



Law Commission
of Canada

Commission du droit
du Canada

ANNUAL REPORT TO PARLIAMENT 2024-2025

Access to Information Act



Canada 

Table of Contents

Introduction	3
Purpose of the <i>Access to Information Act</i>	3
Mandate of the Law Commission of Canada	3
Organizational Structure	4
Delegation Order	6
Performance and Statistics	6
Number of Requests	7
Compliance Rate, Completion Times, and Extensions	7
Deemed Refusal Rate	7
Outstanding Requests	7
Disposition of Completed Requests	8
Requests, Exemptions, and Exclusions	8
Informal Requests	8
Proactive Publication	9
Sources and Types of Requests	9
Format of Information Released	9
Consultations	9
Active Complaints	10
Fees and Costs	10
Policies, Guidelines, Procedures and Initiatives	10
Initiatives and Projects to Improve Access to Information	10
Training and Awareness	10
Advice	10
Complaints, Investigations and Federal Court Cases	10
Complaints Filed	11
Completed Investigations	11
Review by the Federal Court of Canada	11
Monitoring Compliance	12
Annex A: Delegation Order	13
Annex B: Proactive Publications Requirements Tables	14

Introduction

We are pleased to table the Annual Report to Parliament on the administration of the Access to Information Act (ATIA) for fiscal year 2024-2025, as required under section 94 of the ATIA.

Purpose of the Access to Information Act

The ATIA was proclaimed into force on July 1, 1983.

The ATIA gives Canadian citizens, permanent residents and any person or corporation present in Canada the right to seek access to federally controlled information and records, subject to specific and limited exceptions. The ATIA complements but does not replace existing procedures for obtaining government information. It is not intended to limit in any way the access to government information that is normally available to the public upon request. Section 94 of the ATIA requires that the head of every government institution prepare for submission to Parliament an annual report on the administration of the ATIA within the institution during each fiscal year.

This 2nd Annual Report on the administration of the ATIA is intended to describe how the Law Commission of Canada (hereinafter referred to as “the Commission”) administered its responsibilities during the 2024-2025 fiscal year (hereinafter “during the reporting period”).

Mandate of the Law Commission of Canada

The Law Commission of Canada is an independent body that provides non-partisan advice to the federal government on matters relating to the improvement, modernization, and reform of Canadian laws. First established as the Law Reform Commission of Canada in 1971 and re-established as the Law Commission of Canada in 1997, the Commission became operational again as of June 6, 2023.

The mandate of the Law Commission of Canada is derived from the *Law Commission of Canada Act*, which came into force in April 1997. The mandate of the Commission is “to consider the changing needs of Canadian society through the study, review, and innovative development of Canada’s law and legal systems.”

Non-partisan in nature and distinct from advocacy groups, the LCC offers leadership and guidance on the responsible and responsive evolution of law in the lives of people across Canada.

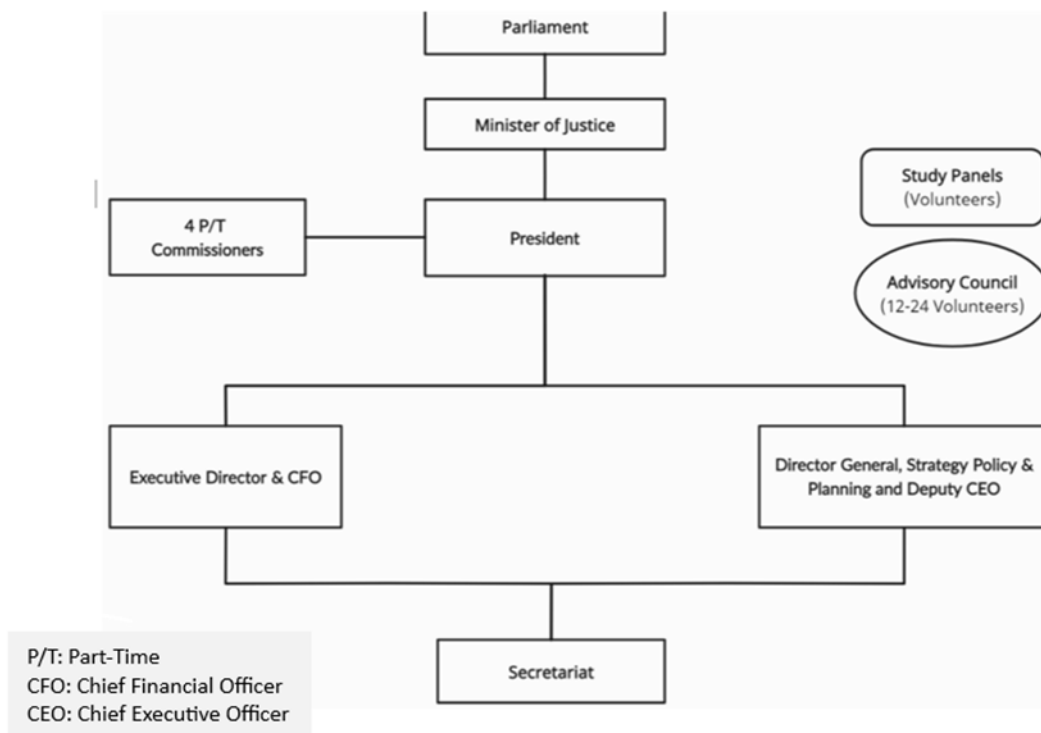
The Law Commission of Canada did not have any non-operational (“paper”) subsidiaries during this reporting period.

Organizational Structure

The Law Commission is an independent departmental corporation accountable to Parliament through the Minister of Justice. The Governor in Council appoints the President and four part-time Commissioners on the recommendation of the Minister for terms not exceeding five years. The Commission is supported by a small Secretariat headed by an Executive Director.

The Commission has an Advisory Council of up to 24 volunteers who reflect Canada's socio-economic and cultural diversity and represent a broad range of disciplines. The Council provides advice on the Commission's strategic direction, long-term research program, performance review, and other relevant matters.

Study panels are appointed as needed to provide advice on specific research projects. Each panel is headed by a Commissioner and comprises volunteers with expertise in multiple disciplines and members of affected communities. To support the study panels, research contracts are given to recognized experts in the private sector and academia.



As of 2023-2024, on behalf of the Law Commission of Canada, the Department of Justice's Access to Information and Privacy (ATIP) Division is responsible for the administration of the ATIA including the processing of access to information and privacy requests and complaints,

and consultations with other government departments and third parties, and monitoring compliance to meet statutory obligations and timelines.

In 2024-2025, the Director of the ATIP Division reported to the Senior General Counsel and Director General of the Legal Practices Branch under the direction of the Assistant Deputy Minister and Chief Financial Officer of the Management Sector. The Director is accountable for the development, coordination and implementation of effective policies, guidelines, systems, and procedures to efficiently process requests under the ATIA.

During the reporting period, the Department's ATIP Division had no dedicated full-time equivalent (FTE) positions working on access to information requests and privacy files.

The Department's ATIP Division is in the process of implementing our 2024-2027 Modernization Plan, a strategic framework to enhance request management under the ATIA and the *Privacy Act*. The plan aims to help the Department provide innovative and efficient ATIP delivery within the public sector. These modernization efforts will support LCC in administering the ATIA more effectively and efficiently.

The ATIP Division is organized into three units:

- The Operational Unit works with the Department to process incoming access to information and privacy requests.
- The Privacy, Policy and Programs Unit develops ATIP policies, provides advice on privacy related matters, updates annual reports and other statutory reports.
- The Complaints Unit processes complaints and works closely with the Office of the Information Commissioner (OIC) and the Office of the Privacy Commissioner (OPC).

Under section 96 of the ATIA, institutions reporting to the same minister can partner to share request-processing services. The Department of Justice currently has a Memorandum of Understanding (MOU) with the Law Commission of Canada as of 2023.

The Department's ATIP Division is comprised of a dedicated workforce committed to access to information and the protection of privacy. This work includes:

- The timely processing of requests under the ATIA and assisting clients in accordance with the principles for assisting applicants.
- Processing consultation requests submitted by other federal institutions on Department of Justice and the Commission documents located in their files and on records that may be subject to solicitor client privilege.

- Providing advice and guidance to senior management and all employees of the Commission on ATIP-related matters, as well as training and awareness sessions.
- Responding to complaints and negotiating with OIC and OPC.
- Liaison on behalf of the Commission with the Treasury Board Secretariat (TBS), the OIC, OPC and other government departments and agencies regarding the application of the ATIA.
- Coordinating, reviewing, approving and publishing statutory reports such as the Annual Reports to Parliament.
- Developing, coordinating and implementing policies, procedures and guidelines for the orderly implementation of the ATIA by the Commission.
- Modernizing ATIP processes and the ATIP Management Technologies by building a small team that evaluates new digital solutions that can reduce business processes, reduce the time needed for requests, increase quality and helps all stakeholders more easily engage in the process.

For a breakdown of the group(s) and/or position(s) responsible for meeting each applicable proactive publication requirement under Part 2 of the ATIA, see the section Proactive Publication under Part 2 of the ATIA (Annex B: Proactive Publications Requirements Table) below.

Delegation Order

The ATIP Director has full authority delegated by the Minister for the administration of the ATIA.

For the purpose of increased executive oversight, full authority is also conferred to the Deputy Minister, the Associate Deputy Minister, the Assistant Deputy Minister and Chief Financial Officer, Management Sector, and the Chief Information Officer. A copy of the Commission's Delegation Order can be found in Annex A of this report.

Performance and Statistics

The Law Commission of Canada is committed to transparency and accountability under the ATIA and continues to work to improve its performance to deliver the highest standards of service for access to information requests.

Number of Requests

Overview of requests received and completed by the Commission pursuant to the ATIA:

Fiscal Year	# of Requests Received	# of Requests Completed	# of Pages Processed	# of Pages Released
2023-24	1	1	0	0
2024-25	0	0	0	0

The Commission received no requests during the reporting period, and no outstanding requests were carried over from previous years.

Thus, during the reporting period, no requests were completed. In addition, no requests were carried forward into fiscal year 2025-2026. There were no formal access to information requests or pages reviewed or partially disclosed. As such, there were therefore no pages processed for files either closed or currently active, nor were any pages processed and released informally.

Compliance Rate, Completion Times, and Extensions

No requests were received, hence there is no information to share regarding files completed within and outside of legislated timelines under the ATIA in 2024-2025.

Similarly, it was unnecessary to seek extensions on requests under section 9(1)(a) for interference with operations, 9(1)(b) for required consultations, or 9(1)(c) for third party consultations.

Deemed Refusal Rate

The Commission's deemed refusal rate during this reporting period (i.e., the percentage of access to information requests that received a response beyond the deadline required under the ATIA) was 0%, as no requests were received, and no requests were closed past legislative timelines.

Outstanding Requests

TBS collects statistical data from specific institutions on the volume of their outstanding access to information requests and requests for personal information. The Commission carried forward 0 requests into the next reporting period.

Disposition of Completed Requests

As there were no requests completed, there were no request dispositions for the 2024-2025 fiscal year.

Fiscal year open requests were received	Open requests that are within legislated timelines as of March 31, 2024	Open requests that are beyond legislated timelines as of March 31, 2024	Total
Received in 2023-2024	0	0	0
Received in 2024-2025	0	0	0

Requests, Exemptions, and Exclusions

Exemptions Invoked

The Commission did not invoke any exemptions under the ATIA.

Exclusions Cited

There were no exclusions cited pursuant to section 68 of the ATIA (published material or material available for purchase by the public) or section 69 (confidences of the King's Privy Council for Canada) of the ATIA.

Informal Requests

The ATIP Division at the Department of Justice proactively publishes on the [Open Government Portal](#) summaries of completed access to information requests that do not contain personal or third-party information. Members of the public can submit informal requests for a copy of the previously released information without having to pay the application fee.

During the 2024-2025 reporting period, the Commission received no informal requests, and there were no requests outstanding from previous reporting periods. This number does not include emails or telephone calls from potential applicants to whom the ATIP Division or Commission responded or redirected to other institutions.

Proactive Publication

The Law Commission of Canada ensures it is meeting its proactive publication requirements by publishing on the Open Canada Government website.

In terms of procedures to meet requirements, the Law Commission of Canada, a micro-organization, has an MOU with the Department of Justice. Through this MOU, data extraction for relevant transactions related to proactive disclosure is performed by JUS and final approval and upload to the open registry portal is performed by LCC staff. Refer to Annex B for the Proactive Publications Requirements Table.

Sources and Types of Requests

During the 2024-2025 reporting period, the Commission received no requests.

Format of Information Released

The Commission continues to use E-post Connect, a service offered at no charge to the applicant, as the office's primary method of record delivery. It allows for secure delivery of records in an electronic format, circumvents the issue of email size restrictions and the need for the recipient to have a compatible device to access the records. Applicants can choose to receive information in an electronic format at no extra charge.

Consultations

During the 2024-2025 reporting period, the Commission received three consultations from other government institutions and no consultations from other organizations. There are no consultations outstanding from previous years which were carried over.

Two of these consultations were completed in 15 days or less, and one consultation was completed within 16 to 30 days.

Fiscal Year	# of Requests Received	# Pages to review	# of Requests Completed	# of Pages Reviewed
2023-2024	0	0	0	0
2024-2025	3	35	0	0

Active Complaints

There are currently no active complaints with the OIC that are outstanding from previous reporting periods, and no complaints remain active after the 2024-2025 reporting period.

Fees and Costs

There was no cost incurred for the administration of the ATIA during the 2024-2025 period.

These costs do not include resources expended by the Commission's other sectors to meet the requirements under the ATIA.

Policies, Guidelines, Procedures and Initiatives

No new policies, guidelines, or procedures were implemented during the reporting period. The Department of Justice's ATIP Division onboarded the Law Commission of Canada in early 2024. Policies and procedures are still under development and will be reflected in future annual reports.

Initiatives and Projects to Improve Access to Information

No new initiatives or projects were implemented during the reporting report.

Training and Awareness

Training and awareness were not provided during the reporting period.

Advice

On behalf of the Commission, the Department of Justice's ATIP Division acts as a resource for departmental officials, as well as those from other government institutions, offering advice and guidance on the provisions of the legislation and related policies.

Complaints, Investigations and Federal Court Cases

Complaints Filed

The ATIP Division, on behalf of the Commission, has a dedicated team to manage complaints and serves as the primary liaison between the Department and the OIC. The team continues to strengthen relationships and improve performance.

During the 2024-2025 reporting period, the Commission received no new Notices of Intention to investigate from the OIC.

Completed Investigations

No investigations were completed during the reporting period, nor carried forward from previous years. No key issues were raised as a result of any complaints.

Complaint findings are defined as follows:

Well founded with recommendations: If the head of the institution accepted the OIC recommendations and remedial action was taken by the institution to the satisfaction of the OIC, the matter is considered resolved and no further action by the OIC is necessary.

Well founded without recommendations: The institution took remedial action to the satisfaction of the OIC during the course of the investigation. The OIC did not need to provide a recommendation to the head of the institution.

Well founded with order: The OIC has found the complaint well-founded and has issued an order to the institution to take certain actions to address the complaint.

Not well founded: As a result of the investigation, the OIC found that the institution applied the ATIA correctly.

Discontinued: The complaint was withdrawn or abandoned by the complainant before allegations were fully investigated. In some cases, the complainant did not respond to the OIC's request for representations within a reasonable time or cannot be located.

Resolved: The complainant is satisfied with the resolution achieved through the OIC's intervention, or the matter central to the complaint is no longer at issue before the complaint has been fully investigated.

Review by the Federal Court of Canada

No applications were filed before the Federal Court pursuant to section 41 of the ATIA during the 2024-2025 reporting period.

Monitoring Compliance

On behalf of the Commission, the ATIP Division regularly monitors compliance with statutory requirements and timeliness associated with the processing of requests through ongoing communication with senior management and OPIs, as necessary.

The workload was assessed, through the ATIP Case Management System, on a daily basis in order to ensure that the workload was evenly distributed and effectively managed to meet statutory deadlines.

Annex A: Delegation Order



Department of Justice
Canada

Ministère de la Justice
Canada

Annex I

Delegation Order for the *Access to Information Act* and *Privacy Act* Arrêté de délégation en vertu de la *Loi sur l'accès à l'information* et la *Loi sur la protection des renseignements personnels*

The Minister of Justice of Canada, pursuant to subsections 95(1) of the *Access to Information Act* and 73(1) of the *Privacy Act*, hereby delegates any powers, duties and functions under the Acts to the persons holding the positions set out in the schedule hereto, as well as the persons occupying those positions on an acting basis. This delegation order replaces any previous delegation order.

En vertu des paragraphes 95(1) de la *Loi sur l'accès à l'information* et 73(1) de la *Loi sur la protection des renseignements personnels*, le ministre de la Justice du Canada délègue les attributions suivantes aux titulaires des postes mentionnés à l'annexe ci-après, ainsi qu'aux personnes occupant à titre interimaire lesdits postes. Le présent arrêté de délégation remplace et annule tout autre arrêté de délégation.

Schedule/Annexe

Position/Poste	<i>Privacy Act</i> and Regulations/ <i>Loi sur la protection des renseignements personnels</i> et règlements	<i>Access to Information Act</i> and Regulations/ <i>Loi sur l'accès à l'information</i> et règlements
The Deputy Minister and Associate Deputy Ministers/Sous-ministre et Sous-ministres délégués	Full authority/Autorité absolue	Full authority/Autorité absolue (including for the Act as it was prior to June 21, 2019/incluant la Loi telle qu'elle existait avant le 21 juin 2019)
The Director and the Deputy Director, Access to Information and Privacy Office/Le directeur et le directeur adjoint, Bureau de l'accès à l'information et de la protection des renseignements personnels	Full authority/Autorité absolue	Full authority/Autorité absolue (including for the Act as it was prior to June 21, 2019/incluant la Loi telle qu'elle existait avant le 21 juin 2019)
The Chief Financial Officer and Assistant Deputy Minister, Management Sector/Le dirigeant principal des Finances et Sous-ministre adjoint, Secteur de la gestion	Full authority/Autorité absolue	Full authority/Autorité absolue (including for the Act as it was prior to June 21, 2019/incluant la Loi telle qu'elle existait avant le 21 juin 2019)
The Senior General Counsel and Director General, Legal Practices Branch/Avocat général principal et Directeur général, Direction générale des pratiques juridiques	Full authority/Autorité absolue	Full authority/Autorité absolue (including for the Act as it was prior to June 21, 2019/incluant la Loi telle qu'elle existait avant le 21 juin 2019)
The Chief of Operations, Chief of Policy and Legal Counsel, Access to Information and Privacy Office/Le Chef des opérations, Chef des politiques et le Conseiller juridique, Bureau de l'accès à l'information et de la protection des renseignements personnels	15, and the mandatory provisions of section 26 for all records/15 et les dispositions obligatoires de l'article 26 pour tous les documents	8(1), 9, 11, and the mandatory provisions of section 19 for all records/8(1), 9, 11 et les dispositions obligatoires de l'article 19 pour tous les documents
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 documents	8(1) and 9 for all records/8(1) et 9 pour tous les documents

Dated, at the City of Ottawa, this day of April, 2024.

Daté, en la ville d'Ottawa, ce jour de 04, 2024.

MINISTER OF JUSTICE

THE HONOURABLE ARIF VIRANI

MINISTRE DE LA JUSTICE

L'HONORABLE ARIF VIRANI

Annex B: Proactive Publications Requirements Tables

Proactive Publication Requirements Table

Legislative Requirement	Section of ATIA	Publication Timeline	Does requirement apply to your institution? (Y/N)	Internal group(s) or positions(s) responsible for fulfilling requirement	% of proactive publication requirements published within legislated timelines*	Link to web page where published**
Apply to all Government Institutions as defined in section 3 of the <i>Access to Information Act</i>						
Travel Expenses	82	Within 30 days after the end of the month of reimbursement	Y	ED Corp Management	100%	Government Travel Expenses
Hospitality Expenses	83	Within 30 days after the end of the month of reimbursement	Y	ED Corp Management	100%	Hospitality Expenses
Reports tabled in Parliament	84	Within 30 days after tabling	Y	ED Corp Management	100%	Corporate Documents - Canada.ca
Apply to government entities or Departments, agencies, and other bodies subject to the Act and listed in Schedules I, I.1, or II of the <i>Financial Administration Act</i>						
Contracts over \$10,000	86	Q1-3: Within 30 days after the quarter Q4: Within 60 days after the quarter	Y	ED Corp Management	100%	Search Government Contracts over \$10,000
Grants & Contributions over \$25,000	87	Within 30 days after the quarter	Y	N/A	NIL	N/A
Packages of briefing materials prepared for new or incoming deputy heads or equivalent	88(a)	Within 120 days after appointment	Y	ED Corp Management	NIL	N/A
Titles and reference numbers of memoranda prepared for a	88(b)	Within 30 days after the end of the month received	Y	ED Corp Management	NIL	N/A

deputy head or equivalent, that is received by their office						
Packages of briefing materials prepared for a deputy head or equivalent's appearance before a committee of Parliament	88(c)	Within 120 days after appearance	Y	ED Corp Management	NIL	N/A
Applies to government institutions that are departments named in Schedule I to the <i>Financial Administration Act</i> or portions of the core public administration named in Schedule IV to that Act (i.e. government institutions for which Treasury Board is the employer)						
Reclassification of positions	85	Within 30 days after the quarter	Y	ED Corp Management	100%	Position Reclassification
Apply to Ministers' Offices (therefore apply to any institution that performs proactive publication on behalf of a Minister's Office)						
Packages of briefing materials prepared by a government institution for new or incoming ministers	74(a)	Within 120 days after appointment	Y	N/A	NIL	N/A
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	Y	N/A	NIL	N/A
Package of question period notes prepared by a government institution for the minister and in use on the	74(c)	Within 30 days after last sitting day of the House of Common in June and December	Y	N/A	NIL	N/A

last sitting day of the House of Commons in June and December						
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	Y	N/A	NIL	N/A
Travel Expenses	75	Within 30 days after the end of the month of reimbursement	N	N/A	N/A	N/A
Hospitality Expenses	76	Within 30 days after the end of the month of reimbursement	N	N/A	N/A	N/A
Contracts over \$10,000	77	Q1-3: Within 30 days after the quarter Q4: Within 60 days after the quarter	N	N/A	N/A	N/A
Ministers' Offices Expenses Note: This consolidated report is currently published by TBS on behalf of all institutions.	78	Within 120 days after the fiscal year	N	N/A	N/A	N/A