



Office of the
Commissioner of
Official Languages

Commissariat
aux langues
officielles

2007–2008 ANNUAL REPORT ON THE ACCESS TO *INFORMATION ACT*

November 2008

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Introduction

The *Access to Information Act* was enacted on July 1, 1983. The Act gives Canadian citizens and permanent residents a broad right of access to information contained in federal government records, subject to certain specific and limited exceptions.

Following the adoption of the *Federal Accountability Act*, the Office of the Commissioner of Official Languages (OCOL) became subject to the *Access to Information Act* as of April 1, 2007. OCOL assigned the functions of access to information and of privacy to the Access to Information and Privacy (ATIP) Coordinator, a position created for this purpose.

OCOL has the mandate to take all measures to ensure that the three main objectives of the *Official Languages Act* are met. These objectives are the following:

- Equality of English and French in Parliament, the Government of Canada, the federal administration and the institutions subject to the Act;
- Preservation and development of official language communities in Canada; and
- Equality of English and French in Canadian society.

Section 72 of the *Access to Information Act* requires that the head of each federal government institution submit a report to Parliament on the application of the Act at the end of every fiscal year. This report describes how OCOL fulfilled its access to information responsibilities during fiscal year 2007–2008.

Organization of activities

In accordance with the *Access to Information Act*, the information gathered at OCOL is used only for the purposes for which it has been obtained and is primarily of a utilitarian nature (e.g., names and addresses of persons who file complaints with the Commissioner under the *Official Languages Act*, mailing lists, compensation, leave, travel). This information, among other things, enables the Commissioner to share the findings of the investigations with the interested parties, or it contributes to the effective management of the organization's human and material resources.

The responsibility of responding to access to information requests rests with the Information Management and Information Technology sector. OCOL has its internal procedures on access to information and has communicated them to staff in writing, during information sessions, on a group basis or individually.

OCOL has also established a procedure to keep track of newly appointed employees and contractors who create or make use of the organization's information. These individuals are invited to attend awareness and training sessions.

The ATIP Coordinator oversees the implementation of the *Access to Information Act* within OCOL and ensures compliance with the legislation. The ATIP Unit receives the requests, seeks clarification from the requestor where necessary and obtains the required records from the pertinent sectors of OCOL.

Within each main sector of OCOL, designated liaison officers help on-site employees identify and gather these records. Estimates are also produced at this level on request. The ATIP Unit analyses the records provided by the sectors and seeks their input along the way. The sectors undertake a formal review of the processed records prior to releasing them to the requestors.

Delegation of authority

The ATIP Coordinator has the delegated authority to oversee the implementation of the *Access to Information Act* within OCOL, to ensure compliance with the legislation and to apply the necessary exemptions.

Statistical report and interpretation

OCOL's 2007–2008 statistical report on the *Access to Information Act* is attached to this report.

OCOL received few requests under the Act during fiscal year 2007–2008. No particular trend or application of exemptions and exclusions is noted.

Education and training activities

In 2007–2008, OCOL employees were made aware of the Act through written communications, information sessions and advice to employees, on a group basis or individually. Particular attention was paid to communicating the legislator's intent regarding this law, and to the ensuing obligations for employees and program managers. Also highlighted were the new provisions of the Act that support the Commissioner's mandate. These sessions were delivered twice, on an ad hoc basis. A specific session addressing liaison officers' needs was delivered on request during this period as well.

Complaints and investigations

No complaint concerning OCOL was lodged with the Information Commissioner during fiscal year 2007–2008.

Appeals to Federal Court

No appeal concerning OCOL was filed in Federal Court during fiscal year 2007–2008.



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

| | | | | | |
|---|----------------------|---------------------------------------|------------------------------------|--|-------------|
| Institution / Office of the Commissioner of Official Languages / Commissariat aux langues officielles | | | | Reporting period / Période visée par le rapport 01.04.07 - 31.03.08 | |
| Source | Media / Médias 19 | Academia / Secteur universitaire - | Business / Secteur commercial - | Organization / Organisme - | Public 7 |

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 | 26 |
| Outstanding from previous period / En suspens depuis la période antérieure | - |
| TOTAL | 26 |
| Completed during reporting period / Traitées pendant la période visées par le rapport | 24 |
| Carried forward / Reportées | 2 |

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

| | | | |
|--|----|---|-----------|
| 1. All disclosed / Communication totale | 7 | 6. Unable to process / Traitement impossible | 4 |
| 2. Disclosed in part / Communication partielle | 11 | 7. Abandoned by applicant / Abandon de la demande | - |
| 3. Nothing disclosed (excluded) / Aucune communication (exclusion) | - | 8. Treated informally / Traitement non officiel | 2 |
| 4. Nothing disclosed (exempt) / Aucune communication (exemption) | - | TOTAL | 24 |
| 5. Transferred / Transmission | - | | |

III Exemptions invoked / Exceptions invoquées

| | | | | | | | |
|--|---|------------------|---|------------------|---|------------------|---|
| S. Art. 13(1)(a) | - | S. Art. 16(1)(a) | - | S. Art. 18(b) | - | S. Art. 21(1)(a) | 8 |
| (b) | - | (b) | - | (c) | - | (b) | 6 |
| (c) | - | (c) | - | (d) | - | (c) | - |
| (d) | - | (d) | - | S. Art. 19(1) | 5 | (d) | 1 |
| S. Art. 14 | 1 | S. Art. 16(2) | - | S. Art. 20(1)(a) | 2 | S. Art. 22 | 1 |
| S. 15(1) International rel. / Art. Relations interm. | - | S. Art. 16(3) | - | (b) | 3 | S. Art. 23 | 4 |
| Défence / Défense | - | S. Art. 17 | - | (c) | 1 | S. Art. 24 | - |
| Subversive activities / Activités subversives | - | S. Art. 18(a) | - | (d) | - | S. Art. 26 | 3 |

IV Exclusions cited / Exclusions citées

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

V Completion time / Délai de traitement

| | |
|--------------------------------------|----|
| 30 days or under / 30 jours ou moins | 16 |
| 31 to 60 days / De 31 à 60 jours | 4 |
| 61 to 120 days / De 61 à 120 jours | 3 |
| 121 days or over / 121 jours ou plus | 1 |

VI Extensions / Prorogations des délais

| | | |
|-----------------------|--------------------------------------|------------------------------------|
| | 30 days or under / 30 jours ou moins | 31 days or over / 31 jours ou plus |
| Searching / Recherche | - | 1 |
| Consultation | 2 | 4 |
| Third party / Tiers | - | 1 |
| TOTAL | 2 | 6 |

VII Translations / Traduction

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

VIII Method of access / Méthode de consultation

| | |
|---|----|
| Copies given / Copies de l'original | 17 |
| Examination / Examen de l'original | - |
| Copies and examination / Copies et examen | 1 |

IX Fees / Frais

| | | | |
|--|-----------|---|------------------|
| Net fees collected / Frais net perçus | | | |
| Application fees / Frais de la demande | \$ 150.00 | Preparation / Préparation | - |
| Reproduction | - | Computer processing / Traitement informatique | - |
| Searching / Recherche | - | TOTAL | \$ 150.00 |
| Fees waived / Dispense de frais | | No. of times / Nombre de fois | \$ |
| \$25.00 or under / 25 \$ ou moins | | 2 | \$ 10.00 |
| Over \$25.00 / De plus de 25 \$ | | - | - |

X Costs / Coûts

| | |
|---|-------------------|
| Financial (all reasons) / Financiers (raisons) | |
| Salary / Traitement | \$ 147,600 |
| Administration (O and M) / Administration (fonctionnement et maintien) | \$ - |
| TOTAL | \$ 147,600 |
| Person year utilization (all reasons) / Années-personnes utilisées (raison) | |
| Person year (decimal format) / Années-personnes (nombre décimal) | 1.5 |