



Law Commission
of Canada

Commission du droit
du Canada

ANNUAL REPORT TO PARLIAMENT 2024-2025

Privacy Act



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Introduction

We are pleased to table the Annual Report to Parliament on the administration of the *Privacy Act* (the Act) for fiscal year 2024-2025, as required under Section 72 of the Act.

Purpose of the Privacy Act

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

The Act extends to individuals the right of access to information about themselves held by the Government, subject to specific and limited exceptions. The Act also protects individuals' privacy by preventing others from having access to their personal information and gives individuals substantial control over the collection, use, and disclosure by the federal government of such information. Section 72 of the Act requires that the head of every government institution prepare for submission to Parliament an annual report on the administration of the Act within the institution during each financial year.

This 2nd Annual Report on the administration of the Act 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.

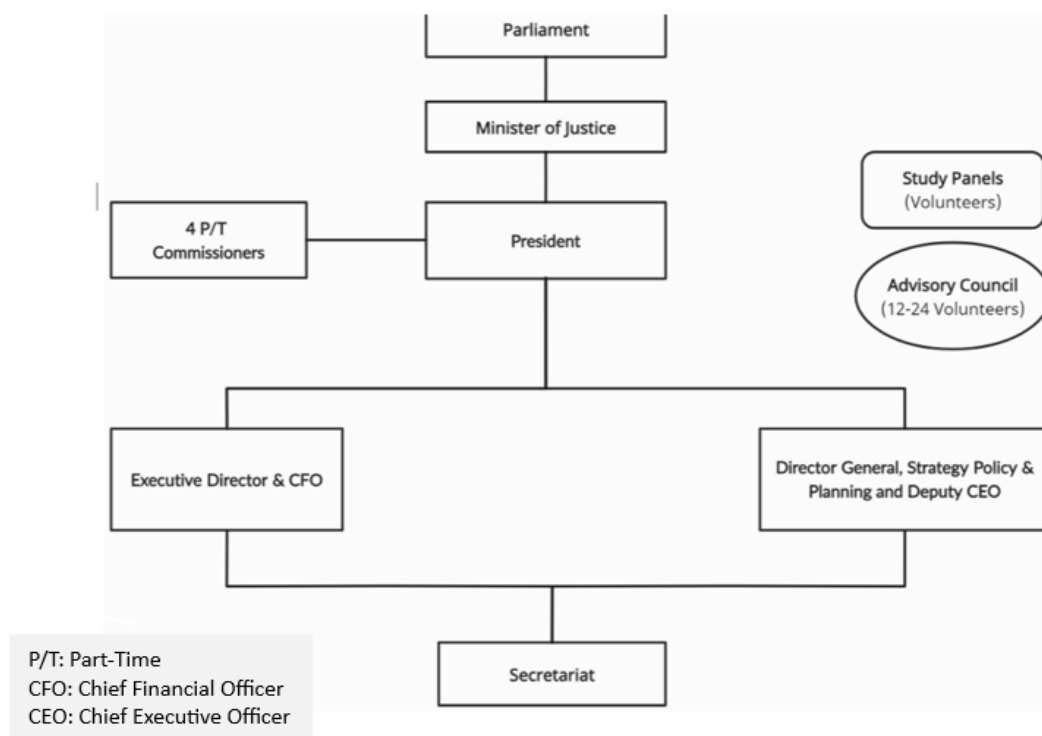
The Law Commission of Canada did not have any non-operational ("paper") subsidiaries during this reporting period.

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 Act 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 Act.

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 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).

In addition, the ATIP Division is currently working on modernizing its ATIP management system to achieve better performance and is building a team with information technology experts. The team will prepare and better assist the transition to the new platform.

Under section 73.1 of the Act 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 Act 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 the Information Commissioner and Privacy Commissioner.
- Liaison on behalf of the Commission with the Treasury Board Secretariat (TBS), the Information and Privacy Commissioners of Canada and other government departments and agencies regarding the application of the Act.
- 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 Act 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.

The ATIP Division is in the process of implementing its 2024-2027 Modernization Plan, a strategic framework to enhance request management under the Act and *Access to Information Act*. The plan aims to help the Department provide innovative and efficient ATIP delivery within the public sector. In turn, these modernization efforts will support LCC in administering the *Access to Information Act* more effectively and efficiently.

Delegation Order

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

For 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 Commission is committed to transparency and accountability under the Act and continues to work to improve its performance to deliver the highest standards of service for access and protection of personal information.

Number of Requests

Overview of requests received and completed by the Commission pursuant to the Act.

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

The Commission received no requests during the reporting period. In addition, no requests were outstanding or carried over from previous years into 2025-2026, for a total of 0 active requests in 2024-2025.

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 Act in 2024-2025.

Similarly, it was unnecessary to seek extensions on requests, pursuant to section 15(1)(a) for interference with operations or instances for consultation purposes.

Deemed Refusal Rate

The Commission's deemed refusal rate during this reporting period (i.e., the percentage of personal Information requests that received a response beyond the deadline required under the Act) 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.

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

Disposition of Completed Requests

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

Requests, Exemptions, and Exclusions

Exemptions invoked

The Commission did not invoke any exemptions under the Act.

Exclusions cited

Information was not excluded under section 69 (published material) during the reporting period.

Informal Requests

The Department, on behalf of the Commission, has published 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.

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.

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 and 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 no consultations from other government institutions and no consultations from other organizations. There are no consultations outstanding from previous years which were carried over.

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

Active Complaints

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

Salaries and Costs

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

These costs do not capture resources expended by the Commissions' other sectors to meet the requirements under the Act.

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 OPC. 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 OPC.

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: The institution contravened a provision of the Act.

Well founded and resolved: The institution contravened a provision of the Act but has since taken corrective measures to resolve the issue to the satisfaction of the OPC.

Not well founded: There was no or insufficient evidence to conclude the institution/organization contravened the privacy legislation.

Resolved: The investigation revealed that the complaint is essentially a result of miscommunication, misunderstanding, etc., between parties; and/or the institution agreed to take measures to rectify the problem to the satisfaction of the OPC.

Settled: The OPC helped negotiate a solution that satisfied all parties during the course of the investigation, and did not issue a finding.

Discontinued: The investigation was terminated before allegations were fully investigated.
Early Resolution (ER): Applied to situations in which the issue is resolved to the satisfaction of the complainant early in the investigation process and the OPC did not issue a finding.

Review by the Federal Court of Canada

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

Audits Conducted by the Privacy Commissioner

During fiscal year 2024-2025, no formal investigations were conducted by the Privacy Commissioner.

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.

The Privacy Policy & Programs Unit within the ATIP Division reviews contracts, agreements and arrangements to ensure they are compliant with TBS guidance, and appropriate privacy protections are included.

Requests for the Correction of Personal Information

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

The Commission did not receive any requests for correction of personal information during the reporting period.

Administration of Personal Information

Policies, Guidelines, Procedures and Initiatives

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

Initiatives and Projects to Improve Privacy

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 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.

Public Interest Disclosures

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

During fiscal year 2024-2025, the Commission did not disclose any personal information pursuant to paragraph 8(2)(m).

Material Privacy Breaches

During the reporting period 2024-2025, the Commission did not report any material breaches to the OPC or TBS IPPD (Information and Privacy Policy Division).

Privacy Impact Assessments

The Commission has not completed any new privacy impact assessments (PIAs) during the 2024-2025 reporting period. No PIAs were carried over from previous reporting periods.

Annex A: Delegation Order



Department of Justice
Canada

Ministère de la Justice
Canada

Annex 1

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 July, 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