

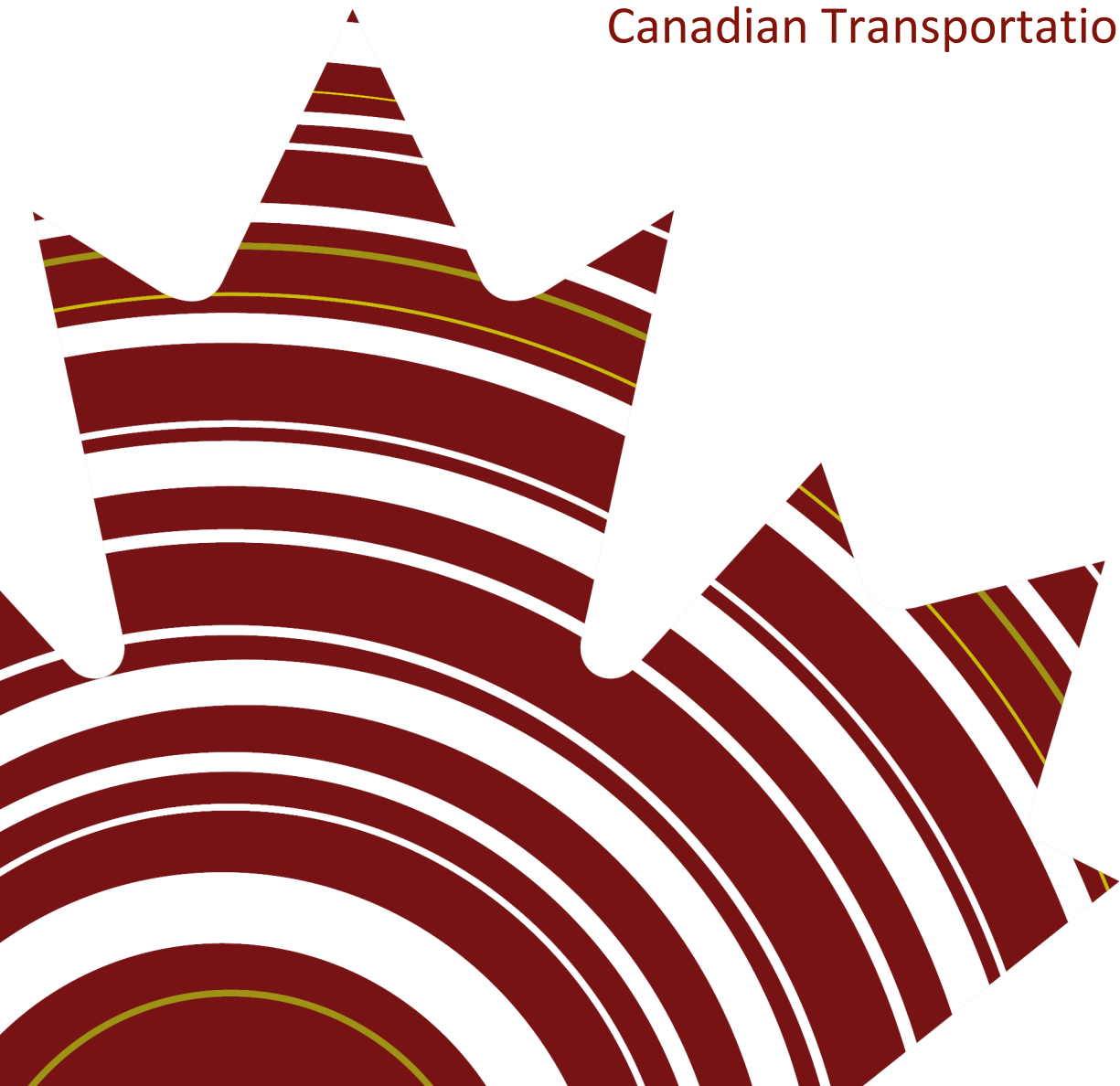


Canadian  
Transportation  
Agency

Office  
des transports  
du Canada

# 2020-2021 Annual Report on the Administration of the *Privacy Act*

Canadian Transportation Agency



Canada 

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# Introduction

The *Privacy Act* (PA), enacted in 1983, imposes obligations on federal institutions to ensure that privacy rights of individuals are respected. The PA grants Canadian citizens, permanent residents and persons present in Canada the right to access their personal information held by institutions subject to the PA and to request corrections. The PA also establishes a legal framework governing the collection, retention, use, disclosure, processing, disposal and accuracy of personal information in the delivery of programs and activities of institutions subject to the PA.

Section 72 of the PA requires that at the end of each fiscal year, the head of every government institution prepare a report to Parliament on the administration of the PA within the institution.

This Annual Report is tabled in Parliament under section 72 of the PA. This report describes how the Canadian Transportation Agency (Agency) fulfilled its responsibilities under the PA for the period beginning April 1, 2020, ending March 31, 2021, and during the COVID-19 pandemic.

## About the Agency

The Agency is an independent, quasi-judicial tribunal and regulator that has, with respect to all matters necessary for the exercise of its jurisdiction, all the powers of a superior court.

The Agency oversees the very large and complex [Canadian transportation system](#), which is essential to the economic and social well-being of Canadians.

The Agency's decision makers are regular [Members](#) appointed by the Governor-in-Council (GIC) and temporary Members appointed by the Minister of Transport from a GIC-approved roster. Members' key functions include making adjudicative rulings, regulations, and regulatory determinations, as well as designating Agency staff to exercise the role of enforcement officers.

The Agency has three core mandates:

- To help ensure that the national transportation system runs efficiently and smoothly in the interests of all Canadians: those who work and invest in it; the producers, shippers, travellers and businesses who rely on it; and the communities where it operates.
- To protect the human right of persons with disabilities to an accessible transportation network.
- To provide consumer protection for air passengers.

To help advance these mandates, the Agency has three tools at its disposal:

- **Rule making:** The Agency develops and applies ground rules that establish the rights and responsibilities of transportation service providers and users and that level the playing field among competitors. These rules can take the form of binding regulations or less formal guidelines, codes of practice or interpretation notes.
- **Dispute resolution:** The Agency resolves disputes that arise between transportation service providers, on the one hand, and their clients and neighbours on the other, using a range of tools from facilitation and mediation to arbitration and adjudication.
- **Information provision:** The Agency provides information on the transportation system, the rights and responsibilities of transportation service providers and users, and the Agency's legislation and services.

## Organizational structure of the ATIP Division

During this reporting period, the Access to Information and Privacy (ATIP) Division was part of the Secretariat, Registrar Services and Information Management Directorate (SRSIMD). The ATIP Division consists of an ATIP coordinator reporting to the director, SRSIMD, and an ATIP analyst.

The ATIP coordinator is responsible for the daily activities related to the administration and enforcement of the *Access to Information Act* (ATIA) and the PA, and for ensuring compliance with the requirements of legislation, policies and directives, as well as of any other ATIP policy instrument issued by the Treasury Board of Canada Secretariat (TBS).

Activities of the ATIP Division include:

- processing requests for information submitted under the ATIA and the PA in accordance with legislation, regulations, policies and TBS guidelines;
- providing advice and guidance to Agency managers and employees on the interpretation and application of the ATIA and the PA;
- developing and offering to Agency managers and employees training and awareness sessions on how to meet their obligations under the ATIA and the PA;
- developing policies, procedures and guidelines on how to enforce the ATIA and the PA, in accordance with the instructions issued by the TBS;
- collaborating with the Office of the Information Commissioner and with the Office of the Privacy Commissioner on the resolution of complaints filed against the Agency;
- coordinating the updating of the Agency's Info Source publication;
- ensuring that the proactive publication requirements of Bill C-58 are met; and
- preparing statistical and annual reports for tabling in Parliament with respect to the administration and enforcement of the ATIA and the PA.

## Open court principle

In its role as a quasi-judicial tribunal, the Agency operates like a court when adjudicating disputes and is therefore bound by the open court principle. This means that the Agency's proceedings must be open and accessible to all Canadians.

Any submission or document filed with the Agency as part of its formal adjudication process will be made part of the public record without redaction, unless a claim for

confidentiality has been made to and accepted by the Agency. Requests for information about decisions issued in a dispute proceeding are processed informally, and records are released in their entirety unless a request for confidentiality was granted.

While requests for information on the public record are processed informally by other areas of the Agency, the ATIP Division must also apply the open court principle when these records form part of a response to a request made under the PA.

## Delegation order

Delegation orders set out the powers, duties and functions for the administration of the PA that have been delegated by the head of the institution, and specify to whom they have been delegated.

In May 2016, the Chair and Chief Executive Officer, as head of the Agency, delegated full authority for the administration of the PA to the persons holding the positions of director, SRSIMD, and of chief corporate ATIP officer, as well as partial authority to the persons holding the positions of ATIP coordinator and of ATIP analyst.

A copy of the signed delegation instrument is included in Appendix A.

## Highlights of the 2020–2021 statistical report

### COVID-19: Impact on operations

This year reporting reflects the Government of Canada’s ongoing measures to reduce the spread of the COVID-19 virus in order to protect the health and safety of the population and public servants, and to maintain its services to citizens.

To protect the health and wellness of ATIP employees, the Agency provided the necessary equipment and tools to optimize telework and electronic processes. Despite some initial network challenges, this new way of working allowed the ATIP Division to continue its operations, respect citizens’ right of access and meet its obligations under the ATIA and the PA.

To optimize the Agency's internal processes and client services in the administration of the ATIA and the PA the ATIP Division undertook the following initiatives:

## Enabling employees to stay productive

- ATIP employees have been working from home since the beginning of the COVID-19 pandemic.
- ATIP employees have been provided with the necessary equipment to work from home: laptops, mobile devices, work surfaces, keyboards, headphones, computer mice, chairs, etc..., access to the Agency's Virtual Private Network (VPN) and a help-line service with the Information Technology (IT) Unit to remedy any technical problems and difficulties with the equipment, AccessPro Case Management (APCM) system, AccessPro Redaction (APR) system and GoAnywhere Secure Mail for the disclosure of the records to requesters.
- ATIP employees have been provided with new resources to respond to the unusual workload: a senior ATIP consultant was hired to work on the backlog requests and re-vamping the APCM system; and two administrative assistants were hired to perform administrative tasks and the importation of electronic records into the APR system. This year, the ATIP Division processed 35,764 pages and disclosed 899 pages of PA requests.
- ATIP employees have been provided with assistance from internal resources from Information Management (IM) and IT for the retrieval and the digitization of the records for processing. These resources were required to maintain the workflow in the processing of requests and responding to the requesters within the established timeline.
- ATIP employees have maintained their services and activities by using different channels to communicate with their Internal Agency clients, requesters and external requesters. The internal communications were done by email, instant messaging (Skype and Microsoft Teams), mobile phone, video conferencing; and the external communications with the requesters were done by email or mobile phone.

## Running effective operations

- The ATIP Division has ensured transparency in the ATIP process in relation to the “Duty to Assist” requirements, by maintaining proactive communication with the requesters in order to provide timely and complete responses.
- The ATIP Division has worked remotely with partial capacity to process ATIP requests and meet the ATIA and PA obligations. The TBS acknowledged the ongoing impact of COVID-19 on the ATIP processing capacity of institutions and collected data on their processing situations to disclose to the public. The TBS sent weekly questionnaires to all of the institutions subject to the ATIA and collected data on their ATIP request capacity during the COVID-19 pandemic, which included a monthly questionnaire on the capacity to receive and process consultation requests from other government institutions. The results of the data collected from the two questionnaires are published on the Open Government website: [Results of the ATIP Request Capacity Questionnaire - Open Government Portal \(canada.ca\)](#) and are included in Appendix C – Supplemental Statistical Report of this report.
- The ATIP Division has provided ongoing support and guidance to the Agency's employees and management with regards to the application of the ATIA, PA, digital processing process and related materials.
- The ATIP Division has continued to coordinate the processing of the Agency's proactive disclosure of information under Bill C-58. The business impacts of COVID-19 did not interfere with the Agency's publishing on the Open Canada website.
- The ATIP Division has notified the requesters of the possible delays for the Agency to process their requests due to COVID-19. The institutions were provided with standardized messages from the TBS to use in their communications with their requesters. The ATIP Division has included this standard message in the acknowledgement letters, clarification letters and extension letters.



- The ATIP Division has digitized all of the aspects relating to the processing of the ATIA and PA requests: the ATIP letters, the offices of primary interest (OPIs) tasking notification for the search of the records of any format responsive to a request, the Statement of Completeness form and signature, and the release of the records to the requester.
- The ATIP Division has begun the review of the APCM administration list to delete obsolete information. This streamlining of the APCM will facilitate the tracking and processing of the ATIP requests and provide ATIP employees and senior management with up-to-date information on the status of the ATIA and PA requests they receive. It is worth mentioning that this will enable the system to automatically generate data for the Agency's statistical annual reporting, as opposed to having to generate it manually as in the previous years.
- The ATIP Division, along with the other institutions' ATIP offices, have been actively participating in the TBS's Online Request Service Pilot Project (ATIP Online Request Service [AORS]). This initiative simplifies the process of requesting government records by providing a convenient solution, which enables Canadians to submit their ATIP requests and application fees online. In 2020-2021, the Agency received 7 (70%) of the 10 PA requests through the AORS.
- The ATIP Division has participated actively in the virtual TBS ATIP Community meetings. These meetings aim to update the ATIP community on ATIP considerations with regard to the Acts, policies and guidelines, and to share best practices on processing requests during COVID-19.

## Info Source Update

Under the PA, institutions are required to identify, describe and publicly report their personal information banks (PIBs) and classes of personal information in the TBS's annual publication, entitled *Info Source*. The descriptions of PIBs and classes of personal information contained in *Info Source* describe how government institutions inform their employees and the public about the personal information they collect and how that information is handled, used, retained and disposed of. *Info Source* assists individuals in exercising their rights under the PA.

The Agency's Info Source Chapter (Chapter) provides information about the Agency's functions, programs, activities and related PIBs. The Chapter also provides individuals and employees of the Agency (current and former) with relevant information to access their personal information and exercise their rights under the PA.

During the reporting period, the ATIP Division has made great efforts to update the Agency's Chapter and to provide the public with the most accurate information holdings. The ATIP Division has been in communication with the programs to complete the review. At the end of the reporting, the Chapter was completing its final stage of review. The updated version of the Chapter is planned to be posted in the upcoming months of 2021-2022. This Chapter will replace the 2016 version currently available at the following web page: [Access to Information and Privacy | Canadian Transportation Agency \(otc-cta.gc.ca\)](https://www.cta.gc.ca/access-to-information-and-privacy)

## Requests received under the PA, consultations and informal requests

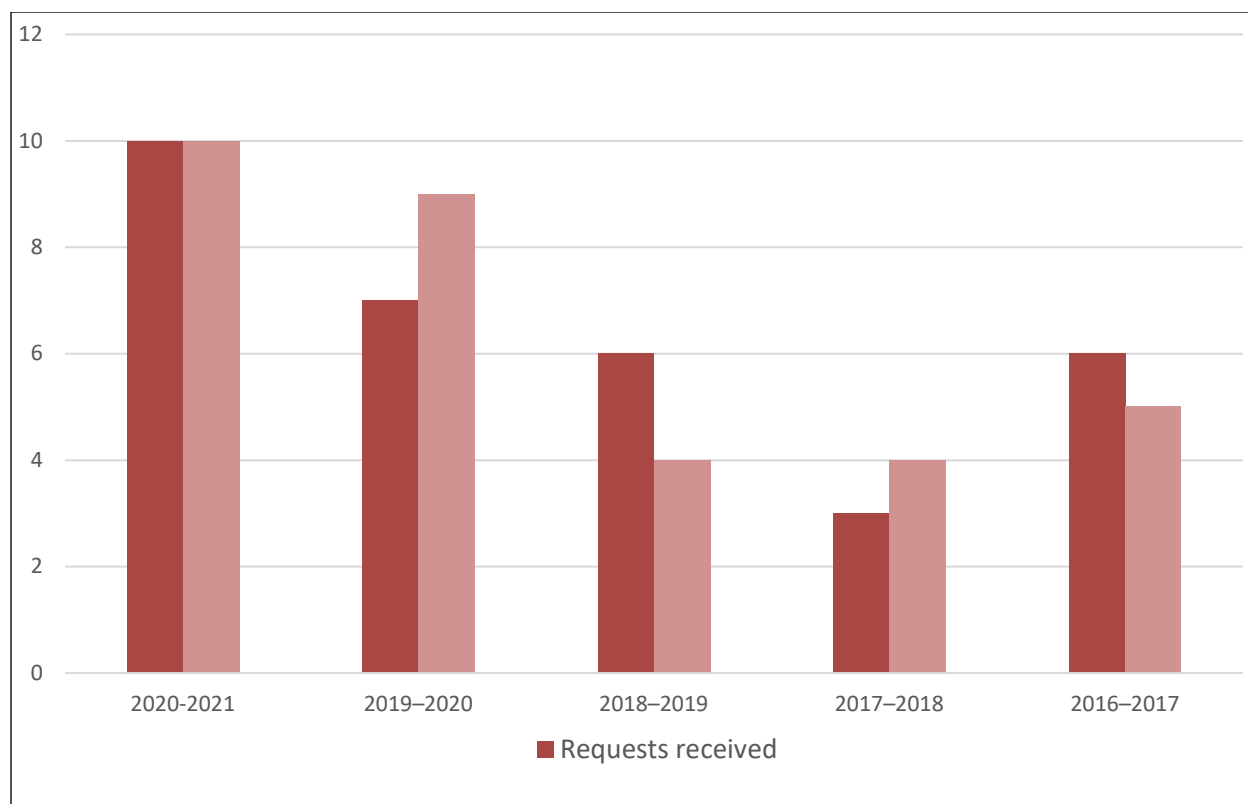
During the reporting period, the Agency received 10 new PA requests, 43% more than the 7 requests received in 2019–2020. There were no outstanding requests carried over from the previous year. The Agency closed all 10 requests within the reporting period. A total of 9 (90%) request were closed within legislated timelines and 1 (10%) request extended past legislated timelines.

No requests for consultation were received and no informal requests were processed within the ATIP Division. However, the ATIP Division responded to 8 requests for consultation from employees in order to review reports.

### Overview of requests received and closed over the last five years

Reporting year	Requests received	Requests completed*
2020-2021	10	10
2019–2020	7	9
2018–2019	6	4
2017–2018	3	4
2016–2017	6	5

\* Includes outstanding requests from the previous fiscal year



## Disposition of closed requests

The Agency disposed of the 10 closed requests as follows: 5 (50%) were disclosed in part; 3 (30%) were requests for which no records exist and 2 (20%) requests were abandoned.

## Completion time and extensions for closed requests

Of the 10 requests closed during the reporting period, 4 (40%) were completed within 30 days, 5 (50%) were completed within 60 days and 1 (10%) was completed within 120 days.

The PA allows the head of a federal institution to extend the time limit for processing a request for a maximum of 30 days, for the following reasons:

- paragraph 15(a)(i): meeting the time limit would unreasonably interfere with the operations of the government institution; or
- paragraph 15(a)(ii): consultations are necessary to comply with the request that cannot reasonably be completed within the original time limit.

The PA also allows for a time extension under subsection 15(b) for such a period of time as is reasonable, if additional time is necessary for translation purposes or for the purposes of converting the personal information into an alternate format.

Due to the number of ATIP requests that the ATIP Division received this year, the large volume of records requested, the limited tools and resources for the search of the records, the review and processing of voluminous pages, the preparation of a number of consultation packages to third parties, and the emergency situation of COVID-19, the ATIP Division considered that some of the PA requests could not meet legislative timelines and required extensions of time to complete their processing. The requesters are notified of any extensions taken by the ATIP Division in the course of processing their requests.

Extended processing time was required under paragraph 15(a)(i) for 6 (60%) of the 10 requests closed in relation to interference with operations: 5 (50%) requests were extended due to a large volume of pages to process and 1 (10%) request was extended due to difficulties in obtaining the records. In addition, 1 (10%) of the 10 closed requests was closed past the legislated timeline due to the ATIP Division's workload.

## Exemptions and exclusions

Exemptions and exclusions are the only grounds to withhold information found in records that are requested under the PA, and their application is limited and specific. During the reporting period, section 26 was used by the Agency to deny access to the requested records.

Section 26 allows for the refusal to disclose personal information about an individual other than the individual who made the request. This provision was invoked in 5 requests.

The PA states that certain types of records are excluded from its application, specifically, records to which the public has access (section 69) and records containing confidences of the Queen's Privy Council of Canada (section 70). The Agency did not invoke exclusions for any requests completed during the reporting period.

The Agency's statistical report on the PA for reporting year 2020-2021 is provided in Appendix B.

## Operational resources

The Agency's total cost of operation for the administration of the PA comes to \$200,141, including \$108,873 of employee salary and \$91,268 in professional services, contracts and program resources. The Agency reported no overtime for this period.

The Agency had a total of 4 employees dedicated to the Privacy activities as full-time, part-time, consultant or casual employees.

## Training and awareness

During this reporting period, the ATIP Division delivered no formal training. However, the ATIP Division continued its outreach to Agency managers and employees. The ATIP Division provided ongoing guidance and recommendations on the application and interpretation of the PA, and communicated the TBS policies and guidelines through ongoing dialogue, informal discussions and group training to enable Agency employees to better meet the requirements of the PA.

## Policies, guidelines, procedures and initiatives

The ATIP Division continued its efforts to improve and update its processes and guidelines for processing ATIP requests to enable Agency employees, particularly the ATIP liaison officers (LOs) and OPIs, to better understand their responsibilities and the importance of their role in the processing (searching and retrieving) of records under the PA in order to maximize the efficiency in processing requests and ensure that requesters receive the requested information in a timely manner.

The ATIP Division also continued to restrict employees' access to records contained in the Records, Document and Information Management System (RDIMS) and APCM so that access to personal information is provided only on a "need-to-know" basis.

## Transition to a digital ATIP request process

During this period, the ATIP Division has continued the improvement and updating project that reviewed the request processing, the retrieval of the records and APCM functionality. Despite the ongoing review, the material for the retrieval of the ATIA and PA requests is fully digitized. The project has brought the ATIP Division from a paper-based operation to an effective paperless operation with the following actions:

- The OPIs work with electronic forms to submit their records, recommendations and their collection of confirmation signatures. These electronic forms have ensured continuity in the processing of requests and compliance with statutory deadlines.
- The OPIs search for records is done electronically and the records found are provided in electronic format only to the ATIP Division. The OPIs search the shared drives, their own emails and their personal drives, while IM searches for the pertinent records in RDIMS and in the paper files.
- The eDOCS RM Admin Tool is used by the ATIP Division to create ATIP files in the Agency's File Plan in RDIMS, the Agency's corporate repository for record-keeping. The ATIP Division does not keep any paper records of ATIP requests.
- A new shared folder named "SearchResults" has been put in place to enable the OPIs to download their records resulting from their searches. The ATIP Division can easily upload the records from the mailbox into the APR for review.
- The approvals for the disclosures of the ATIA and PA requests records are completed by the ATIP director through APCM.
- The records are electronically disclosed to the requester with the Agency secure file transfer system "GoAnywhere". The ATIP Division is now able to securely disclose records larger than 30MB to the requester.

In order for the ATIP Division to process all the PA requests within the legislative timeline at a percentage of 100%, the ATIP Division, in collaboration with the Los and OPIs, is continuing to improve its processing efficiency for greater productivity.

## Proactive disclosure

The Government of Canada is working hard to enhance the role of Parliament and the proactive disclosure of information so that Canadians are better able to hold Parliament, their government, and public sector officials to account.

The Agency is committed to transparency and the highest ethical standards. As a result, in compliance with [Bill C-58](#), and with the coordination of the proactive disclosing process by the ATIP Division, the Agency has continued to proactively disclose the required publications within the requested deadlines during COVID-19.

All of the Agency's 2020-2021 published proactive disclosures are listed below and are accessible on the [Open government portal](#) and/or the [Agency websites](#).

- [Travel and hospitality expenses](#)
- [Contracts over \\$10,000](#)
- [Reclassification of Positions](#)
- [Briefing note titles and numbers](#)
- [Completed access requests](#)
- [Access to Information and Privacy Annual Reports](#)
- [Info Source](#)

## Summary of key files and actions taken on complaints or audits

During the reporting period, the Agency received from the Office of the Privacy Commissioner (OPC) one notice of intention to investigate under section 31. The requester alleged that the Agency had improperly invoked exemptions to deny access to personal records. The OPC found the complaint not to be well founded and closed the file.

The Agency is still working with the OPC to resolve a complaint in which the requester alleges an improper usage of the exemptions.

The Agency has one case pending before the Federal Court.

## Monitoring compliance

During the reporting period, the Agency continued to use APCM to track and monitor all administrative activities and set due dates in order to meet statutory timelines. Due dates for all actions were communicated to LOs and OPIs, and reminders were sent as required. All actions taken have also been detailed in a separate tracking tool, and the status of each request was communicated weekly to the ~~Chief Corporate ATIP Officer~~ and to the Director, SRSIMD, to review the performance, priorities and issues in the processing of requests. These measures have continued despite the impact of COVID-19.

There were no requests for corrections of personal information over the reporting year.

## Material privacy breaches

No material privacy breaches were identified during the reporting period.

## Privacy impact assessments

The Agency did not complete any privacy impact assessment in 2020-2021.

## Public interest disclosures

During the reporting period, the Agency did not disclose information pursuant to paragraph 8(2)(m) of the PA.



# Appendix A: May 2016 delegation order

## CANADIAN TRANSPORTATION AGENCY

### DELEGATION ORDER

#### ***ACCESS TO INFORMATION ACT, ACCESS TO INFORMATION REGULATIONS, PRIVACY ACT AND PRIVACY REGULATIONS***

The Chairman and Chief Executive Officer of the Canadian Transportation Agency, pursuant to section 73 of the *Access to Information Act* and section 73 of the *Privacy Act*, designates the persons holding the positions set out in the attached Schedule, or the persons occupying on an acting basis those positions, to exercise the powers, duties and functions of the Chairman and Chief Executive Officer as the head of the Canadian Transportation Agency, under the provisions of the Acts and related regulations set out in the Schedule opposite to each position. This designation replaces all previous delegation orders.



Scott Streiner  
Chairman and Chief Executive Officer

Dated, at the City of Ottawa, this 02 day of May, 2016

Section of the <i>Privacy Act</i>	Description	Authority delegated to			
Administration of the <i>Privacy Act</i>		Chief Corporate ATIP Officer	Director IMTSD	ATIP Coordinator	ATIP Analyst
8(2)(j)(m)	<b>Disclosure of personal information</b> <ul style="list-style-type: none"> <li>authorize the disclosure of personal information for research purposes and in the public interest or the interest of the individual</li> </ul>	X	X		
8(4)	<b>Requests from investigative bodies</b> <ul style="list-style-type: none"> <li>retain a copy of the requests and the disclosed records</li> </ul>	X	X		
8(5)	<b>Notify Privacy Commissioner of 8(2)(m) disclosures</b> <ul style="list-style-type: none"> <li>notify Commissioner of public interest disclosures and disclosure which would clearly benefit individuals to whom the information relates</li> </ul>	X	X	X	
9(1)	<b>Retain record of disclosures</b> <ul style="list-style-type: none"> <li>retain a record of use or disclosure of personal information where the use or disclosure is not included in Info Source, and attach the record to the personal information</li> </ul>	X	X	X	
9(4)	<b>Notify Privacy Commissioner of consistent use</b> <ul style="list-style-type: none"> <li>notify Commissioner of consistent use or disclosure where the use or disclosure is not included in Info Source and update in next publication</li> </ul>	X	X	X	

10	<b>Include personal information in personal information banks</b> <ul style="list-style-type: none"> <li>include all personal information under the control of the CTA in personal information banks</li> </ul>	X	X	X	
14(a)	<b>Notice where access requested</b> <ul style="list-style-type: none"> <li>give written notice to individuals, as to whether or not access to the records will be given and provide access if access is to be given</li> </ul>	X	X	X	X
14(b)	<b>Giving access to the record</b>	X	X	X	
15	<b>Extension of time limits</b> <ul style="list-style-type: none"> <li>extend time limits for responding to requests for access</li> </ul>	X	X	X	X
17(2)(b)	<b>Language of access</b> <ul style="list-style-type: none"> <li>decide whether to translate information</li> </ul>	X	X	X	
17(3)(b)	<b>Access to record in an alternative format</b> <ul style="list-style-type: none"> <li>determine if the giving of access in an alternative format to a person with a sensory disability is necessary and reasonable</li> </ul>	X	X	X	
<b>Exemption of provisions of the <i>Privacy Act</i></b>					
18(2)	<b>Exempt banks</b> <ul style="list-style-type: none"> <li>Refuse to disclose information contained in an exempt bank</li> </ul>	X	X	X	
19(1)(2)	<b>Personal information obtained in confidence</b>	X	X	X	
20	<b>Federal-provincial affairs</b>	X	X		
21	<b>International affairs and defence</b>	X	X		
22	<b>Law enforcement and investigation</b>	X	X		

23	<b>Information prepared by an investigative body for security clearances</b>	X	X		
24	<b>Information collected by the Canadian Penitentiary Services, National Parole Services or National Parole Board</b>	X	X		
25	<b>Safety of individuals</b>	X	X		
26	<b>Personal information about other individuals</b>	X	X	X	
27	<b>Solicitor-client privilege</b>	X	X		
28	<b>Medical records</b>	X	X		
31	<b>Receive notice of investigations</b> <ul style="list-style-type: none"> <li>• receive notice of investigations by the Privacy Commissioner</li> </ul>	X	X	X	
33(2)	<b>Right to make representations</b> <ul style="list-style-type: none"> <li>• make representations to the Privacy Commissioner during investigation</li> </ul>	X	X	X	
35(1)	<b>Privacy Commissioner's Report</b> <ul style="list-style-type: none"> <li>• receive Commissioner's report of findings, give notice of action taken</li> </ul>	X	X	X	
35(4)	<b>Access to be given to complainant</b> <ul style="list-style-type: none"> <li>• give complainant access to information after 35(1)(b) notice</li> </ul>	X	X	X	
36(3)	<b>Review of exempt banks</b> <ul style="list-style-type: none"> <li>• receive Commissioner's findings of investigation of exempt bank</li> </ul>	X	X	X	
37(3)	<b>Compliance investigation</b> <ul style="list-style-type: none"> <li>• receive report of Privacy Commissioner's findings after compliance investigations of sections 4 to 8</li> </ul>	X	X	X	
51(2)(b)	<b>Special rules for hearings</b> <ul style="list-style-type: none"> <li>• request that section 51 hearings be held in the NCR</li> </ul>	X	X	X	

51(3)	<b>Representations at hearings</b> <ul style="list-style-type: none"> <li>request and be given right to make representations at section 51 hearings</li> </ul>	X	X	X	
70	<b>Cabinet confidences</b>	X	X		
72(1)	<b>Annual report</b> <ul style="list-style-type: none"> <li>submit Annual Report to Parliament</li> </ul>	X	X	X	
<b>Responsibilities under the <i>Privacy Regulations</i>:</b>					
9	<b>Provide reasonable facilities and time for examination of information</b>	X	X	X	
11(2)	<b>Upon receipt of Correction Request Form, provide notification to individual that correction has been made and provide notifications in 11(2)(b) and (c)</b>	X	X	X	
11(4)	<b>When a request for correction is refused, attach notification to the personal information that a correction was refused and provide notifications in 11(4)(b)(c) and (d)</b>	X	X	X	
13(1)	<b>Authorize the disclosure of medical records to a qualified medical practitioner or psychologist for opinion as to whether disclosure would be contrary to the best interests of the individual</b>	X	X		
14	<b>Examination in presence of medical practitioner or psychologist</b>	X	X	X	

# Appendix B: 2020-2021 Statistical report on the *Privacy Act*

Name of institution: Canadian Transportation Agency

Reporting period: 4/1/2020 to 3/31/2021

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

### 1.1 Number of requests

	Number of requests
Received during the reporting period	10
Outstanding from previous reporting period	0
<b>Total</b>	<b>10</b>
Closed during the reporting period	10
Carried over to the next reporting period	0

## Section 2: Requests closed during the reporting period

### 2.1 Disposition and completion time

Disposition of requests	1 to 15 days	16 to 30 days	31 to 60 days	61 to 120 days	121 to 180 days	181 to 365 days	More than 365 days	Total
All disclosed	0	0	0	0	0	0	0	0
Disclosed in part	0	0	4	1	0	0	0	5
All exempted	0	0	0	0	0	0	0	0
All excluded	0	0	0	0	0	0	0	0
No records exist	1	1	1	0	0	0	0	3
Request abandoned	2	0	0	0	0	0	0	2
Neither confirmed nor denied	0	0	0	0	0	0	0	0
<b>Total</b>	<b>3</b>	<b>1</b>	<b>5</b>	<b>1</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>10</b>

## 2.2. Exemptions

Section	Number of requests	Section	Number of requests	Section	Number of requests
<b>18(2)</b>	0	22(1)(a)(i)	0	23(b)	0
<b>19(1)(a)</b>	0	22(1)(a)(ii)	0	23(b)	0
<b>19(1)(b)</b>	0	22(1)(a)(iii)	0	24(a)	0
<b>19(1)(c)</b>	0	22(1)(b)	0	24(b)	0
<b>19(1)(d)</b>	0	22(1)(c)	0	25	0
<b>19(1)(e)</b>	0	22(2)	0	26	5
<b>19(1)(f)</b>	0	22.1	0	27	0
<b>20</b>	0	22.2	0	27.1	0
<b>21</b>	0	22.3	0	28	0
		22.4	0		

## 2.3 Exclusions

Section	Number of requests	Section	Number of requests	Section	Number of requests
<b>69(1)(a)</b>	0	70(1)	0	70(1)(d)	0
<b>69(1)( b)</b>	0	70(1)(a)	0	70(1)(e)	0
<b>69.1</b>	0	70(1)(b)	0	70(1)(f)	0
		70(1)(c)	0	70.1	0

## 2.4 Format of information released

Paper	Electronic	Other
1	4	0

## 2.5 Complexity

### 2.5.1 Relevant pages processed and disclosed

Number of pages processed	Number of pages disclosed	Number of requests
35,764	899	7

## 2.5.2 Relevant pages processed and disclosed by size of requests

Disposition	Fewer than 100 pages processed		101–500 pages processed	
	Number of requests	Pages disclosed	Number of requests	Pages disclosed
All disclosed	0	0	0	0
Disclosed in part	2	163	3	736
All exempted	0	0	0	0
All excluded	0	0	0	0
Request abandoned	2	0	0	0
Neither confirmed nor denied	0	0	0	0
<b>Total</b>	<b>4</b>	<b>163</b>	<b>3</b>	<b>736</b>

Disposition	501–5,000 pages processed		More than 5,000 pages processed	
	Number of requests	Pages disclosed	Number of requests	Pages disclosed
All disclosed	0	0	0	0
Disclosed in part	0	0	0	0
All exempted	0	0	0	0
All excluded	0	0	0	0
Request abandoned	0	0	0	0
Neither confirmed nor denied	0	0	0	0
<b>Total</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>

## 2.5.3 Other complexities

Disposition	Consultation required	Legal advice sought	Interwoven information	Other	Total
All disclosed	0	0	0	0	0
Disclosed in part	0	0	0	0	0
All exempted	0	0	0	0	0
All excluded	0	0	0	0	0
Request abandoned	0	0	0	0	0
Neither confirmed nor denied	0	0	0	0	0
<b>Total</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>



## 2.6 Closed requests

### 2.6.1 Number of requests closed within legislated timelines

	Requests closed within statutory deadline
Number of requests closed within statutory deadline	9
Proportion of requests closed within statutory deadline (%)	90

## 2.7 Deemed refusals

### 2.7.1 Reasons for not meeting legislated timelines

Number of requests closed past the legislated timelines	Principal reason			
	Interference with operations/ workload	External consultation	Internal consultation	Other
1	1	0	0	0

### 2.7.2 Requests closed beyond legislated timelines (including any extension taken)

Number of days past deadline	Number of requests past deadline where no extension was taken	Number of requests past deadline where an extension was taken	Total
1 to 15 days	0	0	0
16 to 30 days	0	0	0
31 to 60 days	0	0	0
61 to 120 days	0	1	1
121 to 180 days	0	0	0
181 to 365 days	0	0	0
More than 365 days	0	0	0
<b>Total</b>	0	1	1

## 2.8 Requests for translation

Translation requests	Accepted	Refused	Total
English to French	0	0	0
French to English	0	0	0
<b>Total</b>	0	0	0

### Section 3: Disclosures under subsections 8(2) and 8(5)

Paragraph 8(2)(e)	Paragraph 8(2)(m)	Subsection 8(5)	Total
0	0	0	0

### Section 4: Requests for correction of personal information and notations

Disposition for correction requests received	Number
Notations attached	0
Requests for correction accepted	0
<b>Total</b>	<b>0</b>

### Section 5: Extensions

#### 5.1 Reasons for extensions and disposition of requests

Number of requests where an extension was taken	15(a)(i) Interference with operations				15(a)(ii) Consultation			15(b) Translation or transfer
	Further review required to determine exemptions	Large number of pages	Large volume of requests	Records difficult to obtain	Cabinet confidences (section 70)	External	Internal	
6	0	0	5	1	0	0	0	0

#### 5.2 Length of extensions

Length of extensions	15(a)(i) Interference with operations				15(a)(ii) Consultation			15(b) Translation or transfer
	Further review required to determine exemptions	Large number of pages	Large volume of requests	Records difficult to obtain	Cabinet confidences (Section 70)	External	Internal	
1 to 15 days	0	0	0	0	0	0	0	0
16 to 30 days	0	0	5	1	0	0	0	0
31 days or greater	0	0	0	0	0	0	0	0
<b>Total</b>	<b>0</b>	<b>0</b>	<b>5</b>	<b>1</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>

## Section 6: Consultations received from other institutions and organizations

### 6.1 Consultations received from other Government of Canada institutions and other

Consultations	Other government institutions	Number of pages to review	Other organizations	Number of pages to review
Received during the reporting period	0	0	0	0
Outstanding from previous reporting period	0	0	0	0
<b>Total</b>	0	0	0	0
Closed during the reporting period	0	0	0	0
Carried over to next reporting period	0	0	0	0

### 6.2 Recommendations and completion time for consultations received from other Government of Canada institutions

Recommendation	Number of days required to complete consultation requests							
	1 to 15 days	16 to 30 days	31 to 60 days	61 to 120 days	121 to 180 days	181 to 365 days	More than 365 days	Total
All Disclosed	0	0	0	0	0	0	0	0
Disclosed in part	0	0	0	0	0	0	0	0
All Exempted	0	0	0	0	0	0	0	0
All Excluded	0	0	0	0	0	0	0	0
Consult other institution	0	0	0	0	0	0	0	0
Other	0	0	0	0	0	0	0	0
<b>Total</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>

### 6.3 Recommendations and completion time for consultations received from other organizations

Recommendation	Number of days required to complete consultation requests							Total
	1 to 15 days	16 to 30 days	31 to 60 days	61 to 120 days	121 to 180 days	181 to 365 days	More than 365 days	
All Disclosed	0	0	0	0	0	0	0	0
Disclosed in part	0	0	0	0	0	0	0	0
All Exempted	0	0	0	0	0	0	0	0
All Excluded	0	0	0	0	0	0	0	0
Consult other institution	0	0	0	0	0	0	0	0
Other	0	0	0	0	0	0	0	0
<b>Total</b>	0	0	0	0	0	0	0	0

## Section 7: Completion time of consultations on Cabinet confidences

### 7.1 Requests with Legal Services

Number of days	Fewer than 100 pages processed		101–500 pages processed	
	Number of requests	Pages disclosed	Number of requests	Pages disclosed
1 to 15	0	0	0	0
16 to 30	0	0	0	0
31 to 60	0	0	0	0
61 to 120	0	0	0	0
121 to 180	0	0	0	0
181 to 365	0	0	0	0
More than 365	0	0	0	0
<b>Total</b>	0	0	0	0

## 7.2 Requests with Privy Council ATIP office

Number of days	Fewer than 100 pages processed		101–500 pages processed	
	Number of requests	Pages disclosed	Number of requests	Pages disclosed
1 to 15	0	0	0	0
16 to 30	0	0	0	0
31 to 60	0	0	0	0
61 to 120	0	0	0	0
121 to 180	0	0	0	0
181 to 365	0	0	0	0
More than 365	0	0	0	0

Number of days	501–1,000 pages processed		1001–5,000 pages processed		More than 500 pages processed	
	Number of requests	Pages disclosed	Number of requests	Pages disclosed	Number of requests	Pages disclosed
1 to 15	0	0	0	0	0	0
16 to 30	0	0	0	0	0	0
31 to 60	0	0	0	0	0	0
61 to 120	0	0	0	0	0	0
121 to 180	0	0	0	0	0	0
181 to 365	0	0	0	0	0	0
More than 365	0	0	0	0	0	0

## Section 8: Complaints and investigation notices received

Section 31	Section 33	Section 35	Court action	Total
1	1	1	1	4

## Section 9: Privacy impact assessments (PIAs) and personal information banks

### 9.1 Privacy impact assessments

Number of PIA(s) completed	0
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### 9.2 Personal information banks

Personal information banks	Active	Created	Terminated	Modified
	5	0	0	0

## Section 10: Material privacy breaches

Number of material privacy breaches reported to TBS	0
Number of material privacy breaches reported to OPC	0

## Section 11: Resources related to the *Privacy Act*

### 11.1 Cost

Expenditures	Amount
Salaries	\$108,873
Overtime	\$0
Goods and services	\$91,268
• Professional services contracts	\$28,272
• Other	\$62,996
<b>Total</b>	<b>\$200,141</b>

### 11.2 Human Resources

Resources	Person-years dedicated to privacy activities
Full-time employees	1.500
Part-time and casual employees	1.650
Regional staff	0.000
Consultants and agency personnel	1.000
Students	0.000
<b>Total</b>	<b>4.150</b>

# Appendix C: 2020-2021 Supplemental Statistical Report on the *Access to Information Act* and *Privacy Act*

## Section 1 – Capacity to receive requests

The following table reports the total number of weeks of received ATIP requests through the different channels between 2020-04-01 and 2021-03-31.

	Number of weeks
Able to receive requests by mail	52
Able to receive requests by email	52
Able to receive requests through the digital request service	52

## Section 2 – Capacity to process records

**Table 2.1 – The following table reports the total number of weeks of processed paper records in different classification levels between 2020-04-01 and 2021-03-01.**

	No capacity	Partial capacity	Full capacity	Total
Unclassified paper records	0	52	0	52
Protected B paper records	0	52	0	52
Secret and Top Secret paper records	0	52	0	52

**Table 2.2 – The following table reports the total number of weeks of processed electronic records in different classification levels between 2020-04-01 and 2021-03-31.**

	No capacity	Partial capacity	Full capacity	Total
Unclassified electronic records	0	52	0	52
Protected B electronic records	0	52	0	52
Secret and Top Secret electronic records	0	52	0	52

# Appendix D: Definitions of dispositions

These definitions provide a brief explanation of the disposition of the closed requests

**All disclosed:** All the records relevant to the request were disclosed to the applicant (i.e., without the application of any exemptions or exclusions).

**All exempted:** No information was disclosed because all of the information requested qualified for exemption. For example, exemptions may be applied to personal information or information related to advice or recommendations developed by or for a government institution.

**All excluded:** No information was disclosed because all of the information requested qualified for exclusion. Excluded information would include publicly available information or confidences of the Queen's Privy Council. The *Access to Information Act* does not apply to published material or material available for purchase by the public.

**Disclosed in part:** Only a portion of the information requested was disclosed because the remainder was exempt and/or excluded. For example, exemptions may be applied to personal information or information related to advice or recommendations developed by or for a government institution. Excluded information would include publicly available information or confidences of the Queen's Privy Council. Excluded information is addressed in sections 68 and 69 of *the Access to Information Act*. The *Access to Information Act* does not apply to published material or material available for purchase by the public.

**Does not exist:** The request provided sufficient information to identify the specific information sought but no relevant records were found.

**Neither confirmed nor denied:** The Department could neither confirm nor deny the existence of any records pertaining to the request

**Request abandoned:** The request was abandoned either by the requester, or following a lack of response from the requester to a clarification letter.

**Request transferred:** The request was transferred to another government department that was better suited to respond to the request.