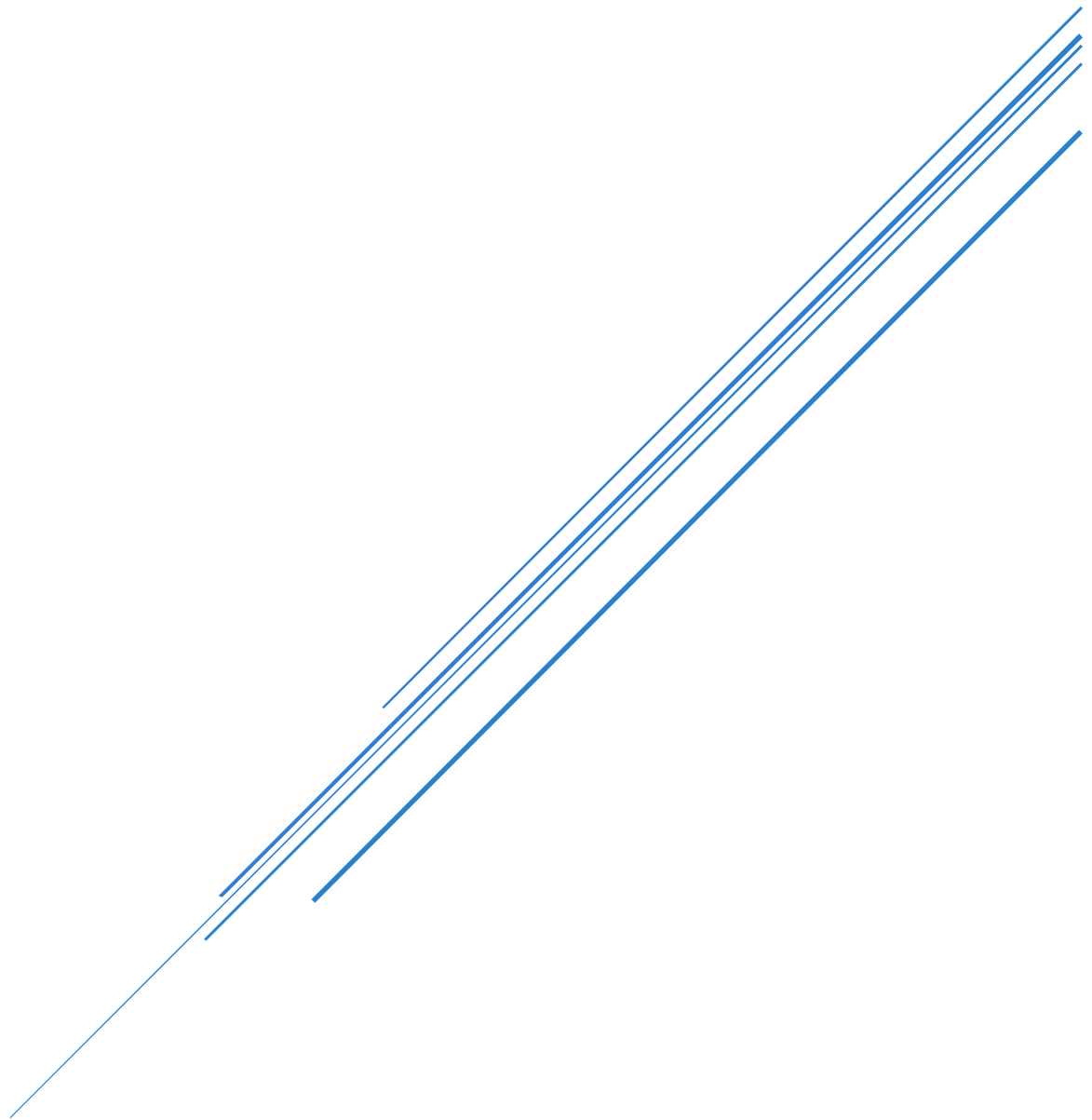


The Patented Medicine Prices Review Board's 2024-2025 Annual Report to Parliament

Access to Information Act



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Conseil d'examen du prix
des médicaments brevetés
Canada

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Introduction

The Patented Medicine Prices Review Board (PMPRB, The Board) is pleased to present to Parliament its annual report on the administration of Access to Information (ATI) services, in accordance with section 94 of the Access to Information Act (ATIA). The report describes activities that support compliance with these laws for the fiscal year beginning April 1, 2024, and ending March 31, 2025.

Purpose of the *Access to Information Act* (ATIA)

The ATIA gives Canadian citizens and permanent residents of Canada the right to access information contained in federal government records, subject to certain specific and limited exceptions. The ATIA complements but does not replace other means of obtaining government information.

About the PMPRB and its Mandate

The PMPRB became subject to the ATIA on June 14, 1990. Pursuant to sections 87 and 88 of the *Patent Act* and the *Patented Medicines Regulations*, certain information filed by patentees is privileged and may not be made public except during a public hearing before the Board. This information is also exempt from disclosure under section 24 of the ATIA.

The PMPRB is an independent quasi-judicial body established by Parliament in 1987 under the Patent Act (the Act). The Minister of Health is responsible for the pharmaceutical provisions of the Act as set out in sections 79 to 103. Although part of the Health Portfolio, the PMPRB carries out its mandate from the Minister of Health at arm's length. It also operated independently of other bodies, such as Health Canada, which approves drugs for safety and efficacy; federal, provincial, and territorial public drug plans, which have the responsibility for approving the listing of drugs on their respective formularies and determining price levels for the purpose of reimbursement; and the Common Drug Review, which provides listing recommendations based on cost-effectiveness to participating public drug plans.

Through its price review mandate, the PMPRB ensures that the prices of patented medicines sold in Canada are not excessive. Through its reporting mandate, the PMPRB issues an Annual Report with information on trends in pharmaceutical sales and pricing and on research and development (R&D) spending by Rights Holders.

The PMPRB did not have non-operational (“paper”) subsidiaries during this reporting period.

Organizational Structure

Information Management (IM) and Access to Information and Privacy Group

ATI requests are received and processed by the Access to Information and Privacy Analyst (ATIP Analyst), reporting to the Team Leader, Information Management and ATIP, who is responsible for reporting to the ATIP Coordinator, who in turn reports to the Chairperson of the Board on the disposition of the requests. The ATIP Analyst is responsible for consultations with the applicants, other government institutions, third parties, legal services, and the Office of the Information Commissioner.

A processing structure for the receipt, review and retrieval of requests is established to ensure incoming requests are registered with the ATIP Analyst, tasked to the appropriate Branch for action, and receipt of acknowledgement is sent to the applicant. The documents relevant to the request are retrieved by the Branch and forwarded to the ATIP Analyst, who reviews and recommends severances, consults with Legal Services on accuracy and any potential issues, forwards all documents to the Team Leader, IM and ATIP for approval, then to the ATIP Coordinator for final approval. Once approval is received, the ATIP Analyst prepares the documents and processes the information for dissemination within the prescribed timeframe.

The ATIP Analyst liaises and coordinates with the Treasury Board Secretariat (TBS), the Office of the Information Commissioner, and any other government department or agency. The Team Leader, Information Management and ATIP develop and maintain the corporate policies and practices related to access to information and privacy.

The PMPRB was not party to any new or pre-existing service agreements under section 96 of the *Access to Information Act* during the reporting period.

Openness and Transparency

The PMPRB is committed to being open and transparent and continues to make information available to Canadians. The department continues to publish information per Part 2 of the ATIA, including ATI summaries, travel and hospitality expenses, reclassification of positions, and contracts over \$10,000.

For a breakdown of the group(s) and/or position(s) responsible for meeting each applicable proactive publication requirement under Part 2 of the Access to Information Act, see the section “Proactive Publication under Part 2 of the ATIA”, below.

Delegation Order

The Chairperson of the Board has delegated the responsibilities associated with the administration of the ATIA to the Senior Director, Corporate Services and Chief Financial Officer. As a result, Access to Information duties are part of the Information Services Division, Corporate Services, and operational responsibility for the application of the Act has been delegated to the Senior Director, Corporate Services and Chief Financial Officer, to act as the Access to Information and Privacy Coordinator (ATIP Coordinator); see [Appendix A](#) for the signed Delegation Order that was in effect on March 31, 2025.

Performance for 2024-2025

Caseload and Carry Forward

In 2024-2025, the PMPRB received 43 new requests (ATI and Informal Access) and had one request outstanding from the previous fiscal year, for a total of 44 requests. A total of 44 requests were closed during the 2024-2025 fiscal year, 100% of requests closed within the fiscal year were within the legislated timeframe.

Performance for 2024-2025

Type of Requests	Carried over	Received	Closed	Carry Forward
Access to Information	1	2	3	0
Access Informal	0	41	41	0
Total	1	43	44	0

The following section of the report includes an interpretation and explanation of the data in the PMPRB’s Statistical Report, which summarizes ATI-related activity between April 1, 2024, and March 31, 2025.

Key statistics by fiscal year

Fiscal Year	Number of Requests Received	Number of Requests Carried Over	Total Caseload	Number of requests Closed
2019-2020	27	0	27	27
2020-2021	47	0	47	36
2021-2022	128	11	139	127
2022-2023	19	12	31	27
2023-2024	11	4	15	14
2024-2025	43	1	44	44

Source of Requests under the Access to Information Act

The PMPRB received one formal ATI request from the Public and one formal ATI request from the Private Sector.

Source	Number of Requests
Business (Private Sector)	1
Public	1
Media	0
Organizations (e.g., political party, association, union)	0
Decline to Identify	0
Academia	0
Total	2

Processing Time for Requests

A total of 3 formal requests were processed within the legislated timeline. No requests were closed past the legislated timeline.

- 1 request closed between 16 to 30 days
- 0 requests closed between 31 to 60 days.
- 1 request closed between 61 to 120 days.
- 0 requests closed between 121 to 180 days.
- 1 request closed between 181 to 365 days.
- 0 requests closed after 365 days.

Extensions

Extensions invoked under the ATIA were done under section 9(1)(a) interference with operations/workload and section 91(1)(b) consultation. One request was carried over from the 2023-2024 fiscal year; this request generated a large volume of documents, requiring a significant extension.

Consultations Completed for Other Institutions

The PMPRB did not receive any consultation requests from other Government of Canada institutions in 2024-2025.

Dissemination of Completed Requests

Of the ATI requests completed in 2024-2025, 33.33% were completely disclosed, 33.33% were disclosed in part and 33.33% were abandoned. Requests transferred or declined to act with approval of the Office of the Information Commissioner represent 0% of all requests. Requests where no records existed represented 0% and requests where information could not be confirmed nor denied represented 0% of all requests received.

Exemptions Invoked

Sections 13 to 24 of the ATIA provide specific legislated exemptions to protect information from disclosure, while section 26 provides a temporary exemption relating to information that will be published. In some instances, records may have multiple exemptions applied to them to appropriately safeguard information.

The PMPRB has a statutory obligation to protect information as filed by patentees. According to sections 87 and 88 of the Patent Act and the Patented Medicines Regulation, certain information filed by patentees is privileged and may not be made public except during a public hearing before the Board. This information is also exempt from disclosure under section 24 of the ATIA.

The exemption applied in 2024-2025 was for section 19(1); this is a mandatory exemption that safeguards personal information.

Translation

No translations were required to respond to requests in the 2024-2025 fiscal year.

Format of Information Released

Of the requests that were fully or partially disclosed, all of them were released electronically.

Training and Awareness

All existing and new PMPRB employees are mandated to complete the *Access to Information and Privacy Fundamentals (COR502)* course administered by the Canada school of Public Service (CSPS) to be aware of policies, procedures, and legal responsibilities under the Access to information Act.

No formal training for staff was done for the 2024-2025 fiscal year in ATI.

The ATIP Analyst attended quarterly ATIP community meetings hosted by TBS. Several topics were addressed, such as how to apply various sections of the Act, the complaint process, and the principles of the ATIA.

Policies, Guidelines and Procedures

In 2024-2025, the PMPRB has put in place a monitoring process for reporting on Proactive Publications to meet proactive publication requirements under Part 2 of the Access to Information Act.

No other institution-specific policies, guidelines, or procedures were implemented during the reporting period.

The ATIP Group continues to work in collaboration with other government institutions on mapping out workflows, and procedure manuals and optimizing approval and review processes.

Initiatives and Projects to Improve Access to Information

As part of our ongoing efforts to improve access to information, our organization has recently begun the onboarding process for AMANDA, joining other federal institutions in adopting an enterprise solution designed to digitize and streamline the management of Access to Information and Privacy (ATIP) requests. This modernized platform will support more efficient request processing, enhanced record tracking, and improved reporting capabilities. Once fully implemented, it is expected to reduce response times, strengthen consistency in service delivery, and contribute to a more transparent and responsive government.

Summary of Key Issues and Actions Taken on Complaints and Audits

No complaints under the ATIA were filed with the Office of the Information Commissioner against the PMPRB in 2024-2025. No orders were issued to the PMPRB by the Commissioner in 2023-2024.

Proactive Publication Under Part 2 of the ATIA

The PMPRB is committed to being open and transparent and continues to make information available to Canadians. The department continues to fulfill the proactive publication legislative requirements found in Part 2 of the Access to Information Act. Sections 74 to 78 and 82 to 88 of Part 2 of the ATIA, stipulate that government entities that support a minister are required to publish proactively ATI summaries, travel expenses, hospitality expenses, reports tabled in parliament, reclassification of positions, contracts, grants and contributions, briefing materials, and expense reports. Within the PMPRB, this responsibility falls under the Corporate Services Branch (Finance Division, Administration and Procurement Division, Information Services Division, and Human Resources Division,) and the Board Secretariat and Communications Branch. Each section is responsible for publishing documents that pertain to their area of work.

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	Finance & Administration & Procurement	100%	https://search.open.canada.ca/travel/?owner_org=pmprrb-cepmb&page=1&sort=start_date+desc
Hospitality Expenses	83	Within 30 days after the end of the month of reimbursement	Y	Finance & Administration & Procurement	100%	https://search.open.canada.ca/hospitality/?owner_org=pmprrb-cepmb&page=1&sort=start_date+desc
Reports tabled in Parliament	84	Within 30 days after tabling	Y	Finance & Administration & Procurement	100%	https://search.open.canada.ca/opendata/?collection=parliament_report
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	Finance & Administration & Procurement	100%	https://search.open.canada.ca/contracts/?owner_org=pmprrb-cepmb&page=1&sort=contract_date+desc
Grants & Contributions over \$25,000	87	Within 30 days after the quarter	N	N/A	N/A	N/A
Packages of briefing materials prepared for new or incoming	88(a)	Within 120 days after appointment	Y	Board Secretariat and Communications	N/A (NIL)	N/A

deputy heads or equivalent						
Titles and reference numbers of memoranda prepared for a deputy head or equivalent, that is received by their office	88(b)	Within 30 days after the end of the month received	Y	Board Secretariat and Communications	100%	https://search.open.canada.ca/briefing_titles/?owner_org=pmprb-cepmb&page=1&sort=date_receive_d+desc
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	Board Secretariat and Communications	N/A (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	Human Resources	N/A (NIL)	N/A
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	N	N/A	N/A	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	N	N/A	N/A	N/A
Package of question period notes prepared by a government institution for the minister and in use on the last sitting day of the House of Commons in June and December	74(c)	Within 30 days after last sitting day of the House of Common in June and December	N	N/A	N/A	N/A
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	N	N/A	N/A	N/A
Travel Expenses	75	Within 30 days after the end of	N	N/A	N/A	N/A

		the month of reimbursement				
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

Monitoring Compliance

The current monitoring process is done regularly through the ATIP Analyst and the Team Leader, Information Management and ATIP. They report on daily activities and request statuses are provided on an as-needed (ad hoc) basis.

Appendix A: Access to Information and Privacy Act – Delegation Order



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Access to Information Act and Privacy Act Delegation Order

Pursuant to subsection 95(1) of the Access to Information Act (ATIA), R.S.C.C. A-1 and subsection 73(1) of the Privacy Act, R.S.C., 1985 c. P-21, as amended:

I, Thomas J. Digby, Chairperson of the Patented Medicine Prices Review Board, a government institution as listed in Schedule 1 (Section 3) of the Act, do hereby authorize the Senior Director, Corporate Services and Chief Financial Officer of the Patented Medicine Prices Review Board to exercise, perform and to carry out the duties, functions, and powers of the Access to Information and Privacy Coordinator.

Dated, in Ottawa, in the Province of Ontario, this 25th day of November 2024.

E-SIGNED by Thomas Digby
on 2024-11-25 19:22:40 GMT

Thomas J. Digby
Chairperson of the Board
Patented Medicine Prices Review Board



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