



Government
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**Access to
Information Act**

Privacy Act

Bulletin

Number 19
June 1996

Canada

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Catalogue No. BT 51-3/10-2-1996
ISSN 1187-1741

Note: This Bulletin is in a large print to assist persons with visual disabilities.

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FEDERAL COURT CASES

Federal Court Cases

GRAND COUNCIL OF THE CREES (OF QUEBEC) V. MINISTER OF EXTERNAL AFFAIRS AND INTERNATIONAL TRADE

Court Reference:	T-1681-94
Date of Decision:	June 27, 1996
Citations:	not reported
Before:	N/A
Section(s) of <i>ATIA</i> / <i>PA</i> :	sections 13, 14, 15, 19, 21 <i>Access to Information Act (ATIA)</i> ; s. 8 <i>Privacy Act (PA)</i>

Abstract

In camera hearing regarding applicability ss. 13, 14 and 15 *ATIA* – Exemptions ruled well-founded – Public hearing regarding applicability of the subs. 19(1) mandatory exemption for the personal information – Ruled not founded because discretion under subs. 19(2) not exercised – Subs. 19(2) is a “discretionary” provision (“may disclose”) serving as an exception, regarding situations listed in s. 8, to the mandatory exemption in subs. 19(1) *ATIA*.

Issues

Whether the information withheld from disclosure in this matter is information exempt under ss. 13, 14, 15, 19 and 21 *ATIA*.

Facts

This is a review, under s. 41 *ATIA*, of the refusal by the Department of Foreign Affairs and International Trade (henceforth the “Department”) to disclose portions of the following information:

- all records held by the Department from September 1, 1975 to September 1, 1992 relating to Hydro-Quebec with the exception of documents that are already public or that consist of routine correspondence (request # A-2345);
- all records held by the Department from September 1, 1989 until September 1, 1992 relating to the proposed Great Whale River hydroelectric project (“Great Whale”) with the exception of documents that are already public or that consist of routine correspondence (request # A-2346).

Decision

The Department’s decision to refuse disclosure of part of the information under ss. 13, 14, 15 and 21 was judged well-founded and upheld by the Court. However, Pinard, J. disagreed with the decision to exempt the release of the personal information under subs. 19(1) *ATIA*.

Justice Pinard’s reasoning concerning s. 19 was the following:

The information exempted under s. 19 consisted of the names of individuals who are not officers or employees of a Canadian government institution or well-known public figures (i.e., they were Hydro Quebec officials, officials of U.S. power companies, U.S. public servants, journalists, academics, etc.).

Judge Pinard approvingly referred to the “Canadian Jewish Congress v. Minister of Employment and Immigration”, (1995), 102 F.T.R. 30 at 39-41 decision and agreed with the ruling of that decision that “The applicant submits that the information requested may be excepted from the s. 19 exemption pursuant to both paras. 19(2)(b) and (c)... Para. 19(2)(c) provides an exception if the “disclosure is in accordance with s. 8 of the *PA*” by using the word “may” rather than the word “shall”, Parliament intended this provision to operate as a discretionary exemption as opposed to a mandatory exemption.”

Judge Pinard ruled that it was insufficient for the Department to withhold the information from disclosure on the sole ground of the mandatory exemption contained in subs. 19(1). Rather, the Department should have applied the subs. 19(2) discretionary exemption which required two decisions: 1) the factual decision; and, 2) the discretionary decision. Since the Department’s refusal to disclose was not based on this exercise of discretion, Pinard, J. ordered that the two *ATIA* requests be referred back to the Department for review and redetermination by a proper exercise of the discretion granted under subs. 19(2), because of para. 8(2)(k), namely because the information was sought by an association of aboriginal people or Indian bands “for the purpose of researching or validating the claims, disputes or grievances of any of the aboriginal peoples of Canada”.

Comments

- This decision is important because it confirms the Canadian Jewish Congress decision that the word “may” in subs. 19(2) actually does mean “may” (and not “shall”);
- The Grand Council of Crees decision is important also because it emphasizes the importance of exercising the discretion foreseen in subs. 19(2), even when subs. 19(1) is applied by a department to exempt personal information from release. If discretion under 19(2) is not exercised, the *ATIA* request will be returned to the Department for proper exercise.

**CANADA (THE INFORMATION COMMISSIONER OF CANADA) V.
CANADA (THE PRESIDENT OF THE ATLANTIC CANADA
OPPORTUNITIES AGENCY)**

Court Reference: T-690-95
Date of Decision: March 18, 1996
Citations: Decision not reported
Before: McGillis, J. (F.C.T.D.)
Section(s) of *ATIA* / *PA*: Section 20 *ATIA*

Abstract

Actual number of jobs created by each company which had received funding from ACOA is commercial confidential information under s. 20 *ATIA*.

The Information Commissioner should not, during an investigation under s. 35 of the *ATIA*, presume the failure of third parties to respond to his letters constitutes a valid consent to the disclosure of information (*obiter dicta*).

Issues

Whether the actual number of jobs created by each company which had received funding from ACOA is commercial confidential information under s. 20 *ATIA*.

Facts

The Atlantic Canada Opportunities Agency (ACOA) refused to disclose to a journalist information from a survey conducted on its behalf by Price Waterhouse concerning the actual

number of jobs created by certain companies under the publicly funded Action Program. For the purposes of conducting its statistical exercise, Price Waterhouse had surveyed 607 out of over 5,000 companies participating in the Action Program. The Agency disclosed to the journalist all of the information requested by him, including aggregate statistical data concerning the actual number of jobs created in the companies. However, the Agency refused to disclose, under para. 20(1)(b) of the *ATIA*, the information pertaining to the actual number of jobs created in each company on the basis that it was confidential and commercial in nature and had been treated consistently in a confidential manner. The journalist made a complaint to the Information Commissioner of Canada (“Information Commissioner”) who reviewed the matter and recommended that the Agency disclose the information. The Agency refused to comply with the recommendation. With the consent of the journalist, the Information Commissioner brought an application to review the decision of the Agency not to disclose the information in question.

Decision

Court held that para. 20(1)(b) *ATIA* had been correctly applied by ACOA. The Court stated that “given that the employment data, constitutes commercial information within the meaning of para. 20(1)(b) *ATIA*”. The Court held that the evidence established that the information concerning the actual number of jobs was private and confidential in nature. The Court noted that to find otherwise would lead to the result that the companies which had volunteered to participate in the survey would find their information public, while the same information for the 4,500 companies that did not participate in the survey

would remain protected. Not only would this result be unfair, but it would discourage companies from voluntarily providing information of this nature in the future.

The Information Commissioner wrote to over 600 companies that had participated in a survey. The Commissioner stated in each letter that if the company did not respond to the letter, that such lack of response would be taken as consent that the company did not object to the disclosure of information which concerned it and which a government institution had protected by virtue of para. 20(1)(b) *ATIA*. In obiter, the court stated: “(I)n light of the factual background of this case, I have grave reservations concerning the notion that a default or failure to respond to the letter of the Information Commissioner would constitute a valid consent to the disclosure of the information”.

This decision is being appealed.

KEN RUBIN V. MINISTER OF TRANSPORT (NATIONAIR)

Court Reference: T-891-93

Date of Decision: December 21, 1995

Citations: Unreported Decision

Justice: J.E. Dubé (F.C.T.D.)

Section(s) of *ATIA* / *PA*: S. 2, 25, 41, 53; ss. 20(6), 35(2);
paras. 16(1)(C), 21(1)(a),(b) of *ATIA*

Abstract

Post-Accident Safety Review Report and related documents – allegation of bad faith and missing records – scope of para. 16(1)(c) *ATIA* – injury to future lawful investigations – addition of exemptions at later date – Davidson case interpreted – No public interest test in para. 16(1)(c) *ATIA* – Application of s. 25 *ATIA* – Validity of applying paras. 21(1)(a) and (b) *ATIA*

Issues

The questions at issue were the following:

- Did the Department of Transport (DOT) act in bad faith in that it improperly used the *ATIA* for considerations and purposes outside its framework?
- Does para. 16(1)(c) *ATIA* extend not only to records arising in individual cases but also to records the disclosure of which may be injurious to the conduct of lawful investigations in the future (i.e. injury may also be to a general investigative process)?

- Is the head of a federal institution bound by the grounds originally stated in his notice of refusal, with no possibility of subsequent amendment?
- Did the DOT prove, in accordance with the “injury test” of para. 16(1)(c) *ATIA*, that there was a reasonable expectation of probable harm from disclosure to the conduct of lawful investigations under the Review program?
- Does the *ATIA* require a public interest test under para. 16(1)(c) in deciding whether or not to disclose records?
- Was a line by line review of the records conducted leading to the release of non-exempt information, in accordance with the severance principle in s. 25 *ATIA*?
- Did DOT collect all records relevant to the Applicant’s *ATIA* request?
- Was para. 21(1)(a) *ATIA* validly applied to advice and para. 21(1)(b) *ATIA* to accounts of consultations and deliberations?

Facts

In 1991, a Review was done at the direction of the Assistant Deputy Minister, Aviation, following an accident in Jeddah, Saudi Arabia, to a Nationair plane. Many passengers perished. That Review resulted in a final report referred to as the Nationair Post-Accident Safety Review Report (“the Report”).

The applicant applied under the *ATIA* for this report. The respondent refused to release the Report under para. 20(1)(b) *ATIA* and stated that there were no records for items two to five of the request. The applicant complained to the Information Commissioner.

On January 13, 1993, the respondent added two new exemptions: paras. 16(1)(c) and 20(1)(c) *ATIA* as further grounds to totally exempt the Report. The applicant complained to the Commissioner about the respondent adding new exemptions one year after the original exemption and attacked the validity of the exemptions.

On March 11, 1993, the respondent released partial records relying on exemptions under s. 16, 19, 20 and 21 *ATIA*. On March 17, 1993, the Commissioner upheld the total exemption of the Report under para. 16(1)(c) *ATIA*. Later, following a complaint by the applicant, the Commissioner issued findings in support of the remaining exemptions and stated his belief that all the missing records had now been located.

On April 19, 1993, the applicant filed an application for review pursuant to s. 41 *ATIA* of the refusal by the Department of Transport to release this report. On September 2, 1993, the applicant filed another request that the court review both the remaining records exempted and the incomplete production of records requested.

On November 14, 1994, the respondent informed the applicant that paras. 20(1)(b) and (c) *ATIA* were no longer claimed as grounds for exempting the Report and surrounding documents.

Decision

Judge Dubé decided that most of the Post-Accident Safety Review Report ought to be exempted. He also ruled that the related documents were all validly exempted under

paras. 16(1)(c), 21(1)(a) and 21(1)(b) *ATIA*. Finally, Judge Dubé concluded that the applicant did not bring sufficient evidence to support his allegation that there were “missing records”.

Judge Dubé concluded in the following manner regarding the eight (8) issues raised by Mr. Rubin:

- Issue of bad faith:

Mr. Rubin did not submit convincing evidence to support his allegation that the DOT had acted in bad faith or for purposes outside the *Act* in refusing to disclose the requested information under s. 16 and 21 of the *Aeronautics Act*.

- Scope of para.16(1)(c):

Para. 16(1)(c) *ATIA* was not misinterpreted by the Department of Transport. This paragraph is not restricted to a specific investigation but relates to records that fall within the general language of that paragraph. It contemplates a situation in which the disclosure of information may reasonably be expected to be injurious to the conduct of lawful investigations in the future. The injury may therefore be to a general investigative process and not only to a particular investigation.

- Addition of exemptions at a later date:

The Davidson decision [Davidson v. Canada (Solicitor General) [1989] 2 F.C. 341] stands for the rationale that it is only where the Commissioner is denied an opportunity to investigate the grounds ultimately relied upon before the Court that the head of the government institution cannot

rely on other sections of the *Act*. It is only in this kind of situation that the head is bound by his\her initial choice of exemptions. Judge Dubé concluded that such was not the case here.

- The injury test in para. 16(1)(c):

The evidence submitted by the respondent meets the requirements of the injury test found in para. 16(1)(c) *ATIA* in that there is a reasonable expectation of probable harm from disclosure to the conduct of lawful investigations under the Review program.

- Existence of a public interest test in para. 16(1)(c):

The *ATIA* does not set up an obligation to consult the public interest as an independent step in the analysis leading to the decision whether or not to disclose. Nevertheless, the public interest in maintaining confidential reviews outweighs the public's right of access contemplated in ss. 2(1) *ATIA* and it is in the public interest to maintain the confidentiality of the Report.

- Was the severance principle properly applied?:

Dubé ruled that the obligation to sever imposed under s. 25 *ATIA* was met by the DOT.

- Missing records:

The applicant did not bring sufficient evidence to support his allegation that there are “missing records” and that he was not provided with all relevant records.

- Paras. 21(1)(a) and (b):

The information refused under para. 21(1)(a) *ATIA* constitutes advice developed by officials of Transport Canada and the para. 21(1)(b) *ATIA* exemption is for accounts of consultations and deliberations developed by government officials. Judge Dubé concluded that these exemptions have been properly applied exemptions.

**CHAMBERS OTTAWA (1992) INC. V. NATIONAL CAPITAL
COMMISSION AND KEN RUBIN**

Court Reference:	A-63-95, A-64-95
Date of Decision:	December 8, 1995
Citations:	Unreported Decision
Justice:	Julius A. Isaac (F.C.A.)
Section(s) of <i>ATIA</i> / <i>PA</i> :	Section 41 and subsection 44(3) of <i>ATIA</i>

Abstract

Does ss. 44(3) *ATIA* confer a right to cross-appeal – Test for mootness – Follow-up to “Perez Bramalea Ltd v. National Capital Commission and Ken Rubin”.

Issues

Does ss. 44(3) *ATIA* confer a right to cross-appeal or is it limited to rights akin to those possessed by an intervenor to participate in a review proceeding under s. 44 *ATIA* (Court did not answer question as Court held that case had become moot).

Facts

This decision is a follow-up to the case, “Perez Bramalea Ltd. v. National Capital Commission and Ken Rubin” (Federal Court, Trial Division #T-2572-91, T-611-92 and T-1393-93, January 18, 1995). In that case, the trial judge had ordered, in part, that

- Access be given to the Ground Lease and the N.C.C. Material with the deletions described in the Reasons for Order herein dated December 22, 1994;
- The Ground Lease and the N.C.C. Material be released, in unedited form, on December 21st, 1995;
- The style of cause be amended in all three applications to show that Chambers Ottawa (1992) Inc. was now the Applicant;
- The material previously sealed by orders of Mr. Justice Pinard and Mr. Justice Dubé and the in camera portion of the transcript in this matter remain sealed until December 21st, 1995.

This case “Chambers case” concerns the 3rd and 5th points of the Order; namely the release of certain records on December 21, 1995. The appellant, Chambers Ottawa (1992) Inc., had filed an appeal to the Federal Court of Appeal regarding the disclosure of these records. However, on December 6, 1995, the appellant discontinued the appeal. On December 7, 1995, counsel for the appellant wrote to counsel for the respondent stating that his client “agrees to the immediate release of those portions of the records protected to December 21, 1995” by order of the Trial Division.

Decision

The Federal Court of Appeal therefore held that the case was moot, as the dispute between the parties had disappeared.

Comments

It should be noted that prior to deciding that the case was now moot, the Court raised with Mr. Rubin the procedural question of whether he had a right to cross-appeal, given that his right under ss. 44(3) of the *ATIA* is to participate in the review as a party to review and that he had not brought a separate review proceeding pursuant to s. 41 of the *ATIA*. The question raised is whether ss. 44(3) confers a right to cross-appeal or is limited to rights akin to those possessed by an intervenor to participate in a review proceeding under s. 44 *ATIA*. The court did not answer this question of procedure.

PEREZ BRAMALEA LTD. V. NATIONAL CAPITAL COMMISSION

Court Reference:	T-2572-91 T-611-92 T-1393-93
Date of Decision:	February 2, 1995
Citations:	Decision not reported
Before:	Simpson, J. (F.C.T.D.)
Section(s) of <i>ATIA / PA</i> :	Section 20 <i>Access to Information Act</i>

Abstract

This case is an example of (i) a negotiated term of a contract being considered information “supplied by” a third party for the purposes of para. 20(1)(b); (ii) para. 20(1)(b) being applicable for a specified period of time (i.e.: the length of time during which disclosure could cause harm); (iii) para. 20(1)(b) not being available to render government information confidential even where it is integrally linked to 20(1)(b) third party information; and (iv) a case where very little evidence was required to justify a finding of reasonable expectation of harm, para. 20(1)(c).

Issues

Is a negotiated term in a contract (i.e., a lease rate), confidential information that is supplied by a third party?

Is there a reasonable expectation of harm to a lessor's ability to rent unleased space in a building if a lease rate for part of that space is disclosed?

Can information be exempted only for a limited time, after which it will no longer be considered to be confidential or whose disclosure will no longer be considered to cause harm?

Facts

The National Capital Commission leased space to Chambers Ottawa (1990) Inc. (with Perez Bramalea Limited as Indemnifiers) under a ground lease which required the ground lessee to restore and renovate the heritage Chambers Building and construct a new tower. In addition to the ground lease, the parties entered into a premises lease whereby the NCC leased back space from the ground lessee for its head office accommodations. Access to Information requests were made for copies of the ground lease, amendments to the ground lease, and particulars on the premises lease then being negotiated (what the judge refers to as the "NCC Materials"). The NCC wanted to release the full ground lease and amendments but agreed to exempt portions of the NCC material. Perez Corporation argued that the entire ground lease, some of the amendments, and the NCC materials should be exempt from access for a period of one year, to give them time to lease the balance of the space in the Chambers Project.

Decision

The ground lease was disclosed subject only to the deletion of certain provisions relating to the participation rent. “I am satisfied, pursuant to para. 20(1)(b) of the *ATIA*, that those figures were provided to the NCC in confidence and that the tests regarding confidentiality, which I described earlier, have been met. The balance of the document as edited will be disclosed following this decision and, one year from now, the entire unedited Ground Lease will become available.”

The Justice noted the requester’s argument that the publication of global rental figures for NCC office space in the Public Accounts and the disclosure of the rents for Visitor’s Centre showed that confidentiality was not consistently maintained. The Justice disagreed, arguing that the Public Account figures were merely “ballpark estimates” and “the Visitor’s Centre, which was to be quasi-retail space, is qualitatively different from the office space.”

The NCC Material was not supplied by Perez Bramalea and cannot be exempted under 20(1)(b) for that reason. However, the disclosure of the NCC Material, which reveals the lease rate, would create a reasonable expectation of probable harm to Perez Bramalea in negotiating leases with other tenants for the unleased space in the building. “The balance of the NCC Material will be disclosed following this decision and, one year from now, the unedited NCC Material will become available.”

The Justice noted the lack of expert evidence in this case. The Justice found that “if a reasonable expectation of probable harm is obvious from the Affidavit material filed by the parties, as was the case here, expert evidence is not needed.”

The Justice also noted the delay where access requests made in 1989 and 1991 did not reach the Court until the end of 1994. “This kind of delay frustrates the objectives of the *Act* and is wholly unacceptable.” However, the Justice did not award costs to the requester in this case.

Comments

The case does not discuss any case law or identify any statutory interpretation difficulties.

The case would appear to stand for the proposition that rental rates negotiated in a contract is information “supplied to” the government by a third party. Note that “*Halifax Developments Ltd. v. PWGSC*”, Sept. 7, 1994, rules otherwise.

The case would appear to support the proposition that “confidential” materials may be confidential only for a limited time, and the “confidential” time period may correspond to the potential harm that may result from the disclosure of the information. Thus, the case appears to incorporate both a limited time element and an injury test into para. 20(1)(b). It may be possible for future requesters to argue that even if the requested material is confidential now, at some point it will cease being confidential and the Court can order a mandatory release date sometime in the future. It may also be possible to argue that material is not “confidential” unless its disclosure might cause some kind of harm. Given the findings of reasonable expectations of harm, there was no need for the Court to use para. 20(1)(b) to justify exempting the exempted information.

**STATISTICAL
TABLES
1995-1996**

Access to Information – 1995-1996
Disposition of Requests

Requests received		13,124
Requests completed	100.0%	12,691

(Includes requests brought forward from previous year)

Disposition of requests completed:

All disclosed	34.1%	4,322
Some disclosed	32.2%	4,091
No records disclosed – excluded	0.8%	96
No records disclosed – exempted	3.1%	391
Transferred	1.7%	222
Treated informally	5.7%	721
Could not be processed	22.4%	2,848

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

Access to Information – 1995-1996
Source of Requests

Requests received	100.0%	13,124
Business	41.1%	5,390
Public	38.9%	5,108
Organizations	10.0%	1,311
Media	8.0%	1,047
Academics	2.0%	268

Access to Information – 1995-1996
Ten Institutions Receiving Most Requests

Requests received by all institutions	100.0%	13,124
Citizenship and Immigration Canada	11.9%	1,568
Public Works and Government Services	10.1%	1,326
National Archives	9.9%	1,303
Revenue	9.1%	1,188
National Defence	6.6%	869
Health	6.6%	866
Finance	4.0%	531
Fisheries and Oceans	3.7%	490
Royal Canadian Mounted Police	3.5%	460
Transport	3.4%	448
Total	68.8%	9,049

Access to Information – 1995-1996
Time Required to Complete Requests

Requests completed	100.0%	12,691
0 – 30 days	50.1%	6,367
31 – 60 days	18.0%	2,280
61 + days	31.9%	4,044

Access to Information – 1995-1996
Exemptions

Total exemptions	100.0%	10,232
Section 20 – Third party information	29.7%	3,040
Section 19 – Personal information	25.5%	2,614
Section 21 – Operations of government	16.6%	1,703
Section 16 – Law enforcement and investigations	8.6%	883
Section 15 – International affairs and defence	4.9%	504
Section 23 – Solicitor-client privilege	4.6%	465
Section 13 – Information obtained in confidence	3.3%	339
Section 24 – Statutory prohibitions	2.3%	231
Section 18 – Economic interests of Canada	1.7%	173
Section 14 – Federal-provincial affairs	1.6%	162
Section 22 – Testing procedures	0.6%	60
Section 17 – Safety of individuals	0.4%	37
Section 26 – Information to be published	0.2%	21

Access to Information – 1995-1996
Costs and Fees for Operations

Requests completed	12,691
Cost of operations	\$11,682,393
Cost per request completed	\$921
Fees collected	\$211,130
Fees collected per request completed	\$16.64
Fees waived	\$74,033
Fees waived per request completed	\$5.83

Privacy – 1995-1996
Disposition of Requests

Requests received		43,137
Requests completed	100.0%	41,564

(Includes requests brought forward from previous year)

Disposition of requests completed:

All disclosed	64.2%	26,690
Some disclosed	21.7%	9,005
No records disclosed – excluded	0.0%	7
No records disclosed – exempted	1.0%	432
Could not be processed	13.1%	5,430

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

Privacy – 1995-1996

Five Institutions Receiving Most Requests

Requests received by all institutions	100.0%	43,137
National Defence	41.4%	17,850
Correctional Service	14.5%	6,272
Human Resources Development	13.2%	5,682
National Archives	7.6%	3,262
Citizenship and Immigration Canada	5.7%	2,461
Total	82.4%	35,527

Privacy – 1995-1996

Time Required to Complete Requests

Requests completed	100.0%	41,564
0 – 30 days	54.7%	22,750
31 – 60 days	20.2%	8,396
61 + days	25.1%	10,418

Privacy – 1995-1996
Exemptions

Total exemptions	100.0%	13,420
Section 26 – Information about another individual	46.1%	6,185
Section 22 – Law enforcement and investigation	25.3%	3,389
Section 19 – Personal information obtained in confidence	15.1%	2,020
Section 24 – Individuals sentenced for an offence	4.8%	647
Section 21 – International affairs and defence	4.2%	562
Section 27 – Solicitor-client privilege	1.9%	260
Section 23 – Security clearance	1.4%	183
Section 18 – Exempt bank	0.7%	93
Section 25 – Safety of individuals	0.4%	57
Section 28 – Medical record	0.1%	14
Section 20 – Federal-provincial affairs	0.0%	5

Privacy – 1995-1996
Costs and Fees for Operations

Requests completed	41,564
Cost of operations	\$8,815,901
Cost per request completed	\$212

**STATISTICAL
TABLES
1983-1996**

Access to Information – 1983-1996

Disposition of Requests

Requests received		106,792
Requests completed	100.0%	103,122

(Includes requests brought forward from previous year)

Disposition of requests completed:

All disclosed	33.2%	34,239
Some disclosed	35.2%	36,330
No records disclosed – excluded	0.7%	711
No records disclosed – exempted	3.4%	3,515
Transferred	2.2%	2,242
Treated informally	6.5%	6,746
Could not be processed	18.8%	19,339

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

Access to Information — 1983-1996

Time Required to Complete Requests

Requests completed	100.0%	103,122
0 – 30 days	58.9%	60,784
31 – 60 days	18.0%	18,550
61 + days	23.1%	23,788

Access to Information – 1983-1996

Costs and Fees for Operations

Requests completed	103,122
Cost of operations	\$86,585,240
Cost per request completed	\$840
Fees collected	\$1,434,661
Fees collected per request completed	\$13.91
Fees waived	\$453,152
Fees waived per request completed	\$4.39

Privacy – 1983-1996
Disposition of Requests

Requests received		551,486
Requests completed	100.0%	543,993

(Includes requests brought forward from previous year)

Disposition of requests completed:

All disclosed	61.8%	336,451
Some disclosed	23.9%	129,767
No records disclosed – excluded	0.0%	84
No records disclosed – exempted	0.9%	4,679
Could not be processed	13.4%	73,012

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

Privacy – 1983-1996

Time Required to Complete Requests

Requests completed	100.0%	543,995
0 – 30 days	61.1%	332,416
31 – 60 days	22.3%	121,163
61 + days	16.6%	90,416

Privacy – 1983-1996

Costs and Fees for Operations

Requests completed	543,993
Cost of operations	\$79,677,336
Cost per request completed	\$146

ACCESS TO INFORMATION AND PRIVACY COORDINATORS

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 Street

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K1A 0G9

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Bureau of Pension Advocates

see Veterans Affairs Canada

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50 O'Connor Street
17th Floor
Ottawa, Ontario
K1P 5W5
(613) 947-0268

**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 E0341
Ottawa, Ontario
K1A 0B1
(613) 734-6871

**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) 947-1170

**Canadian Cultural Property Export
Review Board**

3rd Floor
15 Eddy Street
Hull, Quebec
K1A 0M5
(819) 997-7761

Canadian Dairy Commission

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

**Canadian Environmental
Assessment Agency**

13th Floor
200 Sacré-Coeur Blvd.
Hull, Quebec
K1A 0H3
(819) 953-5537

**Canadian Film Development
Corporation**

Tour de la Banque nationale
14th floor
600 de la Gauchetière 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 400
Jules Léger Building
25 Eddy Street
Hull, Quebec
K1A 0M5
(819) 997-6874

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
Standard Life Centre
333 Laurier Ave. West
15th floor
Ottawa, Ontario
K1A 0G7
(613) 993-4717

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 Chaudière
1 Promenade du Portage
5th Floor
Hull, Quebec
K1A 0N2
(819) 994-5366

Canadian Saltfish Corporation

see Fisheries and Oceans

**Canadian Security
Intelligence Service**

P.O. Box 9732

Station Terminal T

Ottawa, Ontario

K1G 4G4

(613) 231-0107

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) 983-1752

Citizenship and Immigration Canada

Place du Portage, Phase IV

4th Floor, Room 4L03

Hull, Quebec

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

see 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) 952-8361

**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
Ottawa, Ontario
K1P 1K3
(613) 598-2899

**External Affairs and International
Trade Canada**

see Foreign Affairs and International
Trade Canada

Farm Credit Corporation Canada

1800 Hamilton Street

P.O. Box 4320

Regina, Saskatchewan

S4P 4L3

(306) 780-8608

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) 990-3438

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 9000
Ottawa, Ontario
K1A 0M1
(613) 993-4331

Health and Welfare Canada

see Health Canada

Health Canada

Brooke Claxton Building (0909D)
Room 967D
Tunney's Pasture
Ottawa, Ontario
K1A 0K9
(613) 957-3051

Historic Sites and Monuments**Board of Canada**

Jules-Léger Building
5th Floor
Les Terrasses de la Chaudière
25 Eddy Street
Hull, Québec
K1A 0M5
(819) 997-4059

Human Resources**Development Canada**

Place du Portage, Phase IV
140 Promenade du Portage
4th Floor
Hull, Quebec
K1A 0J9
(819) 994-3041

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 517
Hull, Quebec
K1A 0H4
(819) 997-8277

Industry Canada

C.D. Howe Building
235 Queen Street
1st floor East, Room 182B
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, Quebec

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

715 Victoria Square

6th Floor

Stock Exchange Tower

P.O. Box 680

Montreal, Quebec

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 128

Ottawa, Ontario

K1A 0N3

(613) 995-5493 – Access to Information

(613) 947-8468 – 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

390 de Bernières Avenue
Québec, QC
G1R 2L7
(418) 648-3506

National Capital Commission

40 Elgin Street
3rd Floor
Ottawa, Ontario
K1P 1C7
(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 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) 283-9028

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) 943-0469

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 1046A

Ottawa, Ontario

K1A 0G6

(613) 995-3708

Office of the Chief Electoral Officer

– Privacy only

1595 Telesat Court

Ottawa, Ontario

K1A 0M6

(613) 990-5596

**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 Inspector General
of the Canadian Security**

Intelligence Service
Sir Wilfrid Laurier Building
8th Floor
340 Laurier Avenue West
Ottawa, Ontario
K1A 0P8
(613) 990-3270

**Office of the Superintendent
of Financial Institutions Canada**

255 Albert Street
15th Floor
Ottawa, Ontario
K1A 0H2
(613) 990-8031

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

**Patented Medicines Prices
Review Board**

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

Pension Appeals Board

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

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 633
Ottawa, Ontario
K1A 0A3
(613) 957-5210

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, 15A2
Place du Portage
11 Laurier Street
Hull, Quebec
K1A 0S5
(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

14th Floor
Albion Executive Tower
25 Nicholas Street
Ottawa, Ontario
K1A 0L5
(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
11th Floor
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
Tunney's Pasture
Ottawa, Ontario
K1A 0T6
(613) 951-9349

Status of Women Canada

360 Albert Street, Suite 700
Ottawa, Ontario
K1A 1C3
(613) 995-4008

Statute Revision Commission Canada

see Department of Justice Canada

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

Transportation Safety Board of Canada

Place du Centre
200 Promenade du Portage
4th Floor
Hull, Quebec
K1A 1K8
(613) 994-8021

Treasury Board of Canada Secretariat

Esplanade Laurier, East Tower
140 O'Connor Street
9th Floor
Ottawa, Ontario
K1A 0R5
(613) 957-7125

Veterans Affairs Canada

Dominion Building
97 Queen Street, Room 201
P.O. Box 7700
Charlottetown, Prince Edward Island
C1A 8M9
(902) 566-8609

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

Suite 106
200 Range Road
Whitehorse, Yukon
Y1A 3V1
(403) 667-3980