

# INTRODUCTION

The Access to Information Act (ATIA) gives Canadians the right to know what the government is doing. It is a fundamental principle of democracy that the government should be open to the scrutiny of the public. The ATIA is a key part of this process. It allows citizens to see the government's actions and to hold it accountable. This report provides a comprehensive overview of the ATIA's impact over the past year.

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## 2018-2019 ANNUAL REPORT

### ACCESS TO INFORMATION ACT

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## 1. INTRODUCTION

The *Access to Information Act* (the "Act") gives Canadian citizens as well as individuals and corporations present in Canada the right to access records under the control of federal government institutions, subject to limited and specific exceptions. The Act is intended to complement existing procedures for access to government information and not to limit in any way information that is normally available to the public.

Section 72 of the Act requires the head of every federal government institution to submit a report to Parliament on the administration of the Act at their institution each fiscal year.

This report was prepared pursuant to section 72 of the Act and describes how the National Film Board of Canada (the "NFB") administered the Act in fiscal year 2018–2019.

The NFB's mandate is to produce and distribute distinctive, culturally diverse, challenging and relevant audiovisual works that provide Canada and the world with a unique Canadian perspective.

## 2. LAW APPLICATION

In accordance with section 73 of the Act, the Minister of Canadian Heritage appoints the following individuals to administer the *Access to Information Act*.

- The Government Film Commissioner;
- The Director General, Institutional, Legal and Human Resources Services;
- The Access to Information Coordinator;
- The Legal Counsel.

The NFB has no official entity tasked with processing access to information requests. The requests are forwarded to the Access to Information Coordinator, who is part of the Business Affairs and Legal Services department.

The Access to Information Coordinator is also responsible for coordination pursuant to the *Privacy Act*.

### **3. DESIGNATION ORDER**

A copy of the Designation Order is attached as Appendix A.

### **4. INTERPRETATION OF STATISTICAL REPORT**

A copy of the 2018–2019 Statistical Report is attached as Appendix B.

#### **Requests submitted pursuant to the *Access to Information Act***

The NFB received 6 access to information requests between April 1, 2018, and March 31, 2019, compared with 12 requests received in 2017–2018.

In comparison with the last fiscal year, the total number of requests received has decreased.

#### **Types of requests**

Below are the different requests received, broken down by the sector from which they originated.

- 1 request from university institutions (16.67%);
- 1 request from the private sector (16.67%);
- 3 requests from members of the public (50%);
- 1 request where the requester declined to identify (16.67%).

As in previous years, the NFB observed that the applicants who sent their requests preferred to receive copies of governmental documentation rather than just being permitted to examine the documentation.

#### **Fully processed requests**

The NFB fully processed 5 requests during the 2018–2019 reporting period. One of the requests received in 2018–2019 has been carried forward to the next fiscal year.

The NFB processed these requests as follows:

- 2 fully disclosed communications (40%);
- 3 partial communications (60%).

## **Turnaround time and postponements**

The NFB processed these 5 requests during the 2018–2019 reporting period, within the following timeframes:

- 2 requests processed within not more than 30 days (40%);
- 1 request processed within 31 to 60 days (20%); and
- 2 requests processed within 61 to 120 days (40%).

## **Exemptions and exclusions**

The NFB invoked exemptions under the Act 4 times in total, as follows:

- 3 times under paragraph 19 (1); and
- 1 time under paragraph 20 (1)c).

## **Consultations**

In 2018–2019, the NFB processed a total of 6 consultation requests. All requests originated from other Government of Canada institutions. The requests were processed within the following timeframes:

- 4 requests processed within not more than 15 days (66.67%); and
- 2 requests processed within not more than 30 days (33.33%).

## **Multi-year trend**

During the three years preceding the reporting period, the number of requests received annually by the NFB ranged from 6 to 19. The largest number of these requests came from the university sector. The exceptions most often invoked in these requests are exceptions under paragraphs 19(1) and 20(1)c). During this period, only one exclusion was invoked.

## **5. EDUCATION AND TRAINING**

All new NFB employees are required to take the online course “Access to Information and Privacy (ATIP)” I015, from the Canada School of Public Service.

## **6. NEW POLICIES AND PROCEDURES**

In this reporting period, no new organizational policies or procedures relating to the administration of the Act were implemented at the NFB.

## **7. COMPLAINTS AND INVESTIGATIONS**

No complaints were filed against the NFB during the 2018–2019 reporting period. The examination of a complaint filed against the NFB during fiscal year 2017–2018 is still pending in front of the Office of the Information Commissioner.

**8. MONITORING OF THE TIME TO PROCESS REQUESTS**

The amount of time taken to process access to information requests was not monitored during the reporting period.

Report submitted on June 12, 2019.

**NATIONAL FILM BOARD OF CANADA**

By: 

**Claude Joli-Coeur**

Government Film Commissioner and Chairperson of the NFB

**APPENDIX A**

**DESIGNATION ORDER**

***ACCESS TO INFORMATION ACT***

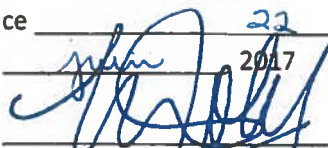
Office national du film du Canada  
National Film Board of Canada

Arrêté de délégation en vertu de la *Loi sur l'accès à l'information* et de la *Loi sur la protection des renseignements personnels*

En vertu de l'article 73 de la *Loi sur l'accès à l'information* et de l'article 73 de la *Loi sur la protection des renseignements personnels*, la ministre du Patrimoine canadien délègue aux titulaires des postes mentionnés ci-dessous, ainsi qu'aux personnes occupant à titre intérimaire lesdits postes, les attributions dont elle est, en qualité de responsable de l'Office national du film du Canada, investie par les dispositions de la *Loi sur l'accès à l'information* et de la *Loi sur la protection des renseignements personnels* ainsi que de leurs règlements. Le présent document remplace et annule tout arrêté antérieur.

Postes

1. Commissaire du gouvernement à la cinématographie — Autorité absolue
2. Directeur général, services institutionnels, services juridiques et ressources humaines – Autorité absolue
3. Coordonnateur de l'accès à l'information et de la protection des renseignements personnels — Autorité absolue
4. Conseiller juridique - Autorité absolue

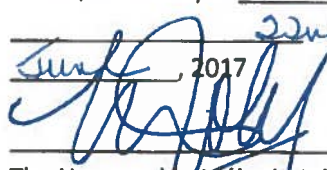
Daté, en la ville de GATINEAU  
ce 22 jour de juin  
2017  
  
L'honorable Mélanie Joly  
Ministre du Patrimoine canadien

*Access to Information Act and Privacy Act*  
Delegation Order

The Minister of Canadian Heritage, pursuant to section 73 of the *Access to Information Act* and section 73 of the *Privacy Act*, hereby designates the persons holding the positions set out below, or the persons occupying on an acting basis those positions, to exercise the powers, duties and functions of the Minister as the head of the National Film Board of Canada, under the provisions of the *Access to Information Act* and the *Privacy Act* and related regulations. This designation replaces all previous delegation orders.

Positions

1. Government Film Commissioner— Full authority
2. Director General, Institutional, Legal and Human Resources Services – Full authority
3. Access to Information and Privacy Coordinator—Full authority
4. Legal Counsel – Full authority

Dated, at the City of GATINEAU, this  
22nd day of  
June, 2017  
  
The Honourable Mélanie Joly  
Minister of Canadian Heritage

**APPENDIX B**

**2018-2019 STATISTICAL REPORT**





## Statistical Report on the *Access to Information Act*

Name of institution: National Film Board of Canada

Reporting period: 2018-04-01 to 2019-03-31

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

#### 1.1 Number of requests

	Number of Requests
Received during reporting period	6
Outstanding from previous reporting period	0
<b>Total</b>	<b>6</b>
Closed during reporting period	5
Carried over to next reporting period	1

#### 1.2 Sources of requests

Source	Number of Requests
Media	0
Academia	1
Business (private sector)	1
Organization	0
Public	3
Decline to Identify	1
<b>Total</b>	<b>6</b>

#### 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	1	0	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	0	1	0	1	0	0	0	2
Disclosed in part	0	1	1	1	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	0	0	0	0	0	0	0	0
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
<b>Total</b>	<b>0</b>	<b>2</b>	<b>1</b>	<b>2</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>5</b>

### 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	0
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)	1		
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	0	2	0
Disclosed in part	0	3	0
<b>Total</b>	0	5	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	349	349	2
Disclosed in part	1579	1282	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	1	1	1	348	0	0	0	0	0	0
Disclosed in part	2	47	0	0	0	0	1	1235	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
<b>Total</b>	3	48	1	348	0	0	1	1235	0	0

### 2.5.3 Other complexities

Disposition	Consultation Required	Assessment of Fees	Legal Advice Sought	Other	Total
All disclosed	0	0	0	0	0
Disclosed in part	0	0	0	0	0
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
<b>Total</b>	0	0	0	0	0

### 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
3	3	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	1	1
61 to 120 days	0	1	1
121 to 180 days	0	0	0
181 to 365 days	0	0	0
More than 365 days	0	0	0
<b>Total</b>	0	3	3

### 2.7 Requests for translation

Translation Requests	Accepted	Refused	Total
English to French	0	0	0
French to English	0	0	0
<b>Total</b>	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	3	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
<b>Total</b>	<b>3</b>	<b>0</b>	<b>0</b>	<b>0</b>

### 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	1	0	0	0
61 to 120 days	1	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
<b>Total</b>	<b>3</b>	<b>0</b>	<b>0</b>	<b>0</b>

## Part 4: Fees

Fee Type	Fee Collected		Fee Waived or Refunded	
	Number of Requests	Amount	Number of Requests	Amount
Application	4	\$20	0	\$0
Search	0	\$0	0	\$0
Production	0	\$0	0	\$0
Programming	0	\$0	0	\$0
Preparation	0	\$0	0	\$0
Alternative format	0	\$0	0	\$0
Reproduction	0	\$0	0	\$0
<b>Total</b>	<b>4</b>	<b>\$20</b>	<b>0</b>	<b>\$0</b>

## 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	82	0	0
Outstanding from the previous reporting period	0	0	0	0
<b>Total</b>	6	82	0	0
Closed during the reporting period	6	82	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	3	0	0	0	0	0	0	3
Disclose in part	1	2	0	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
<b>Total</b>	4	2	0	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
<b>Total</b>	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
<b>Total</b>	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
<b>Total</b>	0	0	0	0	0	0	0	0	0	0

## Part 7: Complaints and Investigations

Section 32	Section 35	Section 37	Total
0	0	0	0

## Part 8: Court Action

Section 41	Section 42	Section 44	Total
0	0	0	0

**Part 9: Resources Related to the *Access to Information Act***

**9.1 Costs**

<b>Expenditures</b>		<b>Amount</b>
Salaries		\$37,043
Overtime		\$0
Goods and Services		\$0
• Professional services contracts	\$0	
• Other	\$0	
<b>Total</b>		<b>\$37,043</b>

**9.2 Human Resources**

<b>Resources</b>	<b>Person Years Dedicated to Access to Information Activities</b>
Full-time employees	0.60
Part-time and casual employees	0.00
Regional staff	0.00
Consultants and agency personnel	0.00
Students	0.00
<b>Total</b>	<b>0.60</b>

**Note:** Enter values to two decimal places.