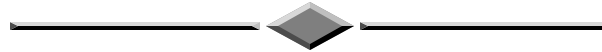


Canada Firearms Centre



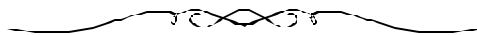
**ANNUAL REPORT TO PARLIAMENT
2003-2004**

***ACCESS TO INFORMATION ACT
AND
PRIVACY ACT***

Canada Firearms Centre

ANNUAL REPORT TO PARLIAMENT

2003-2004



ACCESS TO INFORMATION ACT

AND PRIVACY ACT

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INTRODUCTION

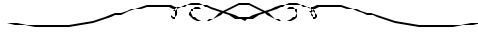
The *Access to Information Act* and the *Privacy Act* were proclaimed into force on July 1, 1983.

The *Access to Information Act* gives 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. The *Privacy Act* extends to individuals the right of access to information about themselves held by the government, subject to specific and limited exceptions. The latter act also protects individuals' privacy by preventing others from having access to their personal information and gives individuals substantial control over its collection, use and disclosure.

Section 72 of the *Access to Information Act* and section 72 of the *Privacy Act* require that the head of every government institution prepare for submission to Parliament an annual report on the administration of the Acts within the institution during each financial year.

This is the First Annual Report on the administration of the *Access to Information Act* and the *Privacy Act* for the Canada Firearms Centre. It describes how the agency administered its responsibilities in the fiscal year 2003-2004 in relation to the Acts.

PART I



GENERAL INFORMATION

Canada Firearms Centre

To better understand the context in which the *Access to Information* and the *Privacy Acts* are implemented, this section presents background information about the agency.

The Canada Firearms Centre (CAFC) is an independent agency within the Public Safety and Emergency Preparedness portfolio. The Deputy Head of the CAFC is the Commissioner of Firearms, who is appointed pursuant to section 81.1 of the *Firearms Act*.

The CAFC is responsible for the overall administration of the Firearms Program, which includes the licensing of firearm owners, the registration of firearms and other measures related to safe and responsible firearms use and firearms controls. Some of these responsibilities are shared with provincial officials, i.e., provincially appointed Chief Firearms Officers. The agency is composed of its Headquarters Offices in Ottawa, two regional offices and a call centre and application-processing site in Miramichi, New Brunswick. The Newfoundland and Labrador Chief Firearms Officer's regional office is in St. John's. The Northwest Region Chief Firearms Officer's regional office (which serves British Columbia, Alberta, Saskatchewan, Manitoba, Yukon, Northwest Territories and Nunavut) is located in Edmonton.

The CAFC maintains the Canadian Firearms Information System (CFIS), a fully integrated automated information system that provides support to all partners involved in licensing, registration and the issuance of authorizations related to restricted and prohibited firearms, and to police services and other public safety offices.

The CAFC also develops and manages safety training courses and material and designs all application forms concerning firearms; conducts research, consults and develops policy related to firearms; develops proposals for legislation and accompanying regulations; negotiates agreements with the provinces and territories; and participates in international activities related to firearms.

ACCESS TO INFORMATION AND PRIVACY ACTIVITIES



The Director, Policy and Consultation, is responsible for the operations (under delegated authority) of the Access to Information and Privacy Office and is accountable for the development, coordination and implementation of effective policies and guidelines, systems and procedures to enable efficient processing of requests under the *Access to Information Act* and the *Privacy Act*. The Director is also responsible for related policies, systems and procedures emanating from the Acts, such as the policy of government on information collection and public opinion research.

The activities of the Office of Access to Information and Privacy (ATIP) include:

- processing requests under both Acts;
- acting as spokesperson for the agency in dealings with the Treasury Board Secretariat, the Information and Privacy Commissioners and other government departments and agencies regarding the application of both Acts as they relate to the agency;
- responding to consultation requests submitted by other federal institutions on Canada Firearms Centre documents located in their files and on records that may be subject to the solicitor-client privilege;
- reviewing and approving information collections in accordance with the Government Policy on Information Collection and Public Opinion Research;
- preparing annual reports to Parliament and other statutory reports, as well as other material that may be required by central agencies;
- developing policies, procedures and guidelines for the orderly implementation of both Acts by the agency;
- promoting awareness of both Acts to ensure departmental responsiveness to the obligations imposed on the government;
- monitoring departmental compliance with both Acts, regulations and relevant procedures and policies.

ORGANIZATION FOR THE IMPLEMENTATION OF ATIP ACTIVITIES

The Director of Policy and Consultations has full authority (except for 8(2)(m) of the *Privacy Act*) delegated by the Commissioner of Firearms for the administration of the two Acts.

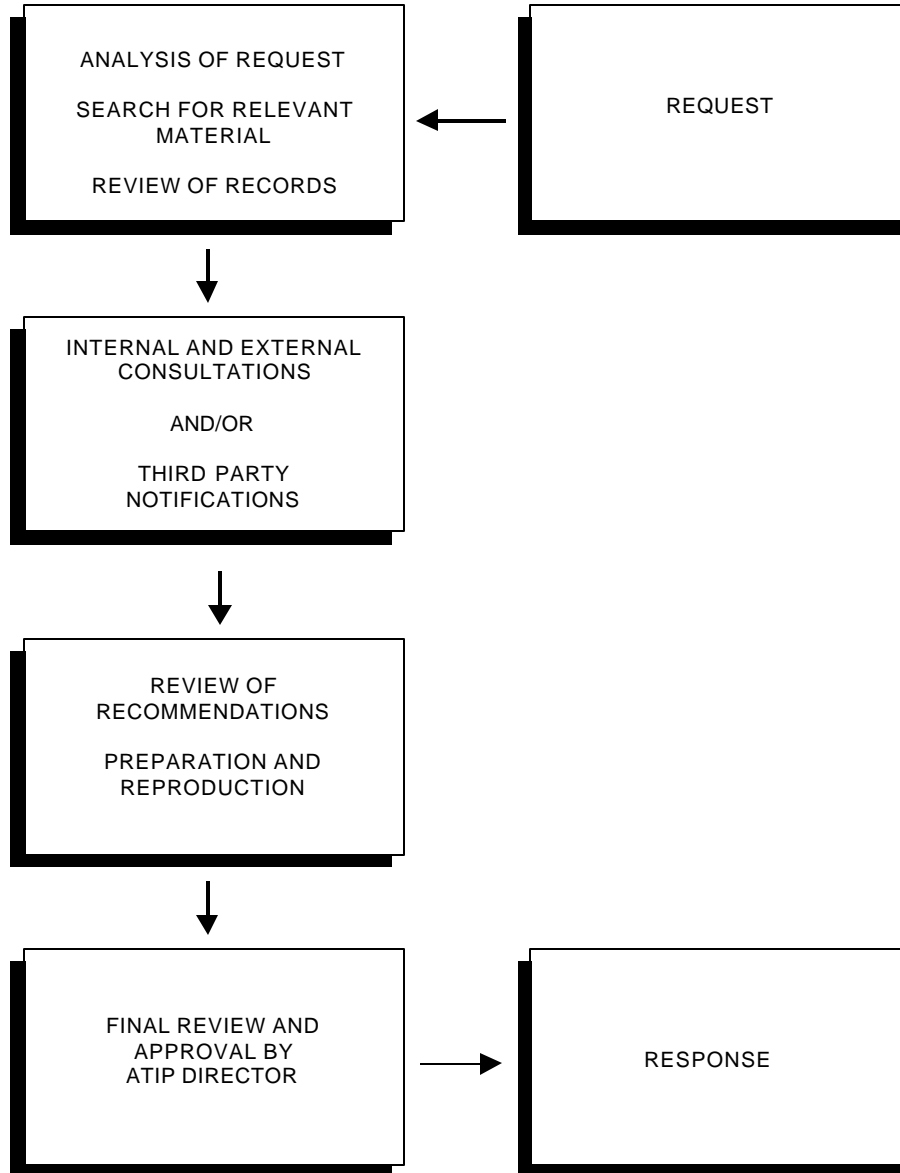
The Access to Information and Privacy Office operated with a total of 3 employees, all of whom administrated both the *Access to Information Act* and the *Privacy Act* and related functions on a full-time basis.

Moreover, officials from all areas of CAFC were directly involved in the application of both Acts in the process of making recommendations concerning the disposition of requests and ensuring compliance with the Acts.

The reading room located in the National Capital Region (Public Safety and Emergency Preparedness Canada) and the regional offices make available to the public the current version of InfoSource, as well as departmental publications and manuals.

The chart shown on page 5 indicates the stages of processing requests.

PROCESSING CHART



ADMINISTRATIVE ISSUES

Salary and Administrative Expenditures

A total of 3 persons were utilized in the administration of both the *Access to Information Act* and the *Privacy Act*. The salary expenditures amounted to \$98 039.

The administrative expenditures amounted to \$20 707.

The administrative and salary expenditures were apportioned between the two Acts, as shown in the statistical reports on pages 13 and 20.

Education and Training

ATIP officers regularly give advice on the application of the legislation to employees who must provide documents requested by applicants and undertake assessments. Information sessions are also given as needed. These sessions emphasize the aspects of the Acts that are directly related to the employees' areas of responsibility.

ATIP employees participated in training sessions and seminars organized by the Treasury Board Secretariat and by the Canadian Access and Privacy Association (CAPA), bringing the ATIP community up to date with developments in the information field.

PART II



REPORT ON THE *ACCESS* *TO INFORMATION ACT*

REQUESTS UNDER THE *ACCESS TO INFORMATION ACT*

I. Statistical Report

The annual statistical report for the fiscal year 2003-2004 is included at the end of this chapter. It is important to note that the Canada Firearms Centre became an independent agency on April 14, 2003, and its Access to Information and Privacy Office has been operational since July 18, 2003.

II. Explanation of the Statistics

1. Informal Requests

The policy of the ATIP Office is generally to consider as informal any requests for material already released in response to previous access to information requests; requests for documents releasable without exemptions; requests for call-ups against standing offers for temporary help services, etc. These are guidelines only; a determination is made for each request and, whenever possible, the request is processed on an informal basis.

No informal requests were received during the fiscal year 2003-2004.

The statistics are based on formal requests only. Therefore, details on requests treated informally are not included in the statistical report or in the following explanations.

2. Requests Received

Fifty-three (53) requests were received during the period under review. In addition, one (1) request has been carried forward, for a total of fifty-four (54) requests to be processed during the fiscal year.

3. Sources of Requests Received

The Organizations category was the largest group of requesters, which includes political parties.

	2003-2004
Organizations	77.4
Public	13.2
Media	7.5
Business	1.9
	100

4. Requests Completed

Thirty-seven (37) access requests were completed during the fiscal year; seventeen (17) requests were carried forward to be completed in the next fiscal year.

5. Disposition of Requests Completed

	<u>Number of Requests</u>	<u>Percentage</u>
Documents disclosed entirely	17	46
Documents disclosed in part	7	18.9
No disclosure (exempted/excluded)	0	0.0
Unable to process	7	18.9
Abandoned by requester	1	2.7
Transferred	5	13.5
Treated informally	0	0.0
	37	100

a) Unable to Process

Seven (7) requests could not be processed because no relevant records existed under the control of the Canada Firearms Centre.

b) Abandoned

One (1) request was abandoned. In this particular case, the applicant did not pursue the request by withdrawing it.

c) Transferred

Five (5) requests were transferred to other government institutions having a greater interest in the subject of the request.

6. Extensions

No extensions were required for files completed during the fiscal year 2003-2004.

7. Completion Time

The time required to process the requests is summarized below:

	<u>Number of Requests</u>	<u>Percentage</u>
30 days or under	32	86.4
31 to 60 days	4	10.9
61 to 120 days	1	2.7
121 days or over	0	0.0
Total	37	100

8. Method of Access

Access to the relevant documents was given, in whole or in part, for twenty-four (24) requests. Copies were provided in all cases.

9. Fee Waivers

The policy of the Canada Firearms Centre is to waive reproduction fees whenever less than 200 pages are disclosed. However, when more than 200 pages are disclosed, fees are calculated for the total number of pages. For extensive or complex requests, search and preparation fees were charged as determined on a case-by-case basis.

III. Consultations by Other Federal Institutions

Thirty (30) consultations were received from other federal institutions during the fiscal year covered by this report. These consultations are processed on a priority basis, taking into account the time limits of each request. Some requests were time-consuming and required review by departmental legal counsel.

IV. Complaints and Investigations

The complaint findings are defined as follows:

- resolved: The complaint was resolved to the satisfaction of the Commissioner as a result of remedial action by the agency.
- unresolved: The agency did not follow the recommendations of the Commissioner.
- not substantiated: There was no breach of the *Act*.
- discontinued: The complaint was withdrawn or abandoned by the complainant.

The results of the investigations are summarized below.

REASON	RECEIVED	RESOLVED	NOT SUBSTANTIATED	WITHDRAWN
Delay	0	0	0	0
Exemption	2	1	0	0
Extension	0	0	0	0
Incomplete records	0	0	0	0
No records	5	0	1	0
Other	0	0	0	0
TOTAL	7	1	1	0

1. Complaints filed

Seven (7) complaints were lodged with the Information Commissioner.

2. Completed Investigations

Two (2) investigations were completed. One (1) complaint was resolved to the satisfaction of the Information Commissioner. Furthermore, one (1) complaint was not substantiated.

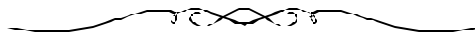
3. On-going Investigations

At the end of the fiscal year, five (5) complaints were still under investigation by the Office of the Information Commissioner.

4. Review by the Federal Court of Canada

No application for judicial review was filed pursuant to section 44 of the *Access to Information Act* during the fiscal year 2003-2004.

ACCESS TO INFORMATION ACT



ANNUAL STATISTICAL REPORT

APRIL 1, 2003 TO MARCH 31, 2004

Source	Media Médias 4	Academia Secteur universitaire 0	Business Secteur commercial 0	Organization Organisme 41	Public 7
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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	53
Outstanding from previous period En suspens depuis la période antérieure	1
TOTAL	54
Completed during reporting period Traitées pendant la période visée par le rapport	37
Carried forward Reportées	17

II Disposition of requests completed
Dispositions prises à l'égard des demandes traitées

1. All disclosed Communication totale	17	6. Unable to process Traitement impossible	7
2. Disclosed in part Communication partielle	7	7. Abandoned by applicant Abandon de la demande	1
3. Nothing disclosed (excluded) Aucune communication (exclusion)	0	8. Treated informally Traitement non officiel	0
4. Nothing disclosed (exempt) Aucune communication (exemption)	0	TOTAL	37
5. Transferred Transmission	5		

III Exemptions invoked
Exceptions invoquées

S. 13 (1) (a) Art.	0	S. 16 (1) (a) Art.	0	S. 18 (b) Art.	1	S. 21 (1) (a) Art.	0
(b)	0	(b)	0	(c)	0	(b)	2
(c)	1	(c)	0	(d)	0	(c)	0
(d)	0	(d)	0	S. 19 (1) Par.	4	(d)	0
14	5	S. 16 (2) Par.	0	S. 20 (1) (a) Art.	0	S. 22 A.	0
S. 15 (1) Art.	0	S. 16 (3) Par.	0	(b)	1	S. 23 A.	1
Defence Défense	0	S. 17 A.	0	(c)	1	S. 24 A.	0
Subversive activities Activités subversives	0	S. 18 (a) Art.	0	(d)	0	S. 26 A.	0

IV Exclusions cited
Exclusions citées

S. 68 (a) Art.	0	S. 69 (1) (c) Art.	0
(b)	0	(d)	0
(c)	0	(e)	0
S. 69 (1) (a) Art.	0	(f)	0
(b)	0	(g)	0

V Completion time
Délai de traitement

30 days or under 30 jours ou moins	32
31 to 60 days De 31 à 60 jours	4
61 to 120 days De 61 à 120 jours	1
121 days or over 121 jours ou plus	0

VI Extensions
Prorogations

	30 days or under 30 jours ou moins	31 days or over 31 jours ou plus
Searching Recherche	0	0
Consultation	0	0
Third party Tiers	0	0
TOTAL	0	0

VII Translations
Traductions

Translations requested Traductions demandées		0
Translations prepared Traductions préparées	English to French De l'anglais au français	0
	French to English Du français à l'anglais	0

VIII Method of access
Méthode de consultation

Copies given Copies de l'original	24
Examination Examen de l'original	0
Copies and examination Copies et examen	0

IX Fees
Frais

Net fees collected Frais net perçus			
Application fees Frais de la demande	\$235.00	Preparation Préparation	\$0.00
Reproduction	\$0.00	Computer processing Traitement informatique	\$0.00
Searching Recherche	\$2,270.00	TOTAL	\$2,505.00

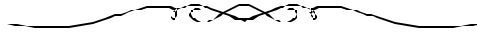
X Costs
Coûts

Financial (all reasons) Financiers (raisons)		(000)
Salary Traitement	\$	53,921.40
Administration	\$	10,707.60
TOTAL	\$	64,628.40

Fees waived Frais auxquels on renonce	No. of times Nombre de fois	\$
\$25.00 or under 25,00 \$ ou moins	1	\$2.60
Over \$25.00 Plus de 25,00\$	0	\$0.00

Person year utilization (all reasons) Années personnes utilisées (raisons)	
Person year (decimal format) Années personnes (nombre décimal)	1.40

PART III



REPORT ON THE *PRIVACY ACT*

REQUESTS UNDER THE *PRIVACY ACT*

I. Statistical Report

The annual statistical report for the fiscal year 2003-2004 is included at the end of this chapter.

II. Explanation of the Statistics

1. Requests Received

Fifty-three (53) requests were received. No requests have been carried forward from the previous year.

2. Requests Completed

Forty-nine (49) privacy requests were completed during the year and four (4) requests are carried forward and will be processed during the fiscal year 2004-2005.

3. Disposition of Requests Completed

	<u>Number of Requests</u>	<u>Percentage</u>
Documents disclosed entirely	33	67.4
Documents disclosed in part	14	28.6
No disclosure (exempted/excluded)	0	0.0
Unable to process	1	2.0
Abandoned by requester	1	2.0
	49	100

a) Unable to Process

One (1) request could not be processed because no relevant records existed under the control of the Canada Firearms Centre.

b) Abandoned

In one (1) case, following contact with the applicant either to seek clarification or to provide explanations of the role of the agency, the applicant did not pursue the request.

4. Extension

No extensions were required during the fiscal year 2003-2004.

5. Completion Time

The completion time can be summarized as follows:

	<u>Number of Requests</u>	<u>Percentage</u>
30 days or under	46	93.8
31 to 60 days	3	6.2
61 to 120 days	0	0.0
121 days or over	0	0.0
Total	49	100

6. Method of Access

Access to the relevant documents was given, in whole or in part, in response to forty-seven (47) requests. Copies were provided in all cases.

III. Consultations by Other Federal Institutions

No consultations were received during the fiscal year 2003-2004.

IV. Complaints and Investigations

The complaint findings are defined as follows:

- founded: There was a breach of the *Privacy Act*.
- settled/resolved: There may or may not have been a breach of the *Privacy Act*. A complaint is reported as resolved when it was well-founded but resolved to the satisfaction of the Commissioner. The complaint is reported as settled in the course of the investigation when the complaint was resolved to the satisfaction of the complainant, without requiring a formal letter of findings from the Office of the Privacy Commissioner.
- not substantiated: There was no breach of the *Act*.
- discontinued: The complaint was withdrawn or abandoned by the complainant.

1. Complaints filed

No complaints were lodged with the Privacy Commissioner during the fiscal year 2003-2004.

2. Review by the Federal Court of Canada

No applications were filed pursuant to section 41 of the *Privacy Act* during the fiscal year 2003-2004.

V. Requests for Correction of Personal Information

Paragraph 12(2)(a) of the *Act* provides that every individual given access to personal information about himself or herself that has been used, is being used, or is available for use for an administrative purpose is entitled to request correction of the information where the individual believes there is an error or omission therein.

No requests for correction were received during the fiscal year 2003-2004.

VI. Use and Disclosure

The policy of the Canada Firearms Centre concerning the use of personal information is that such information is used solely for the purpose for which it was collected or for consistent uses.

VII. Disclosure under Sub-paragraph 8(2)(m)(i)

Sub-paragraph 8(2)(m)(i) permits the disclosure of personal information in situations where the public interest in disclosure clearly outweighs any invasion of privacy that could result from the disclosure. The Privacy Commissioner must be informed of disclosures to be made under this provision.

No disclosures under sub-paragraph 8(2)(m)(i) were made during the period under review, fiscal year 2003-2004.

VIII. Exempt Banks

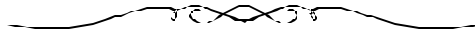
The Department has no exempt banks under the *Privacy Act*.

IX. Investigations Conducted by the Privacy Commissioner

Pursuant to subsection 37(1) of the *Privacy Act*, the Privacy Commissioner may carry out investigations in respect of personal information under the control of government institutions to

ensure compliance with sections 4 to 8. The Canada Firearms Centre was not the subject of an investigation by the Office of the Privacy Commissioner.

PRIVACY ACT



ANNUAL STATISTICAL REPORT

APRIL 1, 2003 TO MARCH 31, 2004



REPORT ON THE PRIVACY ACT

RAPPORT CONCERNANT LA LOI SUR LA PROTECTION DES RENSEIGNEMENTS PERSONNELS

Institution	Reporting period
Canada Firearms Centre / Centre des armes à feu Canada	Période visée par le rapport 7/18/2004 TO / AU 3/31/2004

I Requests under the Privacy Act Demandes en vertu de la Loi sur la protection des renseignements personnels

Received during reporting period Reçues pendant la période visée par le rapport	53
Outstanding from previous period En suspens depuis la période antérieure	0
TOTAL	53
Completed during reporting period Traitées pendant la période visée par le rapport	49
Carried forward Reportées	4

II Disposition of requests completed Dispositions prises à l'égard des demandes traitées

1. All Disclosed Communication totale	33
2. Disclosed in part Communication partielle	14
3. Nothing disclosed (excluded) Aucune communication (exclusion)	0
4. Nothing disclosed (exempt) Aucune communication (exclusion)	0
5. Unable to process Traitement impossible	1
6. Abandoned by applicant Abandon de la demande	1
7. Transferred Transmission	0
TOTAL	49

III Exemptions invoked Exceptions invoquées

S. Art. 18 (2)	0
S. Art. 19 (1) (a)	0
(b)	0
(c)	0
(d)	1
S. Art. 20	0
S. Art. 21	0
S. Art. 22 (1) (a)	1
(b)	3
(c)	0

IV Exclusions cited Exclusions citées

S. Art. 69 (1) (a)	0
(b)	0
69 (2)	0
S. Art. 70 (1) (a)	0
(b)	0
(c)	0
(d)	0
(e)	0
(f)	0

V Completion time Délai de traitement

30 days or under 30 jours ou moins	46
31 to 60 days De 31 à 60 jours	3
61 to 120 days De 61 à 120 jours	0
121 days or over 121 jours ou plus	0

VI Extensions Prorogations des délais

	30 days or under 30 jours ou moins	30 days or over 30 jours ou plus
Interference with operations Interruption des opérations	3	0
Consultation	23	0
Translation Traduction	0	0
TOTAL	26	0

VII Translations Traductions

Translations requested Traductions demandées	0
Translations prepared Traductions préparées	0
English to French De l'anglais au français	0
French to English Du français à l'anglais	0

VIII Method of Access Méthode de consultation

Copies given Copies de l'original	47
Examination Examen de l'original	0
Copies and Examination Copies et examen	0

IX Corrections and notation Corrections et mention

Corrections requested Corrections demandées	0
Corrections made Corrections effectuées	0
Notation attached Mention annexée	0

X Costs Coûts

Financial (all reasons) (000) Financiers (raisons)	
Salary Traitement	\$ 44,117.60
Administration	\$ 10,000.00
TOTAL	\$ 54,117.60
Person year utilization (all reasons) Années-personnes utilisées (raisons)	
Person year (decimal format) Années-personnes (nombre décimal)	1.30

S. Art.	22 (2)	0
S. Art.	23 (a)	0
	(b)	0
S. Art.	24	0
S. Art.	25	0
S. Art.	26	16
S. Art.	27	0
S. Art.	28	0