

PacifiCan

ANNUAL REPORT TO PARLIAMENT

Administration of the
Privacy Act

2021-2022



Pacific Economic
Development Canada

Développement économique
Canada pour le Pacifique

Canada



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INTRODUCTION

The *Privacy Act* (Revised Statutes of Canada, Chapter P-21, 1985) was proclaimed on July 1, 1983. It extends the present laws of Canada that protect the privacy of individuals, and provides individuals with a right of access to personal information about themselves. It also protects the privacy of individuals by denying third parties access to personal information relating to them and enabling them to exercise strict control over the collection, disclosure and use of such information. Necessary exceptions should be limited and specific.

Bill C-58, *An Act to amend the Access to Information Act and the Privacy Act and to make consequential amendments to other Acts* received royal assent on June 21, 2019. This resulted in the most significant amendments to the Act since it came into force in 1983.

The new legislation amends the *Privacy Act* to, among other things:

- create a new exception to the definition of “personal information” with respect to certain information regarding an individual who is a ministerial adviser or a member of ministerial staff
- authorize government institutions to provide to other government institutions services related to requests for personal information
- expand the Governor in Council’s power to amend the schedule to the Act and to retroactively validate amendments to that schedule¹

This annual report is tabled in Parliament in accordance with section 72 of the *Privacy Act* and describes how Pacific Economic Development Canada (PacifiCan) administered its responsibilities for the reporting period.

¹ Government of Canada. LEGISinfo, Government Bill (House of Commons) C-58 (42-1) - Royal Assent - *An Act to amend the Access to Information Act and the Privacy Act and to make consequential amendments to other Acts* - Parliament of Canada, 2020. Accessed July 3, 2022.

<https://www.parl.ca/DocumentViewer/en/42-1/bill/C-58/royal-assent>



ADMINISTRATION OF THE ACT

■ DEPARTMENTAL MANDATE

Support the growth and diversification of British Columbia's economy and advance the interests of the region in national economic policy, programs and projects.

PacifiCan is overseen by the Minister of International Development and Minister responsible for the Pacific Economic Development Agency of Canada.

The Agency operates under the provision of the *Western Economic Diversification Act*, which came into force on June 28, 1988. An Order in Council created PacifiCan, by way of the *Public Service Rearrangement and Transfer of Duties Act*², and transferred what was the BC Regional Office of WD, including its complement of executives, managers and staff, to PacifiCan.

PacifiCan's mandate allows the agency to deliver a wide range of initiatives across British Columbia and make strategic investments to build on regional competitive advantages. Its presence enables the cultivation of strong partnerships with business and community organizations, researchers, academia, Indigenous peoples, provincial governments and municipal governments. These connections help PacifiCan reflect the region's perspectives in national decision-making.

■ PRIVACY PROGRAM AND STRUCTURE

PacifiCan is the former BC regional office of Western Economic Diversification Canada (WD). WD served the four western provinces: Manitoba, Saskatchewan, Alberta and British Columbia.

On August 06, 2021, two separate organizations were created, to replace Western Economic Diversification Canada:

- Pacific Economic Development Canada (PacifiCan)
Serves British Columbia
- Prairies Economic Development Canada (PrairiesCan)
Serves Manitoba, Saskatchewan and Alberta

PacifiCan employs 137 individuals in British Columbia and in Ottawa, including economists, commerce officers and policy analysts. Specialists in such areas as communications, corporate administration, financial management, human resources, information management & technology, and procurement, provide the policy and programs analysts with support.

² Transfer of Duties Order: <https://laws-lois.justice.gc.ca/eng/regulations/SI-2021-43/FullText.html?wbdisable=false#>



PacifiCan is headquartered in Vancouver, British Columbia, and will establish headquarters in Surrey with additional service locations in Victoria, Kelowna, Prince George, Surrey, Cranbrook, Fort St. John, Prince Rupert and Campbell River. The agency will also have an office in Ottawa.

Privacy and personal information services are currently provided to PacifiCan by way of an Internal Services Agreement (ISA) with Prairies Economic Development Canada (PrairiesCan). Costs for these services are reimbursed to PrairiesCan. As per the August 2021 Order in Council, the President of PacifiCan is the head of the organization for the purpose of the *Privacy Act*.

PacifiCan's ATIP Coordinator is supported by a Corporate Services Advisor and three ATIP Officers from the PrairiesCan ATIP Centre of Expertise, in Edmonton, Alberta. The Corporate Services Advisor and ATIP Officers process all access to information and privacy requests.

The ATIP Centre of Expertise is responsible for the administration of the ATIP programs and services for PacifiCan including:

- preparing files for decision on the disposition of access and privacy requests, and responding to all requests submitted under the *Access to Information Act* and the *Privacy Act*;
- promoting awareness of the legislation to ensure departmental responsiveness to statutory obligations;
- monitoring and advising on the Agency's compliance with the Acts, regulations, procedures and policies; and
- providing advice and recommendations to the Agency when dealing with the Treasury Board Secretariat, the Information Commissioner, the Privacy Commissioner, and other government organizations.

Statistics and information regarding PrairiesCan are contained in a separate report. All ATIP data from April 01, 2021 to August 05, 2021 is accounted for in PrairiesCan's annual report. Care was taken to ensure the accurate allocation of statistics and data between PrairiesCan and PacifiCan.



■ DELEGATION OF AUTHORITY

The head of the institution did not delegate any of their powers or responsibilities under the Act during this reporting period.

The ATIP Centre of Expertise is accountable for the development, coordination and implementation of policies, guidelines, systems and procedures to manage the Agency's compliance with the Acts. Compliance is also facilitated by an ATIP Liaison Officer, in Vancouver, who works with the ATIP Centre of Expertise concerning requests and enquiries.

The ATIP Liaison Officer works with the business and program areas to search and retrieve records that are responsive to privacy requests received under the *Privacy Act*. The ATIP Centre of Expertise, however, is responsible for the privacy and personal information services for PacifiCan, including the provision of advice and recommendations concerning privacy matters.

■ POLICIES, PROCEDURES AND BUSINESS PROCESSES

To ensure that Treasury Board Secretariat privacy-related policies and directives are respected and implemented, the ATIP Centre of Expertise regularly reviews its various internal guidelines, procedures and business practices. No new, revised institution-specific policies, guidelines, procedures, or initiatives related to privacy and personal information were implemented at PacifiCan during the reporting period.

The ATIP unit monitors its compliance with request deadlines via a software solution (AccessPro). A weekly report is created and disseminated, on a need-to-know distribution list, up to the Vice President level. It discloses all open and outstanding privacy files and their respective status. It includes investigations by the Office of the Privacy Commissioner of Canada along with other privacy processes underway. No personal information is included in the weekly report.

■ TRAINING AND AWARENESS

The ATIP Centre of expertise put out a series of four informative emails during Security Awareness Week (Feb 7-11, 2022).

The messages included information on how to protect personal and business information from exploitation. Topics included: social engineering, phishing, smart speakers, and encryption.



STATISTICS AND PERFORMANCE

The statistics compiled for this reporting period include privacy data from the Pacific Economic Development Agency of Canada (PacifiCan) for the period August 06, 2021 to March 31, 2022 inclusive.

PacifiCan did not complete any privacy requests in the 2021-2022 fiscal year.

Eight privacy requests were received just prior to the end of this reporting period and carried over to the next. All eight were carried over within their legislated timeline.

No extensions were taken.

No privacy requests were carried over from previous reporting periods.

No privacy consultations were received or completed during the reporting period.

No disclosures were made under paragraph 8(2)(m) of the *Privacy Act* in the reporting period.

No material privacy breaches were reported in the 2021-2022 fiscal year.

PacifiCan did not complete any Privacy Impact Assessments during the reporting period.

No complaints have ever been submitted against PacifiCan with the Privacy Commissioner of Canada, nor the Information Commissioner of Canada.

PacifiCan's ability to fulfill its *Privacy Act* responsibilities was not impacted by COVID-19 related measures. ATIP operations continued without interruption for the 2021-2022 reporting period.

■ OPERATIONAL COSTS ASSOCIATED WITH ADMINISTERING THE ACT

PacifiCan's costs for administering the *Privacy Act* is based on a percentage of costs incurred by the ATIP Centre of Expertise plus the cost for administrative services for PacifiCan.

No costs resulting from the purchase of goods or services were incurred for the administration of the *Privacy Act*.

A total of 0.05 of an FTE was calculated as having been allocated to PacifiCan's privacy program.

Total costs amount to \$3,894.



Annex – Statistical Report



Statistical Report on the *Privacy Act*

Name of institution: Pacific Economic Development Canada (PacifiCan)

Reporting period: 4/1/2021 to 3/31/2022

Section 1: Requests Under the *Privacy Act*

1.1 Number of requests received

		Number of Requests
Received during reporting period		8
Outstanding from previous reporting periods		0
• Outstanding from previous reporting period	0	
• Outstanding from more than one reporting period	0	
Total		8
Closed during reporting period		0
Carried over to next reporting period		8
• Carried over within legislated timeline	8	
• Carried over beyond legislated timeline	0	

1.2 Channels of requests

Source	Number of Requests
Online	1
E-mail	7
Mail	0
In person	0
Phone	0
Fax	0
Total	8



Section 2: Informal requests

2.1 Number of informal requests

		Number of Requests
Received during reporting period		0
Outstanding from previous reporting periods		0
• Outstanding from previous reporting period	0	
• Outstanding from more than one reporting period	0	
Total		0
Closed during reporting period		0
Carried over to next reporting period		0

2.2 Channels of informal requests

Source	Number of Requests
Online	0
E-mail	0
Mail	0
In person	0
Phone	0
Fax	0
Total	0

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
0	0	0	0	0	0	0	0

2.4 Pages released informally

Less Than 100 Pages Released		100-500 Pages Released		501-1000 Pages Released		1001-5000 Pages Released		More Than 5000 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



Section 3: Requests Closed During the Reporting Period

3.1 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	0	0	0	0	0	0	0
Disclosed in part	0	0	0	0	0	0	0	0
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 abandoned	0	0	0	0	0	0	0	0
denied	0	0	0	0	0	0	0	0
Total	0	0	0	0	0	0	0	0

3.2 Exemptions

Section	Number of Requests	Section	Number of Requests	Section	Number of Requests
18(2)	0	22(1)(a)(i)	0	23(a)	0
19(1)(a)	0	22(1)(a)(ii)	0	23(b)	0
19(1)(b)	0	22(1)(a)(iii)	0	24(a)	0
19(1)(c)	0	22(1)(b)	0	24(b)	0
19(1)(d)	0	22(1)(c)	0	25	0
19(1)(e)	0	22(2)	0	26	0
19(1)(f)	0	22.1	0	27	0
20	0	22.2	0	27.1	0
21	0	22.3	0	28	0
		22.4	0		

3.3 Exclusions

Section	Number of Requests	Section	Number of Requests	Section	Number of Requests
69(1)(a)	0	70(1)	0	70(1)(d)	0
69(1)(b)	0	70(1)(a)	0	70(1)(e)	0
69.1	0	70(1)(b)	0	70(1)(f)	0
		70(1)(c)	0	70.1	0

3.4 Format of information released

Paper	Electronic			Other
	E-record	Data set	Video	
0	0	0	0	0

3.5 Complexity

3.5.1 Relevant pages processed and disclosed for paper and e-record formats

Number of Pages Processed	Number of Pages Disclosed	Number of Requests
0	0	0



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

Disposition	Less Than 100 Pages Processed		100-500 Pages Processed		501-1000 Pages Processed		1001-5000 Pages Processed		More Than 5000 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	0	0	0	0	0	0	0	0	0	0
Disclosed in part	0	0	0	0	0	0	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	0	0	0	0	0	0	0	0	0	0

3.5.3 Relevant minutes processed and disclosed for audio formats

Number of Minutes Processed	Number of Minutes Disclosed	Number of Requests
0	0	0

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

Disposition	Less than 60 Minutes processed		60-120 Minutes processed	
	Number of requests	Minutes Processed	Number of requests	Minutes Processed
All disclosed	0	0	0	0
Disclosed in part	0	0	0	0
All exempted	0	0	0	0
All excluded	0	0	0	0
Request abandoned	0	0	0	0
Neither confirmed nor denied	0	0	0	0
Total	0	0	0	0

3.5.5 Relevant minutes processed and disclosed for video formats

Number of Minutes Processed	Number of Minutes Disclosed	Number of Requests
0	0	0

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

Disposition	Less than 60 Minutes processed		60-120 Minutes processed	
	Number of requests	Minutes Processed	Number of requests	Minutes Processed
All disclosed	0	0	0	0
Disclosed in part	0	0	0	0
All exempted	0	0	0	0
All excluded	0	0	0	0
Request abandoned	0	0	0	0
Neither confirmed nor denied	0	0	0	0
Total	0	0	0	0



3.5.7 Other complexities

Disposition	Consultation Required	Legal Advice Sought	Interwoven Information	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 denied	0	0	0	0	0
Total	0	0	0	0	0

3.6 Closed requests

3.6.1 Number of requests closed within legislated timelines

Number of requests closed within legislated timelines	0
Percentage of requests closed within legislated timelines (%)	0

3.7 Deemed refusals

3.7.1 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
0	0	0	0	0

3.7.2 Request 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	0	0	0
16 to 30 days	0	0	0
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	0	0

3.8 Requests for translation

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



Section 4: Disclosures Under Subsections 8(2) and 8(5)

Paragraph 8(2)(e)	Paragraph 8(2)(m)	Subsection 8(5)	Total
0	0	0	0

Section 5: Requests for Correction of Personal Information and Notations

Disposition for Correction Requests Received	Number
Notations attached	0
Requests for correction accepted	0
Total	0

Section 6: Extensions

6.1 Reasons for extensions

Number of requests where an extension was taken	15(a)(i) Interference with operations				15 (a)(ii) Consultation			15(b) Translation purposes or conversion
	Further review required to determine exemptions	Large volume of pages	Large volume of requests	Documents are difficult to obtain	Cabinet Confidence Section (Section 70)	External	Internal	
0	0	0	0	0	0	0	0	0

6.2 Length of extensions

Length of Extensions	15(a)(i) Interference with operations				15 (a)(ii) Consultation			15(b) Translation purposes or conversion
	Further review required to determine exemptions	Large volume of pages	Large volume of requests	Documents are difficult to obtain	Cabinet Confidence Section (Section 70)	External	Internal	
1 to 15 days	0	0	0	0	0	0	0	0
16 to 30 days	0	0	0	0	0	0	0	0
31 days or greater								0
Total	0	0	0	0	0	0	0	0



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	Number of Pages to Review	Other Organizations	Number of Pages to Review
Received during the reporting period	0	0	0	0
Outstanding from the previous reporting period	0	0	0	0
Total	0	0	0	0
Closed during the reporting period	0	0	0	0
Carried over within negotiated timelines	0	0	0	0
Carried over beyond negotiated timelines	0	0	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	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

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

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



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		501-1000 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

8.2 Requests with Privy Council Office

Number of Days	Fewer Than 100 Pages Processed		100-500 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

Section 9: Complaints and Investigations Notices Received

Section 31	Section 33	Section 35	Court action	Total
0	0	0	0	0

Section 10: Privacy Impact Assessments (PIAs) and Personal Information Banks (PIBs)

10.1 Privacy Impact Assessments

Number of PIAs completed	0
Number of PIAs modified	0

10.2 Institution-specific and Central Personal Information Banks

Personal Information Banks	Active	Created	Terminated	Modified
Institution-specific	0	0	0	0
Central	0	0	0	0
Total	0	0	0	0



Section 11: Privacy Breaches

11.1 Material Privacy Breaches reported

Number of material privacy breaches reported to TBS	0
Number of material privacy breaches reported to OPC	0

11.2 Non-Material Privacy Breaches

Number of non-material privacy breaches	1
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Section 12: Resources Related to the Privacy Act

12.1 Allocated Costs

Expenditures		Amount
Salaries		\$3,894
Overtime		\$0
Goods and Services		\$0
• Professional services contracts	\$0	
• Other	\$0	
Total		\$3,894

12.2 Human Resources

Resources	Person Years Dedicated to Privacy Activities
Full-time employees	0.050
Part-time and casual employees	0.000
Regional staff	0.000
Consultants and agency personnel	0.000
Students	0.000
Total	0.050