Department of Justice Canada | Ministère de la Justice Canada

# ANNUAL REPORT TO PARLIAMENT
# 2010-2011

## Privacy Act
## Department of Justice Canada

Canada

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# INTRODUCTION

The *Privacy Act* (PA) was proclaimed into force on July 1, 1983.

The Act extends to individuals the right of access to information about themselves held by the government, subject to specific and limited exceptions. The PA also protects individuals' privacy by preventing others from having access to their personal information and gives individuals substantial control over its collection, use and disclosure by the federal government.

Section 72 of the *Privacy Act* requires that the head of every government institution prepare for submission to Parliament an annual report on the administration of the PA within the institution during each financial year.

This is the twenty-eighth Annual Report on the administration of the *Privacy Act* within the Department of Justice. It is intended to describe how the Department administered its responsibilities for the fiscal year 2010-2011 in relation to the application of the PA.

The organizational chart of the Access to Information and Privacy (ATIP) Office may be found in Appendix A.

# PART I

# GENERAL INFORMATION

# DEPARTMENT OF JUSTICE

To better understand the context in which the *Privacy Act* has been implemented, this section provides background information about the Department.

The Department of Justice has a dual mandate. This mandate derives from the dual role of the Minister of Justice, who is also the Attorney General of Canada.

In support of the Minister of Justice, the Department is responsible for providing policy and program advice and direction through the development of the legal content of bills, regulations and guidelines. In support of the Attorney General, the Department is responsible for litigating civil cases by or on behalf of the Federal Crown and for providing legal advice to federal law enforcement agencies and other government departments.

# PRIVACY ACTIVITIES

The ATIP Coordinator is accountable for the development, coordination and implementation of effective policies, guidelines, systems and procedures in order to enable efficient processing of requests under the *Privacy Act*. The Coordinator is also responsible for related policies, systems and procedures emanating from the Acts, such as the Government's Policy on Information Collection and Public Opinion Research.

The activities of the ATIP Office include:

- processing requests under the *Privacy Act*;
- acting as spokesperson for the Department in dealings with the Treasury Board Secretariat, the Information and Privacy Commissioners and other government departments and agencies regarding the application of the PA as they relate to the Department;
- responding to consultation requests submitted by other federal institutions on Justice documents located in their files and on records that may be subject to solicitor-client privilege;
- reviewing and approving information collection in accordance with the Government Policy on Information Collection and Public Opinion Research;
- coordinating, reviewing and approving new entries and modifications to Info Source, an annual Government of Canada publication about its organization and information holdings;
- preparing the annual report to Parliament and other statutory reports, as well as other materials that may be required by central agencies;
- developing policies, procedures and guidelines for the orderly implementation of the PA by the Department;
- promoting awareness of the PA to ensure departmental respect of the obligations imposed on the government;
- monitoring departmental compliance with the PA, its regulations and relevant procedures and policies; and
- participating in and advising on the preparation of Privacy Impact Assessments (PIA).

# ORGANIZATION FOR THE IMPLEMENTATION OF PRIVACY ACTIVITIES

The ATIP Coordinator has full authority delegated by the Minister for the administration of the *Privacy Act* and is also referred to as Director. (Refer to page 18 for a copy of the delegation order.)

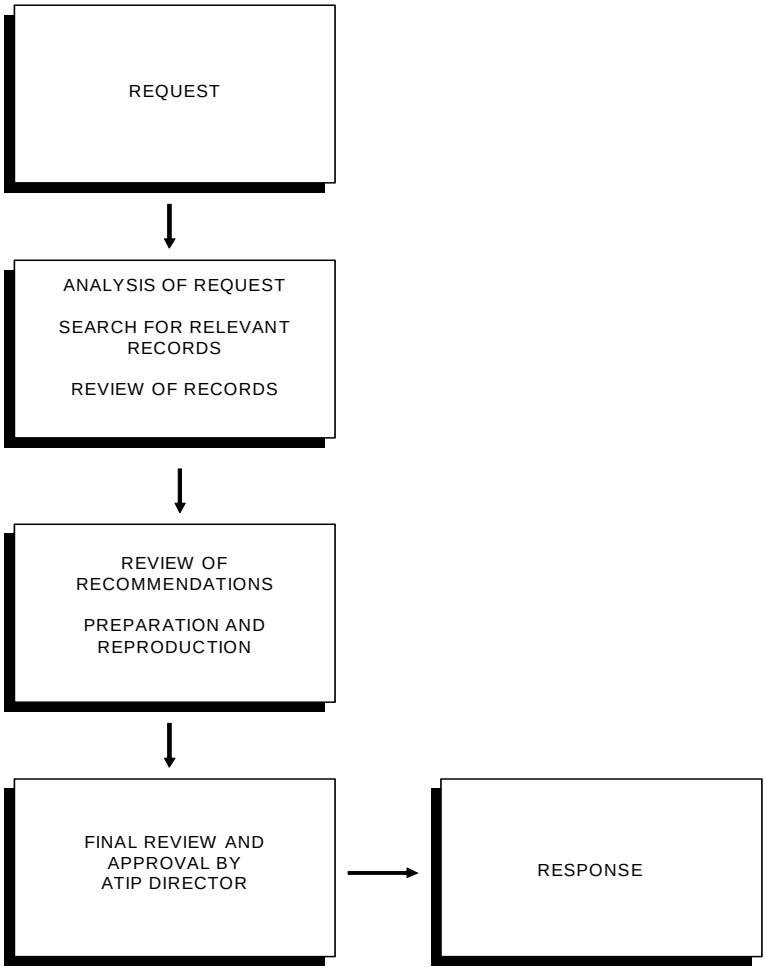
Within the ATIP Office, three point nine (3.9) employees were dedicated on a full-time basis to the administration of the *Privacy Act* and related functions.

Officials of the Department were directly involved in the application of the Act, in making recommendations concerning the disclosure of records, and ensuring compliance with the PA.

The chart shown on the next page indicates the steps involved in processing requests.

The Reading Rooms at Headquarters and those in the Regional Offices across Canada make available to the public the current version of Info Source, as well as departmental publications and manuals.

# PROCESSING CHART



# ADMINISTRATIVE ISSUES

## Salary and Administrative Expenditures

A total of three point nine (3.9) person-years were utilized in the administration of the *Privacy Act*. The salary expenditures amounted to $ 263,018.82.

The administrative expenditures amounted to $14,452.11.

A statistical report indicating the administrative and salary expenditures is included on page 16.

## Accomplishments

The Department of Justice continues to strive to provide leadership and improve its performance in order to maintain the highest standards of service as outlined in the *Values and Ethics Code for the Public Service*.

For the 2010-2011 fiscal year, the ATIP Office has:

- implemented a Privacy Impact Assessment (PIA) approval process in accordance with the Treasury Board Secretariat (TBS) Directives;
- improved its procedures by making use of current technological tools in order to gather, review and provide information to requestors more efficiently;
- drafted guidelines outlining internal procedures for processing PA requests in order to formalize its best practices and ensure consistency within the office;
- participated in the Community Development Initiative working and focus groups in order to assist the Treasury Board Secretariat in developing organizational models, job descriptions and competency profiles that will standardize work throughout the ATIP community;
- continued to improve communications with requesters in accordance with the ten (10) principles of practice outlined on the Department's Internet website in order to better assist requestors and increase the transparency of the ATIA process;
- continued to reduce paper consumption by printing double-sided as well as providing release packages electronically to requesters when appropriate;
- continued to abide by its services standards set out in Memoranda of Understanding with several client-departments; and
- continued to share its best practices with other government institutions.

## Education and Training

ATIP officers regularly provide advice and informal training on the application of ATIP legislation to Departmental employees who must review relevant records requested under the PA. Formal awareness and information sessions are also provided to program areas within the Department.

Particular emphasis is given to those aspects of the Act that are directly related to the employees' areas of responsibility.

This year the sessions were provided to the following groups, for a total of 183 employees:

- The Department's Ontario Regional Office (2 sessions – 60 employees)
- Royal Canadian Mounted Police Legal Services Unit (57 employees)
- Ministerial Secretariat (17 employees)
- Youth, Justice, Strategies and Law Reform (22 employees)
- Information Management Branch's Management Team (6 employees)
- Directors, Business Management (21 employees)

Formal training entitled "The Fundamentals of ATIP' is also offered through the Department of Justice's Learning Program in conjunction with the Information Law and Privacy Section. This year three (3) sessions were held for a total of 75 participants.

An e-orientation deck is also posted on the Department's intranet site for employees to consult.

Moreover, ATIP employees regularly participate in collective awareness sessions with the ATIP Counsel to review recent jurisprudence and case law related to ATIA. The ATIP Counsel participates in monthly ATIP Practice Group meetings during which information is exchanged and viable solutions are proposed. The Practice Group is open to all Departmental counsel, including those from Legal Services Units, and its mandate is to discuss questions such as the right of access to information or privacy issues.

Finally, ATIP employees participate in training sessions, conferences and seminars organized by the Treasury Board Secretariat or by the Canadian Access and Privacy Association (CAPA) on matters relating to both access and privacy. These exchanges provide for updates in the development of ATIP and upcoming trends in this area.

## Data Collection

The responsibility for the coordination of new data collection at Justice lies with the ATIP Coordinator. This ensures compliance with the *Privacy Act* and, as necessary, the creation of new Personal Information Banks or Program Records.

# PART II

# REPORT ON THE *PRIVACY ACT*

# REQUESTS UNDER THE *PRIVACY ACT*

## I. Statistical Report

The annual statistical report for fiscal year 2010-2011 is included at the end of this chapter.

## II. Explanation of the Statistics

1. Requests Processed

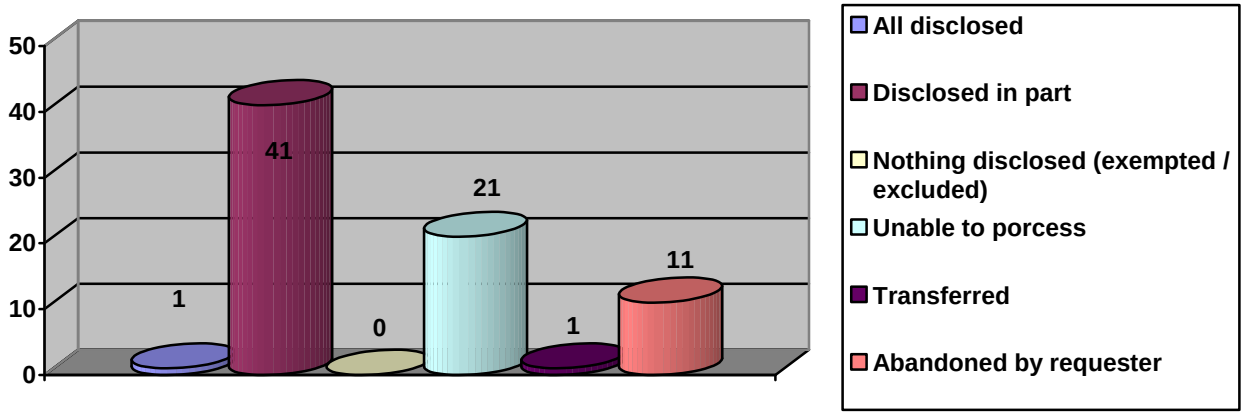
Sixty-eight (68) requests were received and nineteen (19) had been carried forward from the previous year, for a total of eighty-seven (87) requests to be processed during the fiscal year.

2. Requests Completed

Seventy-five (75) requests were completed during the year and twelve (12) were carried forward to be processed during fiscal year 2011-2012.

3. Disposition of Requests Completed

| | Number of Requests | Percentage |
|---|---|---|
| All disclosed | 1 | 1.33% |
| Disclosed in part | 41 | 54.67% |
| Nothing disclosed (exempted/excluded) | 0 | 0% |
| Unable to process | 21 | 28.00% |
| Transferred | 1 | 1.33% |
| Abandoned by requester | 11 | 14.67% |
| | 75 | 100% |



a) Unable to Process

Twenty-one (21) requests could not be processed as no relevant records existed under the control of the Department of Justice.

b) Abandoned

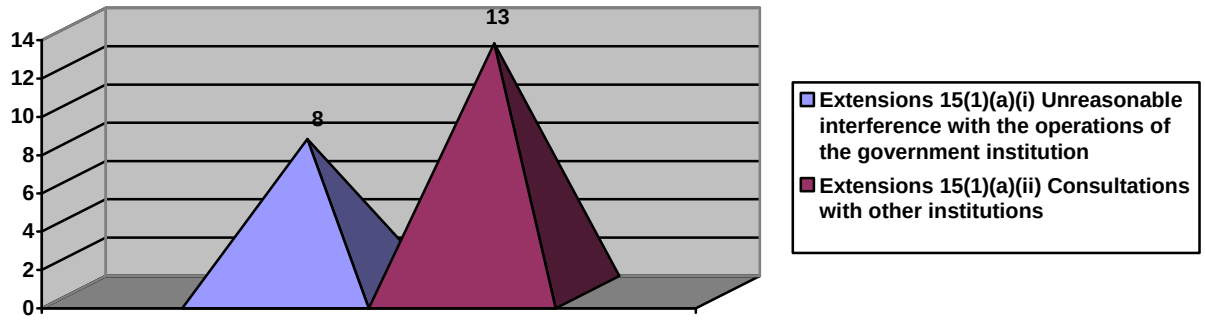
In eleven (11) cases, the applicants did not pursue the requests, as a result of obtaining further clarification regarding the subject matter of their requests and the role of the Department.

c) Transferred

Upon consent of the Applicant, one request was transferred to another government institution having greater interest in the request.

4. Extensions

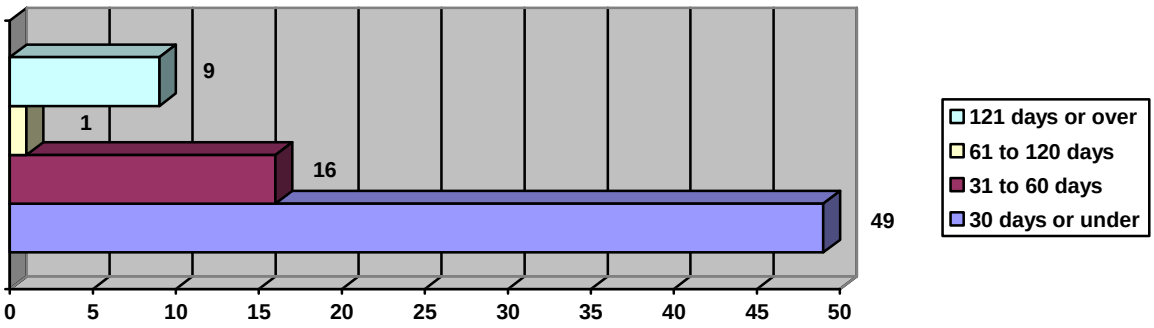
Of the twenty-one (21) extended requests, eight (8) included extensions under sub-paragraph 15(1)(a)(i) (unreasonable interference with the operations of the government institution) and thirteen (13) included extensions under sub-paragraph 15(1)(a)(ii) (consultations with other institutions). No extensions were claimed under paragraph 15(1)(b) (translation or conversion of the information into an alternative format).



5. Completion Time

The completion time can be summarized as follows:

| | Number of Requests | Percentage |
|---|---|---|
| 30 days or under | 49 | 65.33% |
| 31 to 60 days | 16 | 21.33% |
| 61 to 120 days | 1 | 1.33% |
| 121 days or over | 9 | 12.00% |
| Total | 75 | 100% |




6. Method of Access

Access to the relevant documents was given, in whole or in part, in response to forty-two (42) requests. Copies were provided in all cases. The Department also offers the possibility of providing the release package to the applicant on CD-Rom, an option which tends to be more widely accepted.

## III. Consultations by Other Federal Institutions or Departments

One hundred and eighty-five (185) consultation requests were received from other government institutions. These consultations are processed on a priority basis, taking into account the time limits imposed on each request. During this reporting period, Justice completed one hundred and eighty-four (184) consultations from other federal government institutions or departments.

Memoranda of Understanding were created to strengthen our commitment towards better service delivery to the institutions that consult the Department of Justice.

## IV. Complaints and Investigations

The complaint findings are defined as follows:

- Not Well-Founded: A finding that a complaint is not well-founded means that the investigation uncovered no evidence leading the Privacy Commissioner to conclude that the Government institution violated the complainant's rights under the *Privacy Act*.

- Well-Founded: A finding that a complaint is well-founded means that the Government institution failed to respect the PA rights of an individual. This would also be the Commissioner's finding in a situation where the Government institution refuses to grant access to personal information, despite a recommendation that it be released. In such a case, the next step could be for the requester or the Commissioner to seek a review by the Federal Court of Canada.

- Well-Founded/Resolved: The Commissioner will find a complaint to be well-founded/resolved when the allegations are substantiated by the investigation and the Government institution has agreed to take corrective measures to rectify the problem.

- Resolved: Resolved is a formal finding that reflects the Commissioner's role as an ombudsman. It is a designation for those complaints where well-founded would be too harsh to fit what essentially is a miscommunication or misunderstanding. It signifies that the Commissioner's Office, after a full and thorough investigation, has helped negotiate a solution that satisfies all parties.

- Settled during the Course of the Investigation: This is not a formal finding, but an acceptable means to dispose of a complaint when the investigation has been completed, and the complainant is satisfied with the efforts of the Office of the Privacy Commissioner and does not wish to pursue the issue any further. The complainant retains the right to request a formal finding. When that happens, the investigator re-opens the file, and submits a formal report. The Commissioner reports the findings in a letter to the complainant.

- Discontinued: This signifies that the investigation was terminated before all the allegations were fully investigated. A case may be discontinued for any number of reasons - for instance, the complainant may no longer be interested in pursuing the matter or cannot be located to provide additional information critical to reaching a conclusion. The Commissioner does not issue a formal finding in discontinued complaints.

The following table summarizes the reasons for the complaints and the results of the investigations:

| | 10-11 | Reporting period | | | | On-going |
|---|---|---|---|---|---|---|
| Reason for complaint | Received | Discontinued | Not well founded | Settled | Well founded | |
| Delay | 0 | 0 | 0 | 0 | 2 | 1 |
| Extension | 0 | 0 | 2 | 0 | 0 | 0 |
| Fees | 0 | 0 | 0 | 0 | 0 | 0 |
| Language | 0 | 0 | 0 | 0 | 0 | 0 |
| Miscellaneous | 3 | 0 | 1 | 0 | 2 | 4 |
| Publications | 0 | 0 | 0 | 0 | 0 | 0 |
| Refusal – 69 | 0 | 0 | 0 | 0 | 0 | 0 |
| Refusal - Exemption | 5 | 0 | 1 | 0 | 0 | 6 |
| Refusal - General | 0 | 0 | 0 | 0 | 0 | 0 |
| | | | | | | |
| Subtotal | | 0 | 4 | 0 | 4 | |
| Total | 8 | 8 | | | | 11 |

1. Complaints filed

Eight (8) complaints were lodged with the Privacy Commissioner during the fiscal year.

2. Investigations Completed

The Office of the Privacy Commissioner completed the investigation of eight (8) complaints during the fiscal year. Many of these complaints had been carried forward from previous years.

The decision reached was in favour of the Department in four (4) cases. Four (4) complaints were well-founded and four (4) were not well-founded.

3. On-going Investigations

At the end of the fiscal year, eleven (11) complaints were still under investigation by the Office of the Privacy Commissioner.

4. Review by the Federal Court of Canada

No applications were filed before the Federal Court pursuant to section 41 of the *Privacy Act* during the reporting period.

## V. Requests for Correction of Personal Information

Paragraph 12(2)(a) of the Act provides that every individual given access to personal information about himself or herself that has been used, is being used, or is available for use for an administrative purpose is entitled to request correction of such information where the individual believes there is an error or omission therein.

The Department of Justice has not received a request for correction of personal information during the reporting period.

## VI. Use and Disclosure

It is the policy of the Department of Justice that personal information is to be used solely for the purpose for which it was collected or for consistent uses.

## VII. Disclosure under Paragraph 8(2)(d)

Sub-paragraph 8(2)(d) permits the disclosure of personal information to the Attorney General of Canada for use in legal proceedings involving the Crown in right of Canada or the Government of Canada.

The Department of Justice did not disclose personal information under paragraph 8(2)(d) during the reporting period.

## VIII. Disclosure under Paragraph 8(2)(m) or any other 8(2)

Paragraph 8(2)(m) permits the disclosure of personal information in situations where the public interest in disclosure clearly outweighs any invasion of privacy that could result from the disclosure or when the disclosure would clearly benefit the individual to whom the information relates. The Privacy Commissioner must be informed of disclosures to be made under these provisions.

No communication was made pursuant to paragraph 8(2*).*

## IX. Exempt Banks

The Department of Justice has no exempt banks under the *Privacy Act*.

## X. Audits Conducted by the Privacy Commissioner

Pursuant to subsection 37(1) of the *Privacy Act*, the Privacy Commissioner may carry out investigations in respect of personal information under the control of government institutions to ensure compliance with paragraphs 4 to 8.

No formal investigations by the Commissioner were conducted during the reporting period.

## XI. Privacy Impact Assessments (PIA)

A Privacy Impact Assessment was initiated with the Office of the Federal Ombudsman for Victims of Crime for the reported period.

# *PRIVACY ACT*

# ANNUAL STATISTICAL REPORT

# APRIL 1, 2010 TO MARCH 31, 2011

Government of Canada / Gouvernement du Canada

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

| Institution / Ministère | Reporting period / Période visée par le rapport |
|---|---|
| Department of Justice Canada<br>Ministère de la Justice du Canada | 2010-04-01 to / à 2011-03-31 |

## I Requests under the Privacy Act / Demandes en vertu de la Loi sur la protection des renseignements personnels

| | |
|---|---|
| Received during reporting period / Reçues pendant la période visée par le rapport | |
| Outstanding from previous period / En suspens depuis la période antérieure | |
| **TOTAL** | |
| Completed during reporting period / Traitées pendant la période visées par le rapport | 75 |
| Carried forward / Reportées | 12 |

## II Disposition of request completed / Disposition à l'égard des demandes traitées

| | | |
|---|---|---|
| 1. | All disclosed / Communication totale | 1 |
| 2. | Disclosed in part / Communication partielle | 41 |
| 3. | Nothing disclosed (excluded) / Aucune communication (exclusion) | 0 |
| 4. | Nothing disclosed (exempt) / Aucune communication (exemption) | 0 |
| 5. | Unable to process / Traitement impossible | 23 |
| 6. | Abandonned by applicant / Abandon de la demande | 10 |
| 7. | Transferred / Transmission | 0 |
| **TOTAL** | | 75 |

## III Exemptions invoked / Exceptions invoquées

| | |
|---|---|
| S. Art. 18(2) | 0 |
| S. Art. 19(1)(a) | 1 |
| (b) | 0 |
| (c) | 3 |
| (d) | 1 |
| S. Art. 20 | 1 |
| S. Art. 21 | 2 |
| S. Art. 22(1)(a) | 7 |
| (b) | 2 |
| (c) | 1 |
| S. Art. 22(2) | 0 |
| S. Art. 23 (a) | 1 |
| (b) | 0 |
| S. Art. 24 | 1 |
| S. Art. 25 | 1 |
| S. Art. 26 | 41 |
| S. Art. 27 | 30 |
| S. Art. 28 | 0 |

## IV Exclusions cited / Exclusions citées

| | |
|---|---|
| S. Art. 69(1)(a) | 1 |
| (b) | 0 |
| S. Art. 70(1)(a) | 0 |
| (b) | 0 |
| (c) | 1 |
| (d) | 0 |
| (e) | 0 |
| (f) | 0 |

## V Completion time / Délai de traitement

| | |
|---|---|
| 30 days or under / 30 jours ou moins | 49 |
| 31 to 60 days / De 31 à 60 jours | 16 |
| 61 to 120 days / De 61 à 120 jours | 1 |
| 121 days or over / 121 jours ou plus | 9 |

## VI Extensions / Prorogations des délais

| | 30 days or under / 30 jours ou moins | 31 days or over / 31 jours ou plus |
|---|---|---|
| Interference with operations / Interruption des opérations | 8 | 0 |
| Consultation | 13 | 0 |
| Translation / Traduction | 0 | 0 |
| **TOTAL** | 21 | 0 |

## VII Translations / Traductions

| | | |
|---|---|---|
| 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 |

## VIII Method of access / Méthode de consultation

| | |
|---|---|
| Copies given / Copies de l'original | 42 |
| Examination / Examen de l'original | 0 |
| Copies and examination / Copies et examen | 0 |

## IX Corrections and notation / Corrections et mention

| | |
|---|---|
| Corrections requested / Corrections demandées | 0 |
| Corrections made / Corrections effectuées | 0 |
| Notation attached / Mention annexée | 0 |

## X Costs / Coûts

| Financial (all reasons) / Financiers (raisons) | |
|---|---|
| Salary / Traitement | $ 263,019 |
| Administration (O and M) / Administration (fonctionnement et maintien) | $ 14,452 |
| **TOTAL** | **$ 277,471** |

| Person year utilization (all reasons) / Années-personnes utilisées (raisons) | |
|---|---|
| Person year (decimal format) / Années-personnes (nombre décimal) | 3.9 |

TBS/SCT 350-63 (Rev. 1999/03)

# PART IV

# DELEGATION ORDER

Access to Information and Privacy Act Delegation Order

Arrêté sur la délégation en vertu de la Loi sur l'accès à l'information et la protection des renseignements personnels

The Minister of Justice of Canada, pursuant to section 73 of the *Access to Information Act* and the *Privacy Act*, hereby designates the persons holding the positions set out in the schedule hereto, or the persons occupying on an acting basis those positions, to exercise the powers and functions of the Minister as the head of a government institution, under the section of the Act set out in the schedule opposite each position. This designation replaces the attached designation.

En vertu de l'article 73 de la *Loi sur l'accès à l'information* et la *Loi sur la protection des renseignements personnels*, le ministre de la Justice du Canada délègue aux titulaires des postes mentionnés à l'annexe ci-après, ainsi qu'aux personnes occupant à titre intérimaire lesdits postes, les attributions dont il est, en qualité de responsable d'une institution fédérale, investi par les articles de la Loi mentionnés en regard de chaque poste. Le présent document remplace et annule le document ci-joint.

Schedule/Annexe

| Position/Poste | *Privacy Act* and Regulations/Loi sur la protection des renseignements personnels et règlements | *Access to Information Act* and Regulations/Loi sur l'accès à l'information et règlements |
|---|---|---|
| The Director, Access to Information and Privacy Office/Le directeur, Bureau de l'accès à l'information et de la protection des renseignements personnels | Full authority/Autorité absolue | Full authority/Autorité absolue |
| The Assistant Director and the Legal Counsel, Access to Information and Privacy Office/Le directeur adjoint et le Conseiller juridique, Bureau de l'accès à l'information et de la protection des renseignements personnels | 15, and the mandatory provisions of 26 for all records/15 et les dispositions obligatoires de l'article 26 pour tous les dossiers | 8(1), 9, 11(2) to (6) inclusive, and the mandatory provisions of 19(1) for all records/8(1), 9, 11(2) à (6) inclusivement et les dispositions obligatoires de l'article 19(1) pour tous les dossiers |
| The Senior Access to Information and Privacy Advisors/Les conseillers principaux en accès à l'information et protection des renseignements personnels | 15 for all records/15 pour tous les dossiers | 8(1) and 9 for all records/8(1) et 9 pour tous les dossiers |

Dated, at the City of Ottawa, this 9th day of May, 2006

Daté, en la ville d'Ottawa, ce jour de 2006

MINISTRE DE LA JUSTICE
L'HONORABLE VIC TOEWS

THE HONOURABLE VIC TOEWS
MINISTER OF JUSTICE

**ANNEXE DE L'ORDONNANCE DE DÉLÉGATION DE POUVOIRS**

**DÉLÉGATION DE POUVOIRS, DE RESPONSABILITÉS ET DE FONCTIONS EN VERTU DE L'ARTICLE 73 DE LA *LOI SUR LA PROTECTION DES RENSEIGNEMENTS PERSONNELS***

| **Articles et Pouvoirs, responsabilités ou fonctions** | |
|---|---|
| 8(2) | Divulguer des renseignements personnels sans le consentement de l'individu qui le concerne |
| 8(4) | Conserver des copies des demandes reçues en vertu de l'alinéa 8(2)(e), une mention des renseignements communiqués et mettre cette copie et cette mention à la disposition du Commissaire à la protection de la vie privée |
| 8(5) | Aviser par écrit le commissaire à la protection de la vie privée de la communication des renseignements en vertu de l'alinéa 8(2)(m) |
| 9(1) | Faire un relevé de l'usage des renseignements personnels |
| 9(4) | Aviser le Commissaire à la protection de la vie privée de l'usage de l'information à des fins compatibles avec celles auxquelles les renseignements ont été recueillis et mettre le répertoire à jour |

**SCHEDULE TO DELEGATION ORDER**

**DELEGATION OF POWERS, DUTIES AND FUNCTIONS PURSUANT TO SECTION 73 OF THE *PRIVACY ACT***

| **Sections and Powers, Duties or Functions** | |
|---|---|
| 8(2) | Disclose personal information without the consent of the individual to whom it relates |
| 8(4) | Keep copies of requests made under 8(2)(e), keep records of information disclosed pursuant to such requests and to make those records available to Privacy Commissioner |
| 8(5) | Notify the Privacy Commissioner in writing of disclosure under paragraph 8(2)(m) |
| 9(1) | Retain a record of use of personal information |
| 9(4) | Notify the Privacy Commissioner of consistent use of personal information and update index accordingly |

| | | | |
|---|---|---|---|
| 10 | Verser les renseignements personnels dans les fichiers de renseignements personnels | 10 | Include personal information in personal information banks |
| 14 | Répondre à la demande de communication de renseignements dans les délais prévus par la loi; communiquer les renseignements ou aviser le demandeur | 14 | Respond to request for access, within statutory deadline; give access or give notice |
| 15 | Proroger le délai et en aviser le demandeur | 15 | Extend time limit and notify applicant |
| 16 | Refus de communication | 16 | Where access is refused |
| 17(2)(b) | Version de la communication ou autre forme de communication | 17(2)(b) | Language of access or alternative format of access |
| 17(3)(b) | Autre forme de Communication | 17(3)(b) | Access to personal information in alternative format |
| 18(2) | Refus de divulguer de l'information se trouvant dans un fichier inconsultable | 18(2) | May refuse to disclose information contained in an exempt bank |
| 19(1) | Refus de divulguer des renseignements personnels obtenus à titre confidentiel d'un autre gouvernement | 19(1) | Shall refuse to disclose information obtained in confidence from another government |
| 19(2) | Divulguer au besoin des renseignements personnel mentionnés à l'alinéa 19(1) si le gouvernement en question consent à la divulgation ou rend les renseignements publics | 19(2) | May disclose any information referred to in 19(1) if the other government consents to the disclosure or makes the information public |
| 20 | Refus de divulguer des renseignements portant préjudice aux affaires fédérales provinciales | 20 | May refuse to disclose information injurious to federal-provincial affairs |
| 21 | Refus de divulguer des renseignements portant préjudice à la conduite des affaires internationales et à la défense | 21 | May refuse to disclose information injurious to international affairs and/or defence |

| | | | |
|---|---|---|---|
| 22 | Refus de divulguer des renseignements portant préjudice au maintien de l'ordre public et à des enquêtes | 22 | May refuse to disclose information injurious to law enforcement and investigation |
| 23 | Refus de divulguer des renseignements recueillis pour des enquêtes de sécurité | 23 | May refuse to disclose information injurious to security clearances |
| 24 | Refus de divulguer des renseignements recueillis par le Service canadien des pénitenciers, le Service national de libération conditionnelle ou la Commission nationale des libérations conditionnelles | 24 | May refuse to disclose information collected by the Canadian Penitentiary Service, the National Parole Service or the National Parole Board |
| 25 | Refus de divulguer des renseignements pouvant nuire à la sécurité des individus | 25 | May refuse to disclose information injurious to which could threaten the safety of individuals |
| 26 | Refus de divulguer de l'information concernant d'autres individus, et refuser de les divulguer lorsque leur communication est interdite en vertu de l'article 8 | 26 | May refuse to disclose information about other individuals, and shall refuse to disclose such information where disclosure is prohibited under section 8 |
| 27 | Refus de divulguer des renseignements personnels qui sont protégés par le secret professionnel liant un avocat à son client | 27 | May refuse to disclose information subject to solicitor-client privilege |
| 28 | Refus de divulguer des renseignements sur la santé physique ou mentale de l'individu lorsque leur communication lui desservirait | 28 | May refuse to disclose information relating to an individual's physical or mental health where disclosure is contrary to the best interests of the individual |
| 31 | Prendre connaissance de l'avis du Commissaire à la protection de la vie privée de son intention d'enquêter | 31 | Receive notice of investigation by the Privacy Commissioner |

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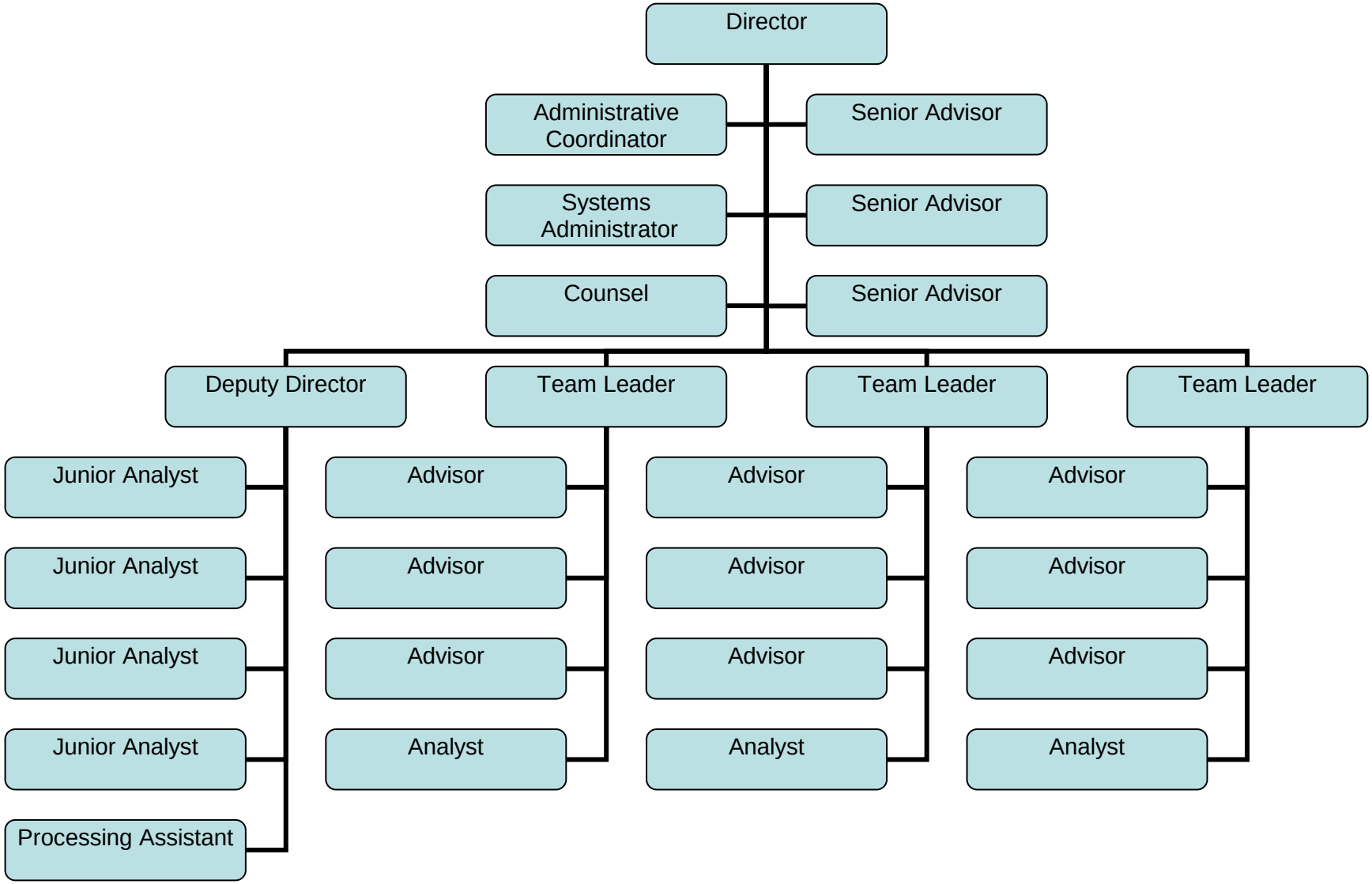
| 33(2) | Présenter des observations au Commissaire à la protection de la vie privée pendant une enquête | 33(2) | Make representations to the Privacy Commissioner during an investigation |
| 35(1) | Prendre acte des constations du rapport du Commissaire à la protection de la vie privée à la suite de son enquête et l'aviser des mesures prises | 35(1) | Receive the Privacy Commissioner's report of findings of the investigation and give notice of action taken |
| 35(4) | Communiquer les renseignements au plaignant après en avoir avisé le Commissaire à la protection de la vie privée en vertu de l'alinéa 35(1)(b) | 35(4) | Give complainant access to information after 35(1)(b) notice |
| 36(3) | Prendre acte des conclusions du rapport du Commissaire à la vie privée découlant d'une enquête concernant un fichier inconsultable | 36(3) | Receive Privacy Commissioner's report of findings of investigation of exempt |
| 37(3) | Prendre acte des conclusions du Commissaire à la protection de la vie privée à l'issue de son enquête sur la mesure dans laquelle une institution fédérale a appliqué les articles 4 à 8 | 37(3) | Receive report of Privacy Commissioner's findings after compliance investigation where the institution has not complied with sections 4 to 8 |
| 51(2)(b) | Demander qu'une affaire fasse l'objet d'une audition et soit tranchée dans la région de la capitale nationale | 51(2)(b) | Request that matter be heard and determined in National Capital Region |
| 51(3) | Demander le droit de présenter des arguments aux auditions menées en application de l'article 51 | 51(3) | Request and be given right to make representations in Section 51 hearing |
| 72(1) | Dresser un rapport annuel destiné au Parlement | 72(1) | Prepare Annual Report to Parliament |
| 77 | S'acquitter de responsabilités dévolues au chef de l'institution en application des règlements pris en vertu de l'article 77 dont il n'est pas question ci-dessus | 77 | Carry out responsibilities conferred on the head of the institution by the regulations made under section 77 which are not included above |

# APPENDIX A

# ORGANIZATIONAL CHART

# ATIP Office


Director
Administrative Coordinator
Senior Advisor
Systems Administrator
Senior Advisor
Counsel
Senior Advisor
Deputy Director
Team Leader
Team Leader
Team Leader
Junior Analyst
Junior Analyst
Junior Analyst
Junior Analyst
Processing Assistant
Advisor
Advisor
Advisor
Analyst
Advisor
Advisor
Advisor
Analyst
Advisor
Advisor
Advisor
Analyst