

## CANADIAN COMMERCIAL CORPORATION

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

April 1, 2016 – March 31, 2017

#### 1. Introduction

The purpose of the *Access to Information Act* (the “Act”) is to provide individuals and corporations present in Canada with a right of access to records under the control of federal government institutions. The principles encompassed by the Act are that government information should be available to the public, necessary exceptions to the right of access should be limited and specific, and that decisions on the disclosure of government information should be reviewed independently of government.

The Act also specifies that it is intended to complement existing procedures for obtaining government information and is not to limit in any way the type of information that is normally available to the public, thereby denoting the importance of informal access.

This report is prepared and tabled in Parliament in accordance with section 72 of the *Access to Information Act*.

The Canadian Commercial Corporation (CCC), a Crown corporation listed in Schedule III Part I of the *Financial Administration Act*, reports to Parliament through the Minister of International Trade. CCC has a mandate to facilitate international trade and acts as Canada’s international contracting and procurement agency.

The Corporation’s primary service involves the establishment of government-to-government contracts with foreign government buyers to provide goods and services available for export from Canada. CCC then enters into contracts with Canadian exporters to fulfill the requirements of these government-to-government contracts. The procurement and contracting services provided for the benefit of Canadian exporters allows them to access markets where risk, transparency and competitiveness require a government-to- government arrangement.

While CCC is actively engaged in the aerospace, defence, security and infrastructure sectors, it also supports emerging and developing markets where foreign governments may require additional capacity to undertake complex and timely projects. CCC can operate either as prime contractor selling to governments, or as a procurement agent sourcing Canadian goods and services on behalf of governments in other countries. The Corporation also procures goods and services on behalf of other federal government institutions to assist the Government of Canada fulfill its in-kind aid contributions worldwide.

## **2. Organizational Structure**

The administration of the *Access to Information Act* within CCC is managed by the Access to Information and Privacy Unit within the Corporation's Legal Services branch. The Access to Information and Privacy Unit is responsible for responding to all requests submitted to CCC under the Act, developing internal policies and procedures, providing training and awareness to all staff, and ensuring compliance with the Act, its regulations and related policy instruments.

The role of CCC's ATIP Coordinator is assigned to the Vice President of Legal Services who is a member of the Corporation's executive committee and reports directly to the President. The ATIP Coordinator is supported by one full time law clerk dedicated to the processing of ATI requests, with the help of additional legal counsel and an administrative assistant as needed. During the 2016-2017 reporting period, CCC also hired an ATIP consultant for five months to process a complex request and assist with the backlog.

## **3. Delegation Order**

For the purposes of section 3 of the *Access to Information Act*, the President of CCC is designated as the "Head" of the institution.

Pursuant to section 73 of the Act, the President's authority has been delegated to enable the Corporation to meet its legislated requirements. The President has delegated all of his powers and duties under the Act to the Vice-President Legal Services, General Counsel and Corporate Secretary, who is also the ATIP Coordinator.

A copy of the Delegation Order, dated April 20, 2015, is attached as Annex A.

## **4. Highlights of the Statistical Report, 2016-2017**

Attached as Annex B is a copy of the Statistical Report on the *Access to Information Act* that was submitted to the Treasury Board of Canada.

During the reporting period, CCC processed a total of 59 requests for information under the *Access to Information Act*. Of those requests, 36 were formal requests received by CCC and 23 were consultation requests sent to CCC from other government institutions. CCC processed an additional 17 informal requests outside of the *Access to Information Act*.

### **Formal Requests**

While CCC has received a low historical average of five formal requests per year, some high profile contracts and increased media coverage have resulted in a steady increase in volume over the past five years. During the 2016-2017 reporting period CCC received 18 new formal requests, however an additional 18 formal requests were carried over

from the 2015-2016 reporting period, resulting in a total of 36 formal requests being processed in 2016-2017.

Of those 36 formal requests, CCC closed 31 during the 2016-2017 reporting period. The total number of pages that were processed in relation to the closed formal requests is 2426. The completion times for the closed formal requests are as follows: 11 were closed in 30 days or less; another 19 were closed within 31 to 180 days; and one was closed in excess of 180 days.

Due to the nature of CCC's mandate, which results in CCC being involved in contractual negotiations with foreign governments and being in possession of proprietary and confidential information owned by Canadian exporters, CCC frequently applies exemptions under section 15 and section 20 of the Act in order to protect its international affairs and the commercial interests of third parties.

CCC took extensions on 65% of the formal requests that were closed in the reporting period. Most of the extensions were as a result of consultations with other government institutions or third parties.

### **Consultation Requests**

CCC received 23 consultation requests between April 1, 2016 and March 31, 2017 resulting in a total of 1261 pages to review. There were no consultation requests carried over from the previous reporting period.

During the reporting period, CCC closed 21 of the 23 consultation requests it received. The completion time for the consultation requests that were closed during the reporting period are as follows: seven were completed in 1-15 days, seven were completed within 16-30 days, four were completed within 31-60 days, and another three were completed in 61 days or more.

## **5. Training**

CCC did not undertake any formal training initiatives during the reporting period due to lack of staff relative to the operational demands of the Corporation. However, based on the number of requests CCC receives annually, the Access to Information and Privacy Unit is able to offer 1:1 or small group training and guidance at the time a request is received.

## **6. Policy, Guidelines and Procedures**

During the reporting period, CCC approved and implemented a new *Access to Information Policy*. This policy provides a foundation for impending ATIP guidelines and complements the following existing policies and procedures: *Requests for Board Records Under the 'Access to Information Act'*; *Information Security Instruction, Policy for Internal Disclosure of Wrongdoing in the Workplace*, and *Code of Conduct and Business Ethics*.

## **7. Complaints and Investigations**

During the 2016-2017, CCC received eight new complaints from the Office of the Information Commissioner, of which one was subsequently abandoned. Those complaints were still under review at the end of the reporting period, as was one previous complaint received in 2014-15. No investigations were initiated during the reporting period.

## **8. Time Monitoring to Process Requests**

ATIP employees monitor and track the time taken to process access to information requests in an excel database and report their findings in the annual *Statistical Report*.



## Delegation Order

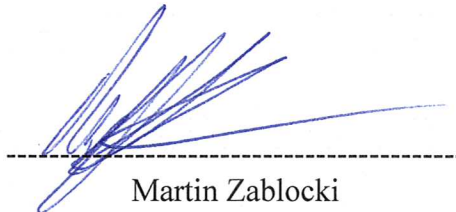
The President and Chief Executive Officer of the Canadian Commercial Corporation, pursuant to section 73 of the *Access to Information Act* and section 73 of the *Privacy Act*, hereby designates the persons holding the positions set out in the schedule hereto, or the persons occupying on an acting basis those positions, to exercise the powers, duties and functions of the President and Chief Executive Officer as the head of the Canadian Commercial Corporation, under the provisions of the Act and related regulations set out in the schedule opposite each position. This designation replaces all previous delegation orders.

Dated, at the City of Ottawa, this 20th day of April, 2015

## Arrêté de délégation

En vertu de l'article 73 de la *Loi sur l'accès à l'information* et de l'article 73 de la *Loi sur la protection des renseignements personnels*, le Président et Chef de la direction de la Corporation Commerciale Canadienne délègue aux titulaires des postes mentionnés à l'annexe ci-après, ainsi qu'aux personnes occupant à titre intérimaire lesdits postes, les attributions dont il est, en qualité de responsable de la Corporation Commerciale Canadienne, investi par les dispositions de la Loi ou de son règlement mentionnées dans l'annexe en regard de chaque poste. Le présent document remplace et annule tout arrêté antérieur.

Fait à la ville d'Ottawa, le 20e jour d'avril 2015



Martin Zablocki  
President and Chief Executive Officer / Président et Chef de la direction



## Schedule / Annexe

<b>Position / Poste</b>	<b><i>Access to Information Act and Regulations / Loi sur l'accès à l'information et Règlement</i></b>	<b><i>Privacy Act and Regulations / Loi sur la protection des renseignements personnels et Règlement</i></b>
Vice-President Legal Services, General Counsel and Corporate Secretary / Vice-présidente Services juridiques, avocate générale et secrétaire de la Corporation	Full authority / Autorité absolue	Full authority / Autorité absolue



## Statistical Report on the *Access to Information Act*

Name of institution: Canadian Commercial Corporation

Reporting period: 2016-04-01 to 2017-03-31

### Part 1: Requests Under the *Access to Information Act*

#### 1.1 Number of requests

	Number of Requests
Received during reporting period	18
Outstanding from previous reporting period	18
<b>Total</b>	<b>36</b>
Closed during reporting period	31
Carried over to next reporting period	5

#### 1.2 Sources of requests

Source	Number of Requests
Media	8
Academia	1
Business (private sector)	0
Organization	3
Public	6
Decline to Identify	0
<b>Total</b>	<b>18</b>

#### 1.3 Informal 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	
8	3	5	1	0	0	0	17

**Note:** All requests previously recorded as “treated informally” will now be accounted for in this section only.

## 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	0	6	0	1	0	0	0	7
Disclosed in part	0	2	1	8	6	1	0	18
All exempted	0	1	0	2	0	0	0	3
All excluded	0	0	0	0	0	0	0	0
No records exist	1	0	0	1	0	0	0	2
Request transferred	0	0	0	0	0	0	0	0
Request abandoned	0	1	0	0	0	0	0	1
Neither confirmed nor denied	0	0	0	0	0	0	0	0
<b>Total</b>	<b>1</b>	<b>10</b>	<b>1</b>	<b>12</b>	<b>6</b>	<b>1</b>	<b>0</b>	<b>31</b>

### 2.2 Exemptions

Section	Number of Requests	Section	Number of Requests	Section	Number of Requests	Section	Number of Requests
13(1)(a)	9	16(2)	1	18(a)	8	20.1	0
13(1)(b)	0	16(2)(a)	0	18(b)	10	20.2	0
13(1)(c)	0	16(2)(b)	0	18(c)	0	20.4	0
13(1)(d)	0	16(2)(c)	1	18(d)	5	21(1)(a)	10
13(1)(e)	0	16(3)	0	18.1(1)(a)	0	21(1)(b)	8
14	0	16.1(1)(a)	0	18.1(1)(b)	0	21(1)(c)	6
14(a)	0	16.1(1)(b)	0	18.1(1)(c)	0	21(1)(d)	2
14(b)	0	16.1(1)(c)	0	18.1(1)(d)	0	22	0
15(1)	0	16.1(1)(d)	0	19(1)	12	22.1(1)	0
15(1) - I.A.*	15	16.2(1)	0	20(1)(a)	3	23	1
15(1) - Def.*	0	16.3	0	20(1)(b)	11	24(1)	0
15(1) - S.A.*	0	16.4(1)(a)	0	20(1)(b.1)	0	26	0
16(1)(a)(i)	0	16.4(1)(b)	0	20(1)(c)	11		
16(1)(a)(ii)	0	16.5	0	20(1)(d)	3		
16(1)(a)(iii)	0	17	0				
16(1)(b)	0						
16(1)(c)	0						
16(1)(d)	0						

\* I.A.: International Affairs    Def.: Defence of Canada    S.A.: Subversive Activities



## 2.3 Exclusions

Section	Number of Requests	Section	Number of Requests	Section	Number of Requests
68(a)	0	69(1)	0	69(1)(g) re (a)	0
68(b)	0	69(1)(a)	0	69(1)(g) re (b)	0
68(c)	0	69(1)(b)	0	69(1)(g) re (c)	0
68.1	0	69(1)(c)	0	69(1)(g) re (d)	0
68.2(a)	0	69(1)(d)	0	69(1)(g) re (e)	0
68.2(b)	0	69(1)(e)	0	69(1)(g) re (f)	0
		69(1)(f)	0	69.1(1)	0

## 2.4 Format of information released

Disposition	Paper	Electronic	Other Formats
All disclosed	3	4	0
Disclosed in part	5	13	0
<b>Total</b>	<b>8</b>	<b>17</b>	<b>0</b>

## 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	74	74	7
Disclosed in part	2065	1173	18
All exempted	287	0	3
All excluded	0	0	0
Request abandoned	0	0	1
Neither confirmed nor denied	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	7	74	0	0	0	0	0	0	0	0
Disclosed in part	13	409	5	764	0	0	0	0	0	0
All exempted	2	0	1	0	0	0	0	0	0	0
All excluded	0	0	0	0	0	0	0	0	0	0
Request abandoned	1	0	0	0	0	0	0	0	0	0
Neither confirmed nor denied	0	0	0	0	0	0	0	0	0	0
<b>Total</b>	<b>23</b>	<b>483</b>	<b>6</b>	<b>764</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>

### 2.5.3 Other complexities

Disposition	Consultation Required	Assessment of Fees	Legal Advice Sought	Other	Total
All disclosed	0	0	0	0	0
Disclosed in part	12	0	0	1	13
All exempted	0	0	1	0	1
All excluded	0	0	0	0	0
Request abandoned	0	0	0	0	0
Neither confirmed nor	0	0	0	0	0
<b>Total</b>	12	0	1	1	14

### 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
1	0	0	0	1

#### 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	1	1
121 to 180 days	0	0	0
181 to 365 days	0	0	0
More than 365 days	0	0	0
<b>Total</b>	0	1	1

### 2.7 Requests for translation

Translation Requests	Accepted	Refused	Total
English to French	0	0	0
French to English	0	0	0
<b>Total</b>	0	0	0

## Part 3: Extensions

### 3.1 Reasons for extensions and disposition of requests

Disposition of Requests Where an Extension Was Taken	9(1)(a) Interference With Operations	9(1)(b) Consultation		9(1)(c) Third-Party Notice
		Section 69	Other	
All disclosed	1	0	0	0
Disclosed in part	4	0	11	1
All exempted	2	0	0	0
All excluded	0	0	0	0
No records exist	1	0	0	0
Request abandoned	0	0	0	0
<b>Total</b>	<b>8</b>	<b>0</b>	<b>11</b>	<b>1</b>

### 3.2 Length of extensions

Length of Extensions	9(1)(a) Interference With Operations	9(1)(b) Consultation		9(1)(c) Third-Party Notice
		Section 69	Other	
30 days or less	0	0	1	0
31 to 60 days	1	0	3	1
61 to 120 days	7	0	6	0
121 to 180 days	0	0	0	0
181 to 365 days	0	0	1	0
365 days or more	0	0	0	0
<b>Total</b>	<b>8</b>	<b>0</b>	<b>11</b>	<b>1</b>

## Part 4: Fees

Fee Type	Fee Collected		Fee Waived or Refunded	
	Number of Requests	Amount	Number of Requests	Amount
Application	15	\$75	2	\$10
Search	0	\$0	0	\$0
Production	0	\$0	0	\$0
Programming	0	\$0	0	\$0
Preparation	0	\$0	0	\$0
Alternative format	0	\$0	0	\$0
Reproduction	0	\$0	0	\$0
<b>Total</b>	<b>15</b>	<b>\$75</b>	<b>2</b>	<b>\$10</b>

## Part 5: Consultations Received From Other Institutions and Organizations

### 5.1 Consultations received from other Government of Canada institutions and organizations

Consultations	Other Government of Canada Institutions	Number of Pages to Review	Other Organizations	Number of Pages to Review
Received during reporting period	23	1261	0	0
Outstanding from the previous reporting period	0	0	0	0
<b>Total</b>	23	1261	0	0
Closed during the reporting period	21	1049	0	0
Pending at the end of the reporting period	2	212	0	0

### 5.2 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	1	1	1	0	0	0	0	3
Disclose in part	6	6	3	1	1	1	0	18
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
<b>Total</b>	7	7	4	1	1	1	0	21

### 5.3 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	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
<b>Total</b>	0	0	0	0	0	0	0	0

## Part 6: Completion Time of Consultations on Cabinet Confidences

### 6.1 Requests with Legal Services

Number of Days	Fewer 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
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
<b>Total</b>	0	0	0	0	0	0	0	0	0	0

### 6.2 Requests with Privy Council Office

Number of Days	Fewer 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
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
<b>Total</b>	0	0	0	0	0	0	0	0	0	0

## Part 7: Complaints and Investigations

Section 32	Section 35	Section 37	Total
8	0	0	8

## Part 8: Court Action

Section 41	Section 42	Section 44	Total
0	0	0	0

**Part 9: Resources Related to the Access to Information Act**

**9.1 Costs**

Expenditures		Amount
Salaries		\$103,980
Overtime		\$0
Goods and Services		\$59,876
• Professional services contracts	\$59,670	
• Other	\$206	
<b>Total</b>		<b>\$163,856</b>

**9.2 Human Resources**

Resources	Person Years Dedicated to Access to Information Activities
Full-time employees	1.10
Part-time and casual employees	0.00
Regional staff	0.00
Consultants and agency personnel	0.40
Students	0.00
<b>Total</b>	<b>1.50</b>

**Note:** Enter values to two decimal places.