioner of Canada. The following table lists the number of open complaints that are with the Information Commissioner of Canada by year.

#### **Number of Open Complaints with the Information Commissioner of Canada that are Outstanding from Previous Reporting Periods**

<b>Fiscal Year Open Complaints Were Received by Health Canada</b>	<b>Number of Open Complaints</b>
Received in 2023-2024	50
Received in 2022-2023	7
Received in 2021-2022	7
Received in 2020-2021	0
Received in 2019-2020	4
Received in 2018-2019	0
Received in 2017-2018	0
<b>Total</b>	<b>68</b>

Health Canada communicates and collaborates with the Office of the Information Commissioner to ensure the effective handling and resolution of complaints.

### **Complaints to the Privacy Commissioner of Canada**

During 2023-2024, 14 complaints related to the handling of personal information by Health Canada were received under Section 31 of the *Privacy Act*. Eight were regarding unauthorized disclosures of personal information, and were resolved using the Office of the Privacy Commissioner of Canada's early resolution process. Six of the complaints were for deemed refusal in responding to requests of personal information with four being closed within the fiscal year. Five representations were provided under Section 33 of the *Privacy Act*. Five letters of findings were received under Section 35 from the Office of the Privacy Commissioner relating to complaints received in the previous year.

Health Canada supports the Privacy Commissioner during investigations by providing details on the way a file was or is being processed, providing rationales, etc. Health Canada reviews the outcomes of all investigations, and where appropriate, incorporates lessons learned into business processes.

## Outstanding Number of Privacy Complaints

The following table lists the number of open complaints with the Privacy Commissioner of Canada by year.

### Number of Open Complaints with the Privacy Commissioner of Canada that are outstanding from previous reporting periods

Fiscal Year Open Complaints Were Received by Health Canada	Number of Open Complaints
Received in 2023-2024	2
Received in 2022-2023	0
Received in 2021-2022	3
Received in 2020-2021	0
<b>Total</b>	<b>5</b>

Health Canada communicates and collaborates with the Office of the Privacy Commissioner to ensure the effective handling and resolution of complaints.

## Federal Court Cases

### Applications & Appeals Submitted to the Federal Court

#### *Access to Information Act*

In 2023–2024, no new applications or appeals were made and a total of four court cases were active during the year. These cases are summarized in [Appendix E](#).

#### *Privacy Act*

No applications or appeals were made to the Federal Court or the Federal Court of Appeal during the 2023–2024 fiscal year.

## Monitoring Compliance

ATIP Operations Division generates weekly, monthly and semi-annual reports for senior management in order to monitor performance within Health Canada. These reports outline the incoming volume of requests, the number of closed requests, and the timelines of retrieval of records. Additionally, the ATIP Operations Division encourages branches to identify common request types and explore alternative methods for disclosing such information.

The Privacy Management Division produces semi-annual reports to senior management on privacy breaches and training as well as requests for privacy analysis. The Privacy Management Division supports compliance by periodically reviewing its privacy policies, procedures and practices.

In response to the 2019-2020 Audit on the Management of Privacy Practices at Health Canada and the Public Health Agency of Canada, the Privacy Management Division implemented a monitoring and follow-up process for Privacy Impact Assessments and Privacy Protocol recommendations in 2023-2024.

The Privacy Management Division assists programs, ensuring the appropriate privacy protections are included in contracts, agreements and arrangements (e.g., review contracts and information-sharing agreements).

## Other Reporting Requirements Specific to the *Privacy Act*

### Material Privacy Breaches

During 2023-2024, Health Canada reported one material privacy breach to the Office of the Privacy Commissioner and the Treasury Board Secretariat.

### Privacy Impact Assessments

During 2023-2024, four Privacy Impact Assessments were completed.

#### 1. **Monitoring of Medical Assistance in Dying (MAID) Program - Privacy Impact Assessment Update**

The MAID program creates a strict framework in maintaining transparency and public trust by monitoring and reporting data related to gender, race, Indigenous identity, and disability of persons requesting MAID. The necessity for this updated Privacy Impact Assessment arose from the 2023 amendments to the Regulations for the Monitoring of Medical Assistance in Dying, as a substantial modification to an existing program activity. The Privacy Impact Assessment Update identified mitigation actions in the following risk area: updating the program's Personal Information Bank, reviewing the existing retention and disposal schedules, and reassessing safeguards of collection systems. A summary of this Privacy Impact Assessment has not yet been published.

#### 2. **Online Staffing Expansion: Sidetracking, VidTesting and VidReferencing - Virtuated**

The Privacy Impact Assessment was undertaken for the Online Staffing Expansion using VidCruiter technology—specifically its VidTracking, VidTesting, and VidReferencing processes. Health Canada's Human Resources Services Directorate (HRSD) integrates these automated tools to enhance the efficiency of tracking candidate applications, scheduling and performing tests, and conducting reference checks within Health Canada and the Public Health Agency of Canada. The Privacy Impact Assessment recommended mitigation actions in the following risk areas: retention and safeguards. A summary of this Privacy Impact Assessment has not yet been published.

#### 3. **Canadian Dental Care Program (CDCP) – Phase #1 Privacy Impact Assessment**

The *Canadian Dental Care Plan* is a collaborative effort among several institutions, including Health Canada, the Canada Revenue Agency, Employment and Social Development Canada and a third-party contractor. This preliminary assessment was mandated by the Treasury Board Directive on Privacy Impact Assessments due to the decision-making process involving personal information and significant modifications in program activities through third-party administration. The Privacy Impact Assessment recommended mitigation actions at that time in the following risk areas: collection, use, disclosure and retention of personal information by Health Canada. A summary of this Privacy Impact Assessment has not yet been published.



#### **4. Canadian Dental Care Program (CDCP) – Phase #2 Privacy Impact Assessment**

The *Canadian Dental Care Plan* phase 2's Privacy Impact Assessment focused on Health Canada's and Sun Life's handling of personal information related to the CDCP. This Privacy Impact Assessment recommended mitigation actions in the following risk areas: collection, use, disclosure and retention of personal information by Health Canada. A summary of this Privacy Impact Assessment has not yet been published.

#### **Public Interest Disclosures**

During 2023-2024, there were no disclosures made under section 8(2)(m) of the *Privacy Act* and no section 8(5) written notifications were provided to the Office of the Privacy Commissioner of Canada.

# Appendix A: Access to Information Act and Privacy Act – Delegation Order



Delegation Order

L'ordonnance de délégation de pouvoirs

*Access to Information Act and Privacy Act*

*Loi sur l'accès à l'information et Loi sur la protection des renseignements personnels*

I, the Minister of Health, pursuant to section 95 of the *Access to Information Act* and section 73 of the *Privacy Act*, hereby delegate the persons holding the positions set out in the Delegation of Authority Schedule attached hereto, or the persons occupying on an acting basis those positions, to exercise the powers, duties and functions of the Minister as head of Health Canada, under the provisions of the Act and related regulations set out in the schedule opposite each position. This delegation supersedes all previous delegation orders.

En ma qualité de ministre de la Santé et en vertu de l'article 95 de la *Loi sur l'accès à l'information* et de l'article 73 de la *Loi sur la protection des renseignements personnels*, je délègue par la présente aux titulaires des postes énoncés à l'annexe de délégation de pouvoirs ci-après, ou aux personnes occupant les dits postes à titre intérimaire, les attributions dont je suis investie, à titre de ministre de Santé Canada, aux termes des dispositions des lois et des règlements connexes mentionnés en regard de chaque poste. Le présent document remplace toute ordonnance de délégation de pouvoirs antérieure.




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Minister of Health/  
Ministre de la Santé

MAY 24 2023

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Date



## Delegation of Authority Schedule

### Access to Information Act

#### Part 1 and 3

Provision	Description	DM	Assoc. DM	ADM CSB	DG PPMSD	Executive Dir, ATIP Ops Dir, ATIP Ops	
	All powers, duties and functions under the <i>Access to Information Act</i> , R.S.C. 1985, c. A-1 (prior to and following June 21, 2019) and related regulations (prior to and following June 21, 2019)	Full authority					

Provision	Description	Dir, PMD	Deputy Dir / Manager, ATIP Ops	Team Leader/ Senior Advisor	Senior Analyst	Analyst
4(2.1)	Responsibility of government institutions	No	Yes	Yes	Yes	Yes
6.1(1)	Reasons for declining to act on request	No	Yes	No	No	No
6.1(1.3), (1.4), (2)	Notice – suspension, end of suspension	No	Yes	Yes	Yes	No
7	Notice when access requested	No	Yes	Yes	Yes	Yes
8(1)	Transfer of request	No	Yes	Yes	No	No
9 (1)	Extension of time limits	No	Yes	Yes	No	No
9(2)	Notice of extension to Information Commissioner	No	Yes	Yes	Yes	Yes
10	Where access is refused	No	Yes	Yes	No	No
11(2)	Application Fee Waiver	No	Yes	Yes	No	No
12(2)(b)	Language of access	No	Yes	Yes	No	No
12(3)(b)	Access to record in alternative format	No	Yes	Yes	No	No
<b>Exemption Provisions of the Access to Information Act</b>						
13	Information obtained in confidence	No	Yes	No	No	No
14	Federal-provincial affairs	No	Yes	No	No	No
15	International affairs and defence	No	Yes	No	No	No
16	Law enforcement and investigations	No	Yes	Yes	No	No
16.5	<i>Public Servants Disclosure Protection Act</i>	No	Yes	No	No	No
17	Safety of individuals	No	Yes	No	No	No
18	Economic interests of Canada	No	Yes	No	No	No
18.1	Economic interest of certain government institutions	No	Yes	No	No	No
19	Personal information	No	Yes	Yes	No	No
20	Third party information	No	Yes	Yes	No	No
21	Advice, etc.	No	Yes	No	No	No
22	Testing procedures, tests and audits	No	Yes	No	No	No
22.1	Internal Audits	No	Yes	No	No	No
23	Protected information – solicitors, advocates and notaries	No	Yes	Yes	No	No
23.1	Protected information – patents and trade-marks	No	Yes	Yes	No	No
24	Statutory prohibitions against disclosure	No	Yes	Yes	No	No
<b>Other Provisions of the Access to Information Act</b>						
25	Severability	No	Yes	Yes	No	No
26	Refusal of access if information to be published	No	Yes	No	No	No
27(1), (4)	Notice to third parties	No	Yes	Yes	Yes	No
28(1)(b),	Representations of third party and decision	No	Yes	Yes	No	No
33	Notice to Information Commissioner of notices to third parties	No	Yes	Yes	Yes	No
35(2)(b)	Right to make representations	No	No	No	No	No
37(1)(c)	Notice of actions to implement recommendations of Commissioner	No	No	No	No	No
37(4)	Access to be given to complainant	No	Yes	No	No	No
41(2)	Review by Federal Court – government institution	No	No	No	No	No
43(2)	Service or notice of application to Federal Court for review	No	Yes	Yes	No	No
44(2)	Notice to person who requested record	No	Yes	Yes	No	No
52(2)(b), 52(3)	Special rules for hearings	No	No	No	No	No
94	Annual report – government institutions	No	No	No	No	No
96(3)	Notice of Provision of services related to access to information	No	No	No	No	No
96(5)	Spending authority	No	No	No	No	No
<b>Access to Information Regulations</b>						
6(1)	Transfer of request	No	Yes	No	No	No
8	Method of access	No	Yes	No	No	No
8.1	Limitations in respect of format	No	Yes	No	No	No

**Privacy Act**

Description	DM	Assoc. DM	ADM CSB	DG PPMSD
All powers, duties and functions under the Act and Regulations	Full authority			

Description	Executive Dir, ATIP Ops Dir, ATIP Ops	Dir, PMD
All powers, duties and functions under the Act and Regulations, with noted exceptions	Full authority except Sections 8(2)(j), 8(2)(m), 8(5), 9(1), 9(4), 10	Full authority except Sections 14-28 inclusively

Provision	Description	Deputy Dir / Manager ATIP Ops	Team Leader/ Senior Advisor	Senior Analyst	Analyst
8(2)(j)	Disclosure for research or statistical purposes	No	No	No	No
8(2)(m)	Disclosure in the public interest or in the interest of the individual	No	No	No	No
8(4)	Copies of requests under paragraph 8(2)(e)	No	No	No	No
8(5)	Notice of disclosure under paragraph 8(2)(m)	No	No	No	No
9(1)	Record of disclosures to be retained	No	No	No	No
9(4)	Consistent uses	No	No	No	No
10	Personal information to be included in personal information banks	No	No	No	No
14(a)	Notice where access requested	Yes	Yes	Yes	No
14(b)	Giving access to the record	Yes	Yes	No	No
15	Extension of time limits	Yes	Yes	Yes	No
16	Where access is refused	Yes	Yes	No	No
17(2)(b)	Language of access	Yes	Yes	No	No
17(3)(b)	Access in an alternative format	Yes	Yes	No	No
18(2)	Exempt banks	Yes	No	No	No
19	Information obtained in confidence	Yes	No	No	No
20	Federal-provincial affairs	Yes	No	No	No
21	International affairs and defence	Yes	No	No	No
22	Law enforcement and investigations	Yes	No	No	No
22.3	<i>Public Servants Disclosure Protection Act</i>	Yes	No	No	No
23	Security clearances	Yes	No	No	No
24	Individuals sentenced for an offence	Yes	No	No	No
25	Safety of individuals	Yes	No	No	No
26	Information about another individual	Yes	Yes	No	No
27	Protected information – solicitors, advocates and notaries	Yes	Yes	No	No
27.1	Protected information – patents and trade-marks	Yes	Yes	No	No
28	Medical records	Yes	No	No	No
33(2)	Right to make representations	No	No	No	No
35(1)(b)	Notice of actions to implement recommendations of Commissioner	Yes	No	No	No
35(4)	Access to be given to complainant	Yes	No	No	No
36(3)(b)	Notice of actions to implement recommendations of Commissioner	Yes	No	No	No
51(2)(b),(3)	Special rules for hearings	No	No	No	No
72	Annual report to Parliament	No	No	No	No
73.1(3)	Notice of Provision of services related to privacy	No	No	No	No
73.1(5)	Spending authority	No	No	No	No
<b>Privacy Regulations</b>					
7	Retention of personal information requested under paragraph	No	No	No	No
9	Examination of information	Yes	Yes	Yes	Yes
11(2),11(4)	Notification concerning corrections	Yes	Yes	Yes	Yes
13(1)	Disclosure of personal information relating to physical or mental	Yes	Yes	No	No
14	Examination in presence of medical practitioner or psychologist	Yes	Yes	No	No

**Legend**

Yes	Delegated
No	No Delegation

# Appendix B: Statistical Report on the *Access to Information Act*

Reporting period: 2023-04-01 to 2024-03-31. Data extracted on April 15, 2024.

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

### 1.1 Number of Requests

Category		Number of requests
Received during reporting period		1,632
Outstanding from previous reporting periods		1,916
• Outstanding from previous reporting period	731	
• Outstanding from more than one reporting period	1,185	
<b>Total</b>		3,548
Closed during reporting period		1,562
Carried over to next reporting period		1,986
• Carried over within legislated timeline	413	
• Carried over beyond legislated timeline	1,573	

### 1.2 Sources of Requests

Source	Number of requests
Media	167
Academia	55
Business (private sector)	844
Organization	123
Public	252
Decline to Identify	191
<b>Total</b>	1,632

### 1.3 Channels of Requests

Source	Number of requests
Online	1,469
E-mail	140
Mail	23
In person	0
Phone	0
Fax	0
<b>Total</b>	1,632

## Section 2: Informal Requests

### 2.1 Number of Informal Requests

Category		Number of requests
Received during reporting period		1,657
Outstanding from previous reporting periods		384
• Outstanding from previous reporting period	365	
• Outstanding from more than one reporting period	19	
<b>Total</b>		2,041
Closed during reporting period		1,984
Carried over to next reporting period		57

### 2.2 Channels of Informal Requests

Source	Number of requests
Online	1,632
E-mail	25
Mail	0
In person	0
Phone	0
Fax	0
<b>Total</b>	1,657

### 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
29	55	92	197	369	1,242	0	1,984

### 2.4 Pages Released Informally

Less Than 100 Pages Released		100 to 500 Pages Released		501 to 1,000 Pages Released		1,001 to 5,000 Pages Released		More Than 5,000 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
1,103	22,828	363	85,630	36	22,912	26	48,399	2	37,807

### 2.5 Pages Re-released Informally

Less Than 100 Pages Re-released		100 to 500 Pages Re-released		501 to 1,000 Pages Re-released		1,001 to 5,000 Pages Re-released		More Than 5,000 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
241	6,386	127	28,406	31	19,470	54	111,036	1	7,642

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

Category	Number of requests
Outstanding from previous reporting period	0
Sent during reporting period	2
<b>Total</b>	<b>2</b>
Approved by the Information Commissioner during reporting period	1
Declined by the Information Commissioner during reporting period	0
Withdrawn during reporting period	0
Carried over to next reporting period	1

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

#### 4.1 Disposition and Completion Time

Disposition of requests	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
All disclosed	2	16	14	28	7	15	18	100
Disclosed in part	12	103	49	389	119	117	297	1,086
All exempted	0	3	0	1	1	0	1	6
All excluded	0	0	0	0	0	0	1	1
No records exist	57	73	25	4	4	3	2	168
Request transferred	16	2	0	0	0	0	0	18
Request abandoned	55	18	13	9	4	6	76	181
Neither confirmed nor denied	0	1	0	0	0	0	0	1
Decline to act with the approval of the Information Commissioner	0	1	0	0	0	0	0	1
<b>Total</b>	<b>142</b>	<b>217</b>	<b>101</b>	<b>431</b>	<b>135</b>	<b>141</b>	<b>395</b>	<b>1,562</b>

#### 4.2 Exemptions

Section	Number of requests
Information obtained in confidence 13(1)(a) – Foreign state	16
13(1)(b) – International organisation	3
13(1)(c) – Provincial government	12
13(1)(d) – Municipal government	1
13(1)(e) – Aboriginal government	0
14 – Federal-provincial affairs	23
14(a) – Consultations or deliberations	37
14(b) – Strategy or tactics	15
15(1) – International Affairs and Defence	10
15(1) – International Affairs	11
15(1) – Defence of Canada	3
15(1) – Subversive Activities	1
Law enforcement and investigations 16(1)(a)(i) – Crime detection, prevention or suppression	1
16(1)(a)(ii) – Law enforcement	3

Section	Number of requests
16(1)(a)(iii) – Security of Canada	0
16(1)(b) – Investigative techniques	2
16(1)(c) – Injurious to law enforcement or to lawful instigations	6
16(1)(d) – Security of penal institutions	0
16(2) – Facilitated commission of offence	12
16(2)(a) – Criminal methods or techniques	0
16(2)(b) – Technical information on weapons	3
16(2)(c) – Vulnerabilities	54
16(3) – Policing services for provinces or municipalities	0
Records related to investigations examinations and audits conducted by:	0
16.1(1)(a) – Auditor General of Canada	0
16.1(1)(b) – Commissioner of Official Languages for Canada	0
16.1(1)(c) – Information Commissioner	0
16.1(1)(d) – Privacy Commissioner	1
16.2(1) – Commissioner of Lobbying	0
16.3 – Investigations, examinations and reviews under the <i>Canada Elections Act</i>	0
Public Sector Integrity Commissioner	0
16.4(1)(a) – Information created by	0
16.4(1)(b) – information received by	0
16.5 – Provisions related to the <i>Public Servants Disclosure Protection Act</i>	0
16.6 – Provisions related to the Secretariat of National Security and Intelligence Committee of Parliamentarians	0
17 – Safety of Individuals	5
Economic Interests of Canada	3
18(a) – Trade secret	6
18(b) – Prejudice to Canada’s competitive position	6
18(c) – Scientific or technical research information	1
18(d) – Injurious to financial interest of Canada	0
18.1(1)(a) – Trade secrets of Canada Post Corporation	0
18.1(1)(b) – Trade secrets of Export Development Canada	0
18.1(1)(c) – Trade secrets of the Public Sector Pension Investment Board	0
18.1(1)(d) – Trade Secrets VIA Rail Canada Inc.	1
19(1) – Personal Information	1,062
Third Party Information	12
20(1)(a) – Trade secrets	229
20(1)(b) – Confidential financial, commercial, scientific or technical information	229
20(1)(b.1) – Information supplied in confidence	1
20(1)(c) – Could result in material financial loss or gain	131
20(1)(d) – Interferes with contractual or negotiation of third party	26
20.1 – Investments of the Public Sector Pension	0



Section	Number of requests
Investment Board	
20.2 – Investments of the Canadian Pension Plan Investment Board	0
20.4 – Artist contract terms or donor identity - National Arts Center Corporation	0
Operations of Government	
21(1)(a) – Advice to Minister	76
21(1)(b) – Consultations and deliberations	89
21(1)(c) – Negotiation plans or positions	14
21(1)(d) – Plans not yet operationalized	3
22 – Testing procedures, tests and audits	3
22.1(1) – Internal audits	0
23 – Solicitor-client privilege	48
23.1 – Patents and trademarks	0
24(1) – Statutory prohibitions against disclosure	1
26 – Refusal of access	0

### 4.3 Exclusions

Section	Number of requests
68(a) – Published material that is already accessible to the public	18
68(b) – Library or Museum material	0
68(c) – Materials placed in museums listed in the Act by or on behalf of persons or organizations other than government institutions	0
68.1 – Information under the control of the Canadian Broadcasting Corporation	0
68.2(a) – General administration of Atomic Energy of Canada	0
68.2(b) – Operation of any nuclear facility	0
69(1) – Confidences of the King's Privy Council for Canada	33
69(1)(a) – Memoranda	0
69(1)(b) – Discussion papers	0
69(1)(c) – Agenda of Council	0
69(1)(d) – Records reflecting on government decision or the formulation of government policy	0
69(1)(e) – Records revealing ministers' positions during Cabinet deliberations	1
69(1)(f) – Draft legislation	0
69(1)(g) re (a) – Records that contain information about the contents of any record within a class of records referred to in paragraphs 69(1)(a) to (f).	5
69(1)(g) re (b) – Excludes records that contain discussion papers meant for Cabinet	0
69(1)(g) re (c) – Excludes records that contain the agenda of Cabinet or its committees	3

Section	Number of requests
69(1)(g) re (d) – Excludes records of communications or discussions between ministers on government decisions or policies	1
69(1)(g) re (e) – Excludes records that show the positions taken by ministers during consultations or deliberations.	4
69(1)(g) re (f) – Excludes records that would reveal the content of Cabinet discussions and decision-making processes	3
69.1(1) – <i>Certificate Evidence Act</i> prohibiting the disclosure of information contained in a record	0

**4.4 Format of Information Released**

Paper	Electronic: e-record	Electronic: Data set	Electronic: Video	Electronic: Audio	Other
53	1,127	9	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
454,024	358,647	1,376

**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 to 500 pages processed		501 to 1,000 pages processed		1,001 to 5,000 pages processed		More than 5,000 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	82	1,403	13	2,236	1	657	1	1,280	3	67,854
Disclosed in part	572	17,184	374	86,013	67	49,363	67	127,319	6	43,443
All exempted	4	28	2	592	0	0	0	0	0	0
All excluded	1	0	0	0	0	0	0	0	0	0
Request abandoned	158	0	7	1,668	4	2,908	10	19,748	2	32,328
Neither confirmed nor denied	1	0	0	0	0	0	0	0	0	0
Declined to act with the approval of the Information Commissioner	1	0	0	0	0	0	0	0	0	0
<b>Total</b>	819	18,615	396	90,509	72	52,928	78	148,347	11	143,625

**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 to 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 to 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	30	1	12	43
Disclosed in part	530	20	87	637
All exempted	0	0	0	0

Disposition	Consultation Required	Legal Advice Sought	Other	Total
All excluded	0	1	0	1
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>	560	22	99	681

#### 4.6 Closed Requests

##### 4.6.1 Requests Closed Within Legislated Timelines

Category	Requests Closed Within Legislated Timelines
Number of requests closed within legislated timelines	690
Percentage of requests closed within legislated timelines (%)	44.2%

#### 4.7 Deemed Refusals

##### 4.7.1 Principal Reasons for Not Meeting Legislated Timelines

Total Number of requests closed past the legislated timelines	Interference with Operations / Workload	External Consultation	Internal Consultation	Other
872	441	89	13	329

##### 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	38	65	103
16 to 30 days	23	52	75
31 to 60 days	20	57	77
61 to 120 days	36	68	104
121 to 180 days	29	20	49
181 to 365 days	47	53	100
More than 365 days	179	185	364
<b>Total</b>	372	500	872

#### 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: Section 69	9(1)(b) Consultation: Other	9(1)(c) Third Party Notice
All disclosed	2	1	9	32
Disclosed in part	135	13	55	674
All exempted	0	0	0	2
All excluded	0	0	0	0
Request abandoned	27	0	5	35
No records exist	10	0	0	10
Decline to act with the approval of the Information Commissioner	0	0	0	0
<b>Total</b>	174	14	69	753

### 5.2 Length of Extensions

Length of Extensions	9(1)(a) Interference with Operations / Workload	9(1)(b) Consultation: Section 69	9(1)(b) Consultation: Other	9(1)(c) Third Party Notice
30 days or less	89	1	9	1
31 to 60 days	32	2	19	735
61 to 120 days	32	9	22	17
121 to 180 days	8	1	10	0
181 to 365 days	11	0	7	0
365 days or more	2	1	2	0
<b>Total</b>	174	14	69	753

## Section 6: Fees

Fee type	Fee collected		Fee waived		Fee refunded	
	Number of requests	Amount	Number of requests	Amount	Number of requests	Amount
Application	1,391	\$6,955.00	240	\$1,200.00	1	\$5.00
Other fees	0	\$0.00	0	\$0.00	0	\$0.00
<b>Total</b>	1,391	\$6,955.00	240	\$1,200.00	1	\$5.00

## Section 7: Consultations Received From Other Institutions and Organizations

### 7.1 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 the reporting period	174	7,803	23	678

Consultations	Other Government of Canada Institutions	Number of Pages to Review	Other Organizations	Number of Pages to Review
Outstanding from the previous reporting period	32	1,311	1	6
<b>Total</b>	206	9,114	24	684
Closed during the reporting period	192	8,429	22	575
Carried over within negotiated timelines	5	223	2	109
Carried over beyond negotiated timelines	9	462	0	0

**7.2 Recommendations and Completion Time for Consultations Received from Other Government of Canada Institutions**

Recommendation	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
Disclose entirely	40	48	27	10	1	6	0	132
Disclose in part	3	3	14	7	4	4	0	35
Exempt entirely	0	0	0	0	0	0	0	0
Exclude entirely	0	0	0	0	0	0	0	0
Consult other institution	5	9	3	3	1	0	0	21
Other	0	2	1	0	0	1	0	4
<b>Total</b>	48	62	45	20	6	11	0	192

**7.3 Recommendations and Completion Time for Consultations Received from Other Organizations outside the Government of Canada**

Recommendation	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
Disclose entirely	4	8	2	1	0	0	0	15
Disclose in part	0	0	0	1	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	2	2	1	0	0	0	0	5
Other	0	0	1	0	0	0	0	1
<b>Total</b>	6	10	4	2	0	0	0	22

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

**8.1 Requests with Legal Services**

Number of days	Fewer than 100 pages processed		100 to 500 pages processed		501 to 1,000 pages processed		1,001 to 5,000 pages processed		More than 5,000 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	6	62	0	0	0	0	0	0	0	0
16 to 30	21	252	3	319	0	0	0	0	0	0
31 to 60	12	113	0	0	0	0	0	0	0	0

Number of days	Fewer than 100 pages processed		100 to 500 pages processed		501 to 1,000 pages processed		1,001 to 5,000 pages processed		More than 5,000 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
61 to 120	6	93	0	0	0	0	0	0	0	0
121 to 180	0	0	0	0	0	0	0	0	0	0
181 to 365	1	0	0	0	0	0	0	0	0	0
More than 365	1	0	0	0	0	0	0	0	0	0
<b>Total</b>	47	520	3	319	0	0	0	0	0	0

**8.2 Requests with Privy Council Office**

Number of days	Fewer than 100 pages processed		100 to 500 pages processed		501 to 1,000 pages processed		1,001 to 5,000 pages processed		More than 5,000 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
85	59	31

**9.2 Investigations and Reports of Finding**

Section 37(1) Initial Reports: Received	Section 37(1) Initial reports: Containing recommendations issues by the Information Commissioner	Section 37(1) Initial reports: Containing orders issued by the Information Commissioner	Section 37(2) Final Reports: Received	Section 37(2) Final reports: Containing recommendations issued by the Information Commissioner	Section 37(2) Final reports: Containing orders issued by the Information Commissioner
20	3	17	28	9	19

**Section 10: Court Action**

**10.1 Court Actions on Complaints**

Section 41: Complainant (1)	Section 41: Institution (2)	Section 41: Third Party (3)	Section 41: 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**

<b>Expenditures</b>	<b>Amount</b>
Salaries	\$4,982,698
Overtime	\$53,669
Goods and Services	\$1,985,695
Professional services contracts	\$1,867,002
Other	\$118,693
<b>Total</b>	<b>\$7,022,062</b>

**11.2 Human Resources**

<b>Resources</b>	<b>Person Years Dedicated to Access to Information Activities</b>
Full-time employees	51.657
Part-time and casual employees	2.999
Regional staff	0.000
Consultants and agency personnel	7.904
Students	0.000
<b>Total</b>	<b>62.560</b>



# Appendix C: Statistical Report on the *Privacy Act*

Reporting period: 2023-04-01 to 2024-03-31. Data extracted on April 15, 2024.

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

### 1.1 Number of Requests

Category		Number of requests
Received during reporting period		208
Outstanding from previous reporting periods		43
• Outstanding from previous reporting period	27	
• Outstanding from more than one reporting period	16	
<b>Total</b>		251
Closed during reporting period		198
Carried over to next reporting period		53
• Carried over within legislated timeline	19	
• Carried over beyond legislated timeline	34	

### 1.2 Channels of Requests

Source	Number of requests
Online	167
E-mail	33
Mail	7
In person	0
Phone	0
Fax	1
<b>Total</b>	208

## Section 2: Informal Requests

### 2.1 Number of Informal Requests

Category		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 to 500 Pages Released		501 to 1,000 Pages Released		1,001 to 5,000 Pages Released		More Than 5,000 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	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
All disclosed	6	6	0	1	2	0	0	15
Disclosed in part	11	19	13	11	4	6	1	65
All exempted	0	0	0	0	0	0	0	0
All excluded	0	0	0	0	0	0	0	0
No records exist	12	7	2	0	0	0	0	21
Request abandoned	78	13	2	1	0	0	1	95
Neither confirmed nor denied	0	1	0	0	0	0	1	2
<b>Total</b>	107	46	17	13	6	6	3	198

### 3.2 Exemptions

Section	Number of requests
18(2) – Disclosure may be refused	0
Personal information obtained in confidence. This includes information from: 19(1)(a) - the government of a foreign state or institution	0
19(1)(b) - international organization of states or an institution	0
19(1)(c) - government of a province or an institution	0
19(1)(d) - a municipal or regional government	0
19(1)(e) - the council, as defined in the Westbank First Nation Self-Government Agreement	0
19(1)(f) - the council of a participating First Nation	0
Federal-provincial affairs 20 - Personal information for which the disclosure of which could reasonably be expected to be injurious to the conduct by the Government of Canada of federal-provincial affairs	0
21 – Personal information for which the disclosure of which could reasonably be expected to be injurious to the conduct of	0

Section	Number of requests
international affairs, the defence of Canada or any state allied or associated with Canada	
Law enforcement and investigation 22(1)(a)(i) - The detection, prevention or suppression of crime	0
22(1)(a)(ii) - The enforcement of any law of Canada or a province	0
22(1)(a)(iii) - Activities suspected of constituting threats to the security of Canada	0
22(1)(b) - The disclosure of which could reasonably be expected to be injurious to the enforcement of any law of Canada or a province or the conduct of lawful investigations	2
22(1)(c) - The disclosure of which could reasonably be expected to be injurious to the security of penal institutions	0
Policing services for provinces or municipalities 22(2) – Personal information that was obtained or prepared by the Royal Canadian Mounted Police while performing policing services for a province or municipality where it was agreed to not to disclose the information	0
Information obtained by Privacy Commissioner 22.1 - personal information requested under this Act that was obtained or created by the Commissioner or on the Commissioner's behalf in the course of an investigation	0
Public Sector Integrity Commissioner 22.2 – Personal information that was obtained or created by him or her or on his or her behalf in the course of an investigation	0
<i>Public Servants Disclosure Protection Act</i> 22.3 - The head of a government institution shall refuse to disclose personal information requested that was created for the purpose of making a disclosure under the <i>Public Servants Disclosure Protection Act</i> or in the course of an investigation into a disclosure under that Act	0
Secretariat of National Security and Intelligence Committee of Parliamentarians 22.4 - Personal information requested that was obtained or created in the course of assisting the National Security and Intelligence Committee of Parliamentarians in fulfilling its mandate	0
Security clearances 23(a) - Required by the Government of Canada in respect of individuals employed by or performing services for the Government of Canada	0
23(b) - if disclosure of the information could reasonably be expected to reveal the identity of the individual who furnished the investigative body with the information	0
Individuals sentenced for an offence 24(a) - Lead to a serious disruption of the individual's institutional, parole or	0

Section	Number of requests
statutory release program	
24(b) - Reveal information about the individual originally obtained on a promise of confidentiality, express or implied	0
25 - Safety of Individuals	0
26 - Personal information about an individual cannot be disclosed without their consent if it identifies another individual	65
27 – Protected information - solicitors, advocates, and notaries	6
27.1 – Protected information – patents and trademarks	0
28 – Medical records	0

### 3.3 Exclusions

Section	Number of requests
69(1)(a) - Library or museum material preserved solely for public reference or exhibition purposes	0
69(1)(b) - Material placed in the Library and Archives of Canada, the National Gallery of Canada, and a number of museums by or on behalf of persons or organizations other than government institutions	0
Canadian Broadcasting Corporation 69.1 - Personal information that the Canadian Broadcasting Corporation collects, uses or discloses for journalistic, artistic or literary purposes and does not collect, use or disclose for any other purpose	0
70(1) - Confidences of the Privy Council	0
70(1)(a) - Memoranda the purpose of which is to present proposals or recommendations to Council	0
70(1)(b) - Discussion papers the purpose of which is to present background explanations, analyses of problems or policy options to Council for consideration by Council in making decisions	0
70(1)(c) - Agenda of Council or records recording deliberations or decisions of Council	0
70(1)(d) - Records used for or reflecting communications or discussions between ministers of the Crown on matters relating to the making of government decisions or the formulation of government policy	0
70(1)(e) - Records to brief ministers of the Crown in relation to matters that are before, or are proposed to be brought before Council	0
70(1)(f) – Draft legislation	0
70.1 – <i>Canada Evidence Act</i>	0

**3.4 Format of Information Released**

Paper	Electronic: e-record	Electronic: Data set	Electronic: Video	Electronic: Audio	Other
9	71	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
17,628	15,809	177

**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 to 500 pages processed		501 to 1,000 pages processed		1,001 to 5,000 pages processed		More than 5,000 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	15	141	0	0	0	0	0	0	0	0
Disclosed in part	41	1,658	14	2,937	3	2,114	7	10,778	0	0
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	95	0	0	0	0	0	0	0	0	0
Neither confirmed nor denied	2	0	0	0	0	0	0	0	0	0
<b>Total</b>	153	1,799	14	2,937	3	2,114	7	10,778	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

**3.5.4 Relevant Minutes Processed per Request Disposition for Audio Formats by Size of Requests**

Disposition	Less than 60 minutes processed		60 to 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 to 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**

Disposition	Consultation Required	Legal Advice Sought	Interwoven Information	Other	Total
All disclosed	0	0	0	0	0
Disclosed in part	3	2	0	1	6
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>	3	2	0	1	6

**3.6 Closed Requests**

**3.6.1 Number of Requests Closed Within Legislated Timelines**

Category	Requests Closed Within Legislated Timelines
Number of requests closed within legislated timelines	153
Percentage of requests closed within legislated timelines (%)	77.3%

**3.7 Deemed Refusals**

**3.7.1 Reasons for Not Meeting Legislated Timelines**

Total Number of requests closed past the statutory deadline	Interference with Operations / Workload	External Consultation	Internal Consultation	Other
45	26	0	0	19

**3.7.2 Requests Closed Beyond Legislated Timelines (including any extension taken)**

Number of days past deadline	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	8	2	10
16 to 30 days	9	0	9
31 to 60 days	7	1	8
61 to 120 days	6	2	8
121 to 180 days	1	3	4
181 to 365 days	3	1	4
More than 365 days	2	0	2
<b>Total</b>	36	9	45

**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
5	0	0	5

**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>	0

**Section 6: Extensions****6.1 Reasons for Extensions and Disposition of Requests**

Reason for Extension	Number of Requests Where an Extension was Taken
15(a)(i) Interference with Operations: Further Review Required to Determine Exemptions	0
15(a)(i) Interference with Operations: Large Volume of Pages	0
15(a)(i) Interference with Operations: Large Volume of Requests	0
15(a)(i) Interference with Operations: Documents are Difficult to Obtain	7
15(a)(ii) Consultation: Cabinet Confidence (Section 70)	0
15(a)(ii) Consultation: External	0
15(a)(ii) Consultation: Internal	2
15(b) Translation Purposes or Conversion	0
<b>Total</b>	9

**6.2 Length of Extensions**

Reason for Extension	1 to 15 days	16 to 30 days	31 days or greater	Total
15(a)(i) Interference with Operations: Further Review Required to Determine Exemptions	0	0		0
15(a)(i) Interference with Operations: Large Volume of Pages	0	0		0
15(a)(i) Interference with Operations: Large Volume of Requests	0	0		0
15(a)(i) Interference with Operations: Documents are Difficult to Obtain	0	7		7
15(a)(ii) Consultation: Cabinet Confidence (Section 70)	0	0		0
15(a)(ii) Consultation: External	0	0		0
15(a)(ii) Consultation: Internal	0	2		2
15(b) Translation Purposes or Conversion	0	0	0	0

**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 reporting period	0	0	0	0
Outstanding from the previous reporting period	0	0	0	0
<b>Total</b>	0	0	0	0
Closed during the reporting period	0	0	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	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
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



**7.3 Recommendations and Completion Time for Consultations Received from Other Organizations outside the Government of Canada**

Recommendation	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
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 to 500 pages processed		501 to 1,000 pages processed		1,001 to 5,000 pages processed		More than 5,000 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 to 500 pages processed		501 to 1,000 pages processed		1,001 to 5,000 pages processed		More than 5,000 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: Complaints and Investigation Notices Received

Section 31	Section 33	Section 35	Court Action	Total
14	5	5	0	24

### Section 10: Privacy Impact Assessments (PIA) and Personal Information Banks (PIB)

#### 10.1 Privacy Impact Assessments

Number of PIA(s) Completed	3
Number of PIA(s) Modified	1

#### 10.2 Institution-Specific and Central Personal Information Banks

Personal Information Banks	Active	Created	Terminated	Modified
Institution-specific	50	2	0	10
Central	2	0	0	2
Total	52	2	0	12

### Section 11: Privacy Breaches

#### 11.1 Material Privacy Breaches Reported

Number of material privacy breaches reported to TBS	1
Number of material privacy breaches reported to OPC	1

#### 11.2 Non-Material Privacy Breaches

Number of non-material privacy breaches	53
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### Section 12: Resources Related to the *Privacy Act*

#### 12.1 Allocated Costs

Expenditures	Amount
Salaries	\$2,069,300
Overtime	\$33,186
Goods and Services	\$464,863
Professional services contracts	\$405,005
Other	\$59,858
<b>Total</b>	<b>\$2,567,349</b>

#### 12.2 Human Resources

Resources	Person Years Dedicated to Privacy Activities
Full-time employees	17.603
Part-time and casual employees	2.063
Regional staff	0.000
Consultants and agency personnel	1.604
Students	0.595
<b>Total</b>	<b>21.865</b>

# Appendix D: Supplemental Statistical Report on the ATIA and *Privacy Act*

In addition to completing the forms for the Statistical Reports on the ATIA and *Privacy Act* for 2023-2024, institutions were asked to complete a supplemental report. The data requirements are set out in the tables below.

## Section 1: Open Requests and Complaints under the *Access to Information Act*

1.1 The following table reports 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, 2024	Open Requests that are <i>Beyond</i> Legislated Timelines as of March 31, 2024	Total
Received in 2023-2024	368	373	741
Received in 2022-2023	16	356	372
Received in 2021-2022	20	380	400
Received in 2020-2021	4	269	273
Received in 2019-2020	4	110	114
Received in 2018-2019	1	39	40
Received in 2017-2018	0	36	36
Received in 2016-2017	0	8	8
Received in 2015-2016	0	0	0
Received in 2014-2015 or earlier	0	2	2
<b>Total</b>	<b>413</b>	<b>1,573</b>	<b>1,986</b>

1.2 The following table reports 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 2023-2024	50
Received in 2022-2023	7
Received in 2021-2022	7
Received in 2020-2021	0
Received in 2019-2020	4
Received in 2018-2019	0
Received in 2017-2018	0
Received in 2016-2017	0
Received in 2015-2016	0
Received in 2014-2015 or earlier	0
<b>Total</b>	<b>68</b>

## Section 2: Open Requests and Complaints Under the *Privacy Act*

2.1 The following table reports 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, 2024	Open Requests that are <i>Beyond</i> Legislated Timelines as of March 31, 2024	Total
Received in 2023-2024	19	15	34
Received in 2022-2023	0	4	4
Received in 2021-2022	0	3	3
Received in 2020-2021	0	3	3
Received in 2019-2020	0	7	7
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	1	1
Received in 2014-2015 or earlier	0	0	0
<b>Total</b>	<b>19</b>	<b>33</b>	<b>52</b>

2.2 The following table reports 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 2023-2024	2
Received in 2022-2023	0
Received in 2021-2022	3
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 or earlier	0
<b>Total</b>	<b>5</b>

## Section 3: Social Insurance Number (SIN)

Health Canada did not receive authority for a new collection or new consistent use of the SIN in 2023-2024.

## Section 4: Universal Access Under the *Privacy Act*

Health Canada received four requests confirmed from foreign nationals outside of Canada in 2023-2024.

## Appendix E: Federal Court Review

### **Actial Farmaceutical S.R.L. v. Minister of Health (dismissed)**

In January 2020, Actial Farmaceutical filed for judicial review of a Health Canada decision issued to Ferring Inc. to partially release records related to the natural health products VSL#3®. This application raises the issues of whether Actial has standing to bring the application given the decision was issued to Ferring Inc. and whether the disputed information is exempt from disclosure.

The case was dismissed in June 2022. Actial filed an appeal in October 2022. An appeal hearing was held in November 2023 and dismissed with costs.

### **Apotex Inc. v. Minister of Health and Attorney General of Canada (discontinued)**

In August 2019, Apotex filed for judicial review of the decision to release records related to a drug product that had been withdrawn from assessment. The fact that it was withdrawn impacts the records that may already publicly exist.

A motion for an Order for production of documents under Rules [317 and 318](#) of the [Federal Courts Rules, S.O.R. /98-106](#) was scheduled to be heard on December 18, 2020, however the Court adjourned the motion and ordered this matter to be held in abeyance pending a decision being rendered in another case concerning a similar request.

On September 6, 2022 the Federal Court of Appeal issued its decision in Preventous (see below) and held that the applicants could not receive the documents from Health Canada.

Apotex discontinued the Application in August 2023.

On January 25, 2022, the Applicant filed for judicial review in the Federal Court. The Applicant is challenging the decision of the Minister of Health dated January 6, 2022 to release records and documents with respect to certain drug products in response to an access to information request.

The Applicant opposes the disclosure of information it considers confidential and has also alleged that the Minister lacked procedural fairness in rendering the decision.

A motion for an Order for production of documents under Rules [317 and 318](#) of the [Federal Courts Rules, S.O.R. /98-106](#) was filed. This motion was held in abeyance pending a decision being rendered in another case. On September 6, 2022 the Federal Court of Appeal issued its decision in Preventous (see below) and held that the applicants could not receive the documents from Health Canada.

Apotex discontinued the Application in September 2023.

### **Bayer Inc. v. Minister of Health and Attorney General of Canada (discontinued)**

On December 15, 2021, the Applicant filed for judicial review challenging the decision of the Minister of Health dated November 25, 2021 to release records in response to an access to information request. The Applicant opposes the disclosure of information it considers confidential and alleges the disclosure could harm its competitive position.

A motion for an Order for production of documents under Rules [317 and 318](#) of the [Federal Courts Rules, S.O.R. /98-106](#) was filed. This motion was held in abeyance pending a decision being rendered in another case. On September 6, 2022 the Federal Court of Appeal issued its decision in Preventous (see below) and held that the applicants could not receive the documents from Health Canada.

A hearing was scheduled for October 2023 however Bayer discontinued the Application just days before it took place.

### **Elanco Canada Limited v. Canada (Minister of Health)**

Elanco sought review of a decision by the Minister of Health, to disclose information related to Fortekor Flavour Tabs, that Elanco considered to be confidential. On November 19, 2019 the Federal Court found the Minister of Health's decision to disclose the records was invalid and costs were awarded against Canada. Canada appealed the decision, and the Federal Court of Appeal has set aside the original judgement, which it found was worded too broadly, contrary to section 25 of the *Access to Information Act*.

The matter was remitted back to the Federal Court for review. A hearing was held in November 2023 and the Court's decision was reserved. The case remains ongoing.

### **Jamp Pharma Corporation v. Minister of Health et al (discontinued)**

A judicial review application was filed on March 30, 2023 by Jamp Pharma following a decision by the Minister of Health to release records related to Jamp's drug product that it considers to be confidential. On July 4, 2023 Jamp Pharma discontinued the matter without costs.

### **Provital Health v. Canada (Minister of Health), Preventous Collaborative Health v. Canada (Minister of Health), Copeman Healthcare v. Canada (Minister of Health)**

In January 2019, three private medical clinics (the Applicants) filed individual applications for judicial review of the federal Minister of Health's decision to release part of their audit reports to a requester under the *Access to Information Act*. Health Canada obtained the audit reports from Alberta Health, which did not request that the audit reports be kept confidential. The audit reports relate to the annual enrollment and membership fees charged by the Applicants.

Following an appeal, the Federal Court granted the Applicants' request for documents held by Health Canada under Rule 317 of the Federal Court Rules. In April 2021, Canada appealed this decision and on September 6, 2022 the Federal Court of Appeal decided that the applicants could not receive the documents from Health Canada. Further procedural motions filed by the applicants to obtain the records have been denied by the courts.

In February 2024, the Applicants filed for leave to appeal the issue of production of documents held by Health Canada to the Supreme Court of Canada. A hearing on the Minister of Health's decision to release part of their audit reports is scheduled for May 2024.