



Government
of Canada

Gouvernement
du Canada

Info --- Source

**Access to
Information Act**

Privacy Act

Bulletin

Number 17
December 1994

Canada

© Minister of Supply and Services
Catalogue No. BT 51-3/10-2-1994
ISSN 1187-1741

Table of Contents

Federal Court Cases	2
Tables	31
Access to Information and Privacy Coordinators	48

Info Source (Sources of Federal Government Information) describes the information holdings of federal institutions subject to the *Access to Information Act* and the *Privacy Act*. It also describes the background, responsibilities, legislation and organization of each institution.

The ***Guide to Sources of Federal Government Information*** lists public enquiry units, departmental libraries and other relevant offices in the federal government where information is available.

Info Source and the ***Bulletin*** are generally available in major public and academic libraries, government information offices and constituency offices of federal Members of Parliament. Access and privacy request forms and brochures can be obtained free of charge at any of these distribution points.

Federal Court Cases

Bires v. Solicitor General (Sept. 14, 1994, Federal Court T.D. T-3053-93, Strayer J.)

RCMP information that is exempt under the *Privacy Act* cannot be disclosed for the purpose of verifying whether the information is accurate.

Mr. Bires wanted an opportunity to see documents about himself held by the RCMP because he believed they contained inaccurate information from unreliable sources (with whom he had come in contact as a former customs officer). (Mr. Bires was aware of rumours alleging his possible involvement in smuggling activities.) The RCMP said it would not provide the documents because they are exempt under the *Privacy Act*:

- subparagraph 22(1)(a)(ii) (information obtained or prepared by an investigative body pertaining to the enforcement of any law of Canada or a province); and
- ss. 22(2) (agreement with province not to disclose RCMP information obtained or prepared while performing police services for a province or municipality under contract).

Strayer J. reviewed the documents, found they fit the exemptions claimed and said the 22(2) agreement was proved.

Canada Post Corporation v. Minister of Public Works and Michael Duquette (June 3, 1993), No. T-2059-91 (F.C.T.D.).

Pursuant to a Realty Management Agreement, Public Works Canada (PWC) performed management and related services for properties owned by Canada Post Corporation. Mr. Duquette applied under the *ATIA* for documents generated and obtained by PWC in the course of managing two Toronto properties owned and leased by CPC.

CPC believed that because its relationship with PWC was that of principal/agent, the documents were under its control and not PWC and, therefore, not subject to the *ATIA*. On a preliminary motion in this s. 44 application, the parties (with an Agreed Statement of Facts) asked the Court to determine whether the documents in question were under the control of Public Works within the meaning of ss. 4(1) *ATIA*.

The Court held that the records in question were under the control of PWC and were subject to disclosure pursuant to ss. 4(1). Justice Rothstein found that CPC and PWC were in a principal/agent relationship but that this relationship and the agreement to keep information confidential did not preclude the operation of the *ATIA* in respect of CPC information in the possession of PWC.

CPC made four arguments. First, it argued that the ordinary definition of "control" connotes control in a proprietary sense and some dominance or direction over the thing in question. Justice Rothstein found it

inappropriate to rely solely on a dictionary definition without anything more. He stated that dictionary definitions suggest that the term "control" was open to a wide variety of meanings depending upon the circumstances in which the word is used. He agreed with CPC that a principal, in a principal/agent relationship, usually exercises some form of control (e.g. dominance or direction) over an agent and that in the case of CPC and PWC, direction over the confidentiality or disclosure of records. He added, however, that the definition of control also includes the authority to manage, direct, superintend, administer or oversee where an agent would have some power over the records maintained or controlled for its principal. In this case, the Management Agreement provided PWC with managerial and administrative control over the records.

CPC then argued that because the purpose of the *ATIA* was to provide "government information", this meant information relating to government or the workings of government and not private or non-government information that happens to be in the possession of a government institution. In rejecting this argument, Justice Rothstein stated that the *ATIA* operates notwithstanding any other Act of Parliament and that its scheme was to be wholly inclusive and then to allow for exemptions. He stated that the purpose of the Act supported non-disclosure of certain third party information in the possession of a government institution based on an exemption. It did not support the proposition that third party information in the possession of a government

institution acting as agent for the third party is not subject to the Act at all.

CPC's third argument was that control in the context of the *ATIA* contemplated something more than possession. In rejecting this argument, Justice Rothstein relied on the *Ottawa Football Club* decision to support his finding that control includes custody. He stated that:

I, too, cannot see in the *Access to Information Act* any express statement or inference that "control" in the Act is to be modified by some test as to how information is to be used by a government institution or the extent to which a government institution may dispose of it. Nor is there any indication that "control", as used in the Act, can be affected by a private agreement between a government institution and a third party. The scheme is that all information in the hands of the Government is subject to the Act except information expressly exempted.

The Court did not find the Treasury Board *ATIA* Guidelines to be of assistance in considering the question of what constitutes control in the context of third party information in the possession of a government institution. Rather, he found the decisions in *Montana* and the *Ottawa Football Club* to be more specific and instructive.

CPC's fourth argument was that PWC may have physical possession of CPC records, but not legal possession. CPC contended that in the context of

discovery of documents in litigation, CPC records would not be ordered in an action against PWC and that, by analogy, the *ATIA* should not apply to such records. The Court rejected this argument as it was not satisfied that the analogy was valid: while the discovery process is adversarial in nature and relevancy is the predominant test for disclosure, access under the *ATIA* is not an aspect of the adversarial process and relevancy is not a consideration. Again relying on *Ottawa Football Club*, Justice Rothstein found that the considerations for disclosure and confidentiality under the *ATIA* constitute a code in themselves which cannot properly be interpreted by reference to considerations in the discovery process. In his view, the fact that a government institution has possession of records, whether in a legal or corporeal sense, is sufficient for them to be subject to the *ATIA*.

Cyanamid Canada Inc. v. Minister of Health and Welfare

(February 21, 1992), Nos. T-1970-89, T-2235-89 and T-868-90 (F.C.T.D.). *

In these three separate actions, Cyanamid sought a review of the Minister's decision to release the product monographs of certain drugs and some severed documents regarding another drug.

A product monograph is a description of a drug that details all the information that may be required for the safe and effective use of the drug. It serves as a basic reference about the nature, use and effects of the drug. The product monograph comes into existence after the

Department of Health and Welfare issues a Notice of Compliance regarding a certain drug, stating that the drug satisfies all the requirements of the Food and Drug Regulations. Once a Notice of Compliance has been issued by the Department and the new drug has been marketed, drug manufacturers are *directed* to provide product monographs on request to health professionals.

Cyanamid claimed that the information found on the product monographs and on the other requested documents was exempt from release by virtue of paragraphs 20(1)(a),(b) and (c) [third party information] and section 17 [safety of individuals] of the *Access to Information Act* (ATIA).

The broad issue to be decided by the Court was whether the product monographs could be considered to be publicly available, such that section 20 of the *ATIA* would not apply. The Court recognized that product monographs are widely distributed to health professionals. Once in the hands of these professionals, there are no measures taken to prevent the dissemination of this information to others, or to the public at large.

Paragraph 20(1)(a): Trade Secrets

The Court held that, as the product monographs were widely distributed to health professionals, it could not be argued that the information was known only to those few to whom it must necessarily be confided. Therefore, the test for a trade secret had not been met.

Paragraph 20(1)(b): ...Scientific information that is confidential information supplied to a government institution by a third party and is treated consistently in a confidential manner by the third party.

The Court acknowledged that a product monograph is a scientific document. However, to the extent that information had been reproduced in a product monograph, that information is "publicly available". Therefore, it cannot be said that this information is confidential and has been treated consistently in a confidential manner by the third party.

Paragraph 20(1)(c): information the disclosure of which could reasonably be expected to result in material financial loss or gain to, or could reasonably be expected to prejudice the competitive position of, a third party.

Paragraph 20(1)(c) of the ATIA requires only that a *reasonable expectation of probable harm* be demonstrated. However, the Court rejected the applicant's argument that there was a link between the disclosure of the requested information and the potential copying of the drugs by generic drug companies. The Court recognized that the information is already "publicly available" and that generic drug companies are bound by different requirements than brand manufacturers.

Section 17: Safety of individuals

The Court determined that this exemption was not relevant as it was not invoked by the Department of Health and Welfare.

Section 68: Publicly available documents

The Court concluded that section 68 of the *ATIA* was not intended to deny access to any government record that is available from another source. Such an interpretation would be inconsistent with section 2 of the *ATIA* which has supported a purposive and liberal approach to the interpretation of the *ATIA*.

Other

The Court made it clear that the disclosure and exemption provisions of the *ATIA* govern the release of information. A third party cannot rely on the representations made by officials that conflict with the express statutory provisions of the *ATIA*.

The application was therefore dismissed.

* Decision confirmed on appeal on October 23, 1992. Summary of the Federal Court of Appeal's reasons to follow.

Glaxo Canada Inc. v. Minister of National Health and Welfare (February 21, 1992), No. T-152-89 (F.C.T.D.).

Glaxo, a pharmaceutical company selling a drug known as Zantac, had presented an application pursuant to section 44 of the *ATIA* for a review of the decision of the Minister to release certain documents relating to Zantac.

Apotex Inc., a pharmaceutical company producing a generic Zantac known as Apo-Ranitidine had previously

made a request pursuant to the *ATIA* for access to all records relating to reports of side effects of Zantac and to all records relating to complaints or problems relating to Zantac. After issuing the appropriate notice to Glaxo and considering the representations made by it, the Minister informed Glaxo that it would release four sets of records to the requester. Document A is a transmittal letter to the respondent forwarding Document B and C which consist of reports concerning the drug Zantac, which were prepared by another pharmaceutical company and which were also sent to the U.S. Food and Drug Administration. Document D is an internal memorandum of the Department of Health and Welfare summarizing certain problems reported by the applicant with respect to the drug Zantac.

The issues identified by the Court were the following:

- 1) whether document D contained scientific or technical information that is confidential information supplied to a government institution by a third party and is treated consistently in a confidential manner by the third party [par. 20(1)(b)]; and
- 2) whether documents A, B and C contained information the disclosure of which could reasonably be expected to result in material financial loss or gain to, or could reasonably be expected to prejudice the competitive position of Glaxo [par. 20(1)(c)].

The Court began by reiterating the principle that the burden is on the applicant to demonstrate that the requested information is exempt from disclosure under

subsection 20(1). Mr. Justice Jerome then held that the applicant had not discharged this burden.

In accordance with his decision in *Cyanamid Canada Inc. v. Minister of Health and Welfare*, Mr. Justice Jerome held that the exemption created by par. 20(1)(b) is not available with respect to information that is publicly available. This finding was based on the fact that the applicant had admitted that the information concerning adverse reaction to the drug Zantac is included in the product monograph, a document which is widely distributed to health professionals and whose dissemination to the public is unrestricted. Glaxo also admitted that drug manufacturers are required to provide to the Department of National Health and Welfare, all information concerning adverse reactions to their drugs and that this information will be disclosed through the drug's product monograph. Mr. Justice Jerome further held that the alleged "guarantees" of confidentiality given by Health and Welfare officials cannot oust the specific disclosure and exemption provisions of the *ATIA*.

With respect to documents A, B and C for which the exception of par. 20(1)(c) was claimed, the Court held that the fact that the information is prejudicial to the applicant is not relevant.

The application was therefore dismissed because the applicant did not demonstrate, on the basis of the evidence, that the information was exempt by virtue of para. 20(1)(b) or (c) of the *ATIA*.

Halifax Developments Ltd. v. Minister of Public Works and Government Services (Sept. 7, 1994, Federal Court T.D. T-691-94, McGillis J.)

Terms of a negotiated contract are not financial or commercial information supplied to the government for the purposes of para. 20(1)(b) of the *Access to Information Act*.

In this case, a landlord who leases space to a federal government agency objected to the decision of the Minister of Public Works and Government Services to disclose the names and addresses of all landlords in Atlantic Canada who lease space to any and all federal departments, including the start and termination date of all leases, the amount of leased space and the appropriate rental rates for each leased space.

McGillis J. found that a negotiated term of a lease is not information "supplied to the government" and that the evidence submitted by Halifax Developments "is couched in generalities and falls significantly short of establishing a reasonable expectation of probable harm" to its competitive position or other negotiations.

Information Commissioner of Canada v. Prime Minister of Canada (November 19, 1992), Nos. T-1418-92, T-1867-92, T-1524-92 (Calamai), T-1390-92 (Rubin) (F.C.T.D.). [1993] 1 F.C. 427

In these applications under the *Access to Information Act*, the Information Commissioner of Canada and other

applicants sought a review of the refusal of the Privy Council Office to disclose certain records.

Although each of the requests for information was different in detail, together the applicants sought records of government commissioned public opinion polls and results of focus of survey groups and relevant contracts where related to the subject of national unity and Constitutional reform over the period of July 1, 1990 to December 31, 1991.

Although each request for information was different in detail, in total they sought records of government commissioned public opinion polls and results of focus of survey groups and relevant contracts where related to the subject of national unity and Constitutional reform over the period of July 1, 1990 to December 31, 1991.

After reviewing the documents, the Access to Information and Privacy Coordinator for the Privy Council Office identified 709 pages as being relevant to the access requests. Of these, 120 pages were disclosed and provided to the applicants. Disclosure of some 589 pages was refused on the basis of section 14 of the *Access to Information Act*, the exemption relating to federal-provincial affairs.

The Court first recognized that subsection 2(1) of the Act, which sets out its purpose, is not merely descriptive of the Act, but is in fact an important guide to its interpretation.

With respect to section 14 of the Act, the Court ruled that in interpreting the words "could reasonably be expected to", the test to be applied was established by the Federal Court of Appeal when it interpreted paragraph 20(1)(c) of the Act, i.e., a "reasonable expectation of probable harm" (*Canada Packers Inc. v. Canada Minister of Agriculture* [1989] 1 F.C. 47).

On the basis of the evidence introduced by the respondent, the Court concluded that the approach taken by the PCO indicated an attempt to avoid risk rather than to assess a reasonable expectation of harm from disclosure. The Court further found that the evidence presented was not specific enough to link a reasonable expectation of harm to the contents of specific pages, that there was only a general reference to 90% of the records at issue and that there was no assessment of the overlap between these records and publicly available information.

On these grounds, the Court therefore allowed the applications and ordered the release of all the requested records not yet provided to the requesters.

Keddy v. President of Atlantic Canada Opportunities

Agency (August 11, 1993), No. T-2296-91 (F.C.T.D.).

Pursuant to section 41 of the *Access to Information Act*, the applicant sought a review of the respondent's decision not to disclose certain records requested by the applicant. He had earlier requested access to various consultants' reports submitted to the respondent

by third parties seeking funding for certain hotel projects. The respondent's decision to refuse access to the requested records was based on paragraph 20(1)(b) of the Act, the provision exempting from disclosure confidential business information of third parties.

There was no dispute that the information to which access was sought was financial or commercial information supplied to the respondent by third parties and that these third parties had consistently treated the information in a confidential manner. The dispute between the parties was whether or not the information was confidential within the meaning of paragraph 20(1)(b) of the Act and whether any of the information was severable.

After reviewing the records sought, which contained information on market and site analysis and financial projections, the Court came to the conclusion that the information was confidential. The Court based this conclusion on the fact that the requested records related to planned and projected commercial operations, that it was not available from any other source and that it was communicated to the respondent not only in a reasonable expectation of confidence that it would not be disclosed, but with an express provision that the information not be referred to or disclosed without permission. The Court added that the fact that the information was submitted to the respondent in order to obtain its financial assistance could not, by itself, justify its disclosure, as long as the requirements of paragraph 20(1)(b) were met.

Finally, on the issue of severability, the Court concluded that any portions of the records that might be considered severable, as not containing in themselves confidential commercial or financial information, were of such a minimal portion of the routine reports filed with the respondent that their release would not be reasonable.

For these reasons, the Court dismissed the application.

Kelly v. Solicitor General of Canada (April 1, 1992), No. T-948-91 (F.C.T.D.).

The applicant, an inmate in a penitentiary, had requested pursuant to the *Privacy Act*, personal information about himself from the Correctional Service of Canada (the C.S.C.). The C.S.C. had released some information, but had claimed exemptions for other information.

The applicant's Notice of Motion was seeking a *certiorari* and a *mandamus*, but the Court decided to deal with it as an application under section 41 of the *Privacy Act* because that Act does not contemplate the use of prerogative writs or remedies of that nature. A confidential affidavit explaining the nature of the exemptions claimed, along with attachment containing the requested personal information was filed by the respondent. The applicant's counsel was authorized by the Court to review this affidavit in order to present submissions on it.

The Court began its review of the exemptions claimed by the respondent by analyzing the nature of the Court's review power under section 48 of the Act. In the case of mandatory exemptions, the Court ruled that it may look at the Act and the material exempted and determine whether as a matter of law, that material comes within the description of material which the Act requires exempted.

In the case of discretionary exemptions, the Court determined that two decisions must be made by the head of a government institution: first, a factual determination as to whether the material comes within the description of material potentially subject to being withheld from disclosure and second, a discretionary decision as to whether that material should nevertheless be disclosed.

The Court held that with respect to the first decision, it could substitute its own conclusion. With respect to the second decision, however, the Court decided that because it is purely discretionary, it should not itself attempt to exercise the discretion *de novo*, but should look at the document in question and the surrounding circumstances and simply consider whether the discretion appears to have been exercised in good faith and for some reason which is rationally connected to the purpose for which the discretion was granted.

Having laid down the rules to be followed when reviewing the decisions of the head of a government

institution, the Court went on to analyze the exemptions that had been claimed in this instance.

The Court dealt first, and summarily, with two pages which had been exempted under section 26 of the Act - personal information of a third party. It ruled that mandatory exemption had been wrongly relied on, as the two pages in question did not reveal personal information about a third party.

The Court then dealt with the use of the exemption created by paragraph 19(1)(c) of the Act - information obtained in confidence from a province - which had been claimed by the respondent with respect to information provided by a provincial agency, despite the fact that no specific request for confidentiality had been made at the time the information was provided. The Court upheld the use of paragraph 19(1)(c) on the basis that such a request could be implied from the document in question and that in the circumstances, the provincial agency would have considered that the information was to be treated on a confidential basis.

Finally, with respect to the discretionary exemptions invoked by the respondent, the Court found that the discretion appeared to have been exercised after due consideration of the facts, consistently with the purposes of the Act, and for no improper or irrelevant purpose.

The Court therefore dismissed the application, with the exception of two pages which were ordered released.

Prudhomme c. A.C.D.I. et als. (Sept. 20, 1994,
Federal Court T.D. T-3163-91, Pinard J.)

Communication of certain contractual information (including financial rates and list of personnel) could reasonably be expected to prejudice the competitive position of the contractor.

This case involved a contract between a company specializing in airplane spraying and CIDA. It was a five year contract for consultant services for a fixed fee. A competitor company wanted to see the terms of the contract. Most of the contract was disclosed but certain clauses were held back. The court agreed with the decisions made by CIDA in holding back these clauses, citing paragraph 20(1)(c). The court held that

"les taux inscrits aux clauses financières contenues aux articles 1.2 à 1.8 de l'annexe C ainsi que la liste du personnel d'Agric Air Inc. contenue à la page 7 de l'annexe D de l'accord constituent des informations qui traduisent l'expertise spécifique acquise par Agric Air Inc. ... la communication au requérant de toutes ces informations, dans les circonstances, équivaldrait à divulguer au principal compétiteur d'Agric Air Inc. le résultat du savoir-faire exceptionnel de cette dernière entreprise dans le domaine de l'épandage aérien et de la consultation qui s'y rattache."

Rubin v. Privy Council Office (March 2, 1993), No. T-2922-91
(F.C.T.D.) *

In this application under section 41 of the *Access to Information Act* (the *Act*), the applicant sought a review of the decision of the Privy Council Office not to disclose communications between the Information Commissioner and the P.C.O. concerning the applicant's earlier complaint against P.C.O relating to a previous access to information request he had made.

Disclosure was denied by the P.C.O by virtue of section 35 of the *Act*. This provision is not included in the exemptions part of the *Act*; it appears in the part of the *Act* dealing with investigations by the Information Commissioner and states that such investigations shall be conducted in private. At the complaint stage, the Information Commissioner held that the P.C.O.'s refusal, based on section 35 of the *Act*, was well founded and added that paragraph 16(1)(c) of the *Act* was a proper means for withholding disclosure.

In his reasons, Mr. Justice Rothstein recognized that the term representations in section 35 is wide enough to include all drafts and supporting documentations generated within government institutions for the purpose of communicating with the Information Commissioner and communications prepared by the Information Commissioner to a government institution if they deal with submissions made by the institution. However, the Court found that "Section 35 only applies "In the course of an investigation of a complaint..." There is

nothing express or implied in section 35 that would suggest that it has application after the conclusion of an investigation by the Commissioner".

The court further held that subparagraphs 16(1)(c)(i) and (ii) are intended to be invoked in particular investigations or where a specific confidential source may be revealed. In subparagraph 16(1)(c)(iii) the investigation referred to is a specific investigation where the disclosure of particular information would be injurious to the conduct of that specific investigation. Accordingly, the court ruled that paragraph 16(1)(c) is not a procedural provision that justifies confidentiality in respect of the investigative process of the Information Commissioner. To interpret paragraph 16(1)(c) as suggested by the respondent would render much of section 35 redundant.

The Court therefore allowed the application.

* This decision has been appealed.

Rubin v. Privy Council Office (March 25, 1993), Nos. T-2651-90, T-1587-91, T-1391-92 (F.C.T.D.)

In this application under section 41 of the *Access to Information Act*, (the *Act*) the applicant sought a review of the decision of the Privy Council Office not to disclose the exact *per diem* paid to the part-time chairman of the Canada Council, Mr. Allan Gotlieb and of other part-time Governor-in-Council appointees.

Disclosure was denied by the P.C.O. by virtue of subsection 19(1) of the *Act*, the exemption protecting personal information from disclosure.

According to Mr. Justice Muldoon, the very specifics of salary and daily remuneration sought by the applicant is "personal information" within the meaning of section 3 of the *Privacy Act* and is not excluded by subparagraph (j)(iii) of the definition of "personal information". Only the salary range is excluded from the definition of "personal information" by this subparagraph.

The court added that in order to comply with Parliament's specification of salary range alone as an exception to personal information about precise remuneration, paragraph (l) of the definition of personal information is not applicable in this instance, despite the fact that the Chairman of the Canada Council receives a discretionary benefit of a financial nature.

The Court further held that subparagraph 8(2)(m)(i) of the *Privacy Act* could not be relied on to disclose the specific remuneration of various G.I.C. appointees, including Mr. Gotlieb. To disclose them would destroy the privacy of specific remuneration which Parliament has prescribed by limiting disclosure to salary range.

The Court, however, ordered the disclosure, pursuant to paragraph 19(2)(b) of the *Act*, of information regarding the specific monetary remuneration, where that specific remuneration was already in the public domain. It also ordered the disclosure of non-monetary, non-salarial remuneration conferred upon a G.I.C. appointee on the

basis that it is a "discretionary benefit of a financial" for the purposes of paragraph (l) of the definition of "personal information" and therefore excluded from the definition of that expression in section 3 of the *Privacy Act*. Even if such remuneration fell outside of paragraph (l), the Court held that it was part of the "salary range" for the purpose of subparagraph (j)(iii) and was therefore excluded from the definition of personal information.

Privy Council Office v. Rubin (March 14, 1994), No. A-245-93 (F.C.A.)

In this appeal, the appellant sought to have set aside an Order of the Court's Trial Division, ordering the Privy Council Office to disclose communications between the Information Commissioner and the P.C.O. concerning a complaint against P.C.O made by the respondent in relation to a previous access to information request he had made.

Disclosure of the requested records had been denied by the P.C.O. by virtue of section 35 of the *Access to Information Act*, (the *Act*). This provision appears in the part of the Act dealing with investigations by the Information Commissioner rather than in the part of the *Act* dealing with exemptions and it governs the right to make representations during an investigations and the right of access to those representations. At the complaint stage, the Information Commissioner held that the P.C.O.'s refusal, based on section 35 of the *Act*, was well founded and added that paragraph 16(1)c) of

the *Act* was also a proper means for withholding disclosure.

At first instance, the Court's Trial Division recognized that section 35 did protect from disclosure, but only during an investigation, representations made by government institutions to the Information Commissioner as well as communications sent by the Information Commissioner to a government institution if they dealt with submissions made by the institution. However, the Court found that the section ceased to apply at the conclusion of the investigation:

"Section 35 only applies "In the course of an investigation of a complaint..." There is nothing express or implied in section 35 that would suggest that it has application after the conclusion of an investigation by the Commissioner".

The Court of Appeal took a different view of subsection 35(2) of the *Act*. It recognized that provision had two distinct purposes. By its opening portion, the subsection ensures that the persons referred to in subparagraphs (a) to (c) [the requester, the government institution and the third party] must have a reasonable opportunity to make representations "In the course of an investigation of a complaint...". The words which follow these subparagraphs expressly deny the right of "...access to... representations made to the Commissioner". Unlike the Trial Division, the Court of Appeal was unable to see that the opening words of the subsection qualified the denial of access.

The view of the Court of Appeal was also that section 61 [security requirements of the Information Commissioner and his staff], section 62 [Commissioner and his staff to keep information confidential] and section 65 [Commissioner and his staff cannot be summoned] reinforces its interpretation of subsection 35(2), that representations to the Commissioner remain secret even after the completion of an investigation. The Court further held that to construe subsection 35(2) as protecting against the disclosure of information only during the course of an investigation would produce inconsistency and disharmony between that subsection and other provisions of the *Act*. In light of its conclusion with regards to subsection 35(2), the Court did not examine the appellant's argument that the information was also protected from disclosure under paragraph 16(1)(a) of the *Act*.

The Court of Appeal therefore allowed the appeal.

Nick Ternette v. Solicitor General of Canada and the Privacy Commissioner of Canada, (November 22, 1991), No. T-522-84 (F.C.T.D.)

Facts

In August 1983 the applicant requested access, pursuant to section 12(1) of the *Privacy Act*, to personal information about himself kept by the RCMP, Security Services Division, in personal information bank no. RCMP P-130.

The Governor in Council, acting under section 18 of the *Privacy Act*, had earlier designated that information bank as an exempt bank containing "files all of which consist predominantly of personal information described in section 21 or 22" of the Act. Section 21 protects information relating to international affairs and defence and section 22 is the law enforcement and investigation exemption. On this basis, the RCMP denied the applicant's access request.

The applicant complained to the Privacy Commissioner. After investigating the matter, the Commissioner concluded that the RCMP had acted in accordance with the Act and that there was no basis to recommend that the applicant had been denied a right under the *Privacy Act*. On March 7, 1984, Mr. Ternette applied to the Court for review of the decision to refuse him access to his own personal information.

A public admission was made inadvertently in November 1986 about personal information that in fact did exist on the applicant in what was described as personal information bank RCMP P-130. A review of information maintained was then undertaken and copies of certain information were released to the applicant on February 16, 1987 and February 13, 1987.

The parties agreed also to a further review by the office of the Privacy Commissioner. As a result, additional personal information was released to the applicant on October 3, 1990.

A sealed affidavit was filed by the respondent, to be examined by the Court, in an *in camera, ex parte* hearing, pursuant to section 51 of the *Privacy Act*. The Court reviewed each of the document containing personal information about the applicant to which access had been denied. The applicant asked that he be provided with a summary of the withheld information.

Issues

1.The first issue concerns the criteria to be applied by the Court in a review, under section 51 of the *Privacy Act*, of the information withheld. The issue concerns also the appropriate balance between the individual's right, under the *Privacy Act*, to know what information about himself or herself is maintained by government, and the public interest in maintaining that information without disclosure, sometimes even of its existence, in the interest of protecting the state and its institutions against subversive or hostile activities.

2.The second issue raised by the applicant concerns the "procedures and disclosures appropriate to facilitate the fairest process possible for determination of the applicant's rights".

Decision

In relation to the first issue, the Court stated that it will only intervene to order disclosure of withheld information if it finds that there were no reasonable grounds for the refusal to disclose.

The Court further stated that "In the absence of negative findings as required by section 49, it is implicit that this Court finds the respondent had reasonable grounds for refusing to disclose the information requested, based on section 21 and the reasonable expectation that disclosure could be injurious" to efforts to detect, prevent or suppress subversive or hostile activities.

With respect to the second issue, the Court declined the request for a summary of the personal information withheld.

The Court dismissed the application and awarded costs to the applicant.

X v. Minister of National Defence (November 4, 1992), No. T-2648-90 (F.C.T.D.).

The applicant had sought from the respondent information relating to the "keys" used in German communications between Germany and Latin American in 1941 and 1942. Some records were disclosed to the applicant, but the great majority of the material identified as relevant to the request was exempted under either subsections 13(1), 15(1) or 19(1) of the *Access to Information Act* (the *ATIA*).

The applicant first argued that the Minister had never properly responded to his access request which was made not only with respect of the "keys" but also with respect to the "records pertaining to the keys". The

applicant also claimed that the respondent had not conducted a proper search of its records to find material relevant to the request and asked the Court to issue a mandamus to force the respondent to conduct a new search. The applicant further contested the application of the exemption relating to material whose disclosure could reasonably be expected to be injurious to the conduct of international affairs by, or the defence of, Canada (section 15).

With respect to the first issue the Court found that the respondent's notice to the applicant was within the requirements of subsection 10(1) of the *ATIA*. This notice simply stated "Please find enclosed copies of the records which may be disclosed to you..." and then referred to the subsections on which the various exemptions were claimed.

With respect to the request for the issuance of a mandamus, the Court found that it had no application in respect of matters dealt with by the *ATIA*. The *Act* provides its own remedies, which for the present purposes are circumscribed by sections 49 and 50. Based on the affidavit filed on behalf of the respondent, the Court further found that an adequate search of the Department's records had been conducted.

With respect to the application of section 15, the Court recognized that under section 50, it is not entitled to order disclosure simply because it would have reached a different conclusion than the head of an institution. On the evidence before it, the Court was nonetheless

unable to find that there were reasonable grounds for refusing to disclose the materials for which subsection 15(1) had been claimed. According to the Court, it was unreasonable to conclude that the information exempted from disclosure under subsection 15(1), which was dated 1941 and 1942 and related to a time when Canada was engaged in a world war, could reveal anything pertinent to the conduct of Canada's international relations and its national defence over 50 years later, a time of peace.

The Court thus ordered the release of the material which had been exempted under subsection 15(1) of the *ATIA*.

**Access to Information
1992 - 1993
Disposition of Requests**

Requests received		9,729
Requests completed	100.0%	9,968
(Includes requests brought forward from previous year)		
Disposition of requests completed:		
All disclosed	35.7%	3,560
Some disclosed	34.5%	3,439
No records disclosed - excluded	0.5%	54
No records disclosed - exempted	3.1%	306
Transferred	2.7%	268
Treated informally	6.1%	604
Could not be processed	17.4%	1,737

(Reasons include insufficient information provided by applicant, no records exist and abandonment by applicant)

**Access to Information
1992 - 1993
Source of Requests**

Requests received	100.0%	9,729
Business	42.9%	4,176
Public	38.6%	3,751
Organizations	8.7%	843
Media	7.6%	743
Academics	2.2%	216

**Access to Information
1992 - 1993**

Ten Institutions Receiving Most Requests

Requests received by all institutions	100.0%	9,729
Supply and Services	17.2%	1,678
National Archives	10.2%	992
Health and Welfare	9.1%	888
Revenue - Taxation	6.7%	654
National Defence	4.3%	421
Transport	3.7%	362
Employment and Immigration	3.5%	338
External Affairs and International Trade	3.1%	303
Veterans Affairs	3.1%	299
Revenue - Customs and Excise	3.1%	297
Total	64.0%	6,232

**Access to Information
1992 - 1993**

Time Required to Complete Requests

Requests completed	100.0%	9,968
0 - 30 days	57.5%	5,729
31 - 60 days	21.1%	2,108
61 + days	21.4%	2,131

**Access to Information
1992 - 1993
Exemptions**

Total exemptions	100.0%	7,874
Section 20 - Third party information	37.6%	2,961
Section 19 - Personal information	24.0%	1,887
Section 21 - Operations of government	12.6%	995
Section 16 - Law enforcement and investigations	6.4%	503
Section 15 - International affairs and defence	4.6%	361
Section 13 - Information obtained in confidence	4.4%	351
Section 23 - Solicitor-client privilege	3.6%	281
Section 24 - Statutory prohibitions	2.7%	211
Section 18 - Economic interests of Canada	1.5%	120
Section 14 - Federal-provincial affairs	1.5%	112
Section 22 - Testing procedures	0.6%	50
Section 17 - Safety of individuals	0.3%	25
Section 26 - Information to be published	0.2%	17

**Access to Information
1992 - 1993
Costs and Fees for Operations**

Requests completed	9,968
Cost of operations	\$9,550,173
Cost per request completed	\$958
Fees collected	\$120,591
Fees collected per request completed	\$12.10
Fees waived	\$28,429
Fees waived per request completed	\$2.85

**Privacy
1992 - 1993
Disposition of Requests**

Requests received		42,713
Requests completed	100.0%	43,564
(Includes requests brought forward from previous year)		
Disposition of requests completed:		
All disclosed	57.6%	25,111
Some disclosed	26.2%	11,407
No records disclosed - excluded	0.0%	8
No records disclosed - exempted	0.6%	256
Could not be processed	15.6%	6,782

(Reasons include insufficient information provided by applicant, no records exist and abandonment by applicant)

**Privacy
1992 - 1993**

Five Institutions Receiving Most Requests

Requests received by all institutions	100.0%	42,713
National Defence	43.0%	18,384
Correctional Service	19.0%	8,129
National Archives	10.8%	4,632
Employment and Immigration	5.1%	2,157
Health and Welfare	5.0%	2,116
Total	82.9%	35,418

**Privacy
1992 - 1993**

Time Required to Complete Requests

Requests completed	100.0%	43,564
0 - 30 days	63.1%	27,474
31 - 60 days	24.9%	10,839
61 + days	12.0%	5,251

**Privacy
1992 - 1993
Exemptions**

Total exemptions	100.0%	36,122
Section 26 - Information about another individual	61.3%	22,142
Section 22 - Law enforcement and investigation	20.0%	7,212
Section 19 - Personal information obtained in confidence	6.5%	2,346
Section 24 - Individuals sentenced for an offence	4.2%	1,526
Section 21 - International affairs and defence	3.9%	1,417
Section 23 - Security clearance	2.9%	1,048
Section 27 - Solicitor-client privilege	0.9%	335
Section 25 - Safety of individuals	0.1%	46
Section 18 - Exempt bank	0.1%	34
Section 28 - Medical record	0.1%	16
Section 20 - Federal-provincial affairs	0.0%	0

**Privacy
1992 - 1993
Costs and Fees for Operations**

Requests completed	43,564
Cost of operations	\$7,618,479
Cost per request completed	\$175

**Access to Information
1993 - 1994
Disposition of Requests**

Requests received		10,422
Requests completed	100.0%	9,792
(Includes requests brought forward from previous year)		
Disposition of requests completed:		
All disclosed	38.3%	3,749
Some disclosed	33.6%	3,287
No records disclosed - excluded	0.5%	53
No records disclosed - exempted	2.9%	284
Transferred	2.1%	202
Treated informally	4.5%	442
Could not be processed	18.1%	1,775

(Reasons include insufficient information provided by applicant, no records exist and abandonment by applicant)

**Access to Information
1993 - 1994
Source of Requests**

Requests received	100.0%	10,422
Business	39.7%	4,133
Public	39.2%	4,084
Organizations	7.7%	808
Media	10.7%	1113
Academics	2.7%	284

Access to Information 1993 - 1994

Ten Institutions Receiving Most Requests

Requests received by all institutions	100.0%	10,422
Public Works and Government Services	11.6%	1,213
National Archives	11.4%	1,184
Revenue	8.4%	874
Human Resources Development	6.6%	688
Health	6.2%	648
National Defence	4.7%	495
Canadian Heritage	3.8%	395
Immigration and Refugee Board	3.5%	364
Royal Canadian Mounted Police	3.4%	350
Transport	3.3%	340
Total	62.9%	6,551

Access to Information 1993 - 1994

Time Required to Complete Requests

Requests completed	100.0%	9,792
0 - 30 days	61.7%	6,042
31 - 60 days	17.3%	1,690
61 + days	21.0%	2,060

Access to Information 1993 - 1994 Exemptions

Total exemptions	100.0%	7,467
Section 20 - Third party information	31.8%	2,377
Section 19 - Personal information	25.3%	1,890
Section 21 - Operations of government	12.9%	966
Section 16 - Law enforcement and investigations	8.2%	613
Section 15 - International affairs and defence	6.0%	441
Section 13 - Information obtained in confidence	5.1%	381
Section 23 - Solicitor-client privilege	3.8%	282
Section 24 - Statutory prohibitions	2.3%	173
Section 14 - Federal-provincial affairs	1.4%	108
Section 18 - Economic interests of Canada	1.4%	101
Section 22 - Testing procedures	0.9%	70
Section 17 - Safety of individuals	0.5%	40
Section 26 - Information to be published	0.4%	25

**Access to Information
1993 - 1994
Costs and Fees for Operations**

Requests completed	9,792
Cost of operations	\$8,591,791
Cost per request completed	\$877
Fees collected	\$152,872
Fees collected per request completed	\$15.61
Fees waived	\$52,000
Fees waived per request completed	\$5.31

**Privacy
1993 - 1994
Disposition of Requests**

Requests received		39,060
Requests completed	100.0%	38,514
(Includes requests brought forward from previous year)		
<u>Disposition of requests completed:</u>		
All disclosed	59.0%	22,714
Some disclosed	24.7%	9,519
No records disclosed - excluded	0.0%	12
No records disclosed - exempted	1.2%	458
Could not be processed	15.1%	5,811

(Reasons include insufficient information provided by applicant, no records exist and abandonment by applicant)

**Privacy
1993 - 1994**

Five Institutions Receiving Most Requests

Requests received by all institutions	100.0%	39,060
National Defence	39.3%	15,370
Correctional Service	16.5%	6,434
Human Resources Development	12.2%	4,771
National Archives	10.3%	4,025
Revenue	4.3%	1,678
Total	82.6%	32,278

**Privacy
1993 - 1994**

Time Required to Complete Requests

Requests completed	100.0%	38,514
0 - 30 days	72.0%	27,739
31 - 60 days	19.2%	7,402
61 + days	8.8%	3,373

**Privacy
1993 - 1994
Exemptions**

Total exemptions	100.0%	16,128
Section 26 - Information about another individual	55.2%	8,898
Section 22 - Law enforcement and investigation	19.6%	3,164
Section 19 - Personal information obtained in confidence	10.7%	1,730
Section 24 - Individuals sentenced for an offence	6.5%	1,050
Section 21 - International affairs and defence	3.5%	570
Section 27 - Solicitor-client privilege	1.8%	289
Section 23 - Security clearance	1.1%	172
Section 25 - Safety of individuals	0.9%	152
Section 18 - Exempt bank	0.5%	86
Section 28 - Medical record	0.1%	15
Section 20 - Federal-provincial affairs	0.1%	2

Privacy
1993 - 1994
Costs and Fees for Operations

Requests completed	8,514
Cost of operations	\$6,712,798
Cost per request completed	\$174

Access to Information
1983 - 1994
Disposition of Requests

Requests received	80,807
Requests completed	100.0% 78,429
(Includes requests brought forward from previous year)	
Disposition of requests completed:	
All disclosed	32.4% 25,385
Some disclosed	36.2% 28,356
No records disclosed - excluded	0.7% 547
No records disclosed - exempted	3.5% 2,762
Transferred	2.3% 1,788
Treated informally	7.1% 5,607
Could not be processed	17.8% 13,984

(Reasons include insufficient information provided by applicant, no records exist and abandonment by applicant)

**Access to Information
1983 - 1994**

Time Required to Complete Requests

Requests completed	100.0%	78,429
0 - 30 days	61.2%	47,985
31 - 60 days	17.7%	13,915
61 + days	21.1%	16,529

**Access to Information
1983 - 1994**

Costs and Fees for Operations

Requests completed	78,429
Cost of operations	\$65,037,865
Cost per request completed	\$829
Fees collected	\$985,579
Fees collected per request completed	\$12.57
Fees waived	\$316,009
Fees waived per request completed	\$4.03

Privacy
1983 - 1994
Disposition of Requests

Requests received		466,202
Requests completed	100.0%	463,291
(Includes requests brought forward from previous year)		
Disposition of requests completed:		
All disclosed	61.9%	286,868
Some disclosed	23.9%	110,583
No records disclosed - excluded	0.0%	71
No records disclosed - exempted	0.8%	3,828
Could not be processed	13.4%	61,941

(Reasons include insufficient information provided by applicant, no records exist and abandonment by applicant)

**Privacy
1983 - 1994**

Time Required to Complete Requests

Requests completed	100.0%	463,291
0 - 30 days	61.4%	284,235
31 - 60 days	22.6%	104,510
61 + days	16.0%	74,546

**Privacy
1983 - 1994**

Costs and Fees for Operations

Requests completed	463,291
Cost of operations	\$62,188,910
Cost per request completed	\$134

Access to Information and Privacy Coordinators

Agricultural Products Board

see Agriculture and Agri-Food Canada

Agricultural Stabilization Board

see Agriculture and Agri-Food Canada

Agriculture and Agri-Food Canada

Sir John Carling Bldg.

Room 8107

930 Carling Avenue

Ottawa, Ontario

K1A 0C5

(613) 995-5118

Atlantic Canada Opportunities Agency

Blue Cross Centre

644 Main Street, 3rd Floor

P.O. Box 6051

Moncton, New Brunswick

E1C 9J8

(506) 851-3845

Atlantic Pilotage Authority Canada

Purdy's Wharf, Tower 1

Suite 1402,

1959 Upper Water Street

Halifax, Nova Scotia

B3J 3N2

(902) 426-2550

Atomic Energy Control Board

280 Slater Street

P.O. Box 1046, Station B

Ottawa, Ontario

K1P 5S9

(613) 995-1221

Bank of Canada

234 Wellington St.

2nd Floor

Ottawa, Ontario

K1A 0G9

(613) 782-8537

Bureau of Pension Advocates

see Veterans Affairs Canada

Canada Council

350 Albert Street

9th Floor

Ottawa, Ontario

K1P 5V8

(613) 566-4380

Canada Deposit Insurance Corporation

50 O'Connor Street

17th Floor

Ottawa, Ontario

K1P 5W5

(613) 996-2082

Canada Employment and Immigration Commission – see Human Resources Development or Citizenship and Immigration

Canada Labour Relations Board
C.D. Howe Bldg., West Tower
240 Sparks Street
4th floor
Ottawa, Ontario
K1A 0X8
(613) 996-9466

Canada Lands Company Limited
see Public Works and Government Services Canada

Canada Mortgage and Housing Corporation
700 Montreal Road
Room C2-204
Ottawa, Ontario
K1A 0P7
(613) 748-2843

Canada-Newfoundland Offshore Petroleum Board
TD Place, 140 Water Street
Suite 500
St. John's, Newfoundland
A1C 6H6
(709) 778-1464

Canada-Nova Scotia Offshore Petroleum Board
TD Centre, 6th Floor
1791 Barrington Street
Halifax, Nova Scotia
B3J 3K9
(902) 422-5588

Canada Ports Corporation
99 Metcalfe Street
Room 856
Ottawa, Ontario
K1A 0N6
(613) 957-6739

Canada Post Corporation
- Privacy only
2701 Riverside Drive
Suite E0270
Ottawa, Ontario
K1A 0B1
(613) 734-6871

**Canadian Advisory Council on the
Status of Women**

110 O'Connor St., 9th floor
Ottawa, Ontario
K1P 5M9
(613) 992-4975

**Canadian Centre for Management
Development**

De La Salle Campus
373 Sussex Drive
P.O. Box 420, Station A
Ottawa, Ontario
K1N 8V4
(613) 992-8171

**Canadian Centre for Occupational
Health and Safety**

250 Main Street East
Hamilton, Ontario
L8N 1H6
(905) 572-2981

Canadian Commercial Corporation

50 O'Connor Street
11th Floor
Ottawa, Ontario
K1A 0S6
(613) 996-0262

**Canadian Cultural Property Export
Review Board**

Journal Building, North Tower
300 Slater Street, Room 500
Ottawa, Ontario
K1A 0C8
(613) 990-4161

Canadian Dairy Commission

1525 Carling Avenue
Ottawa, Ontario
K1A 0Z2
(613) 998-9490

Canadian Film Development Corporation

Tour de la Banque nationale
14th floor
600 de la Gauchetiere St. West
Montreal, Quebec
H3B 4L2
(514) 283-6363

Canadian Forces

see National Defence

Canadian Government Standards Board

see Public Works and Government
Services Canada

Canadian Grain Commission
see Agriculture and Agri-Food Canada

Canadian Heritage

Room 9F23
Jules Léger Building
25 Eddy Street
Hull, Québec
K1A 0M5
(819) 997-2894

Canadian Human Rights Commission

Place de Ville, Tower A
320 Queen Street, 13th Floor
Ottawa, Ontario
K1A 1E1
(613) 943-9505

**Canadian International Development
Agency**

Place du Centre, 12th floor
200, promenade du Portage
Hull, Quebec
K1A 0G4
(613) 997-0849

Canadian International Trade Tribunal

Journal Bldg., South Tower
365 Laurier Ave. West
19th floor
Ottawa, Ontario
K1A 0G7
(613) 990-2452

Canadian Museum of Civilization

100 Laurier Street
Box 3100, Station B
Hull, Quebec
J8X 4H2
(613) 776-7115

Canadian Museum of Nature

Victoria Memorial Museum Building
Metcalf and McLeod Streets
P.O. Box 3443, Station D
Ottawa, Ontario
K1P 6P4
(613) 996-3102

Canadian Pension Commission

see Veterans Affairs Canada

Canadian Polar Commission

Constitution Square, Suite 1710
360 Albert Street
Ottawa, Ontario
K1R 7X7
(613) 943-8605

**Canadian Radio-television and
Telecommunications Commission**

Les Terrasses de la Chaudiere
1 Promenade du Portage
5th Floor
Hull, Quebec
K1A 0N2
(819) 994-5366

Canadian Saltfish Corporation

see Fisheries and Oceans

Canadian Security Intelligence Service

284 Wellington Street
P.O. Box 9732
Station Terminal T
Ottawa, Ontario
K1G 4G4
(613) 782-0107

Canadian Space Agency

6767 Route de l'aéroport
St. Hubert, Quebec
J3Y 8Y9
(514) 926-4866

Canadian Wheat Board

- Privacy only
423 Main Street
P.O. Box 816
Winnipeg, Manitoba
R3C 2P5
(204) 983-3453

Citizenship and Immigration Canada

Place du Portage, Phase IV
4th Floor, Room 4L03
Hull, Québec
K1A 0J9
(819) 953-9321

Communications Canada

see Canadian Heritage, Industry Canada
or Public Works and Government Services

Consumer and Corporate Affairs Canada

see Industry Canada, Canadian Heritage
or Agriculture and Agri-Food Canada

Copyright Board Canada

56 Sparks Street, Room 800
Ottawa, Ontario
K1A 0C9
(613) 952-8621

Correctional Investigator Canada

275 Slater Street
Room 402
Ottawa, Ontario
K1P 5H9
(613) 990-2692

Correctional Service Canada

5th Floor, Section C
340 Laurier Avenue West
Ottawa, Ontario
K1A 0P9
(613) 992-8248

Custodian of Enemy Property

Public Works and Government Services
Canada

Defence Construction Canada

Sir Charles Tupper Bldg,
A Wing, 3rd Floor
Confederation Heights
Ottawa, Ontario
K1A 0K3
(613) 998-9539

Department of Finance Canada

Esplanade Laurier, East Tower
140 O'Connor Street
21st Floor
Ottawa, Ontario
K1A 0G5
(613) 992-6923

Department of Justice Canada

Justice Building, Room 34
239 Wellington Street
Ottawa, Ontario
K1A 0H8
(613) 952-8352

**Department of the Secretary of
State of Canada**

see Human Resources Development,
Canadian Heritage or Public Works and
Government Services

Director of Soldier Settlement

see Veterans Affairs Canada

Director Veterans' Land Act, The

see Veterans Affairs Canada

Employment and Immigration Canada

see Citizenship and Immigration or Human
Resources Development

Energy, Mines and Resources Canada
see Natural Resources Canada

Energy Supplies Allocation Board
see Natural Resources Canada

Environment Canada
Terrasses de la Chaudiere
10 Wellington Street, 4th floor
Hull, Quebec
K1A 0H3
(819) 997-2992

Export Development Corporation
- Privacy only
151 O'Connor Street
6th Floor
P.O. Box 655
Ottawa, Ontario
K1P 5T9
(613) 598-2899

**External Affairs and International Trade
Canada – see Foreign Affairs and
International Trade Canada**

Farm Credit Corporation Canada
P.O. Box 4320
Regina, Saskatchewan
S4P 4L3
(306) 780-8608

Federal Business Development Bank
800 Victoria Square
Tour de la Place-Victoria
P.O. Box 335
Montreal, Quebec
H4Z 1L4
(514) 283-3554

Federal Mortgage Exchange Corporation
see Department of Finance Canada

**Federal Office of Regional Development
(Quebec)**
800 Place Victoria, Room 3800
C.P. 247
Montreal, Québec
H4Z 1E8
(514) 283-8418

Federal-Provincial Relations Office
see Privy Council Office

Fisheries and Oceans

Centennial Towers
200 Kent Street, Station 948
Ottawa, Ontario
K1A 0E6
(613) 993-2052

**Fisheries and Oceans Research
Advisory Council**

see Fisheries and Oceans

Fisheries Prices Support Board

see Fisheries and Oceans

**Foreign Affairs and International Trade
Canada**

Lester B. Pearson Building, Main Floor
125 Sussex Drive (JIX)
Ottawa, Ontario
K1A 0G2
(613) 992-1487

Forestry Canada

see Natural Resources Canada

Freshwater Fish Marketing Corporation

1199 Plessis Road
Winnipeg, Manitoba
R2C 3L4
(204) 983-6461

Great Lakes Pilotage Authority Canada

202 Pitt Street, 2nd Floor
P.O. Box 95
Cornwall, Ontario
K6J 3P7
(613) 933-2991

**Hazardous Materials Information Review
Commission**

200 Kent Street, Suite 400
Ottawa, Ontario
K1A 0M1
(613) 993-4331

Health and Welfare Canada

see Health Canada

Health Canada

Jeanne Mance Building
Room 1606
Tunney's Pasture
Ottawa, Ontario
K1A 0K9
(613) 957-3051

**Historic Sites and Monuments Board of
Canada – see Environment Canada**

Human Resources Development Canada

Place du Portage, Phase IV
140 Promenade du Portage
4th Floor
Hull, Québec
K1A 0J9
(819) 994-2548

Immigration and Refugee Board

222 Nepean Street, 7th Floor
Ottawa, Ontario
K1A 0K1
(613) 995-3514

Indian and Northern Affairs Canada

Les Terrasses de la Chaudière
North Tower
10 Wellington Street
Room 1368
Hull, Québec
K1A 0H4
(819) 997-8277

Industry Canada

C.D. Howe Building
235 Queen Street
3rd floor West
Ottawa, Ontario
K1A 0H5
(613) 954-2752

**Industry, Science and Technology
Canada** – see Industry Canada

**International Centre for Human Rights
and Democratic Development**

63 De Brèsoles, Suite 100
Montreal, Québec
H2Y 1V7
(514) 283-6073

**International Development Research
Centre**

250 Albert Street, 13th Floor
Ottawa, Ontario
K1G 3H9
(613) 236-6163, ext. 2123

**Jacques Cartier and Champlain Bridges
Inc.** — see The St. Lawrence Seaway
Authority

Labour Canada

see Human Resources Development

Laurentian Pilotage Authority Canada

P.O. Box 680
Tour de la Bourse
Montreal, Québec
H4Z 1J9
(514) 283-6320

Medical Research Council of Canada

Holland Cross Building

Tower B, 5th Floor

1600 Scott Street

Ottawa, Ontario

K1A 0W9

(613) 954-1812

Merchant Seamen Compensation Board

see Human Resources Development
Canada

Multiculturalism and Citizenship Canada

see Canadian Heritage or Citizenship and
Immigration

National Archives of Canada

395 Wellington Street

Room 118

Ottawa, Ontario

K1A 0N3

(613) 996-7241 - Access to Information

(613) 954-4141 - Privacy

National Arts Centre

- Privacy only

1 Confederation Square

P.O. Box 1534, Station B

Ottawa, Ontario

K1P 5W1

(613) 996-5051

National Battlefields Commission

see Environment Canada

National Capital Commission

161 Laurier Avenue West

13th Floor

Ottawa, Ontario

K1P 6J6

(613) 239-5198

National Defence

Centre Block North

101 Colonel By Drive

13th Floor

Ottawa, Ontario

K1A 0K2

(613) 992-8486

National Energy Board

311 - 6th Avenue South West

Calgary, Alberta

T2P 3H2

(403) 299-2717

**National Farm Products Marketing
Council**

Martel Building
270 Albert Street, 13th Floor
P.O. Box 3430, Station D
Ottawa, Ontario
K1P 6L4
(613) 995-8840

National Film Board

P.O. Box 6100, Station A
Montreal, Quebec
H3C 3H5
(514) 283-9136

National Gallery of Canada

380 Sussex Drive
Room 532
P.O. Box 427, Station A
Ottawa, Ontario
K1N 9N4
(613) 991-0040

National Library of Canada

395 Wellington Street
Room 215
Ottawa, Ontario
K1A 0N4
(613) 996-2892

**National Museum of Science and
Technology**

2421 Lancaster Road
P.O. Box 9724, Station T
Ottawa, Ontario
K1G 5A3
(613) 991-3033

National Parole Board

Sir Wilfrid Laurier Building
340 Laurier Avenue West
9th Floor
Ottawa, Ontario
K1A 0R1
(613) 954-5946

National Research Council Canada

Building M-58, Montreal Road
Room S-306
Ottawa, Ontario
K1A 0R6
(613) 990-2558

**National Transportation Agency of
Canada**

Jules Leger Building
15 Eddy Street, 16th Floor
Hull, Quebec
K1A 0N9
(819) 994-2564

Natural Resources Canada
580 Booth Street, 2nd Floor
Ottawa, Ontario
K1A 0E4
(613) 996-8261

**Natural Sciences and Engineering
Research Council of Canada**
350 Albert Street, 13th Floor
Ottawa, Ontario
K1A 1H5
(613) 995-6214

Northern Pipeline Agency Canada
Lester B. Pearson Building
125 Sussex Drive
Ottawa, Ontario
K1A 0G2
(613) 993-7466

Northwest Territories Water Board
Precambrian Building
9th Floor
P.O. Box 1500
Yellowknife, Northwest Territories
X1A 2R3
(403) 920-8191

Office of the Auditor General of Canada
- Privacy only
240 Sparks Street
Room 1167
Ottawa, Ontario
K1A 0G6
(613) 995-3766

Office of the Chief Electoral Officer
- Privacy only
1595 Telesat Court
Ottawa, Ontario
K1A 0M6
(613) 993-1527

**Office of the Commissioner of Official
Languages**
- Privacy only
110 O'Connor Street
13th Floor, Room 1334
Ottawa, Ontario
K1A 0T8
(613) 996-6036

Office of the Comptroller General
see Treasury Board of Canada

**Office of the Grain Transportation
Agency Administrator**
300 - 200 Graham Avenue
Winnipeg, Manitoba
R3B 0T4
(204) 983-3212

Patented Medicines Prices Review Board
Box L40, Suite 1400
Standard Life Centre
333 Laurier Avenue West
Ottawa, Ontario
K1A 1C1
(613) 954-8299

**Office of the Inspector General of the
Canadian Security Intelligence Service**
Sir Wilfrid Laurier Building
340 Laurier Avenue West
3rd Floor
Ottawa, Ontario
K1A 0P8
(613) 990-3270

Pension Appeals Board
381 Kent Street, Room 327
C.P. 8567, Postal Terminal
Ottawa, Ontario
K1G 3H9
(613) 995-0612

**Office of the Superintendent of Financial
Institutions Canada**
255 Albert Street
15th Floor
Ottawa, Ontario
K1A 0H2
(613) 990-7479

Petroleum Monitoring Agency Canada
see Natural Resources Canada

Prairie Farm Rehabilitation Administration
see Agriculture and Agri-Food Canada

Privy Council Office
Blackburn Building
85 Sparks Street, Room 312
Ottawa, Ontario
K1A 0A3
(613) 957-5210

Pacific Pilotage Authority Canada
300 - 1199 West Hastings Street
Vancouver, British Columbia
V6E 4G9
(604) 666-6771

Procurement Review Board of Canada
see Canadian International Trade Tribunal

Public Service Commission of Canada

Esplanade Laurier, West Tower

300 Laurier Avenue West

Room 1954

Ottawa, Ontario

L1A 0M7

(613) 992-2425

Public Service Staff Relations Board

C.D. Howe Bldg, West Tower

240 Sparks Street, 6th Floor

Ottawa, Ontario

K1P 5V2

(613) 990-1757

Public Works Canada

see Public Works and Government

Services Canada

**Public Works and Government Services
Canada**

Phase III, 17A1

Place du Portage

11 Laurier Street

Hull, Québec

K1A 0H2

(819) 956-1816

RCMP External Review Committee

60 Queen Street, Room 513

P.O. Box 1159, Station B

Ottawa, Ontario

K1P 5R2

(613) 990-1860

RCMP Public Complaints Commission

P.O. Box 3423

Station D

Ottawa, Ontario

K1P 6L4

(613) 952-1302

Regional Development Incentives Board

see Industry Canada

Revenue Canada

88 Metcalfe Street, Room 502

Ottawa, Ontario

K1A 0L8

(613) 957-8819

Revenue Canada Customs and Excise

see Revenue Canada

Revenue Canada Taxation

see Revenue Canada

Royal Canadian Mint

320 Sussex Drive
Room 230
Ottawa, Ontario
K1A 0G8
(613) 993-2711

Royal Canadian Mounted Police

1200 Vanier Parkway
Ottawa, Ontario
K1A 0R2
(613) 993-6978

**Seaway International Bridge Corporation
Ltd – see The St. Lawrence Seaway
Authority****Security Intelligence Review Committee**

Jackson Building
122 Bank Street, 4th Floor
P.O. Box 2430, Station D
Ottawa, Ontario
K1P 5W5
(613) 990-8052

Social Sciences and Humanities

Research Council of Canada
Constitution Square, Tower 2
350 Albert Street
P.O. Box 1610
Ottawa, Ontario
K1P 6G4
(613) 992-0562

**Solicitor General Canada - Ministry
Secretariat**

Sir Wilfrid Laurier Bldg.
340 Laurier Avenue West
1st floor
Ottawa, Ontario
K1A 0P8
(613) 991-2930

St. Lawrence Seaway Authority

Constitution Square
360 Albert Street, 14th Floor
Ottawa, Ontario
K1R 7X7
(613) 598-4605

Standards Council of Canada

45 O'Connor Street
Suite 1200
Ottawa, Ontario
K1P 6N7
(613) 238-3222

Statistics Canada

R.H. Coats Bldg., 25th floor

Station B

Tunney's Pasture

Ottawa, Ontario

K1A 0T6

(613) 951-9349

Transportation Safety Board of Canada

Place du Centre

200 Promenade du Portage

4th Floor

Hull, Québec

K1A 1K8

(613) 994-8021

Status of Women Canada

360 Albert Street, Suite 700

Ottawa, Ontario

K1A 1C3

(613) 995-4008

Treasury Board of Canada Secretariat

Esplanade Laurier, East Tower

140 O'Connor Street

9th Floor

Ottawa, Ontario

K1A 0R5

(613) 993-5215

Statute Revision Commission Canada

see Department of Justice Canada

Veterans Affairs Canada

Dominion Building

97 Queen Street, Room 205

P.O. Box 7700

Charlottetown, Prince Edward Island

C1A 8M9

(902) 566-8609

Supply and Services Canada

see Public Works and Government

Services Canada

Transport Canada

Place de Ville, Tower C

330 Sparks Street, 26th floor

Ottawa, Ontario

K1A 0N5

(613) 993-6162

Veterans Appeal Board Canada

see Veterans Affairs Canada

Western Economic Diversification

Canada

200 Kent Street, 8th Floor

P.O. Box 2128, Station D

Ottawa, Ontario

K1P 5W3

(613) 952-9390

Yukon Territory Water Board

4114 - 4th Avenue, Suite 200

Whitehorse, Yukon

Y1A 4N7

(403) 667-3980