



Administrative Tribunals Support Service of Canada

1ST Annual Report to Parliament on

THE ADMINISTRATION OF THE

ACCESS TO INFORMATION ACT

November 1, 2014 to March 31, 2015

Introduction

The Administrative Tribunals Support Service of Canada (ATSSC) was established on November 1, 2014, with the coming into force of the *Administrative Tribunals Support Service of Canada Act*. The ATSSC is responsible for providing support services and facilities to 11 federal administrative tribunals by way of a single, integrated organization.

The ATSSC provides the full range of support services and facilities required by the tribunals to meet their statutory obligations. These services include specialized and expert support services (e.g., research and analysis, legal and other case-specific work), registry services and corporate services, including obligations under the *Access to Information Act* (the Act).

The ATSSC is pleased to present to Parliament its 1st annual report on the administration of the Act for the period November 1, 2014 to March 31, 2015.

The purpose of the Act is to extend the present laws of Canada to provide a right of access to information in records under the control of a government institution in accordance with the principles that government information should be available to the public, that necessary exceptions to the right of access should be limited and specific, and that decisions on the disclosure of government information should be reviewed independently of government. The Act is intended to complement and not replace existing procedures for access to government information and is not intended to limit in any way access to the type of government information that is normally available to the general public.

Section 72 of the Act requires the head of every federal government institution to prepare and table an annual report to Parliament on the administration of the Act during the fiscal year. This report outlines how the ATSSC administered the Act from the date the organization came into force, November 1, 2014, to March 31, 2015.

About the ATSSC

The creation of the ATSSC is consistent with the government's ongoing commitment to improve the effectiveness and efficiency of its administration and operations. By consolidating the provision of support services for 11 administrative tribunals, the government is strengthening overall capacity and modernizing operations to better meet the administrative needs of federal tribunals and to improve access to justice for Canadians.

The administrative tribunals served by the ATSSC include:

- the Canada Industrial Relations Board;
- the Canadian Cultural Property Export Review Board;
- the Canadian Human Rights Tribunal;
- the Canadian International Trade Tribunal;
- the Competition Tribunal;
- the Public Servants Disclosure Protection Tribunal;
- the Public Service Labour Relations and Employment Board;
- the Canadian Agricultural Review Tribunal;
- the Specific Claims Tribunal;
- the Social Security Tribunal; and
- the Transportation Appeal Tribunal of Canada.

The ATSSC's work encompasses a broad range of activities required by the tribunals to meet their statutory obligations, including the following:

- Common functions of corporate services (e.g., human resources, financial services, information technology, accommodations and communications);
- Registry services; and
- Core mandate support services (e.g., research and analysis, legal and other case-specific work).

The ATSSC reports to Parliament through the Minister of Justice.

Access to Information and Privacy Office

The Access to Information and Privacy (ATIP) Office is part of the Executive Secretary's Office, which is under the direction of the Chief Administrator. Oversight of the ATIP Office is administered by the Executive Secretary who is also the ATIP coordinator for the ATSSC. The ATIP manager is responsible for the daily operations of the ATIP office and reports to the Executive Secretary. The ATIP Office comprises two full-time employees who are dedicated to access to information and privacy activities.

The ATIP Office receives, coordinates and processes requests for information under the Act, and serves as the main point of contact for the Office of the Information Commissioner (OIC).

Designation Order

Decision-making responsibility for the application of the various provisions of the Act has been formally established and is outlined in the Designation Order signed by the Chief Administrator on November 3, 2014. The Executive Secretary and the ATIP manager have also been delegated authorities as described in the designation order included in Appendix A.

ATSSC Statistical Overview

As the ATSSC was established on November 1, 2014, the statistical report reflects the period of November 1, 2014, to March 31, 2015. A copy of the Statistical Report is included in Appendix B.

Since coming into force, the ATSSC has received a total of 8 formal requests under the Act, 9 consultations and 1 informal request. One formal request will be carried forward into the new fiscal year period as it was received toward the end of this fiscal year. Therefore, a total of 7 formal requests were processed and completed under the Act for this reporting period.

Sources of Requests

Six (6) requests were submitted by the general public. Two (2) requests were submitted by the media.

Consultations

In addition to processing requests received under the Act, the ATSSC received nine consultation requests from other federal institutions on records deemed relevant to the ATSSC.

Disposition of Completed Requests

Since November 1, 2014, the ATSSC completed 7 requests under the Act.

For 3 of those cases, the information sought was released in full. For another 3 of those cases, the ATSSC invoked exemptions and the requested information was released in part. No records existed for the final request.

Exemptions Invoked

The exemptions invoked by the ATSSC fell under the following sections of the Act:

- Subsection 19(1), which protects personal information, was used in 3 cases; and
- Section 23, which protects solicitor-client privilege information, was used in 1 case.

Completion Time and Extensions

The ATSSC responded to 2 requests within 1 to 15 days, 4 requests within 16 to 30 days, and 1 request within 31 to 60 days.

An extension of 30 days was taken for 1 request under section 9(1)(a) of the Act because the request was for a large number of records. In addition, meeting the original time limit would have unreasonably interfered with the operations of the ATSSC.

Complaints

The ATSSC was the subject of 1 complaint filed with the OIC, which dealt with the failure to provide records. The ATIP Office addressed that complaint by providing the necessary records to the OIC within the requested timeframe and met with the OIC to discuss the file. The results of the OIC investigation were outstanding at the time of this report.

Training Activities

No training activities were provided during this reporting period. Training opportunities and activities will be identified in the next fiscal year.

Policies, Guidelines and Procedures

A draft Access to Information Framework was developed and the ATSSC anticipates that it will be finalized in the new fiscal year. The ATSSC is guided by the Treasury Board of Canada Secretariat (TBS) access to information and privacy policy suite and instruments.

The ATSSC completed a partial *Info Source* chapter to meet the TBS requirements and will continue to build a complete chapter that describes all the ATSSC's information holdings.

Monitoring

Monitoring access to information requests was conducted via a detailed spreadsheet containing all relevant and necessary information to ensure compliance with the legislated requirements. The spreadsheet was updated as new requests were received or the status of a file was changed. Weekly meetings between the ATIP manager and the Executive Secretary to discuss workload and priorities also assisted the ATSSC to meet its statutory obligations.

APPENDIX A

Access to Information Act

Designation Order

Access to Information Act
Designation Order

BY THIS ORDER made pursuant to section 73* of the *Access to Information Act*, I hereby designate the persons holding the positions set out in Schedule A, or the person occupying the position on an acting basis, to exercise the powers, duties and functions of the Chief Administrator, as the head of the Administrative Tribunals Support Service of Canada, under the provisions of the Act and related regulations, as specified in Schedule B, effective from November 1, 2014.

Dated, at the City of **Ottawa**, this **3rd** day of **November**, 2014.

Original signed by
Marie-France Pelletier

NAME/NOM
Chief Administrator

* R.S.C., 1985, c. A-1

SCHEDULE A

Position:

Chief Administrator

Executive Secretary

Access to Information and Privacy (ATIP) Manager

SCHEDULE B

Access to Information Act Designation Order

"F" = Full Authority

"N" = No Authority. Authority to be obtained from the next level up.

Item #	DESCRIPTION OF AUTHORITY	ATIA SECTION	CHIEF ADMINISTRATOR	EXECUTIVE SECRETARY	ATIP MANAGER
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ACCESS					
1.	Responsibility of government institutions	4(2.1)	F	F	F
2.	Notify where access granted/refused	7(a) & (b)	F	F	F
3.	Transfer request	8(1)	F	F	F
4.	Extend time limits	9(1)	F	F	F
5.	Notify Information Commissioner of extension of time limits	9(2)	F	F	F
6.	Notify where access refused	10(1)(a) & (b)	F	F	F
7.	Require reproduction fees	11(1)	F	F	F
8.	Require search fees	11(2)	F	F	F
9.	Require fees for machine readable records	11(3)	F	F	F
10.	Require deposit	11(4)	F	F	F
11.	Notify of fee payment requirement	11(5)	F	F	F
12.	Waive or refund of fees	11(6)	F	F	F
13.	Obtain/Provide translation or not	12(2)(b)	F	F	F
14.	Obtain/Provide alternative format or not	12(3)(b)	F	F	F

EXEMPTIONS					
15.	Refuse access – Confidential information	13(1)(a) to (e)	F	F	N
16.	Disclose confidential information	13(2)(a) & (b)	F	F	N
17.	Refuse access – Federal-provincial affairs	14(a) & (b)	F	F	N
18.	Refuse access – International affairs and defence	15(1)(a) to (i)	F	F	N
19.	Refuse access – Law enforcement and investigations	16(1)(a) to (d)	F	F	N
20.	Refuse access – Security information	16(2)(a) to (c)	F	F	N
21.	Refuse access – Personal information received from RCMP acting as a provincial or municipal entity	16(3)	F	F	N
22.	Refuse access - <i>Public Servants Disclosure Protection Act</i>	16.5	F	F	N
23.	Refuse access – Safety of individuals	17	F	F	N
24.	Refuse access – Economic interests of Canada	18(a) to (d)(vi)	F	F	N
25.	Refuse access – Economic interest of the Canada Post Corporation, Export Development Canada, the Public Sector Pension Investment Board and VIA Rail Canada Inc.	18.1	F	F	N
26.	Refuse access – Another individual's personal information	19(1)	F	F	F
27.	Disclose personal information	19(2)(a) to (c)	F	F	F

28.	Refuse access – Third party information	20(1)(a) to (d)	F	F	N
29.	Disclose testing methods	20(3)	F	F	F
30.	Disclose third party information on consent	20(5)	F	F	F
31.	Disclose in public interest	20(6)	F	F	N
32.	Refuse access – Advice, plans, etc.	21(1)(a) to (d)	F	F	F
33.	Refuse access – Tests for audits	22	F	F	F
34.	Refuse access – Draft report	22.1(1)	F	F	F
35.	Disclose draft report	22.1(2)	F	F	F
36.	Refuse access – Solicitor-client privilege	23	F	F	F
37.	Refuse access – Restricted information	24(1)	F	F	F
38.	Disclose severed information	25	F	F	F
39.	Refuse access – Published information	26	F	F	F

<i>THIRD PARTIES</i>					
40.	Notify third parties	27(1)(a) to (c)	F	F	F
41.	Extend time for notice	27(4)	F	F	F
42.	Notify third party regarding disclosure	28(1)(b)	F	F	F
43.	Waive written representation from third party	28(2)	F	F	F
44.	Disclose after notice to third party	28(4)	F	F	F
45.	Disclose on Information Commissioner's recommendation	29(1)(a) & (b)	F	F	F

<i>COMPLAINTS</i>					
46.	Advise Information Commissioner	33	F	F	F

	of third party notice				
47.	Make representation to Information Commissioner	35(2)(b)	F	F	F
48.	Respond to Information Commissioner's request to disclose information previously exempted	37(1)(b)	F	F	F
49.	Give access to complainant	37(4)	F	F	F
50.	Notify third party of Court action	43(1)	F	F	F
51.	Notify applicant of Court action	44(2)	F	F	F
52.	Request Court hearing be in National Capital Region	52(2)(b)	F	F	F
53.	Make <i>Ex Parte</i> representations to Court	52(3)	F	F	F

EXCLUSIONS

54.	Refuse access – Excluded information	69	F	F	F
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OTHER

55.	Provide facilities to review manuals	71(1)	F	F	F
56.	Refuse access – Information severed from manuals based on exemptions/exclusions	71(2)	F	F	F
57.	Prepare annual report to Parliament	72(1)	F	F	F
58.	Delegate authority by Head of institution	73	F	N/A	N/A

Access to Information Regulations
Designation Order

Item #	DESCRIPTION OF AUTHORITY	ATI REGULATIONS SECTION	CHIEF ADMINISTRATOR	EXECUTIVE SECRETARY	ATIP MANAGER
1.	Transfer of request	6(1)	F	F	F
2.	Search and preparation fees	7(2)	F	F	F
3.	Production and programming fees	7(3)	F	F	F
4.	Require access to records by examination	8	F	F	F
5.	Limitations in respect of format	8.1	F	F	F

APPENDIX B

Access to Information Act

Statistical Report



Statistical Report on the *Access to Information Act*

Name of institution: Administrative Tribunals Support Service of Canada

Reporting period: 2014-04-01 to 2015-03-31

Part 1: Requests Under the *Access to Information Act*

1.1 Number of requests

	Number of Requests
Received during reporting period	8
Outstanding from previous reporting period	0
Total	8
Closed during reporting period	7
Carried over to next reporting period	1

1.2 Sources of requests

Source	Number of Requests
Media	2
Academia	0
Business (private sector)	0
Organization	0
Public	6
Decline to Identify	0
Total	8

1.3 Informal requests

Completion Time							Total
1 to 15 Days	16 to 30 Days	31 to 60 Days	61 to 120 Days	121 to 180 Days	181 to 365 Days	More Than 365 Days	
1	0	0	0	1	0	0	2

Note: All requests previously recorded as "treated informally" will now be accounted for in this section only.

Part 2: Requests Closed During the Reporting Period

2.1 Disposition and completion time

Disposition of Requests	Completion Time							Total
	1 to 15 Days	16 to 30 Days	31 to 60 Days	61 to 120 Days	121 to 180 Days	181 to 365 Days	More Than 365 Days	
All disclosed	1	2	0	0	0	0	0	3
Disclosed in part	0	2	1	0	0	0	0	3
All exempted	0	0	0	0	0	0	0	0
All excluded	0	0	0	0	0	0	0	0
No records exist	1	0	0	0	0	0	0	1
Request transferred	0	0	0	0	0	0	0	0
Request abandoned	0	0	0	0	0	0	0	0
Neither confirmed nor denied	0	0	0	0	0	0	0	0
Total	2	4	1	0	0	0	0	7

2.2 Exemptions

Section	Number of Requests	Section	Number of Requests	Section	Number of Requests	Section	Number of Requests
13(1)(a)	0	16(2)	0	18(a)	0	20.1	0
13(1)(b)	0	16(2)(a)	0	18(b)	0	20.2	0
13(1)(c)	0	16(2)(b)	0	18(c)	0	20.4	0
13(1)(d)	0	16(2)(c)	0	18(d)	0	21(1)(a)	0
13(1)(e)	0	16(3)	0	18.1(1)(a)	0	21(1)(b)	0
14	0	16.1(1)(a)	0	18.1(1)(b)	0	21(1)(c)	0
14(a)	0	16.1(1)(b)	0	18.1(1)(c)	0	21(1)(d)	0
14(b)	0	16.1(1)(c)	0	18.1(1)(d)	0	22	0
15(1)	0	16.1(1)(d)	0	19(1)	3	22.1(1)	0
15(1) - I.A.*	0	16.2(1)	0	20(1)(a)	0	23	1
15(1) - Def.*	0	16.3	0	20(1)(b)	0	24(1)	0
15(1) - S.A.*	0	16.4(1)(a)	0	20(1)(b.1)	0	26	0
16(1)(a)(i)	0	16.4(1)(b)	0	20(1)(c)	0		
16(1)(a)(ii)	0	16.5	0	20(1)(d)	0		
16(1)(a)(iii)	0	17	0				
16(1)(b)	0						
16(1)(c)	0						
16(1)(d)	0						

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

2.3 Exclusions

Section	Number of Requests	Section	Number of Requests	Section	Number of Requests
68(a)	0	69(1)	0	69(1)(g) re (a)	0
68(b)	0	69(1)(a)	0	69(1)(g) re (b)	0
68(c)	0	69(1)(b)	0	69(1)(g) re (c)	0
68.1	0	69(1)(c)	0	69(1)(g) re (d)	0
68.2(a)	0	69(1)(d)	0	69(1)(g) re (e)	0
68.2(b)	0	69(1)(e)	0	69(1)(g) re (f)	0
		69(1)(f)	0	69.1(1)	0

2.4 Format of information released

Disposition	Paper	Electronic	Other Formats
All disclosed	3	0	0
Disclosed in part	3	0	0
Total	6	0	0

2.5 Complexity

2.5.1 Relevant pages processed and disclosed

Disposition of Requests	Number of Pages Processed	Number of Pages Disclosed	Number of Requests
All disclosed	10	10	3
Disclosed in part	758	758	3
All exempted	0	0	0
All excluded	0	0	0
Request abandoned	0	0	0
Neither confirmed nor denied	0	0	0

2.5.2 Relevant pages processed and disclosed by size of requests

Disposition	Less Than 100 Pages Processed		101-500 Pages Processed		501-1000 Pages Processed		1001-5000 Pages Processed		More Than 5000 Pages Processed	
	Number of Requests	Pages Disclosed	Number of Requests	Pages Disclosed	Number of Requests	Pages Disclosed	Number of Requests	Pages Disclosed	Number of Requests	Pages Disclosed
All disclosed	3	10	0	0	0	0	0	0	0	0
Disclosed in part	2	86	0	0	1	672	0	0	0	0
All exempted	0	0	0	0	0	0	0	0	0	0
All excluded	0	0	0	0	0	0	0	0	0	0
Request abandoned	0	0	0	0	0	0	0	0	0	0
Neither confirmed nor denied	0	0	0	0	0	0	0	0	0	0
Total	5	96	0	0	1	672	0	0	0	0

2.5.3 Other complexities

Disposition	Consultation Required	Assessment of Fees	Legal Advice Sought	Other	Total
All disclosed	0	0	3	0	3
Disclosed in part	0	1	3	0	4
All exempted	0	0	0	0	0
All excluded	0	0	0	0	0
Request abandoned	0	0	0	0	0
Neither confirmed nor	0	0	0	0	0
Total	0	1	6	0	7

2.6 Deemed refusals

2.6.1 Reasons for not meeting statutory deadline

Number of Requests Closed Past the Statutory Deadline	Principal Reason			
	Workload	External Consultation	Internal Consultation	Other
1	1	0	0	0

2.6.2 Number of days past deadline

Number of Days Past Deadline	Number of Requests Past Deadline Where No Extension Was Taken	Number of Requests Past Deadline Where An Extension Was Taken	Total
1 to 15 days	0	0	0
16 to 30 days	0	1	1
31 to 60 days	0	0	0
61 to 120 days	0	0	0
121 to 180 days	0	0	0
181 to 365 days	0	0	0
More than 365 days	0	0	0
Total	0	1	1

2.7 Requests for translation

Translation Requests	Accepted	Refused	Total
English to French	0	0	0
French to English	0	0	0
Total	0	0	0

Part 3: Extensions

3.1 Reasons for extensions and disposition of requests

Disposition of Requests Where an Extension Was Taken	9(1)(a) Interference With Operations	9(1)(b) Consultation		9(1)(c) Third-Party Notice
		Section 69	Other	
All disclosed	0	0	0	0
Disclosed in part	1	0	0	0
All exempted	0	0	0	0
All excluded	0	0	0	0
No records exist	0	0	0	0
Request abandoned	0	0	0	0
Total	1	0	0	0

3.2 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	1	0	0	0
31 to 60 days	0	0	0	0
61 to 120 days	0	0	0	0
121 to 180 days	0	0	0	0
181 to 365 days	0	0	0	0
365 days or more	0	0	0	0
Total	1	0	0	0

Part 4: Fees

Fee Type	Fee Collected		Fee Waived or Refunded	
	Number of Requests	Amount	Number of Requests	Amount
Application	7	\$35	0	\$0
Search	0	\$0	0	\$0
Production	0	\$0	0	\$0
Programming	0	\$0	0	\$0
Preparation	1	\$334	0	\$0
Alternative format	0	\$0	0	\$0
Reproduction	0	\$0	0	\$0
Total	8	\$369	0	\$0

Part 5: Consultations Received From Other Institutions and Organizations

5.1 Consultations received from other Government of Canada institutions and organizations

Consultations	Other Government of Canada Institutions	Number of Pages to Review	Other Organizations	Number of Pages to Review
Received during reporting period	6	83	0	0
Outstanding from the previous reporting period	0	0	0	0
Total	6	83	0	0
Closed during the reporting period	6	83	0	0
Pending at the end of the reporting period	0	0	0	0

5.2 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	0	3	0	0	0	0	0	3
Disclose in part	0	2	1	0	0	0	0	3
Exempt entirely	0	0	0	0	0	0	0	0
Exclude entirely	0	0	0	0	0	0	0	0
Consult other institution	0	0	0	0	0	0	0	0
Other	0	0	0	0	0	0	0	0
Total	0	5	1	0	0	0	0	6

5.3 Recommendations and completion time for consultations received from other organizations

Recommendation	Number of Days Required to Complete Consultation Requests							Total
	1 to 15 Days	16 to 30 Days	31 to 60 Days	61 to 120 Days	121 to 180 Days	181 to 365 Days	More Than 365 Days	
Disclose entirely	0	0	0	0	0	0	0	0
Disclose in part	0	0	0	0	0	0	0	0
Exempt entirely	0	0	0	0	0	0	0	0
Exclude entirely	0	0	0	0	0	0	0	0
Consult other institution	0	0	0	0	0	0	0	0
Other	0	0	0	0	0	0	0	0
Total	0	0	0	0	0	0	0	0

Part 6: Completion Time of Consultations on Cabinet Confidences

6.1 Requests with Legal Services

Number of Days	Fewer Than 100 Pages Processed		101-500 Pages Processed		501-1000 Pages Processed		1001-5000 Pages Processed		More Than 5000 Pages Processed	
	Number of Requests	Pages Disclosed	Number of Requests	Pages Disclosed	Number of Requests	Pages Disclosed	Number of Requests	Pages Disclosed	Number of Requests	Pages Disclosed
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
Total	0	0	0	0	0	0	0	0	0	0

6.2 Requests with Privy Council Office

Number of Days	Fewer Than 100 Pages Processed		101-500 Pages Processed		501-1000 Pages Processed		1001-5000 Pages Processed		More Than 5000 Pages Processed	
	Number of Requests	Pages Disclosed	Number of Requests	Pages Disclosed	Number of Requests	Pages Disclosed	Number of Requests	Pages Disclosed	Number of Requests	Pages Disclosed
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
Total	0	0	0	0	0	0	0	0	0	0

Part 7: Complaints and Investigations

Section 32	Section 35	Section 37	Total
0	1	0	1

Part 8: Court Action

Section 41	Section 42	Section 44	Total
0	0	0	0

9.1 Costs

Expenditures		Amount
Salaries		\$100,937
Overtime		\$0
Goods and Services		\$0
• Professional services contracts	\$0	
• Other	\$0	
Total		\$100,937

9.2 Human Resources

Resources	Person Years Dedicated to Access to Information Activities
Full-time employees	1.32
Part-time and casual employees	0.00
Regional staff	0.00
Consultants and agency personnel	0.00
Students	0.00
Total	1.32

Note: Enter values to two decimal places.