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Heritage

Patrimoine  
canadien

Canada



# *Privacy Act*

## Annual Report 2009-2010



Your Right to Privacy!

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Catalogue No. CH1-1/2-2010E-PDF  
ISBN 978-1-100-16657-5

# *Privacy Act*

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# *Privacy Act*

## ANNUAL REPORT (April 1, 2009 to March 31, 2010)

### **1.0 Introduction**

Canadian Heritage is pleased to present to Parliament its annual report on the administration of the *Privacy Act* for fiscal year 2009 to 2010. The information contained in this report provides an overview of how the *Privacy Act* was administered within the department during the reporting period of April 1, 2009 to March 31, 2010.

The *Privacy Act* gives Canadian citizens and individuals present in Canada the right to have access to information about them that is held by the federal government, and to request that it be corrected if necessary. The *Act* also protects the privacy of individuals with respect to personal information held by the federal government.

### **2.0 Mandate of Canadian Heritage**

The Department of Canadian Heritage was established in 1995 and is responsible for national policies and programs that promote Canadian content, foster cultural participation, active citizenship and participation in Canada's civic life, and strengthen connections among Canadians.

The *Department of Canadian Heritage Act* sets out the Minister's powers, duties and functions with respect to "Canadian identity and values, cultural development and heritage." The Department's main activities involve funding community and other third party organizations with a view to promoting the benefits of culture, identity, and sport for Canadians. More specifically, areas of responsibility include:

- developing Canadian cultural affairs and broadcasting policy; assisting cultural industries, arts and heritage organizations; encouraging the creation, production, distribution and consumption of cultural and heritage goods and services;
- fostering Canadians' sense of self and promoting civic participation among all members of Canadian society;
- promoting a greater understanding of human rights;

- encouraging and developing sport;
- advancing the equality of status and use of official languages, and supporting the development of official-language minority communities.

Canadian Heritage makes a strong contribution to the Government of Canada's social, economic, and international policy through its activities in support of dynamic cultural industries, world-class cultural institutions, and healthy communities.

The Minister of Canadian Heritage and Official Languages is responsible for the Department, and is assisted by the Minister of State for the Status of Women, and the Minister of State for Sport.

The Canadian Heritage Portfolio includes the Department, five departmental agencies, nine Crown corporations and one administrative tribunal. The Department is organized to ensure a place for Canadian voices and perspectives, to support excellence, and to reach Canadians from all walks of life.

### **3.0 The Access to Information and Privacy Secretariat**

The Access to Information and Privacy Secretariat is responsible for administering the *Privacy Act* within Canadian Heritage. Its mandate is to act on behalf of the Minister of Canadian Heritage in ensuring compliance with legislation, regulations, and government policy, and to create departmental directions, including standards, in all matters relating to the *Act*. This includes the processing of requests, providing professional advice and training within the department. The powers, duties and functions of the administration of the *Privacy Act* have been fully delegated by the Minister to the Director of the Access to Information and Privacy Secretariat. See Appendix 1.0 for the Departmental Delegation Order.

During the reporting period, the Secretariat consisted of a Director, 5 analysts, a project manager, and two administrative support staff. In June of 2009, a Deputy Director was hired to oversee operations. In the departmental organizational structure, the ATIP Secretariat reports to the Corporate Secretary for Canadian Heritage.

## **4.0 Administration of Requests under the *Privacy Act***

### **4.1 Privacy Requests**

Between April 1, 2009 and March 31, 2010, 15 formal requests for information were received under the *Privacy Act*. One request was carried forward from the previous reporting period. See Appendix 2.0 for the Report on the *Privacy Act*.

### **4.2 Disposition of Completed Requests**

Sixteen requests were completed during the reporting period. Of the requests completed, 7 resulted in full disclosure of information. Six requests resulted in the partial disclosure of information. It was not possible to process one of the requests received as no records existed, and two requests were abandoned.

### **4.3 Extensions**

In 2 cases, the department required a 30-day time extension in order to consult with other parties.

### **4.4 Exemptions**

In the processing of requests, four exemptions to withhold information under the *Privacy Act* were invoked. Section 21, (International Affairs and defence) was invoked 2 times, Subsection 22(1)(b) (Law enforcement and investigation) was applied in 2 files. Section 26 (personal information about another individual), was invoked in 6 requests, while section 27, solicitor-client privilege, was invoked in 2 files.

### **4.5 Costs**

The costs of \$31,266, reported in the statistical report, include those incurred for the processing of requests, and for all other activities associated with the administration of the *Act* such as providing advice, and training and awareness.



## **5.0 Disclosure of Personal Information Pursuant to Section 8(2)**

Section 8(2) of the Privacy Act stipulates under which circumstances personal information under the control of a government institution may be disclosed. During the reporting period, no disclosures were made pursuant to section 8(2)(e), (f), (g), or (m) of the *Privacy Act*.

## **6.0 Privacy Impact Assessments**

There were no Preliminary Privacy Impact Assessments initiated during the reporting period. None were carried forward from the previous year.

No new Privacy Impact Assessments (PIAs) were initiated during the reporting period. Of the two Privacy Impact Assessments mentioned in the previous report, the Young Canada Works PIA is on-going.

Seven *Privacy Impact Assessment Checklists* were completed and evaluated for new or changed programs or systems, none of which resulted in the requirement for a privacy impact assessment.

## **7.0 Data Sharing Activities**

There were no data matching activities during the reporting period.

## **8.0 Personal Information Banks / Classes of Personal Information**

No new Personal Information Banks or Classes of Personal Information have been identified during the reporting period.



## 9.0 Education and Training Activities

Privacy education and awareness activities are conducted in three ways: via one-on-one meetings to provide privacy advice on specific issues; as part of the regular ATIP training sessions, and through the department's Intranet site.

The website describes the ATIP Secretariat's roles and responsibilities and provides information on the *Privacy Act* with links to the legislation and regulations, and to Treasury Board Secretariat directives and guidelines. The site is continuously updated with new tools and information.

A guide is available to employees of the department, providing them with an overview of the *Privacy Act* so that they have a general understanding of the *Act*, the impact that it has on the department and on their responsibilities.

CANADIAN HERITAGE			SPENDING AUTHORITY																		OTHER AUTHORITIES															
DELEGATED FINANCIAL SIGNING AUTHORITIES CHART			EXPENDITURE INITIATION																	Section 34 FAA Contract Performance																
Position Level	POSITION TITLE	AREA OF AUTHORITY	Section 32 FAA - Commitment Authority	Salaries & Other Personnel Costs	Recognition	Travel	Relocation	Isolated Posts	Training and Development	Hospitality	Conferences	Memberships	Standing Advances	Approval of Grants and Contributions	Refunds of Revenue	Claims by, and against the Crown	Ex Gratia Payments	Other Goods and Services	Travel, Relocation and Hospitality Claims	Grants and Contributions	Salaries & Other Personnel Costs	Other Goods and Services	Section 33 FAA Payment Authority	Grant or Contribution Agreements	Leases and licences (Crown as tenant)	Loan Agreement (Material/Artifacts/Objects)	Losses of Money	Approve Debt Write-Off	Request or Acceptance of Set-Offs	Write-Off Material	Interest & Admin Charges Waiver	Access to Information and Privacy	TB Submissions & other related Documents			
			1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31			
1	Deputy Minister/Associate Deputy Minister	Department	F	F	F	F	F	F	F	F	F	F	F																							
2	Assistant Deputy Minister/Associate Assistant Deputy Minister/Senior Advisor to the Deputy Minister or equivalent manager reporting to level 1	Assigned Funds Centre(s)/Cost Centre(s)	F	F	F	F	F	F	F	F	F	F	F	3/50	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	
3	Regional Executive Director	Region	F	F	F	F	F	F	F	F	F	F	F																							
3	Director General/General Counsel or equivalent manager reporting to level 2	Assigned Funds Centre(s)/Cost Centre(s)	F	F	F	F	F	F	F	F	F	F	F																							
3	Chief Operating Officer for CHIN and CCI	Agency	F	F	F	F	F	F	F	F	F	F	F																							
4	Director/Manager or equivalent manager reporting to level 3	Assigned Funds Centre(s)/Cost Centre(s)	F	F	F	F	F	F	F	F	F	F	F																							
5	Chief/Head or equivalent manager reporting to level 4	Assigned Funds Centre(s)/Cost Centre(s)	F	F	F	F	F	F	F	F	F	F	F																							
6	Supervisor/Senior Officer or equivalent manager reporting to level 5	Assigned Funds Centre(s)/Cost Centre(s)	F	F	F	F	F	F	F	F	F	F	F																							
7	Administrative Officer/Executive Assistant or equivalent position reporting to any level	Assigned Funds Centre(s)/Cost Centre(s)	F															10					10													
<b>SPECIAL AUTHORITIES</b>																																				
	Chief Financial Officer (CFO)	Department	F											F	F	F	F	F	F	F	F	F	F													
	Deputy Chief Financial Officer (DCFO)	Department	F										F	F	F	F	F	F	F	F	F	F	F													
	Director General, Sport Canada	Assigned Funds Centre(s)/Cost Centre(s)	F											F	F	F	F	F	F	F	F	F	F													
	Director General, Human Resources and Workplace Management (HRWM)	Department	F	F														F	F																	
	Corporate Secretary	Department																																	F	
	Director, Centre of Expertise for Grants and Contributions	Department	F																	F																
	Director, Accounting Operations, Financial Policies & Systems	Department	F										F	F	F	F	F	F	F	F	F	F	F													
	Director, Labour Relations, Compensation and Benefits (HRWM)	Department	F	F																	F															
	Director, Contracting and Materiel Management	Department																	F																F	
	Director, Access to Information and Privacy Secretariat	Department																																		F
	Manager, Compensation and Benefits (HRWM)	Department	F	F																																
	Manager, Accounting Operations	Department	F										F	F							F	F	F												F	
	Chief, NCR Client Services	Department																																		
	Director, Corporate Services or equivalent position	Region	F																F	F	F	F	F	F										F	F	
	Financial Officer	Region																																		
APPROVED BY:			Original signed by Judith A. LaRocque on May 27, 2009 Deputy Minister																	APPROVED BY: Original signed by James Moore on May 28, 2009 Minister																

**Notes:**

1. This Chart must be read in conjunction with the **Notes to the Delegated Financial Signing Authorities Chart** and **Appendix A**, which defines terms/conditions and financial limitations to the Delegated Financial Signing Authorities Chart.
2. The letter "F" means that the position has been delegated full authorities **subject to specific authorities and dollar limitations** as described in **Appendix A** for the corresponding column.
3. Where dollar amounts are specified, e.g., 1 = \$1,000, these amounts cannot be exceeded. In addition, a blank cell means that no authority has been granted.



REPORT ON THE PRIVACY ACT / RAPPORT CONCERNANT LA LOI SUR LA PROTECTION DES RENSEIGNEMENTS PERSONNELS

Institution Canadian Heritage Patrimoine canadien	Reporting period / Période visée par le rapport 4/1/2009 to/à 3/31/2010
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<b>I Requests under the Privacy Act / Demandes en vertu de la Loi sur la protection des renseignements personnels</b>		
Received during reporting period / Reçues pendant la période visée par le rapport		15
Outstanding from previous period / En suspens depuis la période antérieure		1
<b>TOTAL</b>		<b>16</b>
Completed during reporting period / Traités pendant la période visées par le rapport		16
Carried forward / Reportées		0

<b>II Disposition of request completed / Disposition à l'égard des demandes traitées</b>		
1.	All disclosed / Communication totale	7
2.	Disclosed in part / Communication partielle	6
3.	Nothing disclosed (excluded) / Aucune communication (exclusion)	0
4.	Nothing disclosed (exempt) / Aucune communication (exemption)	0
5.	Unable to process / Traitement impossible	2
6.	Abandoned by applicant / Abandon de la demande	1
7.	Transferred / Transmission	0
<b>TOTAL</b>		<b>16</b>

<b>III Exemptions invoked / Exceptions invoquées</b>		
S. Art. 18(2)		0
S. Art. 19(1)(a)		0
(b)		0
(c)		0
(d)		0
S. Art. 20		0
S. Art. 21		2
S. Art. 22(1)(a)		0
(b)		2
(c)		0
S. Art. 22(2)		0
S. Art. 23 (a)		0
(b)		0
S. Art. 24		0
S. Art. 25		0
S. Art. 26		6
S. Art. 27		2
S. Art. 28		0

<b>IV Exclusions cited / Exclusions citées</b>		
S. Art. 69(1)(a)		0
(b)		0
S. Art. 70(1)(a)		0
(b)		0
(c)		0
(d)		0
(e)		0
(f)		0

<b>V Completion time / Délai de traitement</b>		
30 days or under / 30 jours ou moins		12
31 to 60 days / De 31 à 60 jours		2
61 to 120 days / De 61 à 120 jours		1
121 days or over / 121 jours ou plus		1

<b>VI Extentions / Prorogations des délais</b>			
	30 days or under / 30 jours ou moins	31 days or over / 31 jours ou plus	
Interference with operations / Interruption des opérations	0	0	
Consultation	2	0	
Translation / Traduction	0	0	
<b>TOTAL</b>	<b>2</b>	<b>0</b>	

<b>VII Translations / Traductions</b>		
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

<b>VIII Method of access / Méthode de consultation</b>		
Copies given / Copies de l'original		13
Examination / Examen de l'original		0
Copies and examination / Copies et examen		0

<b>IX Corrections and notation / Corrections et mention</b>		
Corrections requested / Corrections demandées		0
Corrections made / Corrections effectuées		0
Notation attached / Mention annexée		0

<b>X Costs / Coûts</b>	
Financial (all reasons) / Financiers (raisons)	
Salary / Traitement	\$ 25,427.6
Administration (O and M) / Administration (fonctionnement et maintien)	\$ 5,838.4
<b>TOTAL</b>	<b>\$ 31,266.0</b>
Person year utilization (all reasons) / Années-personnes utilisées (raisons)	
Person year (decimal format) / Années-personnes (nombre décimal)	0.30

