



Western Economic
Diversification Canada

Diversification de l'économie
de l'Ouest Canada

Access to Information Act

**Western Economic Diversification Canada
Annual Report to Parliament
April 1, 2004 – March 31, 2005**

TABLE OF CONTENTS

	Page
Introduction	1
2004-2005 Highlights	1
Background on the Department	2
Access to Information and Privacy Unit	3
Access to Information Training and Awareness	3
2004-2005 Statistical Report on the Access to Information Act	4
Interpretation of the Statistical Report	5
a) Requests Received Under the Access to Information Act	5
b) Trends of the Requests Received	5
c) Disposition of Requests Completed	6
d) Exemptions Invoked	6
e) Exclusions Cited	6
f) Extensions of Time Limited	6
g) Completion Time	7
h) Method of Access	7
i) Fees Collected and Waived	7
j) Costs and Organizational Changes	7
k) Complaints Received	7
l) Judicial Review	8

Introduction

The *Access to Information Act* took effect on July 1, 1983, to give Canadian citizens, permanent residents and any person and corporation present in Canada a right of access to information contained in government records, subject to certain specific and limited exceptions.

Western Economic Diversification Canada (WD) was established in 1987 to help lessen the West's economic dependence on natural resources. Under the *Western Diversification Act, 1988*, the Department is mandated to "promote the development and diversification of the economy of Western Canada and to advance the interests of Western Canada in national economic policy, program and project development and implementation."

Section 72 to the *Access to Information Act (ATIA)* requires the head of every government institution submit an annual report to Parliament on the administration of the *Act*. This report details how WD administered its responsibilities under the *Act* during the 2004-2005 fiscal year.

2004-2005 Highlights

The ATIP and Corporate Administration units were combined within the Department in December 2004. This merger provides WD with greater operational flexibility and additional human resources to process Access to Information requests.

Notably, the number of requests received by the Department in the 2004-2005 fiscal year was less than half those received in the 2003-2004 fiscal year, down from 73 to only 32. This reduction in ATIP requests was a general trend across government that has been attributed to a minority government.

Copies of this report may be obtained from:

Western Economic Diversification Canada
Access to Information and Privacy Coordinator
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Edmonton, Alberta
T5J 4H7

Background on the Department

Western Economic Diversification Canada (WD) was established in 1987 to help lessen the West's (British Columbia, Alberta, Saskatchewan and Manitoba) economic dependence on natural resources. Under the *Western Economic Diversification Act, 1988*, the Department is mandated to “promote the development and diversification of the economy of Western Canada and to advance the interests of Western Canada in national economic policy, program and project development and implementation.” To do this, WD organizes its programs and services to achieve the following strategic outcomes:

- policies and programs that support the development of Western Canada (policy, advocacy and coordination);
- economically viable communities in Western Canada with a high quality of life (sustainable communities); and
- a competitive and expanded business sector in Western Canada and a strengthened western Canadian innovation system (entrepreneurship and innovation).

WD's strategic investments in these areas will help to fulfill WD's vision of *a stronger West, a stronger Canada*.

WD's Headquarters is co-located in Edmonton with the Alberta Region office. There are also regional offices located in each of the other western provinces, in Winnipeg, Saskatoon and Vancouver, and a Liaison Office located in Ottawa. Regional satellite offices also exist in Calgary, Regina and Victoria.

The Deputy Minister is located in Edmonton, with Assistant Deputy Ministers located in each of the regional offices and the Ottawa office. Each of the western Assistant Deputy Ministers are responsible for the delivery of programs and services in their region which support the Department's strategic outcomes, as well as corporate responsibilities.

As part of the reorganization announced by the Prime Minister in December 2003, the department is led by the Minister of Western Economic Diversification. WD continues to work closely with Industry Canada and other regional development organizations.

For additional information on the Department's activities, visit www.wd.gc.ca.

Access to Information and Privacy Unit

The Access to Information and Privacy Coordinator is accountable for the development, coordination and implementation of effective policies, guidelines, systems and procedures to ensure the Minister's responsibilities under the *Access to Information Act* are met and to enable appropriate processing and proper disclosure of information. The Coordinator is also responsible for related policies, systems and procedures emanating from the *Act*.

Two officers process requests on behalf of the Department and assist the Coordinator.

The activities of WD's Access to Information and Privacy (ATIP) unit include:

- processing requests under the *Act*;
- representing WD in dealings with the Treasury Board of Canada Secretariat, the Information Commissioner and other government departments and agencies regarding the application of the *Act* as it relates to WD;
- responding to consultations submitted by other federal institutions on WD documents under consideration for release;
- preparing annual reports to Parliament and other statutory reports, as well as other material that may be required by central agencies;
- developing and maintaining policies, procedures and guidelines to ensure the *Act* is respected by WD;
- promoting awareness of the *Act* within the Department to ensure responsiveness to the obligations imposed on the government; and
- monitoring departmental compliance with the *Act*, regulations and relevant procedures and policies.

Access to Information Training and Awareness

During the fiscal year 2004-2005, two WD officers attended Access to Information and Privacy training through the Canada School of Public Service. One officer works specifically in the Access to Information and Privacy Unit, and the second is a Regional ATIP Liaison Officer in the Ottawa office.

An Edmonton staff orientation session was held in January 2005 and valuable Access to Information and Privacy information was provided to attendees. As a result of the positive response to this session, Access to Information awareness sessions are being planned for the new fiscal year.

2004-2005 Statistical Report on the Access to Information Act



REPORT ON THE ACCESS TO INFORMATION ACT RAPPORT CONCERNANT LA LOI SUR L'ACCÈS À L'INFORMATION

Institution WESTERN ECONOMIC DIVERSIFICATION CANADA DIVERSIFICATION DE L'ÉCONOMIE DE L'OUEST CANADA				Reporting period / Période visée par le rapport 4/1/2004 to/à 3/31/2005	
Source	Media / Médias 6	Academia / Secteur universitaire 0	Business / Secteur commercial 9	Organization / Organisme 8	Public 9

I Requests under the Access to Information Act Demandes en vertu de la Loi sur l'accès à l'information	
Received during reporting period Reçues pendant la période visée par le rapport	32
Outstanding from previous period En suspens depuis la période antérieure	7
TOTAL	39
Completed during reporting period Traitées pendant la période visée par le rapport	33
Carried forward Reportées	6

II Disposition of requests completed Disposition à l'égard des demandes traitées			
1. All disclosed Communication totale	8	6. Unable to process Traitement impossible	6
2. Disclosed in part Communication partielle	15	7. Abandoned by applicant Abandon de la demande	2
3. Nothing disclosed (excluded) Aucune communication (exclusion)	0	8. Treated informally Traitement non officiel	0
4. Nothing disclosed (exempt) Aucune communication (exemption)	1	TOTAL	33
5. Transferred Transmission	1		

III Exemptions invoked Exemptions invoquées							
S. Art. 13(1)(a)	0	S. Art. 16(1)(a)	0	S. Art. 18(b)	0	S. Art. 21(1)(a)	5
(b)	0	(b)	0	(c)	0	(b)	5
(c)	1	(c)	0	(d)	0	(c)	0
(d)	1	(d)	0	S. Art. 19(1)	7	(d)	0
S. Art. 14	3	S. Art. 16(2)	0	S. Art. 20(1)(a)	0	S. Art. 22	0
S. 15(1) International rel. Art. Relations intern.	0	S. Art. 16(3)	0	(b)	10	S. Art. 23	1
Defence Défense	0	S. Art. 17	0	(c)	2	S. Art. 24	0
Subversive activities Activités subversives	0	S. Art. 18(a)	1	(d)	3	S. Art. 26	1

IV Exclusions cited Exclusions citées			
S. Art. 68(a)	0	S. Art. 69(1)(c)	0
(b)	0	(d)	3
(c)	0	(e)	1
S. Art. 69(1)(a)	1	(f)	0
(b)	0	(g)	3

V Completion time Délai de traitement	
30 days or under 30 jours ou moins	12
31 to 60 days De 31 à 60 jours	11
61 to 120 days De 61 à 120 jours	9
121 days or over 121 jours et plus	1

VI Extensions Prorogations des délais		
	30 days or under 30 jours ou moins	31 days or over 31 jours ou plus
Searching Recherche	0	0
Consultation	2	4
Third party Tiers	1	8
TOTAL	3	12

VII Translations Traductions	
Translations requested Traductions demandées	0
Translations prepared De l'anglais au français	0
Translations prepared Du français à l'anglais	0

VIII Method of access Méthode de communication	
Copies given Copies de l'original	21
Examination Examen de l'original	0
Copies and examination Copies et examen	2

IX Fees Frais		
Net fees collected Frais nets perçus		
Application fees Frais de la demande	\$150.00	Preparation Préparation
Reproduction	\$72.40	Computer processing Traitement informatique
Searching Recherche	\$0.00	TOTAL
	\$222.40	
Fees waived Dispense de frais		
\$25.00 or under \$25 ou moins	15	\$76.80
Over \$25.00 De plus de 25 \$	3	\$150.80

X Costs Coûts	
Financial (all reasons) Financiers (raisons) (\$000)	
Salary Traitement	50,000.0
Administration (O and M) Administration (fonctionnement et maintien)	25,000.0
TOTAL	75,000.0
Person year utilization (all reasons) Années-personnes utilisées (raisons)	
Person year (decimal format) Années-personnes (nombre décimal)	1.00

Interpretation of the Statistical Report

a) Requests Received Under the Access to Information Act

Between April 1, 2004, and March 31, 2005, WD received 32 requests for information under the *Access to Information Act*. In total, 33 were completed during the reporting period, taking into account seven (7) requests that were outstanding from the previous fiscal year. Six (6) requests were carried forward in the 2005-06 fiscal year.

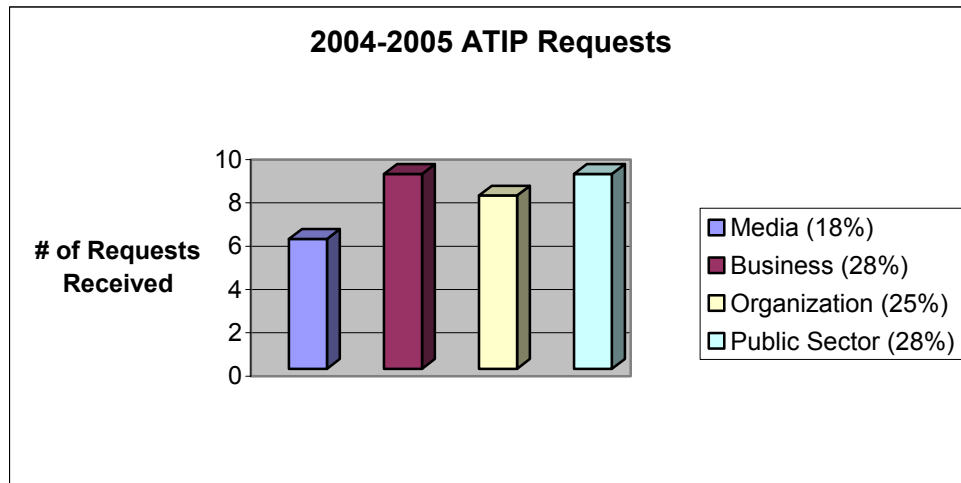
WD also received 26 Access to Information consultations from other departments or organizations, and four (4) informal requests.

b) Trends of the Requests Received

The breakdown of the requests received during the 2004/05 fiscal year is as follows:

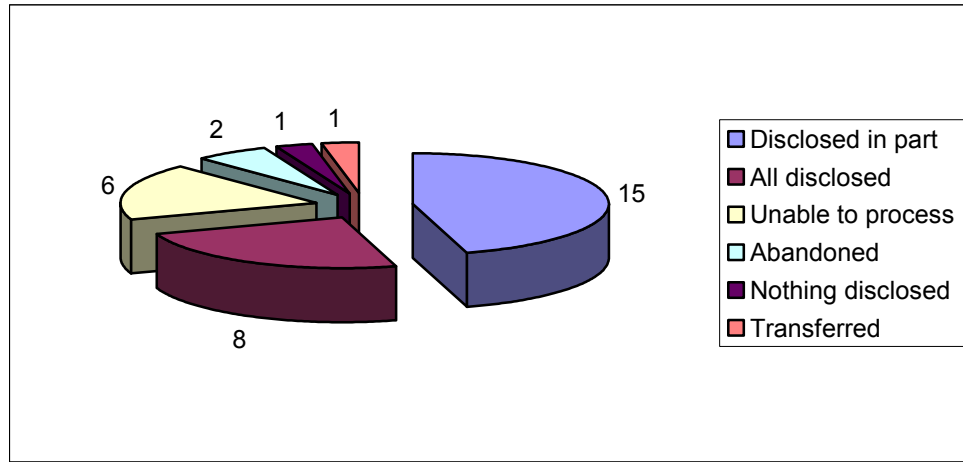
- nine (9) from business, which includes consultants (7), business (1) and lawyers (1);
- nine (9) from the general public/public sector;
- eight (8) from organizations, which includes political parties (6) and other organizations (2); and
- six (6) from the media.

By comparison, in 2003/04 the majority of requests were received from organizations (48 requests or 63%). Of these, 46 requests were received from political parties. All other statistics remained static.



c) Disposition of Requests Completed

In 2004-2005, WD completed 39 requests. The breakdown of the disposition is as follows:



d) Exemptions Invoked

This section of the Statistical Report is intended to identify the number of requests where specific types of exemptions were invoked to deny access. For example, if in processing a request, five different exemptions were invoked by WD, one exemption under each relevant section would be reported for a total of five. If the same exemption is claimed several times for the same request, it is reported only once.

WD involved exemptions under Sections 13, 14, 18, 19, 20, 21, 23 and 26 of the *Act*.

Subsections 19(1), 20(1) and 21(1) were the provisions most commonly invoked to withhold personal information, third party information and advice.

e) Exclusions Cited

The *Act* does not apply to confidences of the Queen’s Privy Council pursuant to Section 69.

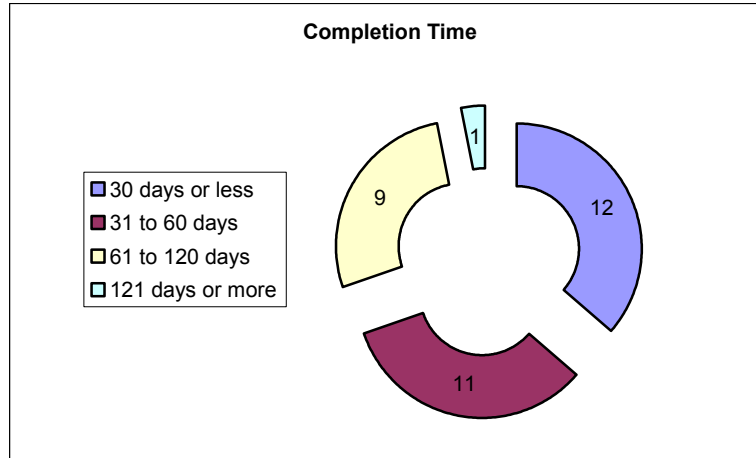
During this reporting period, Section 69 was invoked on eight (8) occasions.

f) Extensions of Time Limits

Section 9 of the *Act* provides for the extension of the statutory time limits if consultations are necessary or the request is for a large volume of records and processing the request within the original time limit would unreasonably interfere with the operations of the Department.

During this reporting period, three (3) requests were extended for 30 days or less, and 12 requests required an extension for more than 30 days.

g) Completion Time



h) Method of Access

Access to the relevant documents was given, in whole or in part, for 21 requests. On two (2) occasions, the requestor chose to come into the office and examine the material before taking any copies.

i) Fees

The fees collected during the reporting period totalled \$222.40. During the same period, WD waived fees on 18 requests for a total of \$227.60.

j) Costs and Organizational Changes

Total salary costs associated with the *Access to Information Act* are estimated at \$50,000 for 2004-2005. Other costs amounted to \$25,000 for a total of \$75,000. Because of the difficulty of collecting complete time costs from responsibility centres, the aforementioned figures are underestimated. The associated employee resources for 2004-2005 are fixed at one full-time equivalent (FTE) for administering the *Act*.

In February 2005, an additional position was created to ensure effective management of the Department's ATIP process.

k) Complaints Received

In 2004-2005, WD received one (1) complaint from the Information Commissioner pertaining to the number of records provided, and one (1) complaint is still under review from the 2003/04 fiscal year.

l) Judicial Review

Western Economic Diversification Canada continues to process and work with Justice Canada in response to a formal request for judicial review received in the 2003-2004 reporting period. WD received a request under the *Access to Information Act* for records pertaining to the 44 financial assistance contributions totalling \$11,126,414 that were written-off by the Minister in 2002-2003. One of the third parties involved, Washtronics Ltd., objected to the disclosure of any of their information submitted to the Department and applied for a judicial review to the Federal Court of Canada in accordance with Section 44 of the *Act*. The outcome of this matter will be reported in the next annual report.