



Canadian
Heritage

Patrimoine
canadien

Canada



Privacy Act

Annual Report 2008-2009



The Right to Know!

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Privacy Act

ANNUAL REPORT (April 1, 2008 to March 31, 2009)

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Privacy Act
ANNUAL REPORT
(April 1, 2008 to March 31, 2009)

1.0 Introduction

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.

The information contained in this report pertains to the administration of the *Privacy Act* within the Department of Canadian Heritage during the reporting period of April 1, 2008 to March 31, 2009.

2.0 Mandate of Canadian Heritage

The Department of Canadian Heritage is responsible for formulating policies and delivering programs that help all Canadians to participate in their shared cultural and civic life.

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; and
- 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. In October 2008, the responsibility for the Multiculturalism portfolio, which was a part of Canadian Heritage, was transferred to the Minister of Citizenship and Immigration who became the Minister of Citizenship, Immigration and Multiculturalism. Consequently, the responsibilities related to multiculturalism were transferred from the Department of Canadian Heritage to Citizenship and Immigration Canada.

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, four analysts, and one support staff. In the departmental organizational structure, the ATIP Secretariat reports to the Corporate Secretariat.

4.0 Administration of Requests under the *Privacy Act*

4.1 Privacy Requests

Between April 1, 2008 and March 31, 2009, 12 formal requests for information were received under the *Privacy Act*. Two requests were carried forward from the previous reporting period. See Appendix 2.0 for the Report on the *Privacy Act*.

4.2 Disposition of Completed Requests

Thirteen requests were completed during the reporting period, while 1 request was carried forward into the next fiscal year. Of the requests completed, 8 resulted in full disclosure of information. Four requests resulted in the partial disclosure of information. It was not possible to process one of the requests received as no records existed.

4.3 Extensions

In 2 cases, the department required a 30-day time extension because of the number of records, and in one case an extension was required in order to consult with other parties.

4.4 Exemptions

In the processing of requests, two exemptions to withhold information under the *Privacy Act* were invoked. Section 26, personal information about another individual, was invoked in 4 requests, while section 27, solicitor-client privilege, was invoked in 2 files.

4.5 Costs

The costs reported in the statistical report, \$25,359, 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. The PIA on the Chinese head tax redress was completed by the Multiculturalism Program. Note that with the transfer of the Multiculturalism portfolio to Citizenship and Immigration Canada, effective October 30, 2008, any activities associated with the reporting on the redress program are now the responsibility of that department.

7.0 Data Sharing Activities

There were no data matching activities during the reporting period.

8.0 Personal Information Banks / Classes of Personal Information

An inventory of personal information databases held by Canadian Heritage has been completed. Some of the Personal Information Banks (PIBs) submitted to Treasury Board Secretariat (TBS) have been abandoned, as the category of information collected will fall under new standard PIBs to be established by TBS. Specifically, “Celebration and Commemoration Events” will be covered by the standard PIB “Outreach”; “Accounts Payable/Employee Accounts” will be included in standard PIB “Accounts Payable/Accounts Receivable”; “Contracts” will fall under standard PIB “Professional Services Contracts”.

9.0 Education and Training Activities

Website

The Access to Information and Privacy Secretariat’s website resides on the department’s intranet site. The website describes the ATIP Secretariat’s roles and responsibilities and provides information on the *Privacy Act* and related departmental policies, including the departmental privacy policy, and procedures. 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. The site is continuously updated with new tools and information.

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																		Section 33 FAA Payment 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	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	F	F	F	F	F	F	F	F	F	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
3	Regional Executive Director	Region	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	
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	F	F	F	F	F	F	F	F	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	F	F	F	F	F	F	F	F	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	F	F	F	F	F	F	F	F	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	F	F	F	F	F	F	F	F	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	F	F	F	F	F	F	F	F	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															
SPECIAL AUTHORITIES																																	
	Chief Financial Officer (CFO)	Department	F										F	F	F	F	F	F	F	F	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	F	F	F	F	F	F	F	F		
	Director General, Sport Canada	Assigned Funds Centre(s)/Cost Centre(s)	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		F			
	Director, Labour Relations, Compensation and Benefits (HRWM)	Department	F	F																	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																	F	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	F			
	Financial Officer	Region																															
APPROVED BY:			APPROVED BY:																														
Original signed by Judith A. LaRocque on May 27, 2009 Deputy Minister			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 April 1, 2008 to March 31, 2009
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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		12
Outstanding from previous period / En suspens depuis la période antérieure		2
TOTAL		14
Completed during reporting period / Traitées pendant la période visées par le rapport		13
Carried forward / Reportées		1

II Disposition of request completed / Disposition à l'égard des demandes traitées		
1.	All disclosed / Communication totale	8
2.	Disclosed in part / Communication partielle	4
3.	Nothing disclosed (excluded) / Aucune communication (exclusion)	0
4.	Nothing disclosed (exempt) / Aucune communication (exemption)	0
5.	Unable to process / Traitement impossible	1
6.	Abandoned by applicant / Abandon de la demande	0
7.	Transferred / Transmission	0
TOTAL		13

III Exemptions invoked / Exceptions invoquées		
S. Art. 18(2)		0
S. Art. 19(1)(a)		0
(b)		0
(c)		0
(d)		0
S. Art. 20		0
S. Art. 21		0
S. Art. 22(1)(a)		0
(b)		0
(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		4
S. Art. 27		2
S. Art. 28		0

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

V Completion time / Délai de traitement		
30 days or under / 30 jours ou moins		4
31 to 60 days / De 31 à 60 jours		8
61 to 120 days / De 61 à 120 jours		1
121 days or over / 121 jours ou plus		0

VI Extentions / 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	2	0	
Consultation	1	0	
Translation / Traduction	0	0	
TOTAL	3	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		12
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	\$ 19,571.0
Administration (O and M) / Administration (fonctionnement et maintien)	\$ 5,788.0
TOTAL	\$ 25,359.0
Person year utilization (all reasons) / Années-personnes utilisées (raisons)	
Person year (decimal format) / Années-personnes (nombre décimal)	0.30

