

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 2005 to 31 March 2006)

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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 four main functions: monetary policy, currency, the financial system and funds management. 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 provides high-quality, effective, and efficient funds-management services for the federal government, the Bank and other clients.

ADMINISTRATION OF THE ATIP LEGISLATION

Summary of ATIP Activities

The Bank received 35 requests during this reporting period (1 April 2005 – 31 March 2006). During this same period 34 requests were completed. Of the 34 requests completed, about 26% related to the Monetary Policy function of the Bank, 9% related to the Currency function, 3% related to Funds Management, 6% related to the Financial System function, and another 56% related to administrative matters. Of interest, compared to last year, the Bank received fewer queries from the media while more queries were made by the public.

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.

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, 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 are 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 are briefed at least annually on Access to Information and Privacy matters.

During this reporting period, the ATIP analysts delivered 3 presentations on Access to Information and Privacy issues to different work groups within the Bank in both official languages. It is important to note that major efforts were dedicated during the last reporting period in delivering 17 awareness sessions.

Resources have been dedicated to finalizing an ATIP presence on the Bank's external website; the ATIP Office anticipates this work to be completed by the end of 2006. Content on the Bank's intranet was enhanced to include Privacy Guidelines for the Bank. Also, 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 through the ATIP Office.

ACCESS TO INFORMATION ACT

Interpretation of the Statistical Report (Attachment A)

The Bank of Canada received 35 applications for information under the Access to Information Act during the period 1 April 2005 to 31 March 2006. Two requests were outstanding from the previous period, and three were carried forward to the next period; the Bank therefore completed thirty-four requests. In addition, the Bank handled eight consultation requests received from other government institutions.

Source of Requests Received

In this reporting period, eighteen requests were submitted by the public, twelve were received from the media, four from the business sector and one from academia.

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 (12% of the total).

Records Disclosed in Part

For twenty requests (59% of the total), some information was disclosed, while exemptions were applied to portions of the requested information.

Unable to process

Four requests (12% of the total) were for information not found in the Bank.

Abandoned by applicant

Five requests (15% of the total) were abandoned by the applicants.

Transferred

One request (2% of the total) was transferred to another government department.

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 13(1) "Information obtained in confidence"; 16(2) "Security"; 18 "Economic interests of Canada"; 19(1) "Personal information"; 20(1) "Third party information"; and 21(1) "Advice" and 26 "Refusal of access where information to be published". Exemptions used in one request only were: sections 23 "Solicitor-client privilege" and 24 "Statutory prohibitions against disclosure"

Completion Time and Extensions

There were three requests requiring a time extension. Of those three requests, two required a 30 days extension. With respect to the other request, a 90 days extension was necessary to consult seventeen parties. Amongst these parties, some were located outside of Canada.

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 \$125 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 \$165,651.74 to \$191,136.89 in 2005-2006. The main reason for this increase is a higher volume of requests received compared to the last reporting period as well as the costs associated with hiring a consultant to meet specific resource requirements.

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 three formal applications for personal information under the Privacy Act compared with fifteen last year. For all three requests, no information was found.

Calculation of costs

The cost of administering the program for 2005-2006 was \$82,079.46, 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 Revenue Agency for investigations under the Income Tax Act and from law firms. The Bank responded to 41 requests compared to thirty-two last year.

Assessment of privacy issues

During the current reporting period, the Bank has done one Privacy Impact Assessment (PIA). This PIA related to the Retail Debt Program's Secure Website (CSB.Net). The PIA related to HR Services reported in last year's report was considered finalized. 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 did not received any complaints during this reporting period. However, the one complaint, which was reported in last year's report, concerning the alleged improper disclosure of personal information related to a former Bank employee was resolved. The Office of the Privacy Commissioner of Canada concluded that the complaint was "not well founded".

Other

The Bank informed the Office of the Privacy Commissioner about a privacy breach in which Bank records containing personal information of Canada Savings Bond Payroll Account clients were improperly accessed. Bank action included the involvement of the RCMP, contacts with the clients affected, and a press release about the incident. The Office of the Privacy Commissioner was fully satisfied that the Bank of Canada took immediate and appropriate action about the incident and as such, informed the Bank they were closing the file related to this matter.

In addition, the ATIP Office provided advice to the organization with respect to the appropriate management of personal information associated with a variety of HR related issues, including employee surveys.