



Office of the
Chief Electoral Officer
of Canada

2024–2025

Annual Report on the *Privacy Act*

For the period ending March 31, 2025



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1. Introduction

The *Privacy Act* (the Act) extends to Canadians and individuals present in Canada the right to access their personal information from federal government institutions. The Act also protects individuals' privacy by preventing others from having access to their personal information. Furthermore, it limits federal institutions' use of the personal information that they collect and retain.

Section 72 of the Act requires that the head of every institution subject to the Act prepare an annual report for tabling in Parliament. This report describes how the Office of the Chief Electoral Officer administered its responsibilities under the Act during the reporting period of April 1, 2024, to March 31, 2025.

1.1. Mandate of the Office of the Chief Electoral Officer

The Office of the Chief Electoral Officer is an independent, non-partisan agency that reports directly to Parliament which currently includes both Elections Canada and the Office of the Commissioner of Canada Elections. Elections Canada's mandate is to:

- ▶ be prepared to conduct a federal general election, by-election or referendum;
- ▶ administer the political financing provisions of the *Canada Elections Act*;
- ▶ monitor compliance with electoral legislation;
- ▶ conduct public information campaigns on voter registration, voting and becoming a candidate;
- ▶ conduct education programs for students on the electoral process;
- ▶ provide support to the independent commissions in charge of adjusting the boundaries of federal electoral districts following each decennial census;
- ▶ carry out studies on alternative voting methods and, with the approval of parliamentarians, test alternative voting processes for future use during electoral events; and,
- ▶ provide assistance and cooperation in electoral matters to electoral agencies in other countries or to international organizations.

In fulfilling its mandate, Elections Canada also has the responsibility to:

- ▶ appoint, train and support returning officers and retain the services of field liaison officers across Canada;
- ▶ maintain the National Register of Electors, which is used to prepare preliminary lists of electors at the start of electoral events;
- ▶ publish reports on the conduct of elections and official voting results;
- ▶ maintain electoral geography information, which provides the basis for maps and other geographic products;
- ▶ register political entities, including political parties, electoral district associations, candidates, nomination contestants, leadership contestants, third parties that engage in election advertising and referendum committees;

- ▶ administer the reimbursements and subsidies paid to eligible candidates, registered political parties and auditors;
- ▶ disclose information on registered parties and electoral district associations, registered parties' nomination and leadership contestants, candidates, third parties and referendum committees, including their financial returns;
- ▶ refer to the Commissioner of Canada Elections information concerning possible offences under the *Canada Elections Act* (or other relevant acts);
- ▶ consult the Advisory Committee of Political Parties for advice and recommendations;
- ▶ issue written opinions, guidelines and interpretation notes on the application of the *Canada Elections Act* to political entities;
- ▶ recommend to Parliament amendments for the better administration of the *Canada Elections Act* by submitting a recommendations report after a general election, as well as by providing expert advice and other special reports; and,
- ▶ appoint the Broadcasting Arbitrator, who is responsible for allocating free and paid broadcasting time among political parties and for arbitrating disputes that may arise between parties and broadcasters.

The Office of the Commissioner of Canada Elections is responsible for ensuring compliance with, and enforcement of, the *Canada Elections Act* and the *Referendum Act*.

1.2. Structure of the Access to Information and Privacy Office

The Access to Information and Privacy (ATIP) Office is part of the Office of the Chief of Staff and is headed by an Assistant Director who is supported by two senior analysts, a junior officer and expert consultants as required.

The ATIP Office is responsible for the following activities for both Elections Canada and the Office of the Commissioner of Canada Elections:

- ▶ processing requests under the *Access to Information Act* and the *Privacy Act*;
- ▶ responding to consultation requests from other government institutions;
- ▶ providing advice and guidance to senior management and staff on privacy issues and privacy impact assessments;
- ▶ developing and delivering awareness training to managers and employees on how to fulfill their obligations under the Acts;
- ▶ developing policies, procedures and guidelines in support of ATIP legislation and central agency requirements;
- ▶ monitoring institutional compliance with the Acts, procedures and policies;
- ▶ acting on behalf of the Office of the Chief Electoral Officer in dealings with the Treasury Board Secretariat, the offices of the Information Commissioner and Privacy Commissioner of Canada and other government institutions regarding ATIP affairs;
- ▶ preparing annual reports to Parliament, in addition to other statutory reports and materials that may be required by central agencies;

- ▶ preparing and publishing the annual update of the Office of the Chief Electoral Officer's chapter of *Info Source*, describing the agency's record holdings and personal information banks; and,
- ▶ representing the Office of the Chief Electoral Officer by participating in ATIP community forums, such as the Treasury Board Secretariat's ATIP Community meetings.

The Office of the Chief Electoral Officer was not a party to any service agreements under section 73.1 of the *Privacy Act*.

2. Administration of the *Privacy Act*

2.1. Education and training

Privacy training at the Office of the Chief Electoral Officer typically involves educating staff on the principles of the Act and on how to securely manage privacy requests and protect personal information. In 2024–2025, the Office of the Chief Electoral Officer delivered 12 formal training sessions to approximately 157 employees of various levels. Four sessions provided an overview of the Act and privacy protection, four sessions provided an overview ATIP legislation and the management of human resources, and four sessions provided an overview of conducting privacy impact assessments. All sessions provided an overview of roles and responsibilities.

The ATIP Office also raised awareness of privacy issues throughout the agency when providing advice on the collection, creation, retention, use and disclosure of personal information.

2.2. Institutional privacy policies and procedures

The Office of the Chief Electoral Officer changed its procedures for conducting privacy impact assessments (PIA) and began using the Privacy Checklist created by the Treasury Board of Canada Secretariat (TBS) to document the need for a PIA or Privacy Protocol for the non-administrative use of personal information as well as other templates created by TBS. The Office of the Chief Electoral Officer is continuing to review its privacy tools and procedures and update them as required.

The Office of the Chief Electoral Officer includes standard clauses in contracts, information-sharing agreements and information arrangements involving personal information to support appropriate privacy protections and ensure that applicable privacy laws, principles and procedures are respected. The ATIP Office reviews contracts and information-sharing agreements as required to help ensure compliance with the acts and government policies and directives.

2.3. Institutional monitoring of privacy requests

The ATIP Office uses its case management software to monitor the status of each request, including the number of days remaining before the statutory deadline. A weekly status report of all open and recently closed files is regularly provided to senior officials, including the Chief Electoral Officer.

2.4. Material privacy breaches

A material privacy breach is any unauthorized collection, use, disclosure, retention or disposal of sensitive personal information that could reasonably be expected to create a real risk of significant harm to the individual.

One material privacy breach was reported to the Office of the Privacy Commissioner and to the Treasury Board of Canada Secretariat by the Office of the Chief Electoral Officer during the reporting period. There was a mix-up with correspondence and letters were sent to the wrong individuals by the Office of the Commissioner of Canada Elections. The individuals involved were made aware of the breach.

2.5. Privacy impact assessments

The Office of the Chief Electoral Officer regularly conducts privacy impact assessments (PIA) to address privacy risks in new or existing departmental programs, initiatives or projects that manage personal information.

In the 2024–2025 fiscal year, one PIA was completed on the Administrative Monetary Penalty (AMP) regime of the Office of the Commissioner of Canada Elections (OCCE). The AMP regime gives the OCCE the means to impose monetary penalties for contraventions of the *Canada Elections Act*. The PIA for this activity was submitted to the Office of the Privacy Commissioner and to the Treasury Board of Canada Secretariat.

Summaries of completed PIAs can be found online at

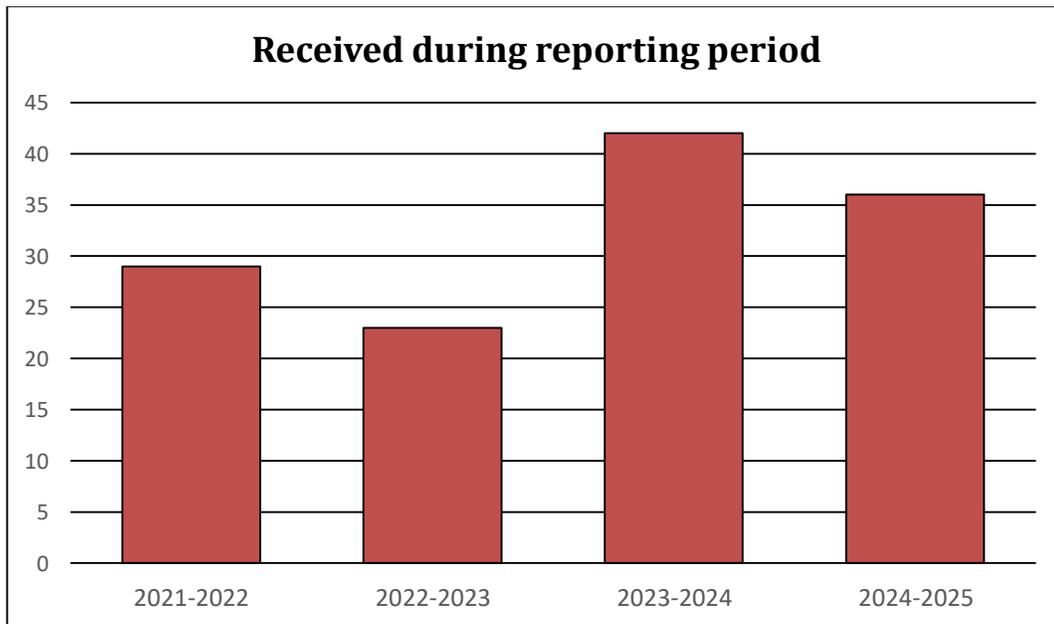
<https://www.elections.ca/content.aspx?section=res&dir=rep/pro/atip&document=index&lang=e>.

3. Statistical Report on Requests under the *Privacy Act*

This section provides an interpretation of several statistics on the processing of requests made to the Office of the Chief Electoral Officer under the Act. All figures and data for the 2024–2025 fiscal year were provided to the Treasury Board of Canada Secretariat (TBS), who publishes the data on the [Open Government website](#).

3.1. Number of requests

The Office of the Chief Electoral Officer received 36 formal requests for personal information during 2024–2025, a 14 percent decrease from the previous year when 42 formal requests were received. This excludes four additional requests carried over from the previous fiscal year, totalling up to 40 requests for 2024–2025. Thirty-seven requests were processed during the reporting period, and three requests were carried over into the new fiscal year.



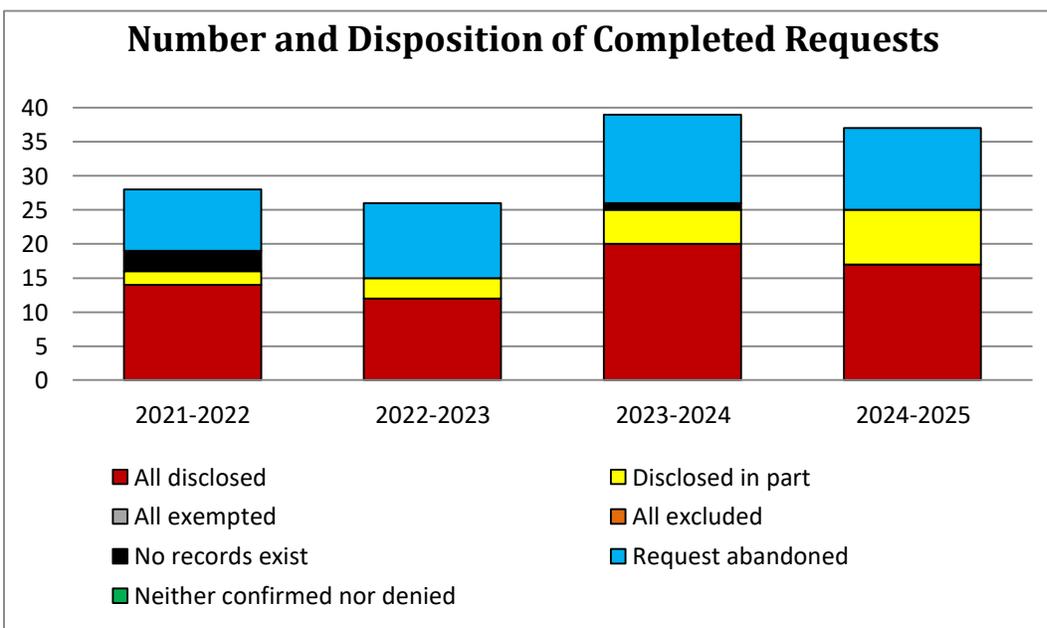
The three requests that were carried over into the next reporting period were received in 2024–2025 and meet the legislated timelines.

The Office of the Chief Electoral Officer did not receive any consultations from other institutions during the reporting period.

The Office of the Chief Electoral Officer only undertakes a consultation with another government institution, when more information is required for the proper exercise of discretion to withhold information or when there is potentially sensitive information that could be disclosed.

3.2. Disposition of completed requests

Of the 37 requests completed during the reporting period, 17 resulted in full disclosure of the information requested. This represents 46 percent of all completed requests, a decrease from the previous fiscal year during which 51 percent resulted in full disclosure. Eight requests resulted in partial disclosure, where personal information of individuals unassociated with the request was exempted further to section 26 of the Act; information, the disclosure of which, could reasonably be expected to be injurious to the enforcement of any law of Canada or province or the conduct of lawful investigations further to paragraph 22(1)(b); and, information subject to solicitor-client privilege or the professional secrecy of advocates and notaries or to litigation privilege was exempted further to section 27 of the Act. A total of 12 requests were abandoned by applicants during the reporting period.



3.3. Completion time of requests

In 2024–2024, a total of 33 requests (89 percent) were completed within 30 days, compared to 87 percent in 2023–2024 when 34 requests were completed. Overall, 97 percent (36) of the requests were completed within legislated timelines. The Office of the Chief Electoral Officer has historically received simple privacy requests—primarily for information from the National Register of Electors—that are uncomplicated to process. However, four requests completed in 2024–2025 (11 percent) were more complicated, where two were completed within 31 to 60 days and two within 61 to 120 days. No requests were completed beyond 120 days.

3.4. Disclosures of personal information under paragraph 8(2)(m)

Subsection 8(2) of the Act stipulates that a government institution may disclose personal information under its control without the consent of those whom the information relates. Such disclosures are discretionary and are subject to any other act of Parliament.

Paragraph 8(2)(m) allows an institution to disclose personal information for any purpose where, in the opinion of the head of the institution, the public interest in the disclosure clearly outweighs any invasion of privacy that could result from it or where the disclosure would clearly benefit the individual to whom the information relates.

The Office of the Chief Electoral made no disclosures pursuant to paragraph 8(2)(m) in the 2024–2025 fiscal year.

4. Complaints

Individuals who disagree with the handling of their personal information or the processing of a request under the Act can file a complaint with the Office of the Privacy Commissioner of Canada.

The Office of the Chief Electoral Officer was notified of three complaints filed with the Office of the Privacy Commissioner in 2024–2025 requiring investigation. There were no complaints outstanding from the previous years to consider.

The Office of the Privacy Commissioner determined that one complaint received in 2024–2025 alleging that the Office of the Chief Electoral Officer had failed to provide all the information requested was not well founded. One complaint received in 2024–2025 regarding the use and disclosure of personal information by the Office of the Chief Electoral Officer was resolved at the early resolution stage of the investigation. One complaint received in 2024–2025 alleging that the Office of the Chief Electoral Officer contravened the disclosure provisions of the Act when personal information of an employee was inadvertently disclosed in a Microsoft Teams group chat was well founded and resolved.

There were no complaints under investigation at the end of the fiscal year.

Appendix I: Delegation of Authority



DÉLÉGATION EN VERTU DE L'ARTICLE 73 DE LA LOI SUR LA PROTECTION DES RENSEIGNEMENTS PERSONNELS

En vertu de l'article 73 de la *Loi sur la protection des renseignements personnels*, par la présente je délègue au titulaire du poste de Directeur adjoint, Accès à l'information et protection des renseignements personnels, ou en l'absence de cette personne, au titulaire du poste de Chef de cabinet, y compris toutes personnes nommées à ces deux postes de manière intérimaire, les attributions en lien avec les documents qui relèvent du directeur général des élections, dont je suis, en qualité de responsable d'une institution fédérale, investi conformément à la *Loi sur la protection des renseignements personnels*, à l'exception des documents qui relèvent exclusivement du Commissaire aux élections fédérales.

En vertu de l'article 73 de la *Loi sur la protection des renseignements personnels*, par la présente je délègue au titulaire du poste de Commissaire aux élections fédérales, ainsi qu'au titulaire du poste de Directeur adjoint, Accès à l'information et protection des renseignements personnels, ou en l'absence de cette personne, au titulaire du poste de Chef de cabinet, y compris toutes personnes nommées à ces trois postes de manière intérimaire, les attributions en lien avec les documents qui relèvent exclusivement du Commissaire aux élections fédérales dont je suis, en qualité de responsable d'une institution fédérale, investi conformément à la *Loi sur la protection des renseignements personnels*.

DELEGATION ORDER PURSUANT TO SECTION 73 OF THE PRIVACY ACT

Pursuant to section 73 of the *Privacy Act*, I hereby designate the person appointed to the position of Assistant Director, Access to Information and Privacy, or in that person's absence, the person appointed to the position of Chief of Staff, including any persons appointed to these two positions on an acting basis, to exercise or perform any of the powers, duties and functions related to the records that are under the control of the Chief Electoral Officer, conferred upon me as the head of the government institution by the *Privacy Act*, except as it relates to the records that are exclusively under the control of the Commissioner of Canada Elections.

Pursuant to section 73 of the *Privacy Act*, I hereby designate the person appointed to the position of Commissioner of Canada Elections, as well as the person appointed to the position of Assistant Director, Access to Information and Privacy, or in that person's absence, the person appointed to the position of Chief of Staff, including any persons appointed to these three positions on an acting basis, to exercise or perform any of the powers, duties and functions conferred upon me as the head of the government institution by the *Privacy Act* and that are related to the records that are exclusively under the control of the Commissioner of Canada Elections.

Il est entendu que cette délégation remplace toutes délégations antérieures de ma part ou de la part de mes prédécesseurs émises en vertu de l'article 73 de la *Loi sur la protection des renseignements personnels*.

For greater certainty, this delegation supersedes all previous delegations by me or my predecessors made pursuant to section 73 of the *Privacy Act*.

Signée à Gatineau le / Signed in Gatineau on July 30, 2020.



Stéphane Perrault

Directeur général des élections / Chief Electoral Officer