

# Annual Report to Parliament on the Administration of the Access to Information Act

2022–2023



Transport  
Canada

Transports  
Canada

Canada 

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# Introduction

## The purpose of the Access to Information Act

Part 1 of the *Access to Information Act* (the Act) provides Canadian citizens, permanent residents of Canada within the meaning of subsection 2(1) of the *Immigration and Refugee Protection Act*, and individuals who are present in Canada, a right of access to information contained in federal government records subject to certain specific and limited exceptions. Part 2 of the Act sets out requirements for proactive publication. The Act complements, but does not replace, other means of obtaining government information.

This annual report is submitted to Parliament by the Minister of Transport, in accordance with section 94 of the *Access to Information Act* and section 20 of the *Service Fees Act*. It describes how Transport Canada (TC) fulfilled its responsibilities and obligations for the reporting period April 1, 2022 to March 31, 2023.

## About Transport Canada

TC is responsible for developing and overseeing the Government of Canada's transportation policies and programs in support of a safe, secure, green, innovative, and integrated transportation system that promotes trade, economic growth, and a cleaner environment.

For more information about TC, visit [tc.canada.ca](https://tc.canada.ca).

# Management of access to information requests and services

## The Access to Information and Privacy Office

The Access to Information and Privacy (ATIP) Office is the focal point for access to information and privacy requests and services at TC, and is grouped under Corporate Services. At TC, the ATIP Coordinator (the primary contact for queries) is the Director of the ATIP Office. The Director reports to the Assistant Deputy Minister, Corporate Services and Chief Financial Officer who in turn reports to the Deputy Minister.

The ATIP Office was restructured during the reporting period. Whereas previously one operations unit was dedicated to processing requests for personal information, all operational units now share this work to better manage file volumes and staffing shortages. The office currently comprises five units:

- Two operations units responsible for the review of documents in response to requests made under the *Access to Information Act* and requests for personal information made under the *Privacy Act*, and to advise TC officials on access to information policy;
- One operations unit dedicated to processing access to information files received in 2020 or prior;
- One governance unit responsible for certain administrative functions, such as modernization of systems and reporting, in addition to certain internal advisory services, including those related to Part 2 of the *Access to Information Act*; and
- One privacy policy unit responsible for advising and supporting TC officials to ensure compliance with the *Privacy Act* and related policy instruments.

The ATIP Office works closely with departmental liaison officers who are the main points of contact between the ATIP Office and subject matter experts. They are responsible for ensuring requests tasked to their group or region are handled promptly and that relevant records are forwarded from offices of primary interest (OPIs) to the ATIP Office in accordance with established procedures and timelines.

## Human resources

During the reporting period, a total of 29.37 person-years were dedicated to access to information activities, with 2.7 of those person-years having been the work of consultants. This figure does not include work performed by liaison officers in TC's groups and regions.

The ATIP Office has continued to experience high staff turnover, and in 2022–2023 conducted numerous hiring processes for staff vacancies at all levels. TC is not alone in the challenge to attract and retain access to information and privacy specialists as many institutions across the public sector are facing similar challenges.

## Delegation of responsibilities

Pursuant to subsection 95(1) of the Act, responsibilities associated with its administration are delegated to departmental officials through a delegation order signed by the Minister of Transport. Accordingly, the Minister of Transport has delegated the powers, duties and functions for the administration of the Act to the following TC officials:

- the Deputy Minister;
- the Associate Deputy Minister;
- the Assistant Deputy Minister, Corporate Services and Chief Financial Officer;
- the Director, ATIP;
- Chiefs of the ATIP Office (except for section 6.1(1)); and
- Senior ATIP Advisors of the ATIP Office (sections 7(a), 8(1), 9, 19, 27, 33 and 43(1));

A copy of the delegation order can be found at Annex C.

## Section 96 service agreements

Under section 96 of the Act, a government institution may enter into a service agreement with another government institution presided over by, or under the responsibility of the same Minister to provide or receive services related to access to information. TC was not party to any such agreements over the course of the reporting period.

## Management of proactive publications

Part 2 of the *Access to Information Act* sets out various materials that Ministers and heads of government institutions must proactively publish on a regular basis, in electronic form. TC supports the Minister of Transport in meeting their obligations under sections 73 to 80 of the Act. TC is also a government entity as defined under section 81, and therefore all types of information listed in sections 82 to 90 apply to TC's proactive publishing obligations.

At TC, different groups are responsible for ensuring that materials are made available within statutory timeframes on either the Open Government website at [open.canada.ca](http://open.canada.ca) or TC website at [tc.canada.ca](http://tc.canada.ca). See the table below for details.

Materials to be proactively published	Section(s) of the Act	Publication timeline	TC groups responsible	Government of Canada website
<b>For TC</b>				
Travel and hospitality expenses	82, 83	Within 30 days after the end of the month of reimbursement	<ul style="list-style-type: none"> <li>• Corporate Services – Financial Operations and Administrative Services, with assistance from</li> <li>• Executive Office (for the Deputy Minister and Associate Deputy Minister) and</li> <li>• Assistant deputy ministers' offices (for assistant deputy ministers and associate assistant deputy ministers)</li> </ul>	Open Government
Reports tabled in Parliament	84	Within 30 days after tabling	<ul style="list-style-type: none"> <li>• Various OPIs, with assistance from:</li> <li>• Communications – Web Services</li> </ul>	Transport Canada
Reclassification of positions	85	Within 30 days after the quarter	<ul style="list-style-type: none"> <li>• Corporate Services – Classification Centre of Excellence</li> </ul>	Open Government
Contracts over \$10,000	86	Q1–3: Within 30 days after the quarter Q4: Within 60 days after the quarter	<ul style="list-style-type: none"> <li>• Corporate Services – Financial Operations and Administrative Services</li> </ul>	Open Government
Grants and contributions over \$25,000	87	Within 30 days after the quarter	<ul style="list-style-type: none"> <li>• Programs – Innovation Centre – Centre of Expertise on Financial Instruments, with assistance from:</li> <li>• Other OPIs within Programs</li> </ul>	Open Government
Packages of briefing materials prepared for new or incoming deputy heads or equivalent	88(a)	Within 120 days after appointment	<ul style="list-style-type: none"> <li>• Executive Office, with assistance from:</li> <li>• Various OPIs</li> <li>• Corporate Services – ATIP and</li> <li>• Communications – Web Services</li> </ul>	Transport Canada
Titles and reference numbers of memoranda prepared for a deputy head or equivalent, that is received by their office	88(b)	Within 30 days after the end of the month received	<ul style="list-style-type: none"> <li>• Executive Office, with assistance from:</li> <li>• Various OPIs and</li> <li>• Corporate Services – ATIP</li> </ul>	Open Government

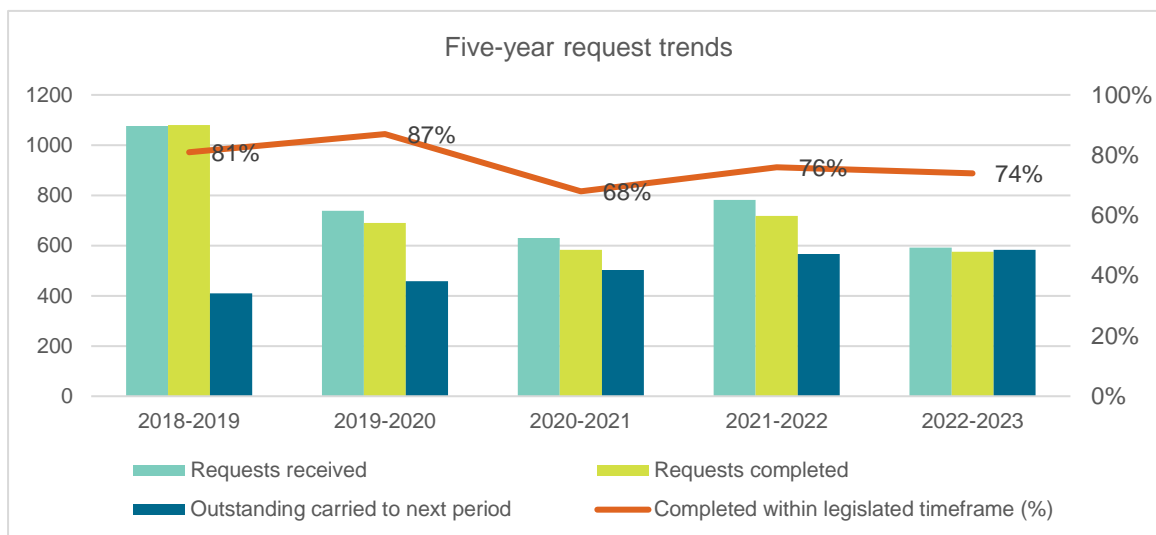
Packages of briefing materials prepared for a deputy head or equivalent's appearance before a committee of Parliament	88(c)	Within 120 days of after appearance	<ul style="list-style-type: none"> <li>• Executive Office Parliamentary Affairs Unit, with assistance from:</li> <li>• Various OPIs and</li> <li>• Corporate Services – ATIP</li> </ul>	Transport Canada
<b>For the Minister of Transport</b>				
Packages of briefing materials prepared by a government institution for new or incoming ministers	74(a)	Within 120 days after appointment	<ul style="list-style-type: none"> <li>• Executive Office, with assistance from:</li> <li>• Various OPIs</li> <li>• Corporate Services – ATIP and</li> <li>• Communications – Web Services</li> </ul>	Transport Canada
Titles and reference numbers of memoranda prepared by a government institution for the minister, that is received by their office	74(b)	Within 30 days after the end of the month received	<ul style="list-style-type: none"> <li>• Executive Office, with assistance from:</li> <li>• Various OPIs and</li> <li>• Corporate Services – ATIP</li> </ul>	Open Government
Packages of question period notes	74(c)	Within 30 days of the last sitting day of the House of Common in June and December	<ul style="list-style-type: none"> <li>• Executive Office – Policy and Issues Management Directorate, with assistance from:</li> <li>• Corporate Services – ATIP and</li> <li>• Communications – Web Services</li> </ul>	Transport Canada
Packages of briefing materials prepared by a government institution for a minister's appearance before a committee of Parliament	74(d)	Within 120 days after appearance	<ul style="list-style-type: none"> <li>• Executive Office - Parliamentary Affairs Unit, with assistance from:</li> <li>• Various OPIs and</li> <li>• Corporate Services – ATIP</li> </ul>	Transport Canada
Travel and hospitality expenses	75,76	Within 30 days after the end of the month of reimbursement	<ul style="list-style-type: none"> <li>• Executive Office and</li> <li>• Corporate Services – Financial Operations and Administrative Services</li> </ul>	Open Government
Contracts over \$10,000	77	Q1–3: Within 30 days after the quarter Q4: Within 60 days after the quarter	<ul style="list-style-type: none"> <li>• Corporate Services – Financial Operations and Administrative Services</li> </ul>	Open Government

# Performance 2022–2023

This section highlights key information on TC’s performance for fiscal year 2022–2023. See Annex A for the Statistical Report on the Access to Information Act and Annex B for the Supplemental Statistical Report on the Access to Information Act and Privacy Act.

## Access to information processing

### Request processing



During 2022–2023, TC received 592 new requests, a decrease of 182 requests from the previous reporting period. 567 requests were carried over from the previous reporting period for a total of 1159 requests on hand. 426 out of 576 (74%) of requests closed were within legislated timeframes.

On March 31, 2023, 583 requests were carried over to the 2023–2024 fiscal year.

### Capacity

TC staff were limited in their onsite presence in April and May 2022, stemming from public and departmental health measures in response to the COVID-19 pandemic. As a result, TC was at partial capacity for processing of paper records and records at Protected C level or above for the first six weeks of the reporting period. See Section 2 of the supplemental statistical report, Annex B.

### Completion time

TC endeavours to complete every access to information request in a timely manner. Of the 576 requests completed in 2022–2023, 301 (52%) were completed within 30 days.

# of days	1 to 15	16 to 30	31 to 60	61 to 120	121 to 180	181 to 365	365 or more
# of requests	117	184	53	46	36	64	76

Number of days taken to process requests closed in 2022–2023



## Outstanding late requests

TC seeks to minimize the number of new requests that go beyond legislated timelines while continuing to reduce the number of late and older requests. Requests carried over from previous years may be within legislated timelines or have become late. Of the 583 requests carried over to 2023–2024 from previous reporting periods, 493 requests were beyond legislated timelines. TC has been taking steps to complete more late files with the aim of eliminating this backlog, but resourcing issues remained a significant challenge during this year. For a detailed breakdown, refer to table 3.1 in the supplemental statistical report, Annex B.

## Dispositions

TC makes every effort to disclose as much information as possible and to uphold the spirit of the Act. Of the 576 requests closed this reporting period, there were:

- 68 (11.6%) fully disclosed
- 255 (44.3%) partially disclosed
- 176 (30.6%) where no records existed
- 9 (1.6%) transferred to other institutions
- 47 (8.2%) abandoned
- 21 (3.7%) where no records were disclosed, of which:
  - 8 (1.4%) were all exempted;
  - 11 (1.9%) were all excluded; and
  - 2 (0.4%) were neither confirmed nor denied

In most cases, redacted information pertained to the application of the following provisions of the Act:

- Section 19 was applied in 201 requests to protect personal information;
- Subsection 20(1) was applied in 116 requests to protect a third party's sensitive information; and
- Subsection 21(1) was applied in 106 requests to protect sensitive information related to the operations of government.

## Extensions

Under specific circumstances, the Act contains provisions for departments to extend the legislated deadline if the request cannot be completed within the 30-day time limit. More than one type of extension may apply to the same request. Of the 282 extensions cited during the reporting year, 80 were due to unreasonable interference with the operations of government (e.g., a large volume of responsive records were found or a lengthy search through a large number of records was required), 107 were for necessary consultations within the federal government, and the remaining 95 extensions were for conducting consultations with third parties.

Of note is the significant increase in extensions necessary to consult the Department of Justice about potentially excludable material under section 69 of the Act (Confidences of the King's Privy Council), from 4 in 2021–2022 to 29 in 2022–2023<sup>1</sup>. See section 5 of the statistical report, Annex A.

## Other request processing

### Consultation requests received from other government institutions and organizations

TC receives consultation requests from other institutions in relation to requests made under the *Access to Information Act* or other access to information legislation. In 2022–2023, TC received 194 such requests, with 168 consultations coming from other Government of Canada institutions and 26 from other organizations. This represents an increase of 15 (8%) from the previous reporting period.

In addition, 31 consultations were carried over from the previous reporting period for a total of 225 consultations. Of these, 207 consultations were completed and 18 were carried forward into the next fiscal year, 14 of which were within negotiated timelines.

### Informal requests for previously released information

Summaries of completed access to information requests are published on the Open Government website [open.canada.ca](https://open.canada.ca). Copies of response packages can be requested through the site. In 2022–23, TC responded to 184 informal requests, an increase of 31 (20%) from the previous reporting period.

## Complaints

Every individual who makes a request under the *Access to Information Act* has the right to file a complaint with the Office of the Information Commissioner of Canada regarding any matter relating to the processing of their request. An individual may also file more than one type of complaint for the same request. In 2022–2023, TC received 52 complaints involving 49 requests, related to the following issues:

- 15 (28.8%) were for time delays;
- 13 (25%) were for the application of extensions;
- 11 (21.1%) were for alleged missing records;
- 9 (17.3%) were for alleged improper application of exemptions;
- 2 (3.8%) were for alleged improper application of exclusions (section 69); and
- 2 (3.8%) were for other reasons related to the non-disclosure of records

A total of 64 complaints were resolved during the reporting period.

Total complaints resolved	Discontinued	Not well founded	Well founded
64	31	10	23

*Findings of complaints resolved in 2022–2023*

<sup>1</sup> These figures include only section 69 consultations completed for files that were also completed during the reporting period. The total number of requests closed with section 69 consultations was 38 in 2022–2023, an increase of 19 from the previous reporting period.

A total of 90 complaints were still open on March 31, 2023. Of those:

- 37 (41.1%) were received in 2022–2023
- 14 (15.6%) were received in 2021–2022
- 25 (27.8%) were received in 2020–2021
- 6 (6.7%) were received in 2019–2020
- 4 (4.4%) were received in 2018–2019
- 2 (2.2%) were received in 2017–2018
- 2 (2.2%) were received in 2014–2015

## Monitoring and compliance

### Access to information processing

The ATIP Office continued its engagement of departmental officials in monitoring of access to information requests to improve compliance and to ensure the sound administration of the Act. This is primarily done through regular reporting and discussion, including:

- A weekly progress report produced by the ATIP Office and shared with the Assistant Deputy Minister, Corporate Services and Chief Financial Officer, which gives an overview of request processing performance;
- Regular reports to OPIs and Legal Services to track the status of retrievals and consultations coming from the ATIP Office;
- Weekly reporting within the ATIP Office on upcoming due dates for requests for staff members and managers to follow-up; and
- Routine reporting on compliance with search and retrieval timelines sent to OPIs and discussed with TC's senior leadership.

Overall compliance for the return of records and recommendations to the ATIP Office within the necessary timelines during the reporting period was 72%. Compliance for access to information requests alone was 74%.

### Proactive publications

The responsibility of complying with Part 2 of the Act falls to specific TC groups as indicated in 'Management of proactive publications' above. Processes have been set up for each set of materials, and multiple teams are involved. Where necessary, the ATIP Office reviews and provides advice on material that should not be published. During the reporting period, various processes were reviewed, and improvements made to ensure completion of the publications, including ones to ease the work of the Web Services team, which carries much of the burden for publishing. TC does not have a centralized system for monitoring publishing times.

## Fees

The *Service Fees Act* requires a responsible authority to report annually to Parliament on the fees collected by the institution. With respect to fees collected under the *Access to Information Act*, the information below is reported in accordance with the requirements of section 20 of the *Service Fees Act*.

In accordance with the changes to the *Access to Information Act* that came into force on June 21, 2019, TC may only charge an application fee of \$5, as set out in paragraph 7(1)(a) of the Regulations. Pursuant to the TBS *Directive on Access to Information Requests*, issued on July 13, 2022, institutions can waive this application fee as deemed appropriate.

In 2022–2023, application fees were collected for 537 requests for a total revenue of \$2,685 and application fees were waived or refunded for 55 requests, representing a total of \$275.

## Costs

The cost of administering the Act during fiscal year 2022–2023 amounted to \$3,066,914, or 75% of the ATIP Office's budget. This excludes costs incurred throughout the department for the search, retrieval and preparation of recommendations to enable and inform the processing of requests in accordance with the Act, as well as legal costs related to consultation or advice.

# Policies, guidelines, procedures and initiatives

## Policies and procedures

### End to extensions for COVID-19 impact

Following the onset of the COVID-19 pandemic in March 2020, the ATIP Office had instituted a 120-day request extension that, if necessary, could be taken under section 9(1)(a) of the Act to account for processing delays caused by the impact of the pandemic. With a return to full capacity for request processing in May 2022, the ATIP Office ceased its use of this extension. A short while later, the Information Commissioner of Canada set the expectation that the impact of the pandemic could no longer be used to justify delays in responding to requesters.

### New procedures

The following procedures were created or modified during the reporting period:

- Intake and closing procedures were modified following the launch of the ATIP Online platform in July 2022 which allowed for greater consistency and efficiency.
- Acknowledgement emails to requesters were modified to align with new TBS requirements under the Directive on Access to Information Requests and the Directive on Personal Information Requests and Correction of Personal Information.

## Initiatives

### Focus on modernization

In the second half of 2022, restructuring of the ATIP Office brought about the consolidation of reporting and modernization functions into one unit. This unit is currently leading a number of projects and initiatives, including:

- The implementation of new request processing software;
- Improvement of office resources, reporting, and streamlining of communications; and
- Consolidation of data storage devices and overall reduction in data involved in ATIP operations.

The unit is working regularly with teams within the Service and Digital Group and leveraging from other modernization work happening at TC, such as the Digital Workspace project, responsible for transitioning the department to a new electronic document and records management system.

### **Increasing secret network capacity**

Despite the increase in staff present onsite over the course of the reporting period, the impact of the pandemic had created a permanent lack of capacity for processing records at the Protected C level or higher. To address this, the ATIP Office expanded its secret network by investing in additional onsite space and terminals. As of September 2022, TC is again at full capacity.

## **Training and awareness**

### **Training**

The goal of training and awareness is to familiarize or further educate TC employees on the principles of access to information and privacy protection, responsibilities and expectations regarding the retrieval and reviewing of records, the provision of recommendations, and the overall importance of this work as it pertains to TC's daily operations.

Training is delivered by experienced ATIP practitioners through a number of different channels:

- Monthly virtual training sessions are delivered to TC staff members (393 registered participants in 2022–2023).
- Ad-hoc training is provided to various programs on specific areas that regularly affect subject matter experts and record holders.
- Analysts joining the ATIP Office benefited from both in-house and external training.

### **Awareness and engagement**

The ATIP Office continued to engage TC staff on access to information issues throughout the reporting period:

- Bulletins featuring news, updates, latest developments, and information regarding access to information and privacy is shared with all partners across the department.
- Meetings between ATIP Office management and liaison officers are held to share details of latest initiatives and gain a better understanding of each party's challenges.
- Access to information and privacy matters were regularly discussed with TC's Assistant Deputy Minister, Corporate Services and Chief Financial Officer, and other members of TC's senior leadership.
- The ATIP Director shared information, updates, and advice with various TC committees, including the Executive Management Committee.

# Annex A: Statistical report

## Statistical Report on the Access to Information Act

Name of institution: Transport Canada

Reporting period: April 1, 2022 to March 31, 2023

### Section 1: Requests under the Access to Information Act

#### 1.1 Number of formal requests

		Number of Requests
Received during reporting period		592
Outstanding from previous reporting periods		567
• Outstanding from previous reporting period	262	
• Outstanding from more than one reporting period	305	
<b>Total</b>		<b>1,159</b>
Closed during reporting period		576
Carried over to next reporting period		583
• Carried over within legislated timeline	90	
• Carried over beyond legislated timeline	493	

#### 1.2 Sources of requests

Source	Number of Requests
Media	89
Academia	16
Business (private sector)	184
Organization	22
Public	193
Decline to Identify	88
<b>Total</b>	<b>592</b>

### 1.3 Channels of formal requests

Channel	Number of Requests
Online	531
E-mail	22
Mail	39
In person	0
Phone	0
Fax	0
<b>Total</b>	<b>592</b>

## Section 2: Informal requests

### 2.1 Number of informal requests

		Number of Requests
Received during reporting period		118
Outstanding from previous reporting periods		96
• Outstanding from previous reporting period	31	
• Outstanding from more than one reporting period	65	
<b>Total</b>		<b>214</b>
Closed during reporting period		184
Carried over to next reporting period		30

### 2.2 Channels of informal requests

Channel	Number of Requests
Online	112
E-mail	6
Mail	0
In person	0
Phone	0
Fax	0
<b>Total</b>	<b>118</b>

### 2.3 Completion time of informal requests

Completion time							
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	Total
70	21	15	13	3	8	54	184

### 2.4 Pages released informally

Less than 100 Pages Released		100-500 Pages Released		501-1,000 Pages Released		1,001-5,000 Pages Released		More than 5,000 Pages Released	
Number of Requests	Pages Released	Number of Requests	Pages Released	Number of Requests	Pages Released	Number of Requests	Pages Released	Number of Requests	Pages Released
0	0	0	0	0	0	0	0	0	0

### 2.5 Pages re-released informally

Less than 100 Pages Re-released		100-500 Pages Re-released		501-1,000 Pages Re-released		1,001-5,000 Pages Re-released		More than 5,000 Pages Re-released	
Number of Requests	Pages Re-released	Number of Requests	Pages Re-released	Number of Requests	Pages Re-released	Number of Requests	Pages Re-released	Number of Requests	Pages Re-released
135	1,791	36	7,376	10	6,522	3	5,363	0	0

## Section 3: Applications to the Information Commissioner on declining to act on requests

	Number of Requests
Outstanding from previous reporting period	0
Sent during reporting period	0
<b>Total</b>	<b>0</b>
Approved by the Information Commissioner during reporting period	0
Declined by the Information Commissioner during reporting period	0
Withdrawn during reporting period	0
Carried over to next reporting period	0



## Section 4: Requests closed during the reporting period

### 4.1 Disposition and completion time

Disposition of requests	Completion Time (calendar days)							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	3	38	10	9	3	2	3	68
Disclosed in part	3	47	26	33	29	55	62	255
All exempted	0	2	1	2	2	0	1	8
All excluded	0	1	0	0	1	4	5	11
No records exist	65	93	13	2	1	2	0	176
Request transferred	9	0	0	0	0	0	0	9
Request abandoned	37	3	1	0	0	1	5	47
Neither confirmed nor denied	0	0	2	0	0	0	0	2
Declined to act with the approval of the Information Commissioner	0	0	0	0	0	0	0	0
<b>Total</b>	<b>117</b>	<b>184</b>	<b>53</b>	<b>46</b>	<b>36</b>	<b>64</b>	<b>76</b>	<b>576</b>

## 4.2 Exemptions

Section	Number of Requests	Section	Number of Requests	Section	Number of Requests	Section	Number of Requests
13(1)(a)	6	16(2)	2	18(a)	4	20.1	0
13(1)(b)	0	16(2)(a)	1	18(b)	8	20.2	0
13(1)(c)	7	16(2)(b)	0	18(c)	0	20.4	0
13(1)(d)	6	16(2)(c)	42	18(d)	1	21(1)(a)	41
13(1)(e)	2	16(3)	0	18.1(1)(a)	0	21(1)(b)	50
14	5	16.1(1)(a)	0	18.1(1)(b)	0	21(1)(c)	12
14(a)	1	16.1(1)(b)	0	18.1(1)(c)	0	21(1)(d)	3
14(b)	0	16.1(1)(c)	1	18.1(1)(d)	0	22	3
15(1)	10	16.1(1)(d)	0	19(1)	201	22.1(1)	0
15(1) - I.A.*	2	16.2(1)	0	20(1)(a)	0	23	27
15(1) - Def.*	0	16.3	0	20(1)(b)	79	23.1	0
15(1) - S.A.*	0	16.4(1)(a)	0	20(1)(b.1)	0	24(1)	6
16(1)(a)(i)	0	16.4(1)(b)	0	20(1)(c)	37	26	2
16(1)(a)(ii)	0	16.5	0	20(1)(d)	6		
16(1)(a)(iii)	0	16.6	2				
16(1)(b)	0	17	0				
16(1)(c)	12	16(2)	0				
16(1)(d)	0						

\*I.A.: International Affairs  
Def.: Defense of Canada  
S.A.: Subversive Activities

## 4.3 Exclusions

Section	Number of requests	Section	Number of requests	Section	Number of requests
68(a)	0	69(1)	0	69(1)(g) re (a)	19
68(b)	0	69(1)(a)	2	69(1)(g) re (b)	0
68(c)	0	69(1)(b)	0	69(1)(g) re (c)	16
68.1	1	69(1)(c)	0	69(1)(g) re (d)	1
68.2(a)	0	69(1)(d)	2	69(1)(g) re (e)	6
68.2(b)	0	69(1)(e)	8	69(1)(g) re (f)	4
		69(1)(f)	2	69.1(1)	0

#### 4.4 Format of information released

Paper	Electronic				Other
	E-record	Data set	Video	Audio	
2	319	3	7	1	0

#### 4.5 Complexity

##### 4.5.1 Relevant pages processed and disclosed for paper and e-record formats

Number of Pages Processed	Number of Pages Disclosed	Number of Requests
79,106	50,008	388

##### 4.5.2 Relevant pages processed per request disposition for paper and e-record formats by size of requests

Disposition	Less than 100 pages processed		100-500 pages processed		501-1,000 pages processed		1,001-5,000 pages processed		More than 5,000 pages processed	
	Number of Requests	Pages Processed	Number of Requests	Pages Processed	Number of Requests	Pages Processed	Number of Requests	Pages Processed	Number of Requests	Pages Processed
All disclosed	55	1,053	9	1,720	2	1,239	1	1,317	0	0
Disclosed in part	141	4,182	85	20,288	14	9,739	13	32,531	0	0
All exempted	5	117	1	344	0	0	2	2,497	0	0
All excluded	10	264	1	154	0	0	0	0	0	0
Request abandoned	42	11	0	0	5	3,650	0	0	0	0
Neither confirmed nor denied	2	0	0	0	0	0	0	0	0	0
Declined to act with the approval of the Information Commissioner	0	0	0	0	0	0	0	0	0	0
<b>Total</b>	<b>255</b>	<b>5,627</b>	<b>96</b>	<b>22,506</b>	<b>21</b>	<b>14,628</b>	<b>16</b>	<b>36,345</b>	<b>0</b>	<b>0</b>

##### 4.5.3 Relevant minutes processed and disclosed for audio formats

Number of Minutes Processed	Number of Minutes Disclosed	Number of Requests
3	0	1

#### 4.5.4 Relevant minutes processed per request disposition for audio formats by size of requests

Disposition	Less than 60 Minutes Processed		60 - 120 Minutes Processed		More than 120 Minutes Processed	
	Number of Requests	Minutes Processed	Number of Requests	Minutes Processed	Number of Requests	Minutes Processed
All disclosed	0	0	0	0	0	0
Disclosed in part	1	3	0	0	0	0
All exempted	0	0	0	0	0	0
All excluded	0	0	0	0	0	0
Request abandoned	0	0	0	0	0	0
Neither confirmed nor denied	0	0	0	0	0	0
Declined to act with the approval of the Information Commissioner	0	0	0	0	0	0
<b>Total</b>	<b>1</b>	<b>3</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>

#### 4.5.5 Relevant minutes processed and disclosed for video formats

Number of Minutes Processed	Number of Minutes Disclosed	Number of Requests
31	27	7

#### 4.5.6 Relevant minutes processed per request disposition for video formats by size of requests

Disposition	Less than 60 Minutes Processed		60 - 120 Minutes Processed		More than 120 Minutes Processed	
	Number of Requests	Minutes Processed	Number of Requests	Minutes Processed	Number of Requests	Minutes Processed
All disclosed	2	13	0	0	0	0
Disclosed in part	5	18	0	0	0	0
All exempted	0	0	0	0	0	0
All excluded	0	0	0	0	0	0
Request abandoned	0	0	0	0	0	0
Neither confirmed nor denied	0	0	0	0	0	0
Declined to act with the approval of the Information Commissioner	0	0	0	0	0	0
<b>Total</b>	<b>7</b>	<b>31</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>

#### 4.5.7 Other complexities

Disposition	Consultation required	Legal advice sought	Other	Total
All disclosed	11	0	0	11
Disclosed in part	130	0	3	133
All exempted	3	0	0	3
All excluded	1	0	0	1
Request abandoned	2	0	0	2
Neither confirmed nor denied	0	0	0	0
Declined to act with the approval of the Information Commissioner	0	0	0	0
<b>Total</b>	<b>147</b>	<b>0</b>	<b>3</b>	<b>150</b>

#### 4.6 Closed requests

##### 4.6.1 Number of requests closed within legislated timelines

	Requests closed within legislated timelines
Number of requests closed within legislated timelines	430
Percentage of requests closed within legislated timelines (%)	73.96

#### 4.7 Deemed refusals

##### 4.7.1 Reasons for not meeting legislated timelines

Number of requests closed past the legislated timelines	Principal Reason			
	Interference with operations/workload	External consultation	Internal consultation	Other
150	71	41	5	33

#### 4.7.2 Requests closed beyond legislated timelines (including any extension taken)

Number of days past legislated timelines	Number of requests past legislated timeline where no extension was taken	Number of requests past legislated timeline where an extension was taken	Total
1 to 15 days	14	7	21
16 to 30 days	4	3	7
31 to 60 days	4	7	11
61 to 120 days	10	17	27
121 to 180 days	1	7	8
181 to 365 days	3	19	22
More than 365 days	16	38	54
<b>Total</b>	<b>52</b>	<b>98</b>	<b>150</b>

#### 4.8 Requests for translation

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

### Section 5: Extensions

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

Disposition of Requests Where an Extension Was Taken	9(1)(a) Interference With Operations/ Workload	9(1)(b) Consultation		9(1)(c) Third-Party Notice
		Section 69	Other	
All disclosed	4	1	5	5
Disclosed in part	61	22	67	82
All exempted	2	0	2	1
All excluded	3	6	0	2
Request abandoned	6	0	2	4
No records exist	4	0	2	1
Declined to act with the approval of the Information Commissioner	0	0	0	0
<b>Total</b>	<b>80</b>	<b>29</b>	<b>78</b>	<b>95</b>

## 5.2 Length of extensions

Length of extensions	9(1)(a) Interference with operations	9(1)(b) Consultation		9(1)(c) Third party notice
		Section 69	Other	
30 days or less	41	0	10	2
31 to 60 days	8	1	27	40
61 to 120 days	20	14	14	29
121 to 180 days	7	2	14	11
181 to 365 days	4	12	13	11
365 days or more	0	0	0	2
<b>Total</b>	<b>80</b>	<b>29</b>	<b>78</b>	<b>95</b>

## Section 6: Fees

Fee Type	Fee Collected		Fee Waived		Fee Refunded	
	Number of Requests	Amount	Number of Requests	Amount	Number of Requests	Amount
Application	537	\$2,685.00	53	\$265.00	2	\$10.00
Other fees	0	\$0.00	0	\$0.00	0	\$0.00
<b>Total</b>	<b>537</b>	<b>\$2,685.00</b>	<b>53</b>	<b>\$265.00</b>	<b>2</b>	<b>\$10.00</b>

## Section 7: Consultations received from other institutions and organizations

### 7.1 Consultations received from other Government of Canada institutions and other organizations

Consultations	Other Government of Canada Institutions	Number of Pages to Review	Other Organizations	Number of Pages to Review
Received during reporting period	168	5,938	26	4,514
Outstanding from the previous reporting period	29	1,213	2	27
<b>Total</b>	<b>197</b>	<b>7,151</b>	<b>28</b>	<b>4,541</b>
Closed during the reporting period	180	5,970	27	3,765
Carried over within negotiated timelines	13	963	1	776
Carried over beyond negotiated timelines	4	218	0	0

### 7.2 Recommendations and completion time for consultations received from other Government of Canada 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	More than 365 days	
Disclose entirely	13	37	20	9	0	0	1	80
Disclose in part	4	8	12	16	1	1	3	45
Exempt entirely	0	0	0	1	0	0	0	1
Exclude entirely	0	0	2	0	0	0	0	2
Consult other institution	7	22	11	4	3	1	0	48
Other	2	1	1	0	0	0	0	4
<b>Total</b>	<b>26</b>	<b>68</b>	<b>46</b>	<b>30</b>	<b>4</b>	<b>2</b>	<b>4</b>	<b>180</b>

### 7.3 Recommendations and completion time for consultations received from other organizations outside the Government of Canada

Recommendations	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	More than 365 days	
Disclose entirely	6	8	1	0	0	0	0	15
Disclose in part	2	0	0	2	0	2	0	6
Exempt entirely	0	0	0	0	0	0	0	0
Exclude entirely	0	0	0	0	0	0	0	0
Consult other institution	2	3	1	0	0	0	0	6
Other	0	0	0	0	0	0	0	0
<b>Total</b>	<b>10</b>	<b>11</b>	<b>2</b>	<b>2</b>	<b>0</b>	<b>2</b>	<b>0</b>	<b>27</b>



## Section 8: Completion time of consultations on Cabinet confidences

### 8.1 Requests with Legal Services

Number of Days	Fewer Than 100 Pages Processed		100–500 Pages Processed		501–1,000 Pages Processed		1,001–5,000 Pages Processed		More Than 5,000 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
1 to 15	3	34	0	0	0	0	0	0	0	0
16 to 30	2	51	0	0	0	0	0	0	0	0
31 to 60	4	50	0	0	0	0	0	0	0	0
61 to 120	15	195	3	143	0	0	0	0	0	0
121 to 180	0	0	0	0	1	389	0	0	0	0
181 to 365	1	0	0	0	0	0	0	0	0	0
More than 365	0	0	0	0	0	0	0	0	0	0
<b>Total</b>	<b>25</b>	<b>330</b>	<b>3</b>	<b>143</b>	<b>1</b>	<b>389</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>

### 8.2 Requests with Privy Council Office

Number of Days	Fewer Than 100 Pages Processed		100–500 Pages Processed		501–1,000 Pages Processed		1,001–5,000 Pages Processed		More Than 5,000 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
1 to 15	0	0	0	0	0	0	0	0	0	0
16 to 30	0	0	0	0	0	0	0	0	0	0
31 to 60	0	0	0	0	0	0	0	0	0	0
61 to 120	0	0	0	0	0	0	0	0	0	0
121 to 180	0	0	0	0	0	0	0	0	0	0
181 to 365	0	0	0	0	0	0	0	0	0	0
More than 365	0	0	0	0	0	0	0	0	0	0
<b>Total</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>

## Section 9: Investigations and reports of finding

### 9.1 Investigations

Section 32 Notice of intention to investigate	Subsection 30(5) Ceased to investigate	Section 35 Formal representations
52	32	34

### 9.2 Reports of finding

Section 37(1) Initial Reports			Section 37(2) Final Reports		
Received	Containing recommendations issued by the Information Commissioner	Containing orders issued by the Information Commissioner	Received	Containing recommendations issued by the Information Commissioner	Containing orders issued by the Information Commissioner
21	3	18	16	1	10

## Section 10: Court actions

### 10.1 Court actions on complaints

Section 41				
Complainant (1)	Institution (2)	Third Party (3)	Privacy Commissioner (4)	Total
1	0	0	0	1

### 10.2 Court actions on third party notifications under paragraph 28(1)(b)

Section 44 - under paragraph 28(1)(b)
1

## Section 11: Resources related to the Access to Information Act

### 11.1 Allocated Costs

Expenditures		Amount
Salaries		\$2,184,480
Overtime		\$17,506
Goods and Services		\$864,928
<ul style="list-style-type: none"> <li>Professional services contracts</li> </ul>	\$619,899	
<ul style="list-style-type: none"> <li>Other</li> </ul>	\$245,029	
<b>Total</b>		<b>\$3,066,914</b>

### 11.2 Human Resources

Resources	Person Years Dedicated to Access to Information Activities
Full-time employees	25.670
Part-time and casual employees	1.000
Regional staff	0.000
Consultants and agency personnel	2.700
Students	0.000
<b>Total</b>	<b>29.370</b>

# Annex B: Supplemental statistical report

## Supplemental statistical report on the Access to Information Act and Privacy Act

Name of institution: Transport Canada

Reporting period: April 1, 2022 to March 31, 2023

### Section 1: Capacity to receive requests under the Access to Information Act and the Privacy Act

	Number of Weeks
Able to receive requests by mail	52
Able to receive requests by email	52
Able to receive requests through the digital request service	52

### Section 2: Capacity to process records under the Access to Information Act and the Privacy Act

#### 2.1 Number of weeks Transport Canada was able to process paper records in different classification levels

	No Capacity	Partial Capacity	Full Capacity	Total
Unclassified Paper Records	0	6	46	52
Protected B Paper Records	0	6	46	52
Secret and Top-Secret Paper Records	0	6	46	52

#### 2.2 Number of weeks Transport Canada was able to process electronic records in different classification levels

	No Capacity	Partial Capacity	Full Capacity	Total
Unclassified Electronic Records	0	0	52	52
Protected B Electronic Records	0	0	52	52
Secret and Top-Secret Electronic Records	0	6	46	52

## Section 3: Open requests and complaints under the Access to Information Act

### 3.1 Number of open requests that are outstanding from previous reporting periods

Fiscal Year Open Requests Were Received	Open Requests that are Within Legislated Timelines as of March 31, 2023	Open Requests that are Beyond Legislated Timelines as of March 31, 2023	Total
Received in 2022-2023	82	122	204
Received in 2021-2022	6	122	128
Received in 2020-2021	0	77	77
Received in 2019-2020	0	102	102
Received in 2018-2019	0	32	32
Received in 2017-2018	2	23	25
Received in 2016-2017	0	11	11
Received in 2015-2016	0	4	4
Received in 2014-2015	0	0	0
Received in 2013-2014 or earlier	0	0	0
<b>Total</b>	<b>90</b>	<b>493</b>	<b>583</b>

### 3.2 Number of open complaints with the Information Commissioner of Canada that are outstanding from previous reporting periods

Fiscal Year Open Complaints Were Received by Institution	Number of Open Complaints
Received in 2022-2023	37
Received in 2021-2022	14
Received in 2020-2021	25
Received in 2019-2020	6
Received in 2018-2019	4
Received in 2017-2018	2
Received in 2016-2017	0
Received in 2015-2016	0
Received in 2014-2015	2
Received in 2013-2014 or earlier	0
<b>Total</b>	<b>90</b>

## Section 4: Open requests and complaints under the Privacy Act

### 4.1 Number of open personal information requests that are outstanding from previous reporting periods

Fiscal Year Open Requests Were Received	Open Requests that are Within Legislated Timelines as of March 31, 2023	Open Requests that are Beyond Legislated Timelines as of March 31, 2023	Total
Received in 2022-2023	8	13	21
Received in 2021-2022	0	3	3
Received in 2020-2021	0	2	2
Received in 2019-2020	0	1	1
Received in 2018-2019	0	0	0
Received in 2017-2018	0	0	0
Received in 2016-2017	0	0	0
Received in 2015-2016	0	0	0
Received in 2014-2015	0	0	0
Received in 2013-2014 or earlier	0	0	0
<b>Total</b>	<b>8</b>	<b>19</b>	<b>27</b>

### 4.2 Number of open complaints with the Privacy Commissioner of Canada that are outstanding from previous reporting periods

Fiscal Year Open Complaints Were Received by Institution	Number of Open Complaints
Received in 2022-2023	5
Received in 2021-2022	4
Received in 2020-2021	1
Received in 2019-2020	0
Received in 2018-2019	0
Received in 2017-2018	0
Received in 2016-2017	0
Received in 2015-2016	0
Received in 2014-2015	0
Received in 2013-2014 or earlier	0
<b>Total</b>	<b>10</b>

### Section 5: Social insurance number

Has your institution begun a new collection or new consistent use of the SIN in 2022–2023?	No
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### Section 6: Universal access under the Privacy Act

How many requests were received from confirmed foreign nationals outside of Canada in 2022–2023?	0
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# Annex C: Delegation order

## Access to Information Act and Privacy Act Delegation

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

The Minister of Transport, pursuant to subsection 95(1) of the *Access to Information Act* and subsection 73(1) of the *Privacy Act*, delegates the persons holding the positions set out in the attached schedule, including persons designated to act in their absence, to exercise the powers, duties and functions of the Minister of Transport as the head of the Department of Transport, under the provisions of these Acts and related Regulations<sup>1</sup>, set out in the attached schedule opposite each position.

This delegation replaces all previous designations.

Dated at the City of Ottawa, in the Province of Ontario, this 30th day of March, 2021.

En vertu de l'article 95 de la *Loi sur l'accès à l'information* et de l'article 73 de la *Loi sur la protection des renseignements personnels*, le ministre des Transports délègue aux titulaires des postes mentionnés à l'annexe ci-jointe, ainsi qu'aux personnes occupant à titre intérimaire lesdits postes, les attributions dont il est, en qualité de responsable du ministère des Transports, investi par les dispositions de ces Lois ou de ces règlements<sup>2</sup> connexes mentionnés à l'annexe ci-jointe en regard de chaque poste.

Le présent document remplace et annule tout arrêté antérieur.

Daté, en la ville d'Ottawa, dans la province d'Ontario, ce 30<sup>e</sup> jour du mois de mars 2021.



Omar Alghabra  
Minister of Transport / Ministre des Transports

<sup>1</sup> *Access to Information Act Regulations* and *Privacy Act Regulations*

<sup>2</sup> *Règlement sur l'accès à l'information* et *Règlement sur la protection des renseignements personnels*



## Delegation schedule

Position	Access to Information Act and Regulations	Privacy Act and Regulations
Deputy Minister	Full authority	Full authority
Associate Deputy Minister	Full authority	Full authority
Assistant Deputy Minister, Corporate Services, and Chief Financial Officer	Full authority	Full authority
Director, ATIP	Full authority	Full authority except: PA: 8(2)(m)
Chiefs, ATIP	Full authority except: ATIA: 6.1(1)	Full authority except: PA: 8(2)(j) and 8(2)(m)
Senior ATIP Advisors (PM-05)	ATIA: 7(a), 8(1), 9, 19, 27(1), 33, and 43(1)	PA: 14(a), 15, and 26