



**Canada Council
for the Arts**

**Conseil des Arts
du Canada**

**Annual Report on the Administration
of the
*Access to Information Act***

1 April 2008 to 31 March 2009

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Introduction

The Canada Council for Arts is pleased to submit its annual and statistical report on the administration of the *Access to Information Act* for the fiscal year 2008-2009, in accordance to Subsection 72(1) of the Act. The [Access to Information Act](#) gives Canadian citizens the right to access information in federal government records.

Canada Council for the Arts

The Canada Council for the Arts is a federal, arm's-length Crown corporation created by an Act of Parliament in 1957 (*Canada Council for the Arts Act*) "to foster and promote the study and enjoyment of, and the production of works in the arts."

The Canada Council offers a broad range of grants and services to professional Canadian artists and arts organizations in music, theatre, writing and publishing, visual arts, dance, media arts and integrated (interdisciplinary) arts. It also seeks to raise public awareness of the arts through its communications, research and arts promotion activities.

The Canada Council awards prizes and fellowships every year to some 200 artists and scholars. The Canadian Commission for UNESCO and the Public Lending Right Commission operate within the Canada Council. The Canada Council Art Bank contains some 18,000 works of contemporary Canadian art that are rented to the public and private sectors.

The Canada Council is governed by an 11-member Board. The Chair, the Vice-Chair, the members of the Board and the Director of the Canada Council are appointed by the Governor in Council for fixed terms. The Canada Council relies heavily on the advice of artists and arts professionals from all parts of Canada (some 750 serve annually as jurors, or peer assessors, in the awarding of grants) and works in close co-operation with federal, provincial and municipal cultural agencies and departments. The Council reports to Parliament through the Minister of Canadian Heritage. The annual budget allocation from Parliament is supplemented by endowment income, donations and bequests.

Delegation of Authority

The Director of the Canada Council for the Arts delegates his power, authorities and responsibilities to the ATIP Coordinator for the administration of the *Access to Information Act*. The purpose of delegation is to ensure the Director's responsibilities under the Acts are met and that appropriate processing and proper disclosure of information are practiced. The Delegation Order is attached as Appendix 1.

Access to Information Administration

The administration of the *Access to Information Act* is the responsibility of the ATIP Coordinator. This role is responsible for:

- processing requests under the Act, disclosing as much information as possible which is not injurious to the public or private interests identified in the legislation, in a timely manner;
- coordinating activities and consultations related to the legislation and associated regulations, directives and guidelines, including Parliamentary questions;
- developing, monitoring and updating Council policies and procedures related to the Act;
- responding to consultations submitted by other federal institutions on Council documents under consideration for release;

- coordinating compliance with legislative obligations: preparing annual and statistical reports to Parliament and other statutory reporting requirements;
- promoting awareness of the Act within the Council to ensure compliance.

The Reference and Documentation Centre of the Canada Council for the Arts maintains most records requested through the *Access to Information Act*. Confidential internal consultation with senior staff is often required, as the information requested deals with the various disciplines and activities of the Council.

The Access to Information (ATI) Office houses the various notices dealing with exemptions, methods of access, time extension and other material required by the Act.

Education and Training

The ATIP Coordinator participated in quarterly briefing sessions held by the Treasury Board Secretariat. The Coordinator participated in relevant workshops, meetings and conferences offered through the federal government and consultants in the 2008-2009 fiscal year. These workshops provided valuable information on trends and best practices within the ATIP community, recent complaints and court decisions. It is anticipated the Coordinator will participate in relevant workshops and meetings offered through the federal government and consultants in the 2008-2009 fiscal year. The ATIP Coordinator participated in the development of policy providing access guidelines.

Access to Information Act

Statistical Report for the Fiscal Year 2008-2009

The statistical report for the period of 1 April 2008 to 31 March 2009 is attached as Appendix 2.

Interpretation of the Statistical Report 2008-2009

Requests Received, Completion Time

Of the ninety-six (96) requests received under the *Access to Information Act* (ATI) eighty-eight (88) were from organizations, four (4) from the public sector, one (1) from academia, one (1) from businesses and two (2) from the media. All requests were processed within 30 days or less except for four, as consultation with third parties was necessary in those cases.

Disposition of Requests

All the information requested was disclosed for two (2) requests; ninety (90) requests were disclosed in part; we were unable to process three (3); and one (1) was abandoned by the applicant.

Fees

The \$5.00 application fee was waived for all but three (3) requests. Canada Council for the Arts' grant recipients may request the artistic assessments and documents contained in their grant application files and are not charged the application fee. The requests from the Council's clients are channeled through the formal route in order to apply exemptions and exclusions, if necessary, and to allow them to exercise their right under the *Access to Information Act*.

A total amount of \$15.00 was collected in application fees, reproduction, and search and preparation costs.

Complaints, Investigation and Reviews to the Federal Court

One complaint was lodged with the Information Commissioner's Office during the previous reporting period for alleged refusal of access to records which were exempted under sections 19 and 20 of the *Access to Information Act*.

No other complaints were received nor were any requests for review made to the Federal Court of Canada during the 2008-2009 fiscal year.

Use and Disclosure

The main reasons for having individuals provide information to Council is in the context of applying for grants within various programs. The information is reviewed by peers drawn from the relevant professional arts communities to make recommendations for grants or awards. At times, information is provided to external assessors who are specialists in the particular disciplines in which the individuals are engaged and to peer members and/or peer assessment committee members for adjudication purposes.

All formal and informal requests are handled by the Coordinator's Office.

June 2009



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Appendix B
Supplemental Reporting
Requirements for 2008-2009
Access to Information Act

In addition to the reporting requirements addressed in form TBS/SCT 350-62 "Report on the Access to Information Act", institutions are required to report on the following using this form:

Part III – Exemptions invoked

Section 13

Subsection 13(e) ____0____

Section 14

Subsections 14(a) ____0____

14(b) ____0____

Part IV – Exclusions cited:

Subsection 69.1 ____0____

The Canada Council for the Arts did not undertake any of the activities noted above during the reporting period.

Annexe B
Exigences en matière de rapports
pour 2008-2009
Loi sur l'accès à l'information

En plus des exigences relatives à l'établissement de rapports dont on traite dans le formulaire TBS/SCT 350-62, « Rapport concernant la Loi sur l'accès à l'information », les institutions sont tenues de déclarer ce qui suit en utilisant le présent formulaire :

Partie III – Exceptions invoquées

Article 13

Paragraphe 13(e) ____0____

Article 14

Paragraphe 14(a) ____0____

14(b) ____0____

Partie IV – Exclusions citées

Paragraphe 69.1 ____0____

Le Conseil des Arts du Canada n'a pas entrepris l'une ou l'autre des activités susmentionnées durant la période de rapport.

*Access to Information Act
and
Privacy Act
Designation Order*

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



BY THIS ORDER made pursuant to sections 73 of the **Access to Information Act** and the **Privacy Act**, I hereby designate the person holding the position of Director, Finance & Administration Division and Access to Information and Privacy Coordinator to exercise or perform all of the powers, duties and functions of the head of a government institution under the Act, insofar as they may be exercised or performed in relation to the **Canada Council for the Arts** as per attached Appendix A.

This delegation order supersedes any previous order executed pursuant to section 73 of the Acts.

PAR LE PRÉSENT ARRÊTÉ pris en vertu des l'articles 73 de la **Loi sur l'accès à l'information** et de la **Loi sur la protection des renseignements personnels**, je délègue au titulaire des postes de Directeur, La Division des finances et de l'administration et de Coordinatrice de l'accès à l'information et de la protection des renseignements personnels les attributions se apportant au **Conseil des Arts du Canada** qui me sont confiées aux termes de cette loi en ma qualité de responsable d'une institution fédérale selon l'Annexe A attaché.

Cet arrêté de délégation remplace tout arrêté précédent pris en vertu des l'articles 73 de les Loi.

May 11, 2009
Date

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Director / Directeur

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Canada



REPORT ON THE ACCESS TO INFORMATION ACT
RAPPORT CONCERNANT LA LOI SUR L'ACCÈS À L'INFORMATION

Institution Canada Council for the Arts / Conseil des Arts du Canada			Reporting period / Période visée par le rapport 2008/04/01 to / au 2009/03/31		
Source	Media / Médias 2	Academia / Secteur universitaire 1	Business / Secteur commercial 1	Organization / Organisme 88	Public 4

I Requests under the Access to Information Act / Demandes en vertu de la Loi sur l'accès à l'information

Received during reporting period / Reçues pendant la période visée par le rapport	96
Outstanding from previous period / En suspens depuis la période antérieure	0
TOTAL	96
Completed during reporting period / Traitées pendant la période visées par le rapport	96
Carried forward / Reportées	0

II Disposition of requests completed / Disposition à l'égard des demandes traitées

1. All disclosed / Communication totale	2	6. Unable to process / Traitement impossible	3
2. Disclosed in part / Communication partielle	90	7. Abandoned by applicant / Abandon de la demande	1
3. Nothing disclosed (excluded) / Aucune communication (exclusion)	0	8. Treated informally / Traitement non officiel	0
4. Nothing disclosed (exempt) / Aucune communication (exemption)	0	TOTAL	96
5. Transferred / Transmission	0		

II Exemptions invoked / Exemptions invoquées

S. Art. 13(1)(a)	0	S. Art 16(1)(a)	0	S. Art. 18(b)	0	S. Art. 21(1)(a)	0
(b)	0	(b)	0	(c)	0	(b)	0
(c)	0	(c)	0	(d)	0	(c)	0
(d)	0	(d)	0	S. Art. 19(1)	90	(d)	0
S. Art. 14	0	S. Art. 16(2)	0	S. Art. 20(1)(a)	0	S. Art.22	0
S. 15(1) Art. International rel. / Relations intern.	0	S. Art. 16(3)	0	(b)	2	S. Art.23	0
Defence / Défense	0	S. Art. 17	0	(c)	2	S. Art. 24	0
Subversive activities / Activités subversives	0	S. Art. 18(a)	0	(d)	2	S. Art. 26	0

I Exclusions cited / Exclusions citées

S. Art. 68(a)	0	S. Art. 69(1)(c)	0
(b)	0	(d)	0
(c)	0	(e)	0
S. Art. 69(1)(a)	0	(f)	0
(b)	0	(g)	0

V Completion time / Délai de traitement

30 days or under / 30 jours ou moins	92
31 to 60 days / De 31 à 60 jours	0
61 to 120 days / De 61 à 120 jours	4
121 days or over / 121 jours ou plus	0

V Extentions / Prorogations des délais

	30 days or under / 30 jours ou moins	31 days or over / 31 jours ou plus
Searching / Recherche	0	0
Consultation	0	0
Third party / Tiers	0	4
TOTAL	0	4

VI Translations / Traduction

Translations requested / Traductions demandées		0
Translations prepared / Traductions préparées	English to French / De l'anglais au français	0
	French to English / Du français à l'anglais	0

VIII Method of access / Méthode de consultation

Copies given / Copies de l'original	92
Examination / Examen de l'original	0
Copies and examination / Copies et examen	0

I Fees / Frais

Net fees collected / Frais net perçus			
Application fees / Frais de la demande	15.00	Preparation / Préparation	0
Reproduction	0	Computer processing / Traitement informatique	0
Searching / Recherche	0	TOTAL	15.00
Fees waived / Dispense de frais		No. of times / Nombre de fois	\$
\$25.00 or under / 25 \$ ou moins		3	\$ 15.00
Over \$25.00 / De plus de 25 \$		0	\$ 0

X Costs / Coûts

Financial (all reasons) / Financiers (raisons)	
Salary / Traitement	\$ 65100
Administration (O and M) / Administration (fonctionnement et maintien)	\$ 4800
TOTAL	\$ 69900
Person year utilization (all reasons) / Années-personnes utilisées (raison)	
Person year (decimal format) / Années-personnes (nombre décimal)	0.9865

