

**Bank of Canada**



**Banque du Canada**

ANNUAL REPORT TO PARLIAMENT

OF THE

BANK OF CANADA

ON THE ADMINISTRATION OF

THE ACCESS TO INFORMATION

AND

PRIVACY ACTS

(1 April 2004 to 31 March 2005)

August 2005

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**ATTACHMENTS**

- A. Report on Access to Information  
1 April 2004 – 31 March 2005
- B. Report on Privacy  
1 April 2004 – 31 March 2005
- C. Report on Access to Information  
1 January – 31 December 2004
- D. Report on Privacy  
1 January – 31 December 2004

## **INTRODUCTION**

This report is prepared in accordance with Sections 70(1)(d) and 71(1)(e) of the Access to Information and Privacy Acts, respectively. Because the Bank of Canada's financial year (January to December) differs from that of the Government, two sets of statistical reports have been compiled, as attached.

## **RESPONSIBILITIES OF THE BANK OF CANADA**

The Bank of Canada's mandate is to promote Canada's economic and financial well-being. Our operations are grouped into five main functions: monetary policy, currency, the financial system, funds management, and retail debt services. These functions, or responsibilities are outlined below.

### *Monetary policy*

The objective of monetary policy is to promote solid economic performance and higher living standards for Canadians by keeping inflation low, stable, and predictable.

### *Currency*

The Bank is responsible for the design, production, and distribution of paper currency – bank notes. It must ensure that there is a sufficient supply of bank notes and that those notes are secure against counterfeiting.

### *Financial System*

The objective of this function is to promote the safe and efficient operation of the financial system. The Bank helps Canada's payments system function smoothly, keeping accounts for the country's largest deposit-taking institutions.

### *Funds Management*

The Bank of Canada is the federal government's fiscal agent. It acts as banker and manager for Canada's debt and reserves, and manages the government's exposure to financial risk.

### *Retail Debt Services*

The Bank ensures that all holders of Canada Savings Bonds, Canada Premium Bonds, and Canada Investment Bonds have their information registered and their accounts serviced through efficient operations and systems support.

## **ADMINISTRATION OF THE ATIP LEGISLATION**

### **Summary of ATIP Activities**

The Bank received 25 requests during this reporting period (1 April 2004 – 31 March 2005). During this same period 28 requests were completed. Of the 28 requests completed, about 6% related to the Monetary Policy function of the Bank, 21% related to the Currency function, 4% related to the Retail Debt function, 4% related to the Financial System function, and another 50% related to administrative matters. Of interest, the Bank received 14 queries from the media compared to 22 the previous reporting period while only 8 queries were made by the public, compared with 11 for the same period last year.

### **Organization of Access to Information and Privacy Activities**

Under Sections 70(2) and 71(2) of the Access to Information and Privacy Acts, respectively, the Governor of the Bank of Canada is required to undertake the responsibilities of the designated Minister for the purposes of subsections 70(1)(a) and (c), and 71(1)(a) and (d) of each Act, respectively. Thus, in addition to his role as "Head of the Institution," the Governor is also required to ensure that the Bank's Records Management policies and procedures comply with the provisions of the Acts and their regulations.

Responsibility for compliance with the requirements of the Acts has been delegated by the Governor under Section 73 to the General Counsel and Corporate Secretary of the Bank, Mark Jewett. The role of Access to Information and Privacy Coordinator has been delegated to Colleen Leighton, Director, Executive Services.

The ATIP section forms part of the Executive and Legal Services Department. Under the guidance of the Access to Information and Privacy Coordinator, two ATIP analysts are responsible for coordinating the handling of Access and Privacy requests and complaints, drafting responses, providing advice and promoting ATIP awareness among staff, and performing the administrative tasks related to the Acts.

The Bank also provides a controlled-access reading room at its Head Office in Ottawa, where files can be examined and arrangements can be made at each of the Bank's Regional Offices in five major cities across Canada.

Copies of Info Source and Access to Information and Personal Information request forms have been placed in the Library and in the lobbies at the Bank's Head Office.

### **Formal/Informal Interface**

The Bank of Canada responds to informal public inquiries through its Communications Department and also on an ad hoc basis throughout the organization. A request is normally considered to be "formal" if it is presented to the Access and Privacy Coordinator in writing, and refers to the Acts with sufficient information to identify the records, and where a \$5.00 application fee accompanies the request. However, the Bank occasionally receives "formal" requests for information which is normally available to the general public. The Bank prefers to handle such requests informally through normal channels whenever possible. For example, the Bank continues to respond to inquiries concerning an individual's own bond holdings, or regarding unclaimed bank balances via websites or through specific client service work units. As a general rule, and when the inquirer agrees to it, the Bank treats these requests as informal even if they are submitted as a formal request.

Informal requests for access to employee information banks by Bank of Canada employees are directed to the Human Resource Services. Formal Privacy requests may be made to the ATIP office if the employee is not satisfied with the response received. However, the Bank has an employee redress procedure in place, so that formal requests are uncommon.

## **Staff Awareness**

Access and Privacy awareness with respect to the appropriate management of personal information and corporate records factored into discussions with staff and managers resulting from informal queries and advice in the course of business. As it is the Bank's practice, Senior Management and the Board of Directors were regularly briefed on Access to Information and Privacy matters.

During this reporting period, major efforts and time were dedicated to promote ATIP awareness among staff. The ATIP analysts delivered 17 presentations on Access to Information and Privacy issues to different work groups within the Bank in both official languages.

Work is still underway to have an ATIP presence on the Bank's Internet site. However, a list of Access to Information requests received by the Bank continues to be posted on the Bank's intranet site on a quarterly basis and copies of records released in response to these requests are available upon request.

## **ACCESS TO INFORMATION ACT**

### **Interpretation of the Statistical Report (Attachment A)**

The Bank of Canada received 25 applications for information under the Access to Information Act during the period 1 April 2004 to 31 March 2005. Five requests were outstanding from the previous period, and two were carried forward to the next period; the Bank therefore completed twenty-eight requests. In addition, the Bank handled eleven consultation requests received from other government institutions.

### **Source of Requests Received**

In this reporting period, eight requests were submitted by the public, fourteen were received from the media and three from the business sector.

## **Disposition of Requests**

A summary is provided below of the disposition of the access requests completed during the reporting period.

### **All Disclosed**

The information requested was disclosed in total for four requests (14% of the total).

### **Records Disclosed in Part**

For eleven requests (40% of the total), some information was disclosed, while exemptions were applied to portions of the requested information.

### **Unable to process**

Nine requests (32% of the total) were for information not found in the Bank.

### **Abandoned by applicant**

Four requests (14% of the total) were abandoned by the applicants.

## **Exemptions Invoked**

The figures shown in this section of the report reflect the exemptions that were claimed under the Act. If an exemption is applied several times for a given request, it is only reported once. The exemptions used in more than one request this year were: sections 16(2) "Security"; 18 "Economic interests of Canada"; 19(1) "Personal information"; 20(1) "Third party information"; and 21(1) "Advice". Exemptions used in one request only were: sections 13(1) "Information obtained in confidence"; 15(1) "International affairs and defence"; and 23 "Solicitor-client privilege".

## **Completion Time and Extensions**

There was only one request requiring a time extension. This particular request required international consultation. Therefore, the time extension was for 120 days. With respect to the three requests requiring a 31-to-60-days processing period, no time extension was necessary because 32 days were allowed to process the requests.

## **Fees**

The Bank of Canada has adopted the Government's basic fee structure, and normally requires that applicable fees be paid.

For accounting reasons, the Bank of Canada is unable to process cheques made payable to the Receiver General of Canada. To assist Access requesters who are not aware of this, a note has been inserted in Info Source stating that the fee accompanying requests is to be made payable to the Bank of Canada. Signage has also been placed in the Bank's lobby, at its Head Office in Ottawa, informing requesters of this detail.

Fees in the amount of \$70 were collected during this reporting period for formal requests made under the Act. Those fees represent less than one per cent of the estimated total costs incurred by the Bank to administer the legislation.

## **Calculation of Costs**

Officer and support staff costs were calculated on the basis of the actual amount of time spent on these requests. The Bank reports all costs involved in administering the legislation, and not just those costs related to the processing of requests. Costs have increased from \$153,543.28 to \$165,651.74 in 2004-2005. The main reason for this increase is, even with fewer requests received in this reporting period compared to the last one, the Bank has seen an increase in the number of hours reported by the Bank's employees involved in ATI requests.

## **Complaints and Investigations**

There were no complaints or investigations during this reporting period.

## **PRIVACY ACT**

### **Interpretation of the Statistical Report (Attachment B)**

The Bank of Canada received and processed fifteen formal applications for personal information under the Privacy Act compared with twelve last year. Of those 15, in only one case, information was released. For the other fourteen requests processed, nil responses



were provided to the applicants, since after searching for the requested information, no information was found related to these requests.

### **Calculation of costs**

The cost of administering the program for 2004-2005 was \$50,785.85, including salaries and program administration costs.

### **Disclosures under Paragraph 8(2)**

The Bank holds Government Bond Registers that contain a listing of bonds purchased and redeemed by individuals as well as other personal information of bondholders. Each year the Bank receives several requests under Paragraph 8(2). In this reporting period, the Bank received these types of requests mainly from Canada and Revenue Agency for investigations under the Income Tax Act, Royal Canadian Mounted Police, Law Firms, Police Forces and various provincial social services organizations. The Bank responded to thirty-two requests compared to seven last year.

### **Assessment of privacy issues**

During the current reporting period, the Bank finalized two of three Privacy Impact Assessments (PIAs) which were reported on in last year's report. These PIAs related to the redesign of HR Services within the Bank as well as program developments in the area of the Canada Savings Bonds (CSBs). The other PIA which also relates to HR Services is in a final review process and will be finalized shortly. Summaries of these PIAs are available upon request. With respect to any data matching activities, the ATIP Office is not aware of any that took place within this reporting period.

### **Complaints and Investigations**

The Bank received a complaint in November 2004 which is still under investigation by the Office of the Privacy Commissioner of Canada. The complaint relates to a possible improper disclosure of personal information about a former Bank employee. The Office of the Privacy Commissioner of Canada is currently reviewing records related to this complaint.