



**Administration of the  
*Privacy Act***

**Annual Report 2011–2012  
Library and Archives Canada**



# Table of Contents

<b>Chapter I – Introduction .....</b>	<b>3</b>
1.1 <i>The Privacy Act</i> .....	3
1.2 <i>Overview of Library and Archives Canada</i> .....	3
1.3 <i>The Access to Information, Privacy and Document Delivery Services Division</i> .....	3
1.4 <i>Delegation of Authority</i> .....	4
<b>Chapter II – Performance .....</b>	<b>4</b>
<i>Part 1 – Requests under the Privacy Act</i> .....	4
<i>Part 2 – Requests closed during the reporting period</i> .....	5
2.1 <i>Disposition and completion time</i> .....	5
2.2 <i>Exemptions</i> .....	6
2.3 <i>Exclusions</i> .....	7
2.4 <i>Format of information released</i> .....	7
2.5 <i>Complexity</i> .....	7
2.5.1 <i>Relevant pages processed and disclosed</i> .....	7
2.5.2 <i>Relevant pages processed and disclosed by size of requests</i> .....	7
2.5.3 <i>Other complexities</i> .....	8
2.6 <i>Deemed refusals</i> .....	8
2.6.1 <i>Reasons for not meeting statutory deadline</i> .....	8
2.6.2 <i>Number of days past deadline</i> .....	8
2.7 <i>Requests for translation</i> .....	8
<i>Part 3 – Disclosures under subsection 8(2)</i> .....	8
<i>Part 4 – Requests for correction of personal information and notations</i> .....	9
<i>Part 5 – Extensions</i> .....	9
5.1 <i>Reasons for extensions and disposition of requests</i> .....	9
5.2 <i>Length of extensions</i> .....	9
<i>Part 6 – Consultations received from other institutions and organizations</i> .....	9
6.1 <i>Consultations received from other government institutions and organizations</i> .....	9
6.2 <i>Recommendations and completion time for consultations received from other government institutions</i> .....	9
6.3 <i>Recommendations and completion time for consultations received from other organizations</i> .....	9
<i>Part 7 – Completion time of consultations on Cabinet confidences</i> .....	9
<i>Part 8 – Resources related to the Privacy Act</i> .....	10
8.1 <i>Costs</i> .....	10
8.2 <i>Human Resources</i> .....	10
<i>Part 9 – Other Requests</i> .....	10
<i>Part 10 – 2011–2012 Statistical Report on the Access to Information Act</i> .....	10
<b>Chapter III – Miscellaneous .....</b>	<b>10</b>
<i>Part 1 – Education and Training</i> .....	10
<i>Part 2 – Significant Changes to Organization, Programs, Operations or Policy</i> .....	11
<i>Part 3 – Overview of New or Revised Privacy Act-related Policies and Procedures Implemented</i> .....	11
<i>Part 4 – Complaints and Investigations</i> .....	12
<i>Annex A: Delegation Instrument – Privacy Act</i> .....	13
<i>Annex B: Statistical Report – Privacy Act</i> .....	18
<i>Annex C: Appendix A – 2011–2012 Additional Reporting Requirements – Privacy Act Supplementary Report</i> .....	24

# Chapter I – Introduction

## 1.1 The Privacy Act

The *Privacy Act* (hereafter “the Act”) protects the privacy of individuals with respect to personal information about themselves held by government institutions, and provides individuals with a right of access to that information.

This report to Parliament describes the administration of the Act by Library and Archives Canada (LAC) over the course of fiscal year 2011–2012, and is in compliance with section 72.

## 1.2 Overview of Library and Archives Canada

The mandate of Library and Archives Canada is:

- To preserve the documentary heritage of Canada for the benefit of present and future generations;
- To serve as a source of enduring knowledge accessible to all, contributing to the cultural, social and economic advancement of Canada as a free and democratic society;
- To facilitate cooperation among Canadian communities involved in the acquisition, preservation and diffusion of knowledge; and
- To serve as the continuing memory of the Government of Canada and its institutions.

Until the full implementation of the Recordkeeping Directive, LAC is also the repository of federal information resources of business value, including personnel records. These records are created in support of public policy, administration of government, and program delivery.

These records are stored in the National Capital Region, as well as in Regional Service Centres located in Ottawa, Winnipeg, Edmonton, Vancouver, Toronto, Montreal, Quebec City and Halifax.

Each year, LAC receives requests for access to records in its possession which have originated in other federal institutions and which LAC itself has created. Many of these records contain personal and other sensitive information.

## 1.3 The Access to Information, Privacy and Document Delivery Services Division

The Deputy Head and Librarian and Archivist of Canada, the Chief Operating Officer (formerly the Assistant Deputy Minister, Programs and Services Sector), and the Director, Access to Information, Privacy and Document Delivery Services Division (hereafter ATIP Division), each have a responsibility for exercising all sections under the Act. Descriptions of LAC’s personal information holdings are published in *Info Source* which is updated by LAC program areas.

The director of the ATIP Division is LAC’s point of coordination and authority accountable in managing privacy issues and personal information that are under LAC’s control. Currently, the director represents

and advises LAC senior managers on privacy issues, liaises and maintains ongoing communication with his management team and staff and with other government institutions to develop and implement effective privacy policies, practices, guidelines, and procedures.

The Division has 14.7 full-time equivalents, including 9 officers working on privacy requests in two sections with the following responsibilities:

Archival and Operational Records:

- Processes formal and informal requests for access to LAC's current restricted operational records and restricted archival records under LAC's control;
- Reviews restricted finding aids concerning restricted archival records transferred to LAC for permanent custody and severs personal information that will remain restricted; and
- Represents LAC in dealings with the Office of the Privacy Commissioner (OPC) of Canada regarding applications of the Act under LAC's control.

Personnel Records:

- Processes formal and informal privacy requests for restricted personnel files and other related records on former Canadian Forces members and on former federal government employees;
- Monitors other institutions' programs to gauge the effects on workloads, resources and processes; and
- Represents LAC in dealings with the OPC on applications of the Act to restricted records described above.

### ***1.4 Delegation of Authority***

For the purposes of the Act, the Minister of Canadian Heritage and Official Languages delegates his powers, authorities and responsibilities to the Deputy Head and Librarian and Archivist of Canada. The Deputy Head is accountable for the development, coordination and implementation of effective policies, guidelines, systems and procedures thereby ensuring that the Minister's responsibilities under the Act are met, and enabling appropriate processing and disclosure of information.

The Deputy Head delegates his powers, authorities and responsibilities to the Chief Operating Officer (formerly the Assistant Deputy Minister, Programs and Services Sector) and the Director, Access to Information, Privacy and Document Delivery Services Division. The ministerial delegation order instrument is appended to this report.

## **Chapter II – Performance**

### ***Part 1 – Requests under the Privacy Act***

During the reporting period spanning April 1, 2011 to March 31, 2012, LAC saw an increase of 6.5% in new formal requests received under the Act compared to 2010–2011. This is a long-term trend, as requests have risen 10% to 29% per year since 2008–2009.

The number of completed privacy requests has risen every year since 2007–2008 by 1% to 26% a year. The ATIP Division has been more pro-active in monitoring and reporting processing times of personnel records and in creating targets for new officers who process these requests.

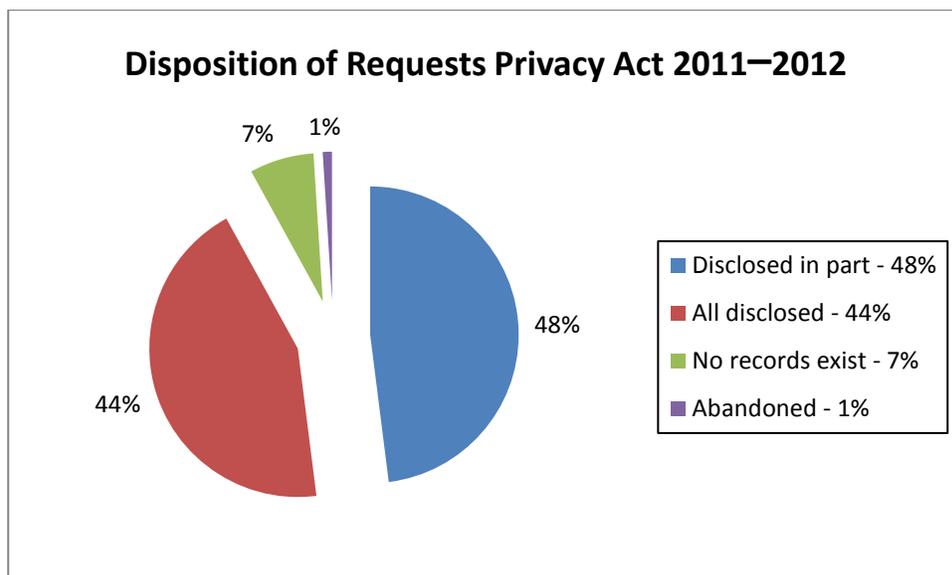
The percentage of requests carried over into the 2012–2013 reporting year (4.8%) is less than in other preceding reporting periods (6.4% and 7.5% were carried forward into 2010–2011 and into 2009–2010 respectively).

## ***Part 2 – Requests closed during the reporting period***

### ***2.1 Disposition and completion time***

In 2011–2012, LAC completed 810 formal requests under the Act. The disposition of requests is as follows:

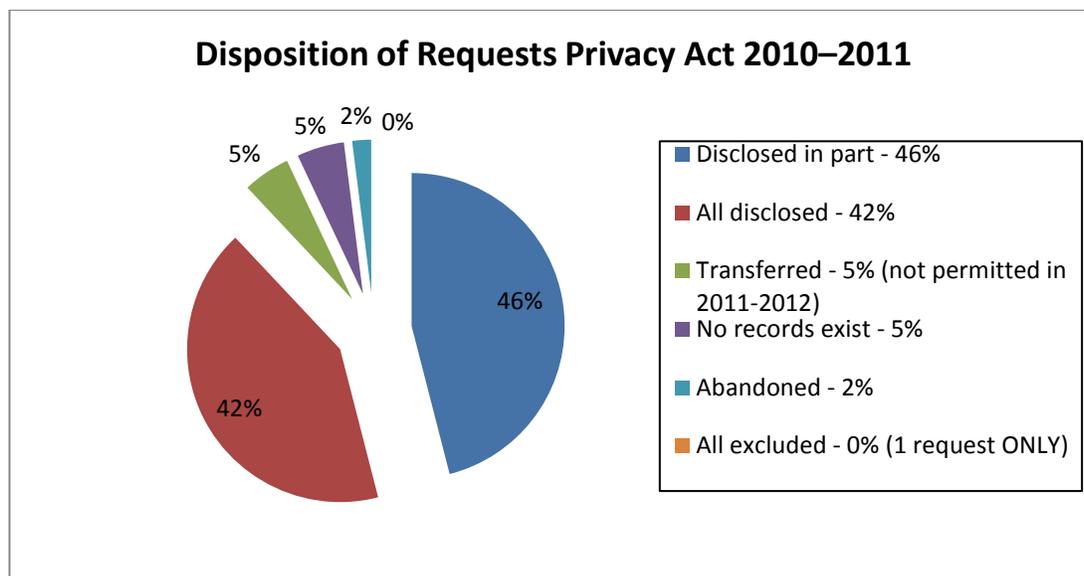
- 389 disclosed in part (48%)
- 358 all disclosed (44%)
- 59 no records exist (7%)
- 4 requests abandoned (1%)
- 0 all excluded (0%)
- 0 requests all exempted (0%)



In comparison, LAC completed 712 formal requests in 2010–2011 with the following dispositions:

- 329 disclosed in part (46%)
- 297 all disclosed (42%)

- 33 transferred to another government institution (5%) (no longer permitted in 2011–2012)
- 40 no records exist (5%)
- 12 requests abandoned (2%)
- 1 all excluded (0%)
- 0 all exempted (0%)



## 2.2 Exemptions

During 2011–2012, LAC invoked 394 exemptions under the Act, as follows:

Number of Requests	Section	Description
1	19(1)(a)	• personal information obtained in confidence from the government of a foreign state or an institution thereof
1	19(1)(d)	• personal information obtained in confidence from a municipal or regional government established by or pursuant to an Act of the legislature of a province or an institution thereof
1	21	• international affairs and defense
389	26	• information about another individual
2	27	• solicitor-client privilege

Section 26 of the Act (personal information about another individual) was the exemption most frequently invoked by LAC in 2011–2012 and in preceding reporting periods (from 2007–2008 to 2010–2011). The majority of the privacy requests completed by LAC pertained to personnel and other related records

of the Canadian Forces. These records may contain information about other individuals, but rarely contain personal information exempt under other sections of the Act.

Other potential exemptions which were not invoked by LAC during 2011–2012 include: 18(2), 19(1)(b), 19(1)(c), 19(1)(e), 19(1)(f), 20, 22(1)(a)(i), 22(1)(a)(ii), 22(1)(a)(iii), 22(1)(b), 22(1)(c), 22(2), 22.1, 22.2, 22.3, 23(a), 23(b), 24(a), 24(b), 25 and 28.

### ***2.3 Exclusions***

The Act does not apply to personal information contained in certain materials (i.e., library material preserved for public reference purposes), and in Cabinet confidences. LAC did not invoke any exclusions in 2011–2012 under sections 69(1)(a), 69(1)(b), 69.1, 70(1)(a), 70(1)(b), 70(1)(c), 70(1)(d), 70(1)(e), 70(1)(f) and 70.1. LAC did however invoke section 69(1)(a) (library material) of the Act in the preceding reporting period.

### ***2.4 Format of information released***

Of the 810 requests completed in 2011–2012, information was disclosed or disclosed in part (personal information concerning another individual) in 747 cases. LAC released the information in the following formats:

- 743 requests in paper (91.7%);
- 4 requests in electronic format (cd-rom) (less than 0.05%); and
- 0 requests in other formats.

Paper was also the most preferred format (91%) in 2010–2011.

### ***2.5 Complexity***

#### ***2.5.1 Relevant pages processed and disclosed***

LAC completed 389 requests in 2011–2012 for which 198,480 pages of personal information were processed and 195,621 pages were disclosed in part; 358 requests were completed for which 31,484 pages of personal information were processed and all disclosed, and 4 requests were abandoned by the requesters for which no pages had been reviewed nor disclosed.

LAC processed 229,964 pages of personal information for the privacy requests above. Approximately 178,000 pages of personal information were processed in the preceding reporting period. The total number of pages processed by LAC would have increased in 2011–2012 over 2010–2011 by a comparable 18% except for one very large request of 12,732 pages.

#### ***2.5.2 Relevant pages processed and disclosed by size of requests***

Of the 389 requests completed in 2011–2012 for which 198,480 pages of personal information were processed and disclosed in part, nearly 50% of the requests consisted of 101 to 500 pages.

For the 358 requests completed during this reporting period for which 31,484 pages were processed and all disclosed, over 50% of those requests (52.8%) also consisted of 101 to 500 pages.

### ***2.5.3 Other complexities***

LAC consulted with the Department of National Defence (DND) and the Department of Justice in 2011–2012 to complete 2 requests for access to personal information. As a result, some of the requested personal information was disclosed in part. LAC invoked exemptions under the Act to personal information subject to solicitor-client privilege and to protect the privacy of another individual.

## ***2.6 Deemed refusals***

### ***2.6.1 Reasons for not meeting statutory deadline***

Only 6 requests (under 1%) were completed by LAC in 2011–2012 after the statutory deadline, due to a consultation with the Canadian Security Intelligence Service, and to workload (22.6% increase in the number of pages processed; 12,732 pages of personal information were processed for one request alone).

### ***2.6.2 Number of days past deadline***

Of the 6 requests completed in 2011–2012 by LAC after the statutory deadline, 2 requests were completed after the deadline even though extensions of time had been taken, and 4 requests were completed where no extensions of time had been taken.

## ***2.7 Requests for translation***

There were no requests for translations from English to French or from French to English in the 2011–2012 reporting year.

## ***Part 3 – Disclosures under subsection 8(2)***

During 2011–2012, LAC completed 29 requests from investigative bodies specified in the privacy legislation for which personal information was disclosed pursuant to section 8(2)(e) of the Act. The personal information was disclosed from LAC's personnel records of former Canadian Forces members and restricted archival records; none concerned LAC's current restricted operational records. In 2010–2011, LAC disclosed personal information from the personnel records of former Canadian Forces members to investigative bodies on 24 occasions.

In 2011–2012, LAC disclosed personal information contained in the personnel records of former Canadian Forces members under section 8(2)(m) of the Act on 3 occasions. No personal information was disclosed from LAC's current operational records or from its archival records under this section. No disclosures were made by LAC under 8(2)(m) of the Act in 2010–2011.

## ***Part 4 – Requests for correction of personal information and notations***

During 2011–2012, LAC was requested to make 1 correction to information contained in a military personnel file; the correction was not accepted but a notation was attached to the personal information that was subject to the request. By comparison, LAC received 5 corrections in 2010–2011; one correction had been accepted and 4 notations were attached.

## ***Part 5 – Extensions***

### ***5.1 Reasons for extensions and disposition of requests***

Section 15 of the Act permits an extension of the statutory time limits if the processing of a large volume request within the original time limit would unreasonably interfere with the operations of the department. This extension was invoked in 2011–2012 on 2 occasions and 3 times in 2010–2011. One of the privacy requests in 2011–2012 concerned over 12,000 pages from LAC’s current restricted operational records.

The Act also permits an extension of the statutory time limits when consultations are necessary. In 2011–2012 and 2010–2011, 2 requests required an extension due to external consultations.

### ***5.2 Length of extensions***

LAC required extensions of up to 30 days to complete 4 requests in 2011–2012 and 5 requests in 2010–2011.

## ***Part 6 – Consultations received from other institutions and organizations***

### ***6.1 Consultations received from other government institutions and organizations***

LAC received 1 request from another government institution concerning LAC’s current operational records, compared to 0 consultations in both 2010–2011 and 2009–2010.

### ***6.2 Recommendations and completion time for consultations received from other government institutions***

LAC completed the only consultation request it had received in 2011–2012 from another government institution within 15 days from its receipt; LAC had no objection to the information’s disclosure.

### ***6.3 Recommendations and completion time for consultations received from other organizations***

As in 2010–2011, LAC did not receive any consultation requests in 2011–2012 from other organizations.

## ***Part 7 – Completion time of consultations on Cabinet confidences***

The Act does not apply to Cabinet confidences. LAC did not consult the Privy Council Office in 2011–2012 for confirmation of Cabinet confidences.

## ***Part 8 – Resources related to the Privacy Act***

### ***8.1 Costs***

During 2011–2012, the total salary costs associated with administering the Act increased over the last reporting period due to increments in annual rates of pay for the staff (\$0.944 million instead of \$0.88 million). However, the total cost for administering the Act was less in 2011–2012 by \$10,865.

### ***8.2 Human Resources***

There was a slight decrease by 0.5 in the number of full-time equivalent associated with administering the Act in 2011–2012 compared to 2010–2011.

## ***Part 9 – Other Requests***

The Division completed 5,418 informal privacy requests in 2011–2012, a decrease of 12.3% over the previous year. This decrease is a result of one officer's re-assignment to oversee a LAC project involving Second World War Killed in Action military personnel records.

The completed requests involved reviewing approximately 545,931 pages of government information, a decrease of 49% over 2010–2011. This decrease is attributable to the decline in the number of informal privacy requests completed in 2011–2012.

## ***Part 10 – 2011–2012 Statistical Report on the Access to Information Act***

A comprehensive statistical report on requests processed by LAC under the Act between April 1, 2011 and March 31, 2012 is appended to this report.

## **Chapter III – Miscellaneous**

### ***Part 1 – Education and Training***

Four general Awareness Sessions (2 in English and 2 in French) of half day duration were provided in-house on March 26, 2012 and March 29, 2012 for 175 LAC employees on general privacy responsibilities outside of the ATIP Division. Among the subjects covered were employees' responsibilities in processing privacy requests, including time frames, and creating, handling and destroying personal information.

A representative of the Division participated on November 30, 2011 and on December 14, 2011 – as a privacy-expert panellist at the LAC orientation sessions for new employees (19 English and 30 French participants).

The ATIP Division is developing orientation material on the *Privacy Act* for posting onto LAC's intranet site which is intended for all LAC staff. Guides on roles and responsibilities for all of LAC Offices of Primary Interest (OPI) and key staff are also in development.

## ***Part 2 – Significant Changes to Organization, Programs, Operations or Policy***

In the fourth quarter of 2011–2012, Library and Archives Canada functions were regrouped under a Chief Operating Officer model. The purpose of this change was to further integrate the appraisal, discovery and stewardship functions. Reporting to the Chief Operating Officer is the Director General, Services. Reporting to the latter is the Director, Access to Information, Privacy and Document Delivery Services.

## ***Part 3 – Overview of New or Revised Privacy Act-related Policies and Procedures Implemented***

In 2011–2012, LAC developed a final version of a Privacy Management Framework, Privacy Impact Assessment (PIA) and associated tools. The Framework satisfies requirements on privacy and for protecting personal information that had been identified by the Treasury Board Secretariat of Canada in the 2009–2010 Management Accountability Framework.

The Privacy Management Framework along with a PIA Policy and Procedures, Privacy Breach Policy and Procedures and tools that include a PowerPoint Presentation, templates, definitions and five Brochures, form LAC's Privacy Management Suite. The Suite covers LAC's decision-making processes, responsibilities and accountabilities on privacy and integrates risk-management practices into all aspects of LAC business which promote and facilitate LAC-wide compliance on the collection, use, disclosure, protection, retention and disposition of personal information. No database containing personal information will be created without first having been correctly described. All new or substantially modified programs and activities at LAC that involve personal information or privacy issues will undergo a PIA according to LAC Privacy Management policies and processes.

The ATIP Division, the LAC Policy Renewal Coordination Group and the Corporate Resources Branch Working Group will review the documents in 2012–2013 to finalize and tailor LAC operational processes and standards.

Following the determination in 2011 that restricted Second World War military personnel service records were deemed archival, staff procedures were developed. The procedures cover the handling of requests for access to personal information contained in these records, while ensuring that the necessary privacy considerations are upheld.

LAC revised in 2011–2012 Q & A documents used to facilitate Service Canada staff responses to straightforward, factual calls answered on behalf of LAC, and to enhance users' understanding of

services offered relative to privacy – a service they have provided since 2008. The document is revised each year to reflect the types of telephone calls Service Canada redirects to the ATIP Division.

#### ***Part 4 – Complaints and Investigations***

In 2011–2012, the Office of the Privacy Commissioner of Canada (OPC) completed an investigation into 1 complaint about disclosure of personal information contained in a personnel file of a Canadian Forces member that is under LAC’s custody. The complaint was not substantiated. A second complaint concerning the same case was received later in 2011–2012; however, the complaint was not officially closed by the OPC until shortly after the end of the 2011–2012 reporting period.

Additional copies of this report may be obtained from the:

**Director, Access to Information, Privacy and Document Delivery Services Division**  
Library and Archives Canada  
395 Wellington Street  
Ottawa, Ontario K1A 0N4

Annex A: Delegation Instrument – Privacy Act

Effective Date: \_\_\_\_\_

Delegation of Financial Signing Authorities and Delegation Order Instrument

Area of Responsibility	Management Level					Functional Authorities									
	SFO	SFO	Act/OT/Other	Director	Trust Services	Director	Trust Services	Director	Director	Contracting	Assets	Corporation	ATP	Director	
	Department	Department	Department	Department	Department	Department	Department	Department	Department	Department	Department	Department	Department	Department	
1.1 Expenditure Inflation with Availability of Funds	F	F	F	F	F	F	F	F	F	F	F	F	F	F	
1.2 Salary and classification of positions	F	F	F	F	F	F	F	F	F	F	F	F	F	F	
1.3 Extra Pay	F	F	F	F	F	F	F	F	F	F	F	F	F	F	
1.4 Training and Development	F	F	F	F	F	F	F	F	F	F	F	F	F	F	
1.5 Travel and Advance - Canada and Continental USA	F	F	F	F	F	F	F	F	F	F	F	F	F	F	
1.6 Travel and Advance - International	F	F	F	F	F	F	F	F	F	F	F	F	F	F	
1.7 Recreational and Advance (Employment Relocation Program)	F	F	F	F	F	F	F	F	F	F	F	F	F	F	
1.8 Spending Controls	F	F	F	F	F	F	F	F	F	F	F	F	F	F	
1.9 Conference Attendance / Sponsorship	F	F	F	F	F	F	F	F	F	F	F	F	F	F	
1.10 Membership Fees	F	F	F	F	F	F	F	F	F	F	F	F	F	F	
1.11 Hospitality	F	F	F	F	F	F	F	F	F	F	F	F	F	F	
1.12 Traveler Payments	F	F	F	F	F	F	F	F	F	F	F	F	F	F	
1.13 Ex - Grant Payments	F	F	F	F	F	F	F	F	F	F	F	F	F	F	
1.14 Claims By or against the Crown	F	F	F	F	F	F	F	F	F	F	F	F	F	F	
1.15 Recognition Program	F	F	F	F	F	F	F	F	F	F	F	F	F	F	
2.0 Commitment Authority - Availability of Funds (Section 32 FAA)	F	F	F	F	F	F	F	F	F	F	F	F	F	F	
2.1 All Expenditures	F	F	F	F	F	F	F	F	F	F	F	F	F	F	
3.0 Contracting Authority	F	F	F	F	F	F	F	F	F	F	F	F	F	F	
3.1 Goods (local purchase authority)	F	F	F	F	F	F	F	F	F	F	F	F	F	F	
3.2 Temporary Help	F	F	F	F	F	F	F	F	F	F	F	F	F	F	
3.3 Services - Competitive (Amendment)	F	F	F	F	F	F	F	F	F	F	F	F	F	F	
3.4 Services - Non Competitive (Amendment)	F	F	F	F	F	F	F	F	F	F	F	F	F	F	
3.5 Purchases (historical material, books and other publications)	F	F	F	F	F	F	F	F	F	F	F	F	F	F	
3.6 Books and other publications - Corporates (Amendment)	F	F	F	F	F	F	F	F	F	F	F	F	F	F	
3.7 Travel services	F	F	F	F	F	F	F	F	F	F	F	F	F	F	
3.8 Emergency Contracting	F	F	F	F	F	F	F	F	F	F	F	F	F	F	
3.9 Call up Support Strategy Other Agreements	F	F	F	F	F	F	F	F	F	F	F	F	F	F	
3.10 Call up Support Strategy Other Agreements (Treasury Board Approval)	F	F	F	F	F	F	F	F	F	F	F	F	F	F	
3.11 Contract & Amendments Requiring Treasury Board Approval	F	F	F	F	F	F	F	F	F	F	F	F	F	F	
3.12 Special purpose account	F	F	F	F	F	F	F	F	F	F	F	F	F	F	
3.13 Time - Government Agreement	F	F	F	F	F	F	F	F	F	F	F	F	F	F	
3.14 Federal Fuel Property Act	F	F	F	F	F	F	F	F	F	F	F	F	F	F	
3.15 Write-off of Material and disposal of surplus material	F	F	F	F	F	F	F	F	F	F	F	F	F	F	
4.0 Authority to confirm contract performance and price granted to officers (Section 34 FAA)	F	F	F	F	F	F	F	F	F	F	F	F	F	F	
4.1 All Expenditures	F	F	F	F	F	F	F	F	F	F	F	F	F	F	
5.0 Payment Authority (Section 33 FAA)	F	F	F	F	F	F	F	F	F	F	F	F	F	F	
6.0 Other Authorities	F	F	F	F	F	F	F	F	F	F	F	F	F	F	
6.1 Return of Receiver General Cheques	F	F	F	F	F	F	F	F	F	F	F	F	F	F	
6.2 Submission to Treasury Board	F	F	F	F	F	F	F	F	F	F	F	F	F	F	
6.3 Rounding of revenue as per Section 20 FAA	F	F	F	F	F	F	F	F	F	F	F	F	F	F	
6.4 Debt Write-off	F	F	F	F	F	F	F	F	F	F	F	F	F	F	
6.5 Write off of Bonds Interest or Administrative Charge	F	F	F	F	F	F	F	F	F	F	F	F	F	F	
6.6 Sec-CP per Section 154 (1) FAA	F	F	F	F	F	F	F	F	F	F	F	F	F	F	
7.0 Designation Order	F	F	F	F	F	F	F	F	F	F	F	F	F	F	
7.1 Section 73 of the Privacy Act	F	F	F	F	F	F	F	F	F	F	F	F	F	F	
7.2 Section 73 of the Access to Information Act	F	F	F	F	F	F	F	F	F	F	F	F	F	F	

Department = Applies to all budgets in the Department  
 Area = Applies to a manager with an approved budget for a particular area of responsibility.

C = Conditional authority as set out in Policies and Guidelines (Appendix B)  
 F = Full authority within approved budget and subject to authorities delegated to the department.

Delegation of Financial Signing Authorities and Delegation Order Instrument

Delegation of Financial Signing Authorities  
 Every Officer of the Department appointed to a position listed on the Delegation of Financial Authorities Instrument, including those officially appointed on acting basis, is hereby granted financial signing authorities within the stated limits therein and in accordance with relevant statutes, regulations and directives.

Delegation Order  
 Every Officer of the Department appointed to a position, including those officially appointed on acting basis, is hereby designated to exercise the powers to perform the duties set out in section 73 of the Access to Information Act and section 73 of the Privacy Act.

  
 Minister of Canadian Heritage  
 Chairman and Actives of Canada

Notes  
 1. The authorities extend to the full amount available in the relevant budget and that they are limited by policies and procedures prescribed in the Treasury Board (TB) regulations and directives, issued pursuant to the Financial Administration Act (FAA), and by Departmental directives promulgated in Departmental manuals.  
 2. Signing authorities for Grants and Contributions are subject to the terms and conditions approved by the TB or the Minister in accordance with the authority delegated to the Minister by the TB.  
 3. Signing Authority (Section 34 of the FAA) and payment authority (Section 30 of the FAA) for a particular payment shall not be exercised by the same person.  
 4. Individuals may not approve payments by which they may personally benefit.  
 5. Anytime a delegated manager exercises expenditure/inflation authority for a transaction, a functional position may exercise Section 32 and 34 authority with respect to that transaction.  
 6. This instrument is to be read in conjunction with the Policies and Guidelines which more fully describes the authorities listed.



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DELEGATION OF FINANCIAL SIGNING AUTHORITIES AND DESIGNATION ORDER  
INSTRUMENT – POLICIES AND GUIDELINES

**DELEGATION OF FINANCIAL SIGNING AUTHORITIES  
AND  
DESIGNATION ORDER INSTRUMENT  
POLICIES AND GUIDELINES**

**Approved by the Librarian and Archivist of Canada  
September, 2007**

A handwritten signature in black ink, written over a horizontal line. The signature is cursive and appears to read "Peter Elliott".



DELEGATION OF FINANCIAL SIGNING AUTHORITIES AND DESIGNATION ORDER  
INSTRUMENT – POLICIES AND GUIDELINES

**Table U - Authority to Amend Delegation Instrument and Appendices**

<b>ELIGIBLE DOCUMENT</b>	<b>Authority</b>
The delegation instrument (Delegation of Financial Signing Authority and Designation Order Instrument – Internal Version).	<b>L&amp;A</b> - only when signed by the Minister  SFO
Appendix B (Description of the Delegation of Signing Authorities and Designation Order Instrument - Policies and Guidelines)	<b>L&amp;A</b> - Full authority, unless the change would result in a change to the delegation instrument that is outside the L&A's authority.  SFO

**SECTION 7.0 Designation Order**

The purpose of this section is to establish the framework for managing the Access to Information and Privacy Act. The Minister responsible of Library and Archives Canada pursuant to *Section 73 of the Privacy Act and Section 73 of the Access to Information Act*, hereby designates the persons holding the positions set out below to exercise the powers to perform the duties and functions of the Minister, as head of a government institution, under the sections of the Act specified opposite each position.

<b>Position</b>	<b>Privacy Act Section</b>	<b>Access to Information Section</b>
Librarian and Archivist of Canada	All Sections	All Sections
Assistant Deputy Minister, Programs and Services	All Sections	All Sections
Director, Access to Information and Privacy Division	All Sections	All Sections
Manager, Access to Information and Privacy Division, PM-05 and AS-04	All Sections except 8(2)(j), 8(2)(m), 17(2)(b), 51, 77	All Sections except 12(2)(b), 12(3), 77
Senior Analyst, Access to Information and Privacy Division, PM-04	All Sections except 8(2), 17(2)(b), 51, 77	All Sections except 12(2)(b), 12(3), 77
Analyst, Access to Information and Privacy Division, PM-02	All Sections except 8(2), 17(2)(b), 51, 77	All Sections except 12(2)(b), 12(3), 77



DELEGATION OF FINANCIAL SIGNING AUTHORITIES AND DESIGNATION ORDER  
INSTRUMENT – POLICIES AND GUIDELINES

**Section 7.1 - Section 73 of the Privacy Act**

The responsibilities that may be delegated under Section 73 of the Privacy Act are set out below, in relation to its various sections and subsections.

8(2)(j)	Disclose personal information for research purposes
8(2)(m)	Disclose personal information in the public interest or in the interest of the individual
8(4)	Retain copy of 8(2)(e) requests and disclosed records
8(5)	Notify Privacy Commissioner of 8(2)(m) disclosures
9(1)	Retain record of use
9(4)	Notify Privacy Commissioner of consistent use and amend index
10	Include personal information in personal information banks
14	Respond to request for access within 30 days; give access or give notice
15	Extend time limit
17(2)(b)	Translate requested information
18(2)	Refuse to disclose information contained in an exempt bank
19(1)	Refuse to disclose information obtained in confidence from another government
19(2)	Disclose information if the other government consents to the disclosure or makes the information public
20	Refuse to disclose information injurious to the conduct of federal-provincial affairs
21	Refuse to disclose information injurious to international affairs or defence
22	Refuse to disclose information prepared by an investigative body, information injurious to the enforcement of a law, or information injurious to the security of penal institutions



DELEGATION OF FINANCIAL SIGNING AUTHORITIES AND DESIGNATION ORDER  
INSTRUMENT – POLICIES AND GUIDELINES

24	Refuse to disclose information collected by the Canadian Penitentiary Service, the National Parole Service or the National Parole Board while individual was under sentence if conditions in section are met
25	Refuse to disclose information which could threaten the safety of individuals
26	Refuse to disclose information about another individual, and shall refuse to disclose such information where disclosure is prohibited under Section 8
27	Refuse to disclose information subject to solicitor-client privilege
28	Refuse to disclose information relating to the individual's physical or mental health where disclosure is contrary to the best interests of the individual
31	Receive notice of investigation by the Privacy Commissioner
33(2)	Right to make representations to the Privacy Commissioner during an investigation
35(1)	Receive Privacy Commissioner's report of findings of the investigation and give notice of action taken
35(4)	Give complainant access to information after 35(1)(b) notice
36(3)	Receive Privacy Commissioner's report of findings of investigation of exempt bank
37(3)	Receive report of Privacy Commissioner's findings after compliance investigation
51(2)(b)	Request that Section 51 hearing be held in the National Capital Region
51(3)	Request and be given right to make representations in Section 51 hearings
72(1)	Prepare annual report to Parliament
77	Responsibilities conferred on the head of the institution by the regulations made under section 77 which are not included above

## Annex B: Statistical Report – *Privacy Act*



Government of Canada  
Gouvernement du Canada

### Statistical Report on the *Privacy Act*

Name of institution: Library and Archives Canada

Reporting period: 2011-04-01 to 2012-03-31

#### PART 1 – Requests under the *Privacy Act*

	Number of Requests
Received during reporting period	786
Outstanding from previous reporting period	65
<b>Total</b>	<b>851</b>
Closed during reporting period	810
Carried over to next reporting period	41

#### PART 2 – Requests closed during the reporting period

##### 2.1 Disposition and completion time

Disposition of requests	Completion Time							Total
	1 to 15 days	16 to 30 days	31 to 60 days	61 to 120 days	121 to 180 days	181 to 365 days	More than 365 days	
All disclosed	210	146	2	0	0	0	0	358
Disclosed in part	129	255	3	1	0	0	1	389
All exempted	0	0	0	0	0	0	0	0
All excluded	0	0	0	0	0	0	0	0
No records exist	44	13	2	0	0	0	0	59
Request abandoned	3	1	0	0	0	0	0	4
<b>Total</b>	<b>386</b>	<b>415</b>	<b>7</b>	<b>1</b>	<b>0</b>	<b>0</b>	<b>1</b>	<b>810</b>

##### 2.2 Exemptions

Section	Number of requests	Section	Number of requests	Section	Number of requests
18(2)	0	22(1)(a)(i)	0	23(a)	0
19(1)(a)	1	22(1)(a)(ii)	0	23(b)	0
19(1)(b)	0	22(1)(a)(iii)	0	24(a)	0
19(1)(c)	0	22(1)(b)	0	24(b)	0
19(1)(d)	1	22(1)(c)	0	25	0
19(1)(e)	0	22(2)	0	26	389
19(1)(f)	0	22.1	0	27	2
20	0	22.2	0	28	0
21	1	22.3	0		

## 2.3 Exclusions

Section	Number of requests	Section	Number of requests	Section	Number of requests
69(1)(a)	0	70(1)(a)	0	70(1)(d)	0
69(1)(b)	0	70(1)(b)	0	70(1)(e)	0
69.1	0	70(1)(c)	0	70(1)(f)	0
				70.1	0

## 2.4 Format of information released

Disposition	Paper	Electronic	Other formats
All disclosed	357	1	0
Disclosed in part	386	3	0
<b>Total</b>	<b>743</b>	<b>4</b>	<b>0</b>

## 2.5 Complexity

### 2.5.1 Relevant pages processed and disclosed

Disposition of requests	Number of pages processed	Number of pages disclosed	Number of requests
All disclosed	31,484	31,484	358
Disclosed in part	198,480	195,621	389
All exempted	0	0	0
All excluded	0	0	0
Request abandoned	0	0	4

### 2.5.2 Relevant pages processed and disclosed by size of requests

Disposition	Less than 100 pages processed		101-500 pages processed		501-1000 pages processed		1001-5000 pages processed		More than 5000 pages processed	
	Number of Requests	Pages disclosed	Number of Requests	Pages disclosed	Number of Requests	Pages disclosed	Number of Requests	Pages disclosed	Number of Requests	Pages disclosed
All disclosed	162	4,239	182	17,662	14	9,583	0	0	0	0
Disclosed in part	59	2,755	177	47,447	114	85,821	37	44,194	2	15,404
All exempted	0	0	0	0	0	0	0	0	0	0
All excluded	0	0	0	0	0	0	0	0	0	0
Abandoned	4	0	0	0	0	0	0	0	0	0
<b>Total</b>	<b>225</b>	<b>6994</b>	<b>359</b>	<b>65109</b>	<b>128</b>	<b>95404</b>	<b>37</b>	<b>44194</b>	<b>2</b>	<b>15404</b>

### 2.5.3 Other complexities

Disposition	Consultation required	Legal Advice Sought	Interwoven Information	Other	Total
All disclosed	0	0	0	0	0
Disclosed in part	2	0	0	0	2
All exempted	0	0	0	0	0
All excluded	0	0	0	0	0
Abandoned	0	0	0	0	0
<b>Total</b>	2	0	0	0	2

## 2.6 Deemed refusals

### 2.6.1 Reasons for not meeting statutory deadline

Number of requests closed past the statutory deadline	Principal Reason			
	Workload	External consultation	Internal consultation	Other
6	5	1	0	0

### 2.6.2 Number of days past deadline

Number of days past deadline	Number of requests past deadline where no extension was taken	Number of requests past deadline where an extension was taken	Total
1 to 15 days	4	1	5
16 to 30 days	0	0	0
31 to 60 days	0	0	0
61 to 120 days	0	0	0
121 to 180 days	0	0	0
181 to 365 days	0	0	0
More than 365 days	0	1	1
<b>Total</b>	4	2	6

## 2.7 Requests for translation

Translation Requests	Accepted	Refused	Total
English to French	0	0	0
French to English	0	0	0
<b>Total</b>	0	0	0

## PART 3 – Disclosures under subsection 8(2)

Paragraph 8(2)(e)	Paragraph 8(2)(m)	Total
29	3	32

## PART 4 – Requests for correction of personal information and notations

	Number
Requests for correction received	1
Requests for correction accepted	0
Requests for correction refused	1
Notations attached	1

## PART 5 – Extensions

### 5.1 Reasons for extensions and disposition of requests

Disposition of requests where an extension was taken	15(a)(i) Interference with operations	15(a)(ii) Consultation		15(b) Translation or conversion
		Section 70	Other	
All disclosed	0	0	0	0
Disclosed in part	2	0	2	0
All exempted	0	0	0	0
All excluded	0	0	0	0
No records exist	0	0	0	0
Request abandoned	0	0	0	0
<b>Total</b>	2	0	2	0

### 5.2 Length of extensions

Length of extensions	15(a)(i) Interference with operations	15(a)(ii) Consultation		15(b) Translation purposes
		Section 70	Other	
1 to 15 days	0	0	0	0
16 to 30 days	2	0	2	0
<b>Total</b>	2	0	2	0

## PART 6 – Consultations received from other institutions and organizations

### 6.1 Consultations received from other government institutions and organizations

Consultations	Other government institutions	Number of pages to review	Other organizations	Number of pages to review
Received during the reporting period	1	2	0	0
Outstanding from the previous reporting period	0	0	0	0
Total	1	2	0	0
Closed during the reporting period	1	2	0	7
Pending at the end of the reporting period	0	0	0	-7

### 6.2 Recommendations and completion time for consultations received from other government institutions

Recommendation	Number of days required to complete consultation requests							Total
	1 to 15 days	16 to 30 days	31 to 60 days	61 to 120 days	121 to 180 days	181 to 365 days	than 365 days	
Disclose entirely	1	0	0	0	0	0	0	1
Disclose in part	0	0	0	0	0	0	0	0
Exempt entirely	0	0	0	0	0	0	0	0
Exclude entirely	0	0	0	0	0	0	0	0
Consult other institution	0	0	0	0	0	0	0	0
Other	0	0	0	0	0	0	0	0
Total	1	0	0	0	0	0	0	1

### 6.3 Recommendations and completion time for consultations received from other organizations

Recommendation	Number of days required to complete consultation requests							Total
	1 to 15 days	16 to 30 days	31 to 60 days	61 to 120 days	121 to 180 days	181 to 365 days	than 365 days	
Disclose entirely	0	0	0	0	0	0	0	0
Disclose in part	0	0	0	0	0	0	0	0
Exempt entirely	0	0	0	0	0	0	0	0
Exclude entirely	0	0	0	0	0	0	0	0
Consult other institution	0	0	0	0	0	0	0	0
Other	0	0	0	0	0	0	0	0
Total	0	0	0	0	0	0	0	0

## PART 7 – Completion time of consultations on Cabinet confidences

Number of days	Number of responses received	Number of responses received past deadline
1 to 15	0	0
16 to 30	0	0
31 to 60	0	0
61 to 120	0	0
121 to 180	0	0
181 to 365	0	0
More than 365	0	0
<b>Total</b>	0	0

## PART 8 – Resources related to the *Privacy Act*

### 8.1 Costs

Expenditures		Amount
Salaries		\$944,607
Overtime		\$0
Goods and Services		\$70,135
▪ Contracts for privacy impact assessments	\$0	
▪ Professional services contracts	\$19,136	
▪ Other	\$50,999	
<b>Total</b>		<b>\$1,014,742</b>

### 8.2 Human Resources

Resources	Dedicated full-time	Dedicated part-time	Total
Full-time employees	14.68	0.00	14.68
Part-time and casual employees	0.00	0.00	0.00
Regional staff	0.00	0.32	0.32
Consultants and agency personnel	0.00	0.00	0.00
Students	0.00	0.00	0.00
<b>Total</b>	14.68	0.32	15.00

**Annex C: Appendix A - 2011–2012 Additional Reporting Requirements – *Privacy Act***

Library and Archives Canada did not initiate nor complete any Privacy Impact Assessment during 2011–2012.