



Canada Council
for the Arts

Conseil des arts
du Canada

Annual Report *Privacy Act*

April 1, 2011 to March 31, 2012

Bringing the arts to life
De l'art plein la vie



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Introduction

Privacy Act

The *Privacy Act* (the Act) gives individuals the right of access to information about themselves held by the federal government with certain specific and limited exceptions. The Act protects an individual's privacy by setting out provisions related to the collection, retention, use and disclosure of personal information. Personal information is broadly defined as "information about an identifiable individual that is recorded in any form".

Section 72 of the *Privacy Act* requires the head of every federal government institution to submit an annual report to Parliament on the administration of the Act following the close of each fiscal year. This report describes how, during the fiscal year 2011-2012, the Canada Council for the Arts fulfilled its privacy responsibilities and is prepared in accordance with section 72 of the Act.

About the Canada Council for the Arts

The Canada Council for the Arts is a federal 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, services and payments to professional Canadian artists and arts organizations in music, theatre, writing and publishing, visual arts, dance, media arts and integrated (interdisciplinary) arts. It further 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 approximately 200 artists and scholars. The Canadian Commission for UNESCO operates within the Canada Council. The Canada Council Art Bank, which contains some 18,000 works of contemporary Canadian art in its collection, rents to the public and private sectors.

The Canada Council is governed by an 11-member Board. The Chair and Vice-Chair, the members of the Board and the Director and CEO 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 (over 650 serve annually as jurors, or peer assessors) and works in close co-operation with federal, provincial/territorial and municipal cultural agencies and departments. The Canada Council reports to Parliament through the Minister of Canadian Heritage. The annual budget allocation from Parliament is supplemented by endowment income, donations and bequests, and rental income.

For more information about the Canada Council for the Arts, please visit our website at: www.canadacouncil.ca.

Delegation of Authority

Ministers and heads of agencies are responsible for ensuring that their organizations comply with privacy legislation.

Pursuant to section 73 of the *Privacy Act*, the powers, duties and functions of the administration of the Act and related regulations have been delegated by the Director and CEO of the Canada Council as identified in the Delegation Order (attached as Appendix B).



Privacy Infrastructure

The Access to Information and Privacy (ATIP) Office

The Access to Information and Privacy Office (ATIP Office) is responsible for administering the *Privacy Act* within the Canada Council for the Arts (the Canada Council). Its mandate is to act on behalf of the Director and CEO of the Canada Council, reporting through the Director, Finance and Administration, to ensure compliance with legislation, regulations, and government policy, and create organizational directions, including standards for the collection, retention, use, and disclosure of personal information, in all matters relating to the *Act*. This includes responding to privacy requests, analysing privacy practices, ensuring that Canada Council for the Arts' personal information holdings are published in *Info Source*, providing advice related to privacy issues, and promoting staff awareness and providing training within the Canada Council.

The ATIP office consists of a full-time Access to Information and Privacy Coordinator, reporting through the Director, Finance and Administration, and a part-time temporary Senior Administrative Assistant.

PART 1 - Requests under the *Privacy Act*

The Canada Council for the Arts' statistical report summarizing *Privacy Act* activity is attached as Appendix A and covers the period between April 1, 2011 and March 31, 2012.

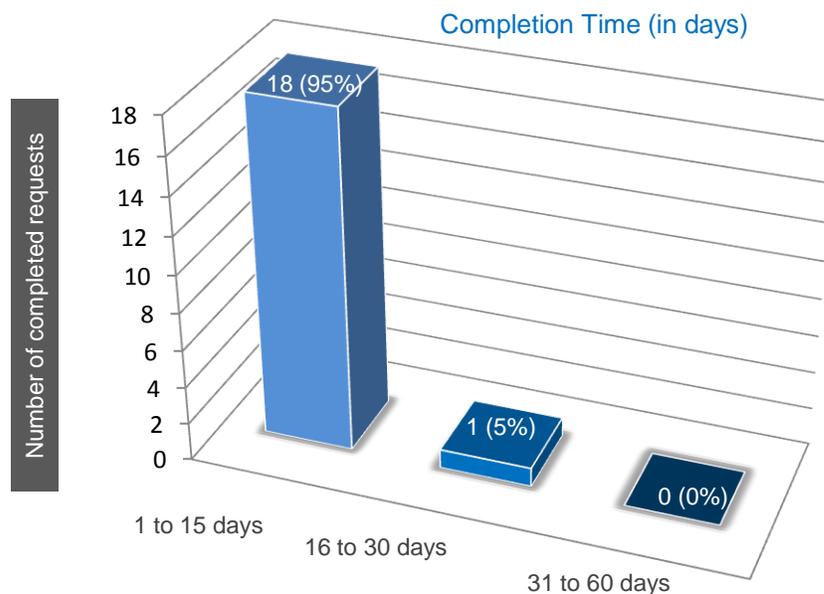
Number of Requests

The Access to Information and Privacy Office received a total of twenty (20) privacy requests during the reporting period of 1st April 2011 to 31st March 2012. No requests were carried over from the previous fiscal year. One (1) request is carried forward into fiscal year 2012-2013.

PART 2 - Requests closed during the reporting period

2.1 Disposition and completion time

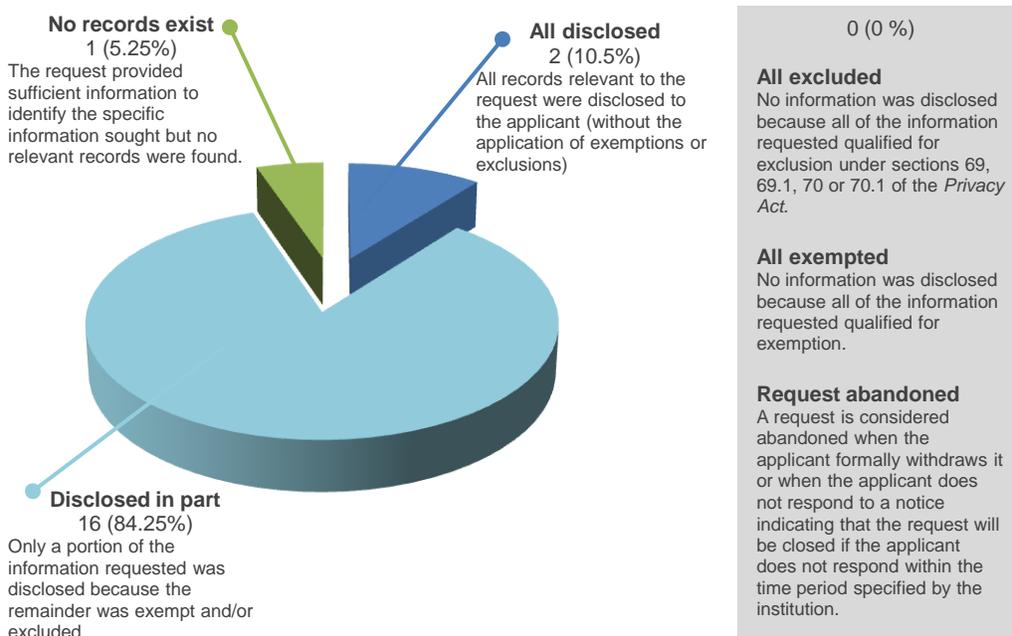
The Canada Council for the Arts received and completed processing 19 of 20 (95%) active requests; 18 requests were completed in 15 days or less; and 1 request was completed within 30 days during fiscal year 2011-2012.



All information was disclosed for two (2) requests and sixteen (16) were disclosed in part. In one (1) instance no relevant records were located. No requests were considered abandoned, all exempted or all excluded.



Disposition of Completed Requests



Case Load

Nineteen (19) requests were completed in the current fiscal year (including one (1) request where no relevant records were located) as opposed to 76 requests in the previous year. This disparity may relate to multi-year funding and related assessments, as opposed to annual funding when fewer applicants require assessments.

Fiscal Year (FY)	Cases	Pages	Average number of pages per request
2009-2010	5	76	15.2
2010-2011	76	1,089	14.3
2011-2012	19	479	25.2

During the current reporting period, the average number of pages released has increased by 57% in comparison to FY 2010-2011. These numbers do not reflect the number of pages or records examined to determine relevancy through internal consultations.

2.2 Exemptions

Under the *Privacy Act*, an individual can only request access to his/her personal information. When a document or record contains both his/her personal and non personal information, the non personal information is withheld under section 12(1) of the Act. However, access should be provided to non personal information that cannot be withheld under the *Access to Information Act*.

All exemptions invoked are cited when releasing the records, unless doing so would reveal the exempted information or cause injury.

Section 26 of the *Privacy Act* sets an exemption to the right of access to personal information about an individual other than the individual who made the request. This is



the only cited exemption during this reporting period and was applied 16 times, however all related records were partially disclosed.

Privacy section	Application of exemption and description
26	16 instances records containing information about another individual

No other exemptions were invoked during this reporting period. The application of exemptions is consistent throughout FY 2009-2010, 2010-2011 and 2011-2012.

2.3 Exclusions

The *Privacy Act* does not apply to personal information available to the public (section 69) or confidences of the Queen's Privy Council with the exception of section 70 which requires consultation with the Privy Council Office.

The Canada Council did not exclude information under sections 69 or 70 of the *Privacy Act*.

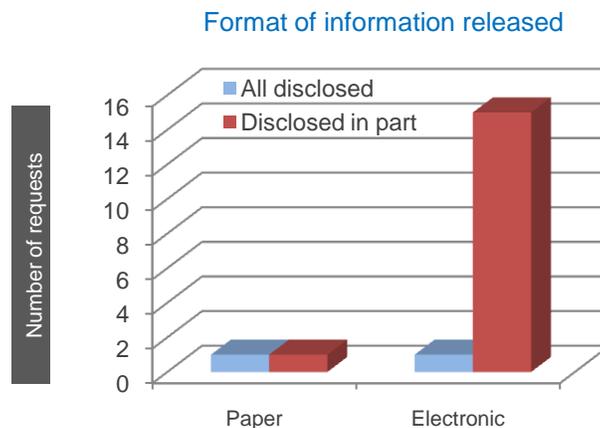
2.4 Format of information released

"Format" refers to the method that requesters have chosen to access their records, including the choice to receive copies of their records or to examine the records onsite at the Canada Council for the Arts.

The following table indicates the preferred format of access to the records disclosed during FY 2011-2012 and whether copies of the original records were released in whole or in part:

Disposition	Format of information released		
	Paper	Electronic	Other formats
All disclosed	1	1	0
Disclosed in part	1	15	0
Total	2	16	0

Note: during this reporting period there was one (1) instance where no relevant records were located.





2.5
Complexity

2.5.1 Relevant pages processed and disclosed

An analysis of 479 pages for 18 requests to determine whether the information could be disclosed, exempt or excluded was undertaken during this reporting period (there was one (1) request where no relevant records were located). This number does not reflect the number of pages or records examined to determine relevancy.

Factors affecting the complexity of requests include the number of pages processed and disclosed and the size of the request (requiring additional time to identify and retrieve documents, and review and sever information).

2.5.2 Relevant pages disclosed by requests

In general, the size of requests received involved processing fewer than 100 pages. In one instance the size of the request involved 170 pages. This number does not reflect the number of pages or records examined to determine relevancy.

Disposition	Relevant pages disclosed by request			
	Less than 100 pages		100-500 pages	
	Number of requests	Pages disclosed	Number of requests	Pages disclosed
All disclosed	1	27	1	170
Disclosed in part	16	282	0	0
All exempted	0	0	0	0
All excluded	0	0	0	0
Abandoned	0	0	0	0
Total	17	309	1	170

Note: during this reporting period there was one (1) instance where no relevant records were located.

2.5.3 Other complexities

In processing privacy requests during this fiscal year 16 of 19 responses involved interwoven information (relevant records contain information about another individual that is interwoven with the requester’s personal information).

There was one (1) instance where no relevant records were located and two (2) instances in which information was all disclosed.

During this reporting period consultations and legal advice were not required.

2.6
Deemed refusals

2.6.1 Reasons for not meeting statutory deadline

2.6.2 Number of days past deadline

Statutory deadlines were met for all 19 requests during the 2011-2012 fiscal year. Workload and consultations did not impact the Canada Council for the Arts ability to meet the deadlines for these requests. One request was carried forward into FY 2012-2013.



Workload: large number of requests to be processed, very large requests, other ATIP-related tasks (e.g., complaints, training, *Info Source*).

External consultation: consultations with individuals or entities that are not part of the institution, including third parties and other government institutions.

Internal consultation: consultations with officials of the institution, and consultants working for the institution.

Other: reasons other than workload and consultations (for example, unavailability of key officials, difficulties in obtaining relevant records, labour disputes, and lengthy power outages).

2.7 Requests for translation

During this fiscal year, translations into the other official language were not required to respond to privacy requests.

PART 3 – Disclosures under subsection 8(2)

Personal information under the control of a government institution may be disclosed under certain terms in accordance with subsection 8(2) of the *Privacy Act*.

- Section 8(2)(e) allows disclosure for the purpose of enforcing any law of Canada or a province or to carry out a lawful investigation.
- Section 8(2)(m) allows for the disclosure of personal information where the public interest in the disclosure clearly outweighs any invasion of privacy or the disclosure would clearly benefit the individual to whom the information relates.

In 2011-2012 there were no disclosures of personal information pursuant to those provisions of the *Privacy Act*.

PART 4 – Requests for correction of personal information and notations

The Canada Council received three (3) requests for correction of personal information; all corrections were accepted.

Under the *Privacy Act*, as per section 12(2), individuals have the right to request corrections or have a notation added to any personal record under the control of a government institution. The right of access and to request correction may be limited under certain conditions set forth in the Act. The Privacy Regulations contain procedures related to the correction of personal information collected, used and disclosed by government institutions.

PART 5 – Extensions

5.1 Reasons for extensions

No legal extensions for Privacy requests were invoked during the 2011-2012 fiscal year.



5.2
Length of extensions

The Canada Council has 30 calendar days to respond to a request. Extensions are limited to an additional 30 calendar days under the *Privacy Act* and the reasons are limited to subsections 15(a)(i) interference with operations, 15(a)(ii) consultations with other parties, or 15(b) translation or conversion.

PART 6 - Consultations received from other institutions and organizations

6.1
Consultations
received

During this fiscal year, the Canada Council did not receive new consultations from other government institutions or organizations subject to the *Privacy Act*. In addition, no outstanding consultations from the previous fiscal year were carried forward, nor are any consultations carried over to the next reporting period.

6.2
Recommendations
and completion time
(government
institutions)

The Canada Council did not receive recommendations for consultations from other government institutions subject to the *Privacy Act* during this fiscal year and as a result there are no recommendations or completion times to report.

6.3
Recommendations
and completion time
(organizations)

During this fiscal year, the Canada Council did not receive recommendations for consultations from other organizations, including provincial, territorial, municipal or foreign governments concerning privacy and as a result there are no recommendations or completion times to report.

PART 7 - Completion time of consultations on Cabinet confidences

Privacy requests during the fiscal year 2011-2012 did not require consultations on Cabinet confidences with the Privy Council Office on the application of section 70 of the Act.

PART 8 - Resources related to the *Privacy Act*

8.1
Costs

The Canada Council for the Arts invested a total of \$38,750 in the management of the *Privacy Act*. Salary costs related to the administration of the Act account for \$25,000, and goods and services costs (expenses other than salaries and overtime) account for \$13,750.

During this reporting period the Canada Council has no expenditures to report concerning contracts for privacy impact assessments or other profession service contracts.

Privacy Impact Assessments

No Privacy Impact Assessments (PIAs) or Preliminary Privacy Impact Assessments were initiated during this reporting period.



Privacy Impact Assessments (PIAs) 2011-2012	Number
Core Privacy Impact Assessments initiated	none
Core Privacy Impact Assessments completed	none
Privacy Impact Assessments initiated	none
Privacy Impact Assessments completed	none
Privacy Impact Assessments forwarded to the Office of the Privacy Commissioner (OPC)	none

The PIA process is used to identify, assess and mitigate risks associated with the collection and administrative use of personal information for new or modified Canada Council programs or activities

8.2 Human Resources

During the reporting period, the ATIP Office consisted of a Coordinator and one part-time, temporary support staff. In the Canada Council organizational structure, the ATIP Office reports to the Director, Finance and Administration.

ATIP staffing for FY 2011-2012 amounted to 1 full-time employee dedicated part-time to privacy activities (25% to privacy activities) and 1 part-time employee dedicated part-time to privacy activities (25% to privacy activities).

These figures exclude the time spent by the employees of the other Canada Council divisions on the processing of personal information requests as well as the time and other resources that were involved in the implementation measures to protect the privacy of the Canada Council's employees, applicants and other Canadians. Canada Council program staff participated in identifying and supplying relevant records to the ATIP office for the requests reported.

Privacy Policies, Guidelines and Procedures

Internally, privacy reports and recommendations were provided to program activities on a regular basis. Privacy policies, guidelines and procedures are currently under revision to comply with Treasury Board Secretariat directives.

Under the *Privacy Act*, the Treasury Board President is the designated minister responsible for preparing policy instruments concerning the operation of the *Act* and its Regulations. The *Privacy Act* establishes that policy and guidelines are the appropriate vehicles for supporting its administration.

Data Sharing Activities

There were no data matching activities during FY 2011-2012. Activities defined as data sharing involve the disclosure or exchange of personal information collected and held by one institution and shared with another institution. The *Privacy Act* imposes standards related to the collection, use and disclosure of personal information.



Training and Awareness Initiatives for Canada Council for the Arts Employees

Information about Privacy is provided on the Canada Council for the Arts' website. The website describes the ATIP Office's roles and responsibilities and provides information on the *Privacy Act* and was updated during this fiscal year.

To raise awareness and understanding of accessibility to Canada Council records and documentation, one (1) information session was delivered in collaboration with the Reference and Documentation Centre, providing an overview of Access to Information, Privacy Protection and Records Management. This session was presented to Communications (37 attendees). This session was not mandatory.

The ATIP Coordinator participates and provides recommendations in the information sharing, contracting and Memorandum of Understanding process to ensure the incorporation of privacy terms. In addition, the ATIP Office counseled on specific privacy issues through one-on-one meetings.

To assist the Canada Council to proactively release information to the public, the ATIP office provides informal assistance and maintains a presence on the Canada Council's intranet.

Personal Information Banks / Classes of Personal Information

No new Personal Information Banks (PIB) or Classes of Personal Information have been identified during this reporting period. One revision was made to the "Arts Organizations/Companies' Grant" PIB by adding the "Equity application and Granting Process (CCART016)".

Creation and registration of personal information banks (PIBs) are a requirement under the *Privacy Act*. PIBs describe the organization and retrieval of personal information by name or identification number assigned to an individual. PIBs also describe the administrative purpose the personal information serves and are published annually in *Info Source*.

Personal information not used administratively or not retrievable by a personal identifier are identified as Classes of Personal Information and was created to ensure that government institutions account for all personal information they hold.

Complaints, Investigations and Reviews to the Federal Court

Complaints

During 2011-2012, no complaints related to the *Privacy Act* were undertaken with the Office of the Privacy Commissioner of Canada. No complaints were received in relation to sections 4 to 8 of the *Act* – privacy breaches.

Privacy Complaints and/or Investigations

There are no key issues raised as a result of Privacy complaints or investigations during the reporting period.

Court Applications for
Reviews

No applications or appeals were submitted to the Federal Court or the Federal Court of Appeal during fiscal year 2011-2012.

Reporting Requirements - Reviews and Recommendations

The Treasury Board of Canada's Secretariat (TBS) is responsible for monitoring compliance with the *Policy on Access to Information* and the *Policy on Privacy Protection*.

During this reporting period, the ATIP Office re-organized the content of its *Info Source* chapters, including the descriptions of its information holdings, by institutional functions, programs and activities. The primary purpose of *Info Source* is to assist individuals in exercising their rights under the *Access to Information Act* and the *Privacy Act*, providing private individuals and federal government employees (current and former) with the information required to access their personal information held by Government institutions subject to the *Privacy Act*. The *Info Source* chapter facilitates access to information regarding Canada Council activities and is aligned with the Canada Council's Program Activity Architecture. Under this approach, all classes of records and personal information banks are directly linked to the relevant institutional program and/or activity. The Canada Council for the Arts 2011 submission for *Info Source: Source of Federal Government and Employee Information* met TBS requirements and was rated as "excellent".

There were no additional recommendations raised by other Agents of Parliament during fiscal year 2011-2012.

Reporting Requirements 2011-2012

The Canada Council for the Arts met its reporting obligations on the administration of the *Privacy Act* for the reporting period, by preparing and submitting, according to requirements, the:

- Annual reports to Parliament
- Annual statistical reports
- Annual review and update of institutional Info Source chapter



Appendix

Appendix A: Statistical Report on the *Privacy Act*



Statistical Report on the *Privacy Act*

Name of institution: Canada Council for the Arts

Reporting period: 01/04/2011 to 31/03/2012

PART 1 – Requests under the *Privacy Act*

	Number of Requests
Received during reporting period	20
Outstanding from previous reporting period	0
Total	20
Closed during reporting period	19
Carried over to next reporting period	1

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	2	0	0	0	0	0	0	2
Disclosed in part	15	1	0	0	0	0	0	16
All exempted	0	0	0	0	0	0	0	0
All excluded	0	0	0	0	0	0	0	0
No records exist	1	0	0	0	0	0	0	1
Request abandoned	0	0	0	0	0	0	0	0
Total	18	1	0	0	0	0	0	19

2.2 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	16
19(1)(f)	0	22.1	0	27	0
20	0	22.2	0	28	0
21	0	22.3	0		



2.3 Exclusions

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

2.4 Format of information released

Disposition	Paper	Electronic	Other formats
All disclosed	1	1	0
Disclosed in part	1	15	0
Total	2	16	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	197	197	2
Disclosed in part	282	282	16
All exempted	0	0	0
All excluded	0	0	0
Request abandoned	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	27	1	170	0	0	0	0	0	0
Disclosed in part	16	282	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
Abandoned	0	0	0	0	0	0	0	0	0	0
Total	17	309	1	170	0	0	0	0	0	0



2.5.3 Other complexities

Disposition	Consultation required	Legal Advice Sought	Interwoven Information	Other	Total
All disclosed	0	0	0	0	0
Disclosed in part	0	0	16	0	16
All exempted	0	0	0	0	0
All excluded	0	0	0	0	0
Abandoned	0	0	0	0	0
Total	0	0	16	0	16

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
0	0	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	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

2.7 Requests for translation

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

PART 3 – Disclosures under subsection 8(2)

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



PART 4 – Requests for correction of personal information and notations

	Number
Requests for correction received	3
Requests for correction accepted	3
Requests for correction refused	0
Notations attached	0

PART 5 – Extensions

5.1 Reasons for extensions and disposition of requests

Disposition of requests where an extension was taken	15(a)(i) Interference with operations	15(a)(ii) Consultation		15(b) Translation or conversion
		Section 70	Other	
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
No records exist	0	0	0	0
Request abandoned	0	0	0	0
Total	0	0	0	0

5.2 Length of extensions

Length of extensions	15(a)(i) Interference with operations	15(a)(ii) Consultation		15(b) Translation purposes
		Section 70	Other	
1 to 15 days	0	0	0	0
16 to 30 days	0	0	0	0
Total	0	0	0	0



PART 6 – Consultations received from other institutions and organizations

6.1 Consultations received from other government institutions and organizations

Consultations	Other government institutions	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
Pending at the end of the reporting period	0	0	0	0

6.2 Recommendations and completion time for consultations received from other government 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	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

6.3 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	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



PART 7 – Completion time of consultations on Cabinet confidences

Number of days	Number of responses received	Number of responses received past deadline
1 to 15	0	0
16 to 30	0	0
31 to 60	0	0
61 to 120	0	0
121 to 180	0	0
181 to 365	0	0
More than 365	0	0
Total	0	0

PART 8 – Resources related to the *Privacy Act*

8.1 Costs

Expenditures		Amount
Salaries		\$25,000
Overtime		\$0
Goods and Services		\$13,750
• Contracts for privacy impact assessments	\$0	
• Professional services contracts	\$0	
• Other	\$13,750	
Total		\$38,750

8.2 Human Resources

Resources	Dedicated full-time	Dedicated part-time	Total
Full-time employees	0.25	0.00	0.25
Part-time and casual employees	0.00	0.25	0.25
Regional staff	0.00	0.00	0.00
Consultants and agency personnel	0.00	0.00	0.00
Students	0.00	0.00	0.00
Total	0.25	0.25	0.50



Appendix

Appendix B: Delegation Order

Canada Council
for the Arts

Conseil des Arts
du Canada

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

Robert Simon

Director / Directeur

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Canada



Delegation of Powers, Duties and Functions Pursuant to
Section 73 of the *Privacy Act*

Sections of <i>Privacy Act</i>	Powers, Duties or Functions	Position/Title
8(2)(j)	Disclosure for research purposes	Director, Finance & Administration ATIP Coordinator
8(2)(m)	Disclosure in public interest or benefit to individual	Director, Finance & Administration ATIP Coordinator
8(4)	Copies of requests under 8(2)(e) to be retained	Director, Finance & Administration ATIP Coordinator
8(5)	Notice of disclosure	Director, Finance & Administration ATIP Coordinator
9(1)	Record of disclosures to be retained	Director, Finance & Administration ATIP Coordinator
9(4)	Consistent uses	Director, Finance & Administration ATIP Coordinator
10	Personal information to be included in personal information banks	Director, Finance & Administration ATIP Coordinator
14	Notice where access requested	Director, Finance & Administration ATIP Coordinator
15	Extension of time limits	Director, Finance & Administration ATIP Coordinator
16	Access refused	Director, Finance & Administration ATIP Coordinator
17(2)(b)	Language of access	Director, Finance & Administration ATIP Coordinator
17(3)(b)	Access to personal information in alternative format	Director, Finance & Administration ATIP Coordinator
18(2)	Exemption (exempt bank) – Disclosure may be refused	Director, Finance & Administration ATIP Coordinator
19(1)	Exemption – Personal information obtained in confidence	Director, Finance & Administration ATIP Coordinator
19(2)	Exemption – Where authorized to disclose	Director, Finance & Administration ATIP Coordinator
20	Exemption – Federal-provincial affairs	Director, Finance & Administration ATIP Coordinator
21	Exemption – International affairs and defence	Director, Finance & Administration ATIP Coordinator
22	Exemption – Law enforcement and investigation	Director, Finance & Administration ATIP Coordinator
22.3	Exemption – <i>Public Servants Disclosure Protection Act</i>	Director, Finance & Administration ATIP Coordinator
23	Exemption – Security clearances	Director, Finance & Administration ATIP Coordinator



24	Exemption – Individuals sentenced for an offence	Director, Finance & Administration ATIP Coordinator
25	Exemption – Safety of individuals	Director, Finance & Administration ATIP Coordinator
26	Exemption – Information about another individual	Director, Finance & Administration ATIP Coordinator
27	Exemption – Solicitor-client privilege	Director, Finance & Administration ATIP Coordinator
28	Exemption – Medical record	Director, Finance & Administration ATIP Coordinator
31	Notice of intention to investigate	Director, Finance & Administration ATIP Coordinator
33(2)	Right to make representation	Director, Finance & Administration ATIP Coordinator
35(1)	Findings and recommendations of Privacy Commissioner (complaints)	Director, Finance & Administration ATIP Coordinator
35(4)	Access to be given	Director, Finance & Administration ATIP Coordinator
36(3)	Report of findings and recommendations (exempt banks)	Director, Finance & Administration ATIP Coordinator
37(3)	Report of findings and recommendations (compliance review)	Director, Finance & Administration ATIP Coordinator
51(2)(b)	Special rules for hearings	Director, Finance & Administration ATIP Coordinator
51(3)	<i>Ex parte</i> representations	Director, Finance & Administration ATIP Coordinator
72(1)	Report to Parliament	Director, Finance & Administration ATIP Coordinator
Sections of Privacy Regulations	Powers, Duties or Functions	Position/Title
7	Retention for specific time	Director, Finance & Administration ATIP Coordinator
9	Reasonable facilities and time provided to examine personal information	Director, Finance & Administration ATIP Coordinator
11(2)	Notification that correction to personal information has been made	Director, Finance & Administration ATIP Coordinator
11(4)	Notification that correction to personal information has been refused	Director, Finance & Administration ATIP Coordinator
13(1)	Disclosure of personal information relating to physical or mental health may be made to a qualified medical practitioner or psychologist for an opinion on whether to release information to the requestor	Director, Finance & Administration ATIP Coordinator
14	Disclosure of personal information relating to physical or mental health may be made to a requester in the presence of a qualified medical practitioner or psychologist	Director, Finance & Administration ATIP Coordinator