



National Capital
Commission

Commission
de la capitale nationale

Canada

Annual Report to Parliament

Access to Information Act and Privacy Act

for the period April 1, 2002 to March 31, 2003

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ANNEX A – Statistical report on the *Access to Information Act*

ANNEX B – Statistical Report on the *Privacy Act*

1. SUMMARY

During the period, the number of *Access to Information Act* requests received increased by 21, from 76 requests in 2001/2002 to 97 requests in 2002/2003, an increase of 28% over the previous year.

Administration costs of this program also increased from \$114,564 in 2001/2002 to \$125,379 in 2002/2003, an increase of nine percent.

The number of pages reviewed for the purpose of responding to access to information requests increased by 147% from 8,487 pages in 2001/2002 to 20,971 pages in 2002/2003.

2. ORGANIZATION

i) The National Capital Commission

The National Capital Commission (NCC) is a Crown corporation, which is governed by a national board of directors (the Commission) and reports to Parliament through the Minister of Canadian Heritage.

The mandate of the NCC is to:

- Plan and assist in the development, conservation and improvement of the National Capital Region (NCR) in order that the nature and character of the seat of the Government of Canada may be in accordance with its national significance; and
- Organize, sponsor or promote such public activities and events in the NCR as will enrich the cultural and social fabric of Canada, taking into account the federal character of Canada, the equality of status of the official languages of Canada and the heritage of the people of Canada.

The NCC's powers also include coordinating the policies and programs of the Government of Canada respecting the organization, sponsorship or promotion by departments of public activities and events and approving any change in the use of federal lands in the NCR.

ii) The Access to Information and Privacy Section

The Access to Information and Privacy Section is located within the Corporate Planning and Information Management Services Division (CPIMS) of the NCC. It is responsible for the administration of the Access to Information and Privacy (ATIP) programs for the corporation. The Chief of ATIP acts as the institutional Coordinator and is assisted by a Senior ATIP Analyst, plus additional support services.

The ATIP Section ensures that the NCC meets its legislated obligations in replying to requests with support from a network of ATIP Branch representatives in each of the nine program areas of the corporation.

3. TOPICS COMMON TO BOTH ACTS

i) Instrument of Delegation

The Chairman of the NCC is designated as Head of the institution by Order in Council for the purpose of administering the *Access to Information Act* and the *Privacy Act*.

The Chairman has delegated his authority under the *Access to Information Act* and the *Privacy Act* to key officials within the organization in accordance with section 73 of both acts. The Coordinator, ATIP has complete delegated authority.

ii) Training and Awareness

Two training and awareness sessions were developed and delivered, in both official languages, to 47 NCC employees who attended during the period.

iii) Human Resources

During the period, the responsibility for the Information Security Policy was reassigned to the Chief, Management and Security of Information Section of CPIMS.

The ATIP Section lost its employees to other career opportunities within the ATIP community outside the NCC. Replacement staffing, for both positions, has been completed and the inventory of outstanding access to information case files has been eliminated.

4. ACCESS TO INFORMATION ACT

i) Access to information requests

In 2002/2003, the National Capital Commission received 97 new requests pursuant to the *Access to Information Act*. Twelve requests were carried over from 2001/2002.

The number of *Access to Information Act* requests received increased by 21, from 76 requests in 2001/2002 to 97 requests in 2002/2003, an increase of 28% over the previous year.

Of the 97 requests received during the period, 50 were from members of the public, 32 from the media, 11 from organizations and four from the business sector.

Requests were made to obtain records on topics such as Gatineau Park, Official Residences' expenses, the National History Institute, the Sussex-MacKenzie-Daly site, LeBreton Flats, the Mackenzie King Estate Access Road, proceedings of Commission meetings, complaints about the damage caused by beavers, the Moffatt Farm property, Sparks Street revitalization, the Chairman's expenses, contracts and purchases, costs associated with the Plan for Canada's Capital, the Champlain Bridge reconstruction, the regulations on domestic animals on NCC-managed lands, rental property expenses, the recreational path in the Arboretum and expenses relating to Christmas lights and the Rideau Canal.

Of the 98 requests completed during the period, the information requested was released in whole in 36 cases while portions of records were exempted in 45 cases. Responses to requests involved a review of 20,971 pages of information as compared to 8,487 pages in 2001/2002, an increase of 147%.

In fulfilling its mandate, the NCC must work closely with other federal institutions, other levels of government in the region, as well as with the private sector. More than half of the requests processed by the NCC involved consultations with third parties, other governments or other federal institutions. Often the deadline for responding to these requests must be extended beyond the initial 30-day limit, to undertake the necessary consultations. As well, the NCC replied to 16 requests for consultations from other institutions during the year.

ii) Complaints

There were six complaints received during the year. Four complaints were filed by one requester. Two complaints related to extensions of time taken to respond to two requests and two related to exemptions applied to withhold portions of the records requested.

Five complaint investigations by the Office of the Information of Canada were ongoing at the end of the year.

One complaint regarding a missing record was resolved after an additional search to locate the record was completed and it was disclosed to the requester.

iii) Federal Court Case

A Federal Court, Trial Division, decision was received during the reporting period. It pertained to an objection against the disclosure of third party, commercially-sensitive information.

iv) Fees

In total \$450 of application fees, \$125 of search fees and \$115 of reproduction fees were collected during the period.

Reproduction fees were waived in 24 instances, valued at \$749.

v) Costs

The costs of administering the program within the NCC were \$86,805 in salaries and \$38,574 in other costs such as courier services, maintenance fees for the case file tracking system and professional consulting and legal services. The total cost of \$125,379 represents an increase of nine percent over the previous year.

5. PRIVACY ACT

There were no *Privacy Act* requests or complaints received during the period.

One new Personal Information Bank was registered with the Treasury Board of Canada, Secretariat and published in the Info Source publication entitled, *Sources of Federal Government Information, 2002/2003*. It contains personal information about Canadians between the ages of 18 and 24 who have applied to participate in the National Exchange Program, Future Trek.

Costs associated with the administration of the *Privacy Act* within the NCC were related to the provision of advice and guidance on matters relating to the collection, retention, use and disclosure of personal information. Costs of \$13,930 in salaries and administration represent a decrease of 22% over the \$17,818 spent in 2001/2002.