



# ANNUAL REPORT

*Access to Information Act | Privacy Act*

IMMIGRATION, REFUGEES AND CITIZENSHIP CANADA

2015 | 2016



Immigration, Refugees  
and Citizenship Canada

Immigration, Réfugiés  
et Citoyenneté Canada

Canada

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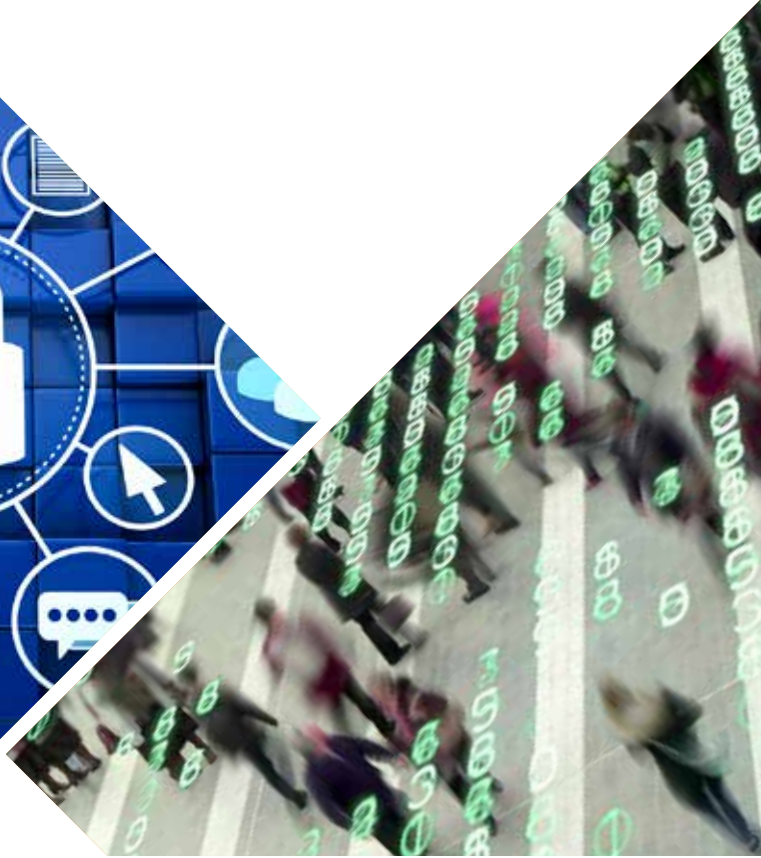
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# *Access to Information Act*

**IMMIGRATION, REFUGEES AND CITIZENSHIP CANADA**





# Part One

## *Access to Information Act*

### Introduction

Immigration, Refugees and Citizenship Canada (IRCC) is pleased to present to Parliament its 22nd annual report on the administration of the *Access to Information Act*. The report describes the activities that support compliance with the *Access to Information Act* for the fiscal year commencing April 1, 2015, and ending March 31, 2016.

The purpose of the *Access to Information Act* is to provide a right of access to information in records under the control of a government institution. The Act maintains that government information should be available to the public, that 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 the government.

Section 72 of the Act requires the head of every federal government institution to submit an annual report to Parliament on the administration of the Act during the fiscal year. This report outlines IRCC's accomplishments in carrying out its access to information responsibilities and obligations during the 2015–2016 reporting period.

### About Immigration, Refugees and Citizenship Canada

On November 5, 2015, through a statement from the Privy Council Office, it was confirmed that Citizenship and Immigration Canada would be renamed Immigration, Refugees and Citizenship Canada. This change in title represents the responsibilities of the new Minister and recognizes Canada's long-standing and significant tradition of helping refugees.

IRCC was established in 1994 to link citizenship registration and immigration services, to promote the unique ideals all Canadians share and to help build a stronger nation. Canada has a proud tradition of welcoming immigrants. Our immigration and refugee systems and our vast network of organizations that help newcomers settle and integrate are among the best in the world. On July 2, 2013, primary responsibility for the Passport Program (previously Passport Canada) and the administration of the *Canadian Passport Order* and the *Order Respecting the Issuance of Diplomatic and Special Passports* were transferred from Global Affairs Canada to IRCC.

IRCC's mandate comes from the shared jurisdiction of section 95 of the *Constitution Act, 1867*, the *Citizenship Act*, the *Immigration and Refugee Protection Act*, the *Canadian Passport Order* and the *Order Respecting the Issuance of Diplomatic and Special Passports*.

IRCC's work encompasses a broad range of activities such as:

- facilitating the arrival of people and their integration into Canadian life in a way that maximizes their contribution to the country while protecting the health, safety and security of Canadians;
- maintaining Canada's humanitarian tradition by protecting refugees and other people in need of protection;
- enhancing the values and promoting the rights and responsibilities of Canadian citizenship;
- administering the *Canadian Passport Order*; and
- advancing global migration policies in a way that supports Canada's immigration and humanitarian objectives.

## Access to Information and Privacy Division

The Access to Information and Privacy (ATIP) Division is part of the Corporate Affairs Branch in the Corporate Services Sector at IRCC. The Division administers the *Access to Information Act* and is led by a director, who acts as the ATIP coordinator for the Department. Three units carry out the Division's work: Operations; Complex Cases and Issues; and Privacy, Policy and Governance. Each unit's manager reports to the director.

The ATIP Division receives, coordinates and processes requests for information under the *Access to Information Act*, providing high-quality and timely service to requesters. The Division also coordinates requests made under the Mutual Legal Assistance Treaty.

IRCC maintains a network of 34 ATIP Liaison Officers, who represent the branches and regions of the Department. The ATIP Liaison Officers provide assistance by performing searches, collecting records and presenting recommendations related to requests.

# Activities and Accomplishments

## I. Performance

Yet again, IRCC has received more access to information (ATI) requests than any other federal institution. Specifically, a total of 41,660 ATI requests were received in the 2015–2016 fiscal year, which represents a marked increase of 22 percent from the previous year. As a result, it was another record-breaking year for IRCC. Despite such a substantial increase in volume, the Department processed 40,107 requests and maintained a high compliance rate of 87.49 percent.

## II. Initiatives

During the 2015–2016 fiscal year, IRCC undertook the following initiatives to improve internal processes and client service under the *Access to Information Act*:

- implemented a monthly performance report aimed at reducing the amount of time it takes IRCC branches to respond to requests for corporate records;
- restructured ATIP's business workflow to better organize and decrease the processing time for submitted requests; and
- actively monitored the intake and processing of files on a weekly and monthly basis, regularly reassessed priorities and redistributed workloads to maintain a high compliance rate.

Additionally, through formal and informal consultations, IRCC continues to collaborate and share best practices with numerous institutions, such as the Canada Border Services Agency, the Canada Revenue Agency, the Canadian Security Intelligence Service, Public Services and Procurement Canada, Employment and Social Development Canada, the Treasury Board of Canada Secretariat and Global Affairs Canada.

These best practices in improving and modernizing ATIP operations will continue in 2016–2017 and beyond.



### III. Promotion, Awareness and Training

During the reporting period, the ATIP Division continued to promote ATIP awareness through a variety of approaches and mediums. The ATIP Division:

- ♦ distributed promotional messages throughout the Department via Today@IRCC, the Department's internal electronic newsletter;
- ♦ reviewed its processes, which culminated in the creation of a new, three-hour training course entitled *Understanding and Managing ATIP Requests*. This course is geared to ATIP Liaison Officers and anyone directly involved in the ATIP process. The course was designed to provide a greater understanding of the roles and responsibilities of the ATIP Division, the Liaison Officers as well as various departmental officials in the processing of an ATIP request. Approximately 165 IRCC employees attended the course given in 12 sessions; and
- ♦ launched the newly mandatory online course *Protecting and Giving Access to Information at IRCC* for all employees. The course addresses how the Acts affect the Department's operations, how to protect the privacy of individuals as well as the roles and responsibilities of the ATIP Division and departmental employees. Over the course of the fiscal year, 2,919 employees took this course.

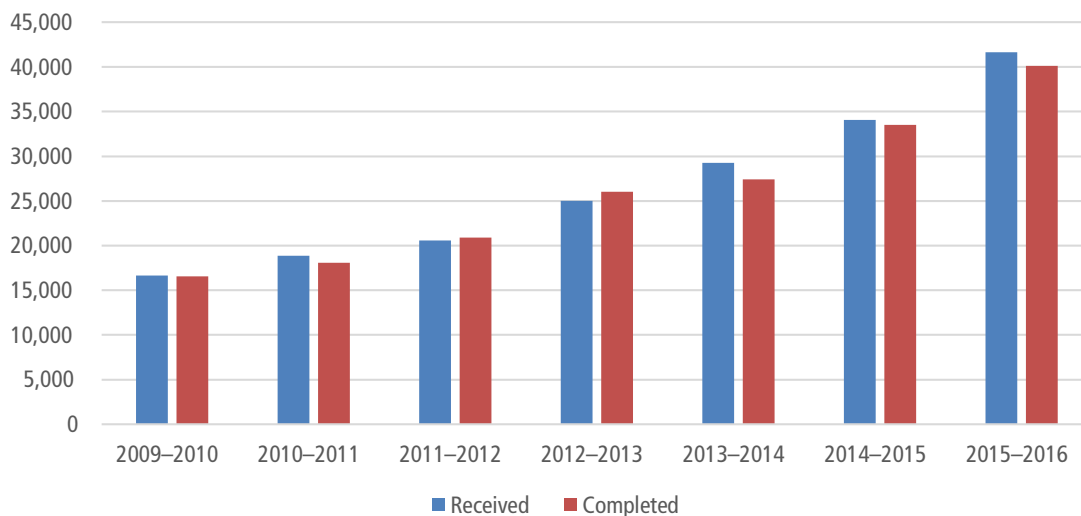
Overall, in 2015–2016, the ATIP Division trained (in-class and online) approximately 3,084 IRCC employees across Canada and abroad.

# Statistical Overview

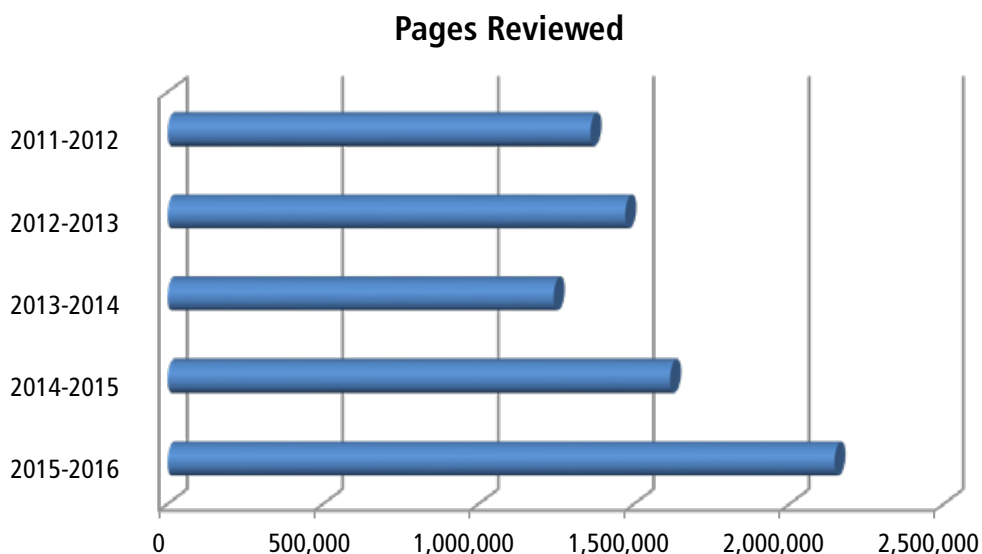
## I. Requests Received Under the *Access to Information Act*

IRCC remains the most accessed federal institution, receiving an unmatched 41,660 requests under the *Access to Information Act* between April 1, 2015, and March 31, 2016. This total represents an increase of nearly 22 percent from the previous reporting period. The number of requests received by the Department has more than doubled in the past five years. The majority of ATI requests received were for case files. In an effort to address the significant increase in volume, IRCC continues to improve efficiencies to respond to requests within the legislative time frame. This also includes a concerted effort department-wide to provide improved client service in various program areas, thereby reducing the number of ATI requests received.

### Access to Information Requests Received and Completed



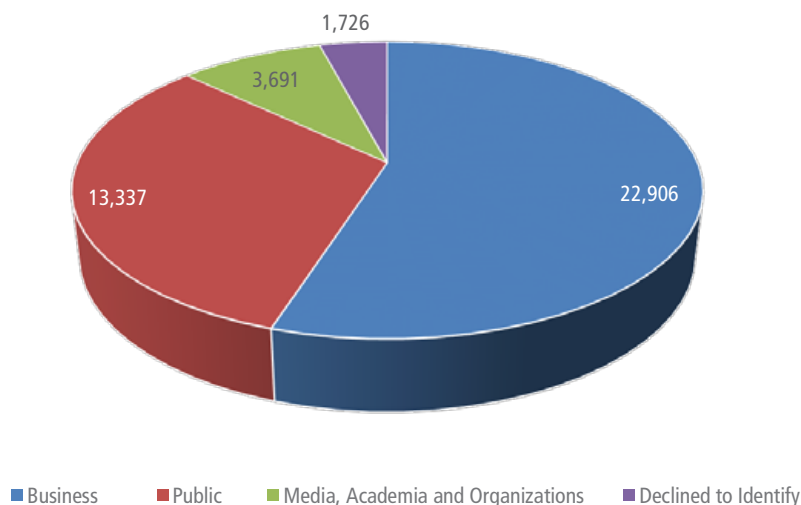
As the number of requests continues to grow exponentially, the volume and complexity of the information being considered continues to grow as well. In 2015–2016, IRCC reviewed over 2,145,173 pages, representing a 33 percent increase since last fiscal year.



## II. Sources of Requests

The business sector (primarily made up of immigration consultants and lawyers) is still the largest source of requests, accounting for 55 percent of all requests. The general public accounts for 32 percent of requests. Requests derived from media, academia and other organizations account for nine percent. The remaining four percent represents requesters who declined to identify themselves.

### Sources of Access to Information Requests



### III. Disposition of Completed Requests

In 2015–2016, IRCC completed 40,107 requests. The ATIP Division utilized various measures, including weekly briefing sessions with senior management, with the goal of monitoring the intake of requests and ensuring that requests are processed within the legislative time frame.

In 10,650 cases (27 percent), IRCC provided all the information requested. In 26,559 requests (66 percent), the Department invoked exemptions. Of the remaining 2,898 requests (seven percent), either no records existed or the request was transferred, abandoned or IRCC could neither confirm nor deny the existence of these records.

### IV. Exemptions Invoked

The majority of exemptions invoked by IRCC fell under the following three sections of the *Access to Information Act*:

- ♦ subsection 19(1), which protects personal information and was used in 18,388 cases (46 percent);
- ♦ subsection 15(1), which covers international relations, defence and subversive activities and was used in 8,885 cases (22 percent); and
- ♦ subsection 16(1), which addresses law enforcement and criminal investigations and was used in 7,865 cases (20 percent).

It should be noted that more than one section can be applied to a specific request.

### V. Consultations

In addition to processing requests received directly under the *Access to Information Act*, IRCC was consulted by other federal government institutions in 270 cases in which the records under the control of these institutions related to IRCC activities.

### VI. Extensions

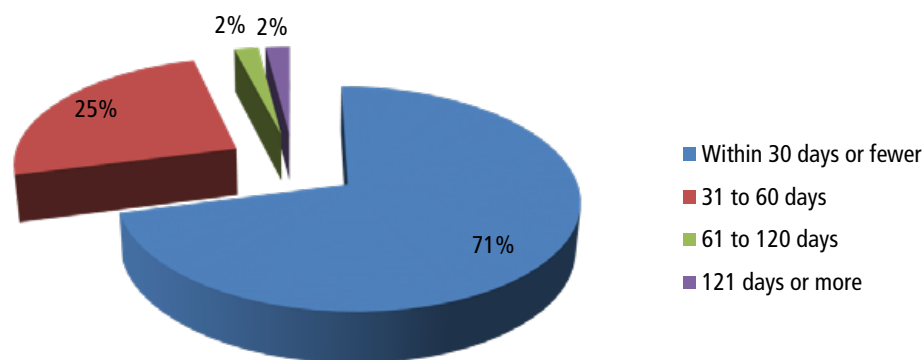
Section 9 of the *Access to Information Act* allows the statutory time limits to be extended if consultations are necessary or if the request is for a large volume of records, and processing it within the original time limit would unreasonably interfere with the operations of the Department.

IRCC invoked a total of 954 extensions during the 2015–2016 reporting period. Extensions were required in 332 instances when IRCC consulted with other federal institutions prior to responding. Extensions were required in 593 instances to search through a large volume of records and/or to respond to the influx of requests, which interfered with operations. The Department also invoked 29 extensions to conduct third-party notifications.

## VII. Completion Time

IRCC responded to 28,306 requests (71 percent) within 30 days or fewer and a further 10,130 requests (25 percent) within 31 to 60 days. The Department completed 987 requests (two percent) within 61 to 120 days, and 684 requests (two percent) required 121 days or more to complete.

**Access to Information Requests Completion Time**



## VIII. Complaints

During the 2015–2016 reporting period, the Department was notified of 185 complaints received by the Office of the Information Commissioner. This represents less than half of a percent of all requests completed during this period. The majority of complaints were related to processing times, extensions and exemptions.

During the reporting period, 110 complaint investigations were completed. Of these, 47 complaints were abandoned, discontinued or deemed to be unfounded, and the remaining 63 complaints were resolved to the satisfaction of the requester.

## IX. Appeals to the Federal Court

No appeals to the Federal Court were filed against IRCC regarding the *Access to Information Act* during the 2015–2016 reporting period.

## X. Informal Access Requests

In 2015–2016, IRCC received 900 informal access requests for corporate records, which were previously released on the Government of Canada's Open Data website under the category of Proactive Disclosure.

# Appendix A: Report on the *Access to Information Act*



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

Name of institution: Immigration, Refugees and Citizenship Canada

Reporting period: 2015-04-01 to 2016-03-31

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

#### 1.1 Number of requests

	Number of Requests
Received during reporting period	41660
Outstanding from previous reporting period	3662
<b>Total</b>	<b>45322</b>
Closed during reporting period	40107
Carried over to next reporting period	5215

#### 1.2 Sources of requests

Source	Number of Requests
Media	268
Academia	1539
Business (private sector)	22906
Organization	1884
Public	13337
Declined to Identify	1726
<b>Total</b>	<b>41660</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	
186	303	137	206	52	2	14	900

**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	78	7830	2512	166	30	23	11	10650
Disclosed in part	94	17731	7363	792	165	148	185	26478
All exempted	2	5	4	4	1	3	0	19
All excluded	37	19	4	0	1	1	0	62
No records exist	515	439	181	10	13	15	11	1184
Request transferred	20	0	0	0	0	0	0	20
Request abandoned	1319	216	65	15	3	10	64	1692
Neither confirmed nor denied	1	0	1	0	0	0	0	2
<b>Total</b>	<b>2066</b>	<b>26240</b>	<b>10130</b>	<b>987</b>	<b>213</b>	<b>200</b>	<b>271</b>	<b>40107</b>

### 2.2 Exemptions

Section	Number of Requests	Section	Number of Requests	Section	Number of Requests	Section	Number of Requests
13(1)(a)	1528	16(2)	929	18(a)	0	20.1	0
13(1)(b)	25	16(2)(a)	2	18(b)	0	20.2	0
13(1)(c)	22	16(2)(b)	0	18(c)	0	20.4	0
13(1)(d)	26	16(2)(c)	22	18(d)	1	21(1)(a)	202
13(1)(e)	0	16(3)	0	18.1(1)(a)	0	21(1)(b)	218
14	25	16.1(1)(a)	0	18.1(1)(b)	0	21(1)(c)	62
14(a)	59	16.1(1)(b)	1	18.1(1)(c)	0	21(1)(d)	49
14(b)	12	16.1(1)(c)	20	18.1(1)(d)	1	22	204
15(1)	0	16.1(1)(d)	0	19(1)	18388	22.1(1)	4
15(1) - I.A.*	799	16.2(1)	1	20(1)(a)	5	23	110
15(1) - Def.*	711	16.3	0	20(1)(b)	66	24(1)	9
15(1) - S.A.*	7375	16.4(1)(a)	0	20(1)(b.1)	0	26	62
16(1)(a)(i)	7	16.4(1)(b)	0	20(1)(c)	21		
16(1)(a)(ii)	4	16.5	0	20(1)(d)	12		
16(1)(a)(iii)	5	17	100				
16(1)(b)	85						
16(1)(c)	7763						
16(1)(d)	1						

\* 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)	43	69(1)	4	69(1)(g) re (a)	12
68(b)	0	69(1)(a)	3	69(1)(g) re (b)	12
68(c)	0	69(1)(b)	1	69(1)(g) re (c)	12
68.1	43	69(1)(c)	0	69(1)(g) re (d)	12
68.2(a)	43	69(1)(d)	2	69(1)(g) re (e)	12
68.2(b)	0	69(1)(e)	4	69(1)(g) re (f)	12
		69(1)(f)	3	69.1(1)	12

## 2.4 Format of information released

Disposition	Paper	Electronic	Other Formats
All disclosed	272	10378	0
Disclosed in part	419	26058	0
<b>Total</b>	<b>691</b>	<b>36436</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	380116	367399	10650
Disclosed in part	1742990	1534572	26478
All exempted	2236	0	19
All excluded	780	0	62
Request abandoned	19051	7478	1692
Neither confirmed nor denied	0	0	2

### 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	10112	260857	521	85391	12	6622	4	7317	1	7212
Disclosed in part	22897	816858	3304	545465	224	111239	49	55160	4	5850
All exempted	12	0	5	0	2	0	0	0	0	0
All excluded	61	0	0	0	1	0	0	0	0	0
Request abandoned	1664	2896	19	2065	5	936	4	1581	0	0
Neither confirmed nor denied	2	0	0	0	0	0	0	0	0	0
<b>Total</b>	<b>34748</b>	<b>1080611</b>	<b>3849</b>	<b>632921</b>	<b>244</b>	<b>118797</b>	<b>57</b>	<b>64058</b>	<b>5</b>	<b>13062</b>

## 2.5.3 Other complexities

Disposition	Consultation Required	Assessment of Fees	Legal Advice Sought	Other	Total
All disclosed	98	0	0	4	102
Disclosed in part	445	3	0	27	475
All exempted	9	0	0	2	11
All excluded	2	0	0	2	4
Request abandoned	25	3	0	1	29
Neither confirmed nor denied		0	0	0	0
<b>Total</b>	<b>579</b>	<b>6</b>	<b>0</b>	<b>36</b>	<b>621</b>

## 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
4328	4085	126	117	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	2746	63	2809
16 to 30 days	402	26	428
31 to 60 days	339	26	365
61 to 120 days	206	32	238
121 to 180 days	114	22	136
181 to 365 days	78	47	125
More than 365 days	167	60	227
<b>Total</b>	<b>4052</b>	<b>276</b>	<b>4328</b>

## 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>	<b>0</b>	<b>0</b>	<b>0</b>

## 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	100	0	26	4
Disclosed in part	437	4	269	22
All exempted	6	0	5	0
All excluded	3	0	2	0
No records exist	18	0	12	1
Request abandoned	29	1	13	2
<b>Total</b>	<b>593</b>	<b>5</b>	<b>327</b>	<b>29</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	48	1	89	0
31 to 60 days	480	1	122	17
61 to 120 days	32	1	103	8
121 to 180 days	21	2	11	0
181 to 365 days	12	0	2	4
365 days or more	0	0	0	0
<b>Total</b>	<b>593</b>	<b>5</b>	<b>327</b>	<b>29</b>

## Part 4: Fees

Fee Type	Fee Collected		Fee Waived or Refunded	
	Number of Requests	Amount	Number of Requests	Amount
Application	39814	\$199,345	125	\$760
Search	3	\$375	1	\$225
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>39817</b>	<b>\$199,720</b>	<b>126</b>	<b>\$985</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	260	12255	11	654
Outstanding from the previous reporting period	10	675	0	0
<b>Total</b>	<b>270</b>	<b>12930</b>	<b>11</b>	<b>654</b>
Closed during the reporting period	248	9945	11	654
Pending at the end of the reporting period	22	2985	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	76	39	16	3	0	0	0	134
Disclose in part	27	28	25	4	0	0	0	84
Exempt entirely	7	5	3	1	0	0	0	16
Exclude entirely	2	1	2	0	0	0	0	5
Consult other institution	0	0	0	0	0	0	0	0
Other	6	2	0	1	0	0	0	9
<b>Total</b>	<b>118</b>	<b>75</b>	<b>46</b>	<b>9</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>248</b>

### 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	2	0	2	0	0	0	0	4
Disclose in part	2	3	1	0	0	0	0	6
Exempt entirely	0	0	1	0	0	0	0	1
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>	<b>4</b>	<b>3</b>	<b>4</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>11</b>

## 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	2	49	0	0	0	0	0	0	0	0
16 to 30	0	0	1	108	0	0	0	0	0	0
31 to 60	0	0	0	0	0	0	0	0	0	0
61 to 120	1	36	0	0	0	0	0	0	0	0
121 to 180	0	0	1	202	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>	<b>3</b>	<b>85</b>	<b>2</b>	<b>310</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>

### 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>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>

## Part 7: Complaints and Investigations

Section 32	Section 35	Section 37	Total
185	12	0	197

## 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		\$2,666,947
Overtime		\$74,520
Goods and Services		\$89,628
• Professional services contracts	\$60,957	
• Other	\$28,671	
<b>Total</b>		<b>\$2,831,095</b>

### 9.2 Human Resources

Resources	Person Years Dedicated to Access to Information Activities
Full-time employees	26.40
Part-time and casual employees	16.30
Regional staff	0.00
Consultants and agency personnel	0.00
Students	0.03
<b>Total</b>	<b>42.73</b>

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

**DEPARTMENT OF IMMIGRATION, REFUGEES AND  
CITIZENSHIP OF CANADA**

**MINISTÈRE DE L'IMMIGRATION, DES RÉFUGIÉS ET DE LA  
CITOYENNETÉ DU CANADA**

**DELEGATION OF AUTHORITY**

**DÉLÉGATION DE POUVOIRS**

**ACCESS TO INFORMATION  
ACT AND PRIVACY ACT**

**LOI SUR L'ACCÈS À  
L'INFORMATION ET LOI SUR  
LA PROTECTION DES  
RENSEIGNEMENTS  
PERSONNELS**

I, Minister of Immigration, Refugees and Citizenship, pursuant to Section 73 of the *Access to Information Act* and of the *Privacy Act*, hereby authorize the officer and employee of Immigration, Refugees and Citizenship whose position or classification is set out in the attached Schedule to carry out those of my powers, duties or functions under the Acts that are set in the Schedule in relation to that officer and employee.

En ma qualité de ministre de l'Immigration, des Réfugiés et de la Citoyenneté et conformément à l'article 73 de la *Loi sur l'accès à l'information* et de la *Loi sur la protection des renseignements personnels*, j'autorise par la présente l'agent(e) et employé(e) du ministère de l'Immigration, des Réfugiés et de la Citoyenneté dont le poste ou la classification est énoncé dans l'annexe ci-jointe à exécuter mes fonctions, pouvoirs ou attributions en vertu des lois précisées dans l'annexe visant cet(te) agent(e) et employé(e).

Dated at Ottawa

Fait à Ottawa

This 20 day of JUNE 2016

ce 20 jour de Juin 2016

  
John McCallum, P.C., M.P.

Minister of Immigration, Refugees and Citizenship

John McCallum, C.P., député

Ministre de l'Immigration, des Réfugiés et de la Citoyenneté

## Appendix B: Delegation Order

### Delegation of Authority under the Access to Information Act and the Access to Information Regulations

Position / Title\*

DESCRIPTIONS	SECTION	Position / Title*									
		1 DM	2 ADM-CS / DG-CA	3 ATIP / DIRECTOR	4 ATIP / ASSISTANT DIRECTORS	5 ATIP / PM-05 OPS	6 ATIP / PM-05 CCI	7 ATIP / PM-04 OPS	8 ATIP / PM-04 CCI	9 ATIP / PM-03 OPS	10 ATIP / PM-03 CCI
<b>Access to Information Act</b>											
Notice where access granted	7	●	●	●	●	●	●	●	●	●	●
Transfer of request	8(1)	●	●	●	●	●	●	●	●	●	●
Extension of time limits	9(1)	●	●	●	●	●	●	●	●	●	●
Notice of extension to Commissioner	9(2)	●	●	●	●	●	●	●	●	●	●
Notice where access refused	10(1) and (2)	●	●	●	●	●	●	●	●	●	●
Payment of additional fees	11(2)	●	●	●	●	●	●	●	●	●	●
Payment of fees for EDP record	11(3)	●	●	●	●	●	●	●	●	●	●
Deposit	11(4)	●	●	●	●	●	●	●	●	●	●
Notice of fee payment	11(5)	●	●	●	●	●	●	●	●	●	●
Waiver or refund of fees	11(6)	●	●	●	●	●	●	●	●	●	●
Translation	12(2)	●	●	●	●	●	●	●	●	●	●
Conversion to alternate format	12(3)	●	●	●	●	●	●	●	●	●	●
Information obtained in confidence	13	●	●	●	●	●		●			
Refuse access: federal-provincial affairs	14	●	●	●	●	●					
Refuse access: international affairs, defence	15(1)	●	●	●	●	●		●			
Refuse access: law enforcement and investigation	16(1)	●	●	●	●	●		●		●	
Refuse access: security information	16(2)	●	●	●	●	●		●		●	
Refuse access: policing services for provinces or municipalities	16(3)	●	●	●	●	●		●		●	
Refuse access: safety of individuals	17	●	●	●	●	●	●	●		●	
Refuse access: economic interests of Canada	18	●	●	●	●	●					
Refuse access: another person's information	19(1)	●	●	●	●	●	●	●	●	●	●
Disclose personal information	19(2)	●	●	●	●	●	●	●	●	●	●
Refuse access: third-party information	20(1)	●	●	●	●	●					
Disclose testing methods	20(2) and (3)	●	●	●	●	●					
Disclose third-party information	20(5)	●	●	●	●	●					
Disclose in public interest	20(6)	●	●	●	●	●					
Refuse access: advice, etc.	21	●	●	●	●	●					

Refuse access: tests and audits	22	●	●	●	●	●						
Refuse access: solicitor-client privilege	23	●	●	●	●	●		●				
Refuse access: prohibited information	24(1)	●	●	●	●	●						
Disclose severed information	25	●	●	●	●	●	●	●				
Refuse access: information to be published	26	●	●	●	●	●						
Notice to third parties	27(1)	●	●	●	●	●	●					
Extension of time limit	27(4)	●	●	●	●	●	●					
Notice of third-party disclosure	28(1)	●	●	●	●	●	●					
Representation to be made in writing	28(2)	●	●	●	●	●	●					
Disclosure of record	28(4)	●	●	●	●	●						
Disclosure on Commissioner's recommendation	29(1)	●	●	●	●	●			●			
Notice of intention to investigate	32	●	●	●	●	●			●			
Notice to third party	33	●	●	●	●	●			●			
Right to make representations	35(2)	●	●	●	●	●	●		●			
Findings and recommendations of the Information Commissioner	37(1)(b)	●	●	●	●	●			●			
Access given to complainant	37(4)	●	●	●	●	●						
Notice to third party of court action	43(1)	●	●	●	●	●						
Notice to person who requested record	44(2)	●	●	●	●	●						
Special rules for hearings	52(2)	●	●	●	●							
<i>Ex parte</i> representations	52(3)	●	●	●	●	●						
Exempt information may be excluded	71(2)	●	●	●	●	●						
<b>Access to Information Regulations</b>												
Transfer of requests	6	●	●	●	●	●	●	●	●	●	●	●
Examination of records	8	●	●	●	●	●	●	●	●	●	●	●

- Delegation

### Legend

DM	Deputy Minister
ADM-CS / DG-CA	ADM, Corporate Services / Director General, Corporate Affairs
ATIP / DIRECTOR	Director, Access to Information and Privacy (EX-01)
ATIP / ASSISTANT DIRECTORS	Assistant Director, ATIP Operations (OPS) (PM-06) / Assistant Director, Complex Cases and Issues (CCI) (PM-06)
ATIP / PM-05 OPS	Senior ATIP Administrators, ATIP Operations (OPS)
ATIP / PM-05 CCI	Senior ATIP Administrators, ATIP Complex Cases and Issues (CCI)
ATIP / PM-04 OPS	ATIP Administrators, ATIP Operations (OPS)
ATIP / PM-04 CCI	ATIP Administrators, ATIP Complex Cases and Issues (CCI)
ATIP / PM-03 OPS	ATIP Officers, ATIP Operations (OPS)
ATIP / PM-03 CCI	ATIP Officers, ATIP Complex Cases and Issues (CCI)

\* Includes acting appointments and assignments to these positions made pursuant to the *Public Service Employment Act and Regulations*.



# *Privacy Act*

**IMMIGRATION, REFUGEES AND CITIZENSHIP CANADA**



## Part Two

### *Privacy Act*

## Introduction

Immigration, Refugees and Citizenship Canada (IRCC) is pleased to present to Parliament its 22nd annual report on the administration of the *Privacy Act*. The report describes the activities that support compliance with the *Privacy Act* for the fiscal year commencing April 1, 2015, and ending March 31, 2016.

The purpose of the *Privacy Act* is to extend the present laws of Canada that protect the privacy of individuals with respect to personal information about themselves held by a government institution and to provide individuals with a right of access to that information. The Act protects an individual's privacy by preventing others from having unlawful access to personal information as well as permits an individual specific rights regarding the collection, use and disclosure of this information.

Section 72 of the Act requires the head of every federal government institution to submit an annual report to Parliament on the administration of the Act during the fiscal year. This report outlines IRCC's accomplishments in carrying out its privacy responsibilities and obligations during the 2015–2016 reporting period.

## About Immigration, Refugees and Citizenship Canada

On November 5, 2015, through a statement from the Privy Council Office, it was confirmed that Citizenship and Immigration Canada would be renamed Immigration, Refugees and Citizenship Canada. This change in title represents the responsibilities of the new Minister and recognizes Canada's long-standing and significant tradition of helping refugees.

IRCC was established in 1994 to link citizenship registration and immigration services, to promote the unique ideals all Canadians share and to help build a stronger nation. Canada has a proud tradition of welcoming immigrants. Our immigration and refugee systems and our vast network of organizations that help newcomers settle and integrate are among the best in the world. On July 2, 2013, primary responsibility for the Passport Program (previously Passport Canada) and the administration of the *Canadian Passport Order* and the *Order Respecting the Issuance of Diplomatic and Special Passports* were transferred from Global Affairs Canada to IRCC.

IRCC's mandate comes from the shared jurisdiction of section 95 of the *Constitution Act, 1867*, the *Citizenship Act*, the *Immigration and Refugee Protection Act* (IRPA), the *Canadian Passport Order* and the *Order Respecting the Issuance of Diplomatic and Special Passports*.



IRCC's work encompasses a broad range of activities such as:

- facilitating the arrival of people and their integration into Canadian life in a way that maximizes their contribution to the country while protecting the health, safety and security of Canadians;
- maintaining Canada's humanitarian tradition by protecting refugees and other people in need of protection;
- enhancing the values and promoting the rights and responsibilities of Canadian citizenship;
- administering the *Canadian Passport Order*; and
- advancing global migration policies in a way that supports Canada's immigration and humanitarian objectives.

## Access to Information and Privacy Division

The Access to Information and Privacy (ATIP) Division is part of the Corporate Affairs Branch in the Corporate Services Sector at IRCC. The Division administers the *Privacy Act* and is led by a director, who acts as the ATIP coordinator for the Department. Three units carry out the Division's work: Operations; Complex Cases and Issues; and Privacy, Policy and Governance. Each unit's manager reports to the director.

At its National Headquarters in Ottawa, IRCC processes privacy requests, including requests from investigative bodies as well as requests made under the Mutual Legal Assistance Treaty.

IRCC maintains a network of 34 ATIP Liaison Officers, who represent the branches and regions of the Department. The ATIP Liaison Officers provide assistance by performing searches, collecting records and presenting recommendations related to requests.

# Activities and Accomplishments

## I. Performance

In the 2015–2016 fiscal year, IRCC received 15,292 privacy requests, representing nearly an 11 percent increase from the previous reporting period.

## II. Initiatives

During the fiscal year, IRCC undertook the following initiatives to improve internal processes and client service under the *Privacy Act*:

- created the new role of Chief Privacy Officer to provide strategic leadership and direction on privacy work as well as to raise awareness about privacy within the Department;
- developed the *Privacy Framework* to meet departmental privacy obligations and to foster a coherent approach to privacy protection. The framework enhances IRCC's ability to protect the privacy of individuals by safeguarding and securing personal information held under its control;
- overhauled the *Privacy Impact Assessment Guidelines* in order to provide policy guidance and practical advice on how to conduct a privacy impact assessment (PIA) at IRCC. These guidelines demonstrate the Department's commitment and ongoing effort to mitigate risk in the handling of the public's personal information;
- conducted an extensive review and update of IRCC's Personal Information Banks;
- updated the *Guidelines on Privacy Breach at IRCC* to deal with and effectively respond to privacy breaches. The document outlines the roles and responsibilities of various parties with the Department as well as the notification requirements for material privacy breaches; and
- actively monitored the intake and processing of files on a weekly and monthly basis, regularly reassessed priorities and redistributed workloads to maintain a high compliance rate.

Additionally, through formal and informal consultations, IRCC continues to collaborate and share best practices with numerous institutions, such as the Canada Border Services Agency, the Canada Revenue Agency, the Canadian Security Intelligence Service, Public Services and Procurement Canada, Employment and Social Development Canada, the Treasury Board of Canada Secretariat and Global Affairs Canada.

These best practices in improving and modernizing ATIP operations will continue in 2016–2017 and beyond.

### III. Promotion, Awareness and Training

During the reporting period, the ATIP Division continued to promote ATIP awareness through a variety of approaches and mediums. The ATIP Division:

- ♦ distributed promotional messages about privacy throughout the Department via Today@IRCC, the Department's internal electronic newsletter;
- ♦ launched the newly mandatory online course *Protecting and Giving Access to Information at IRCC* for all employees. The course addresses how the Acts affect the Department's operations, how to protect the privacy of individuals, and the roles as well as responsibilities of the ATIP Division and departmental employees. Over the course of the fiscal year, 2,919 employees took this course;
- ♦ promoted and celebrated Data Privacy Day on January 28, 2016, by hosting an information booth to raise awareness about the importance of privacy and protecting personal information; and
- ♦ provided ad hoc workshop presentations and awareness sessions to reinforce and increase knowledge and understanding of privacy and personal information.

Overall, in 2015–2016, the ATIP Division trained (in-class and online) approximately 3,084 IRCC employees across Canada and abroad.

# Statistical Overview

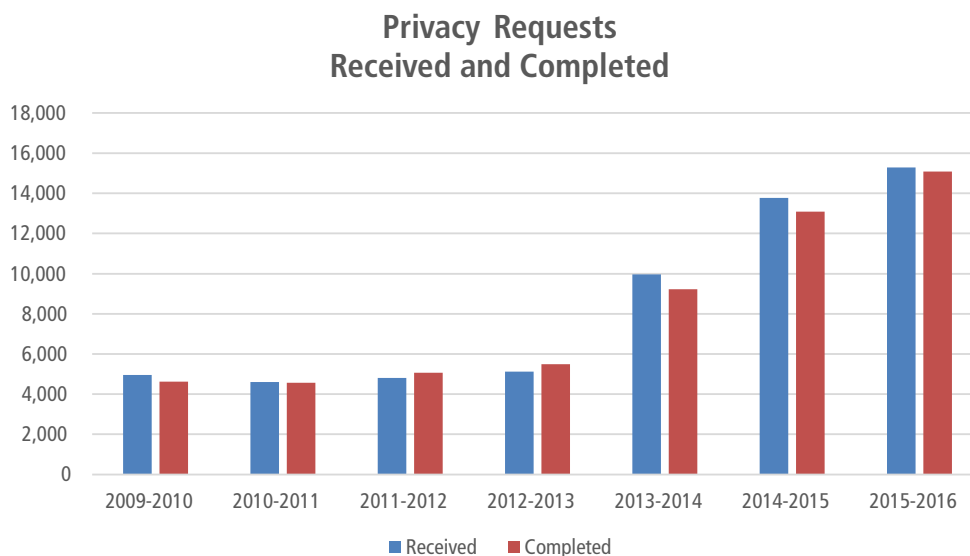
## I. Requests Received Under the *Privacy Act*

Between April 1, 2015, and March 31, 2016, IRCC received 15,292 requests under the *Privacy Act*. This represents an increase of nearly 11 percent from the previous reporting period.

## II. Disposition of Completed Requests

The number of requests received and completed has increased significantly—more than tripling over the past five years. In 2015–2016, IRCC completed 15,077 requests. The ATIP Division put in place various measures, such as weekly briefing sessions with senior management, with the goal of monitoring the intake of requests and ensuring that requests were processed within the legislative time frame.

In 2,810 cases (19 percent), IRCC provided all the information requested. For 9,785 requests (65 percent), the Department invoked exemptions. Of the remaining 2,482 requests (16 percent), either no records existed or the request was transferred, abandoned or IRCC could neither confirm nor deny the existence of these records.



## III. Exemptions Invoked

The majority of exemptions invoked by IRCC fell under the following three sections of the *Privacy Act*:

- ♦ section 26, which protects personal information and was used in 6,549 cases (43 percent);
- ♦ section 21, which covers international relations, defence and subversive activities and was used in 5,394 cases (36 percent); and
- ♦ paragraph 22(1)(b), which addresses law enforcement and criminal investigations and was used in 2,820 cases (19 percent).

It should be noted that more than one section can be applied to a specific request.

## IV. Disclosure of Personal Information Under Subsection 8(2)

In accordance with subsection 8(2) of the *Privacy Act*, under certain circumstances, a government institution may disclose personal information under its control without the consent of the individual to whom the information relates.

During this reporting period, IRCC disclosed personal information under subsection 8(2) in responding to 4,837 requests from investigative bodies under paragraph 8(2)(e).

In addition, eight requests were received under paragraph 8(2)(m) of the *Privacy Act*, with six of these resulting in the disclosure of personal information:

- A request was received from Global Affairs Canada (GAC) to release the personal information of two individuals to allow GAC to contact authorities in a circumstance where the safety and security of a child was at risk. The Office of the Privacy Commissioner (OPC) was notified after the disclosure of the information took place, due to the urgency of the situation.
- A second request was received from GAC to obtain the contact information of guarantors on two individuals' passport applications in order to inform the guarantors of the death of two Canadians overseas. The OPC was notified at the same time as the disclosure to GAC, due to the urgency of the situation.
- In another request, the Minister of IRCC released information about an individual. This information included the name, immigration status and reasons for the immigration status. The OPC was notified at the same time of the status. The information was released to protect the safety and security of Canadians.
- In one request, IRCC provided the contact information of an individual to the Ontario Public Guardian and Trustee in order for them to contact this individual who was the only remaining next of kin.
- Two requests were received from the Public Health Agency of Canada (PHAC). In one case, the agency requested the contact information (such as address, phone number or any other method of contact) of individuals who were in close proximity to a person with a communicable disease. In another case, the PHAC requested the names, dates of birth, city of destination and immigration file numbers of individuals who were in close contact with another individual who had a communicable disease. In the first case, the OPC was notified of the release at the same time as the disclosure to the PHAC. In the second case, the OPC was notified after the release of the information, due to the urgency of the situation.
- The remaining two requests did not meet the criteria of paragraph 8(2)(m).

## V. Consultations

In addition to processing requests received directly under the *Privacy Act*, IRCC was consulted by other federal government institutions in 46 cases in which the records under their control related to IRCC activities.

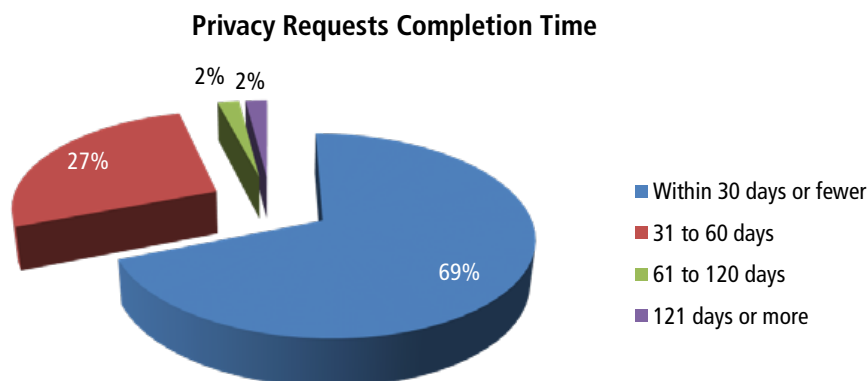
## VI. Extensions

Section 15 of the *Privacy Act* allows the statutory time limits to be extended if consultations are necessary, if translation is required or if the request is for a large volume of records, and processing it within the original time limit would unreasonably interfere with the operations of the Department.

IRCC invoked a total of 157 extensions during the 2015–2016 reporting period. Of these, 39 were deemed necessary because IRCC needed to consult with other federal institutions prior to responding. Extensions were required in a further 118 instances to search for or through a large volume of records and/or to respond to the influx of requests, which interfered with operations. The Department did not invoke any extensions for translation purposes.

## VII. Completion Time

While managing a significant increase in requests, IRCC completed a majority of requests within 30 days. IRCC responded to 10,465 requests (69 percent) within 30 days or fewer and a further 4,080 requests (27 percent) within 31 to 60 days. The Department completed 303 requests (two percent) within 61 to 120 days, and 229 requests (two percent) required 121 days or more to complete.



## VIII. Complaints

During the 2015–2016 reporting period, the Department was notified of 14 privacy complaints received by the OPC. This represents less than half a percent of all requests completed during this period. The majority of complaints were related to processing times.

During the reporting period, 17 complaint investigations were completed. Of these, six were deemed not well founded or discontinued, while 11 were resolved to the satisfaction of the requester.

## IX. Privacy Breaches

In 2015–2016, IRCC notified the OPC and the Treasury Board of Canada Secretariat (TBS) of 55 material privacy breaches. Many of these breaches involved misdirected mail or email. IRCC monitors these privacy breaches closely and puts in place notification and remedial measures, as information about an individual's case file could be used improperly, including for potential identity theft.

The program area notified and sent apology letters to the affected individuals. The ATIP Division provided advice and guidance on containment and mitigation strategies to improve the protection of personal information. In addition, senior officials were notified of all material breaches to facilitate communication within the Department and raise awareness of issues that could hinder the public's right to privacy.

## X. Appeals to the Federal Court

One appeal to the Federal Court was filed against IRCC regarding the *Privacy Act* during the 2015–2016 reporting period. A decision was rendered in IRCC's favour, and thus, the appeal was dismissed.

## XI. Privacy Impact Assessments

To fulfil its mandate and effectively deliver its programs and services, IRCC collects, uses and discloses personal information. In accordance with the TBS policy, the Department regularly undertakes PIAs to determine whether privacy risks are present in new or existing departmental programs, initiatives or projects that collect and retain personal information.

During the 2015–2016 fiscal year, IRCC completed seven PIAs. Their executive summaries are provided below.

### *Strengthening Canadian Citizenship Act*

A PIA was conducted for the implementation of the *Strengthening Canadian Citizenship Act* (SCCA), which received Royal Assent in June 2014, with final provisions coming into force on June 11, 2015. Representing the first major overhaul of Canada's *Citizenship Act* in over 30 years, the primary objectives of the SCCA are to reinforce the value of citizenship, strengthen program integrity, combat fraud and increase efficiency.

The purpose of the PIA was to identify and assess potential privacy impacts associated with the introduction of the SCCA on IRCC's Citizenship Program. It included a review of new information-sharing authorities enabled under the SCCA and the new and amended *Citizenship Regulations* and *Citizenship Regulations No. 2* as well as a review of the collection and use of personal information in IRCC's updated citizenship application process.



The PIA found that the privacy risks related to the introduction of the SCCA are assessed as moderate to low, with all privacy risks identified in the PIA being effectively managed through the use of departmental controls. In summary, individuals are notified of the purposes for which personal information is to be collected prior to collection, and all personal information collected, used, disclosed or retained by IRCC is limited to that which is authorized under the SCCA and its supporting Regulations.

### ***Educational Credential Assessment***

The Educational Credential Assessment (ECA) requirement was first introduced as part of the modernization of the Federal Skilled Worker Program (FSWP) in May 2013 and has since been broadened to other economic immigration program and pilots. ECA reports attesting to the equivalency of an immigration applicant's completed foreign credential to a completed educational credential in Canada and to its authenticity are issued by organizations designated by the Minister of Immigration, Refugees and Citizenship. As part of the Express Entry application system that was introduced on January 30, 2015, applicants for the FSWP are required to submit their ECA results and ECA report reference number as part of their online profile.

Given that the ECA report is a new minimum requirement that involves third-party organizations, a PIA was conducted to identify any privacy risks to personal information and the appropriate mitigation measures. To provide the ECA service, designated organizations collect personal information from potential applicants, such as educational credential documentation, and work on a case-by-case basis to authenticate foreign educational credentials and determine their equivalent value in Canada. Once individuals submit their application to IRCC for a program that either requires an ECA or a program for which an ECA is considered, IRCC officers have secure online access to the designated organizations' databases to verify and validate applicants' ECA reports. The results of this PIA indicate that mechanisms put in place by IRCC, such as service agreements with the organizations designated by the Minister, provide the necessary protection to personal information. The two risks relating to access to and security of personal information, identified as part of the PIA analysis, were rated as low, since appropriate mitigation measures are in place that reduce the likelihood of their occurrence.

### ***Electronic Travel Authorization***

The Electronic Travel Authorization (eTA) is a new entry requirement that Canada introduced as a means to improve the security of the North American perimeter. Under this initiative, citizens from countries that do not need a visa to enter Canada (excluding citizens of the United States and other limited exempted groups) need an eTA to fly to or through Canada. However, until September 29, 2016, travellers who do not have an eTA can board their flight as long as they have appropriate travel documents, such as a passport.

The objectives of the PIA report were to identify and outline mitigating measures required to address any privacy risks associated with the management of personal information collected from eTA applicants. The PIA was also conducted to ensure that personal information collected under the eTA program is the minimal amount necessary for assessing eligibility and admissibility to Canada.

## ***GCDOCS***

The objective of the GCDOCS PIA is to identify any privacy risks associated with the implementation of GCDOCS. The PIA provides recommendations in the form of mitigation measures to reduce or eliminate these risks. GCDOCS is the Government of Canada's standard Electronic Document and Records Management Solution and will be IRCC's single corporate repository, replacing the Records, Documents and Information Management System and shared drives. GCDOCS will support IRCC's effort to become compliant with the TBS Directive on Recordkeeping. The long-term objective is for GCDOCS to be the only repository to manage unstructured information within IRCC.

In the process of performing a privacy impact analysis for the implementation of GCDOCS, some privacy issues have been identified—all of which have a low to medium risk level. This PIA was focused on the collection, accuracy, use, disclosure, retention and disposition of any personal information that may be stored in GCDOCS. Certain privacy risks were identified as well as mitigation strategies to address these risks.

## ***Passport Program Transition***

On July 2, 2013, primary accountability for the Passport Program (previously Passport Canada) was transferred from the Minister of GAC, formerly Foreign Affairs, formerly the Department of Foreign Affairs, Trade and Development, to the Minister of IRCC, formerly Citizenship and Immigration Canada, with Employment and Social Development Canada (ESDC) serving as the delivery agent for the majority of domestic passport services on behalf of IRCC. ESDC's service delivery responsibilities for the Passport Program are restricted to its Service Canada initiative.

Pursuant to this transfer, IRCC assumed accountability for the Passport Program, including program policy, decisions on passport eligibility, refusal and revocation, and management of service fees through the Revolving Fund. ESDC became responsible for the bulk of domestic service delivery, including in-person and mail application intake, examination and processing, document printing and call centres. GAC continues to provide passport services through its network of points of service abroad.

The objective of the Passport Program PIA was to identify the business processes that would have been governing the program as of April 1, 2014. The scope of the PIA is to explain the work flows that have changed, explain the work flows that require additional or expanded exchanges of information between the three departments and explain how the three departments work together in delivering the Passport Program.

Many of the risks initially identified in the PIA in early 2014 were also identified in prior PIAs of Passport Canada. These, as well as any other additional risks that were anticipated as a consequence of the transition, were deemed to be low. These risks have recently been re-examined to ensure that they have been adequately mitigated or that mitigation strategies are in place.

## *Negative Discretion Authority*

Under section 22.1 of the IRPA, the Minister of Immigration, Refugees and Citizenship may declare that a foreign national may not become a temporary resident for up to three years if the individual raises public policy concerns. This authority, referred to as “negative discretion,” came into force on August 30, 2013.

Guidelines available on the Department’s website provide examples of behaviours and activities that may attract the Minister’s attention for consideration under the authority, such as promoting terrorist activity or inciting hatred that is likely to lead to violence against vulnerable groups.

A PIA report was completed to determine if the use of the negative discretion authority is compliant with privacy principles, to determine if there are any associated privacy risks and to provide recommendations for the mitigation or elimination of these risks.

The PIA report identified a few privacy risks that will be mitigated or eliminated by modifying existing personal information banks. IRCC and the Canada Border Services Agency are modifying their relevant personal information banks to reflect the identified new consistent use of personal information and to incorporate sharing of personal information with transporters for the purpose of enforcing the IRPA and its Regulations.

## *Canada-United Kingdom Case-By-Case Annex*

The annex concerns the exchange of information on a case-by-case basis under the Memorandum of Understanding between the Department of Immigration, Refugees and Citizenship Canada and the Canada Border Services Agency with the United Kingdom Secretary of State for the Home Department acting through the Home Office regarding the exchange of information.

On September 9, 2015, Canada signed an updated information-sharing arrangement with the United Kingdom that enables the exchange of immigration and citizenship information on a case-by-case basis to assist in the administration and enforcement of each country’s immigration and citizenship laws. The updated information-sharing arrangement reflects modernized privacy protections.

A detailed PIA was carried out in 2015 to ensure that the case-by-case annex reflected Canadian privacy requirements, including the *Privacy Act* and related policies.

The updated arrangement contains provisions that protect personal information to a high standard consistent with both countries’ domestic laws.

Specific measures that will be employed to protect privacy include:

- ♦ ensuring that procedures related to retention and disposal of information are clearly established;
- ♦ requiring robust mechanisms to track and audit information sharing to ensure compliance with data security and privacy requirements;
- ♦ using encryption and other security tools to protect files that are shared;
- ♦ conducting regular reviews and quality assurance checks to ensure information safeguards are working;
- ♦ consulting the organization in each country responsible for oversight of privacy as appropriate;
- ♦ ensuring individuals subject to information sharing have access to their information and the ability to correct erroneous information; and
- ♦ implementing measures to ensure exchanges are necessary, relevant and proportionate, including the designation of officials authorized to exchange information.

Mitigation strategies will be implemented in respect to risks identified in the PIA, which include documenting roles and responsibilities, naming program custodians, designating officials authorized to exchange information, improving notation processes, detailing procedures for the correction of inaccurate information and updating relevant Personal Information Banks.

# Appendix C: Report on the *Privacy Act*



## Statistical Report on the *Privacy Act*

Name of institution: Immigration, Refugees and Citizenship Canada

Reporting period: 2015-04-01 to 2016-03-31

### Part 1: Requests Under the *Privacy Act*

	Number of Requests
Received during reporting period	15292
Outstanding from previous reporting period	1731
<b>Total</b>	<b>17023</b>
Closed during reporting period	15077
Carried over to next reporting period	1946

### 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	18	1938	796	37	11	6	4	2810
Disclosed in part	40	6189	3148	250	66	48	36	9777
All exempted	3	2	0	0	0	0	0	5
All excluded	0	1	2	0	0	0	0	3
No records exist	367	159	86	10	3	0	10	635
Request abandoned	1558	187	48	6	1	1	43	1844
Neither confirmed nor denied	0	3	0	0	0	0	0	3
<b>Total</b>	<b>1986</b>	<b>8479</b>	<b>4080</b>	<b>303</b>	<b>81</b>	<b>55</b>	<b>93</b>	<b>15077</b>

## 2.2 Exemptions

Section	Number of Requests	Section	Number of Requests	Section	Number of Requests
18(2)	0	22(1)(a)(i)	2	23(a)	0
19(1)(a)	420	22(1)(a)(ii)	0	23(b)	0
19(1)(b)	21	22(1)(a)(iii)	0	24(a)	0
19(1)(c)	5	22(1)(b)	2820	24(b)	0
19(1)(d)	18	22(1)(c)	9	25	10
19(1)(e)	0	22(2)	0	26	6549
19(1)(f)	0	22.1	0	27	31
20	1	22.2	0	28	1
21	5394	22.3	1		

## 2.3 Exclusions

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

## 2.4 Format of information released

Disposition	Paper	Electronic	Other formats
All disclosed	384	2426	0
Disclosed in part	376	9401	0
<b>Total</b>	<b>760</b>	<b>11827</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	87183	81458	2810
Disclosed in part	687067	619210	9777
All exempted	319	0	5
All excluded	110	0	3
Request abandoned	3373	1966	1844
Neither confirmed nor denied	0	0	3
<b>Total</b>	<b>778052</b>	<b>702634</b>	<b>14442</b>

## 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	2607	50773	199	28331	3	1290	1	1064	0	0
Disclosed in part	8446	313380	1198	211881	97	51136	36	42813	0	0
All exempted	4	0	1	0	0	0	0	0	0	0
All excluded	3	0	0	0	0	0	0	0	0	0
Request abandoned	1836	1189	8	777	0	0	0	0	0	0
Neither confirmed nor denied	3	0	0	0	0	0	0	0	0	0
<b>Total</b>	<b>12899</b>	<b>365342</b>	<b>1406</b>	<b>240989</b>	<b>100</b>	<b>52426</b>	<b>37</b>	<b>43877</b>	<b>0</b>	<b>0</b>

## 2.5.3 Other complexities

Disposition	Consultation Required	Legal Advice Sought	Interwoven Information	Other	Total
All disclosed	12	0	0	0	12
Disclosed in part	103	2	0	0	105
All exempted	2	0	0	0	2
All excluded	0	0	0	0	0
Request abandoned	0	0	0	0	0
Neither confirmed nor denied	0	0	0	0	0
<b>Total</b>	<b>117</b>	<b>2</b>	<b>0</b>	<b>0</b>	<b>119</b>

## 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
2111	2087	24	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	1314	28	1342
16 to 30 days	283	1	284
31 to 60 days	193	8	201
61 to 120 days	93	10	103
121 to 180 days	43	4	47
181 to 365 days	36	6	42
More than 365 days	79	13	92
<b>Total</b>	2041	70	2111

## 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: Disclosures Under Subsections 8(2) and 8(5)

Paragraph 8(2)(e)	Paragraph 8(2)(m)	Subsection 8(5)	Total
4837	5	5	4847

## Part 4: Requests for Correction of Personal Information and Notations

Disposition for Correction Requests Received	Number
Notations attached	1
Requests for correction accepted	4
<b>Total</b>	5

## 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	13	0	0	0
Disclosed in part	86	0	39	0
All exempted	0	0	0	0
All excluded	0	0	0	0
No records exist	5	0	0	0
Request abandoned	14	0	0	0
<b>Total</b>	118	0	39	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	1	0	0	0
16 to 30 days	117	0	39	0
<b>Total</b>	118	0	39	0

## Part 6: Consultations Received From Other Institutions and Organizations

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

Consultations	Other Government of Canada Institutions	Number of Pages to Review	Other Organizations	Number of Pages to Review
Received during the reporting period	45	635	0	0
Outstanding from the previous reporting period	1	22	0	0
<b>Total</b>	46	657	0	0
Closed during the reporting period	43	559	0	0
Pending at the end of the reporting period	3	98	0	0

### 6.2 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	
All disclosed	21	2	4	0	1	0	0	28
Disclosed in part	5	2	3	2	1	0	0	13
All exempted	1	0	0	0	0	0	0	1
All excluded	0	0	0	0	0	0	0	0
Consult other institution	0	0	0	0	0	0	0	0
Other	0	1	0	0	0	0	0	1
<b>Total</b>	27	5	7	2	2	0	0	43

### 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	More Than 365 Days	
All disclosed	0	0	0	0	0	0	0	0
Disclosed in part	0	0	0	0	0	0	0	0
All exempted	0	0	0	0	0	0	0	0
All excluded	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 7: Completion Time of Consultations on Cabinet Confidences

### 7.1 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

### 7.2 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 8: Complaints and Investigations Notices Received

Section 31	Section 33	Section 35	Court action	Total
14	0	0	0	14

## Part 9: Privacy Impact Assessments (PIAs)

Number of PIA(s) completed	7
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## Part 10: Resources Related to the *Privacy Act*

### 10.1 Costs

Expenditures		Amount
Salaries		\$1,313,571
Overtime		\$36,704
Goods and Services		\$44,145
• Professional services contracts	\$30,023	
• Other	\$14,122	
<b>Total</b>		<b>\$1,394,420</b>

### 10.2 Human Resources

Resources	Person Years Dedicated to Privacy Activities
Full-time employees	13.00
Part-time and casual employees	8.10
Regional staff	0.00
Consultants and agency personnel	0.00
Students	0.00
<b>Total</b>	<b>21.10</b>

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

**DEPARTMENT OF IMMIGRATION, REFUGEES AND  
CITIZENSHIP OF CANADA****MINISTÈRE DE L'IMMIGRATION, DES RÉFUGIÉS ET DE LA  
CITOYENNETÉ DU CANADA****DELEGATION OF AUTHORITY****DÉLÉGATION DE POUVOIRS****ACCESS TO INFORMATION  
ACT AND PRIVACY ACT****LOI SUR L'ACCÈS À  
L'INFORMATION ET LOI SUR  
LA PROTECTION DES  
RENSEIGNEMENTS  
PERSONNELS**

I, Minister of Immigration, Refugees and Citizenship, pursuant to Section 73 of the *Access to Information Act* and of the *Privacy Act*, hereby authorize the officer and employee of Immigration, Refugees and Citizenship whose position or classification is set out in the attached Schedule to carry out those of my powers, duties or functions under the Acts that are set in the Schedule in relation to that officer and employee.

En ma qualité de ministre de l'Immigration, des Réfugiés et de la Citoyenneté et conformément à l'article 73 de la *Loi sur l'accès à l'information* et de la *Loi sur la protection des renseignements personnels*, j'autorise par la présente l'agent(e) et employé(e) du ministère de l'Immigration, des Réfugiés et de la Citoyenneté dont le poste ou la classification est énoncé dans l'annexe ci-jointe à exécuter mes fonctions, pouvoirs ou attributions en vertu des lois précisées dans l'annexe visant cet(te) agent(e) et employé(e).

Dated at Ottawa

Fait à Ottawa

This 20 day of JUNE 2016ce 20 jour de juin 2016  
John McCallum, P.C., M.P.

Minister of Immigration, Refugees and Citizenship

John McCallum, C.P., député

Ministre de l'Immigration, des Réfugiés et de la Citoyenneté

# Appendix D: Delegation Order

## Delegation of Authority under the *Privacy Act* and the *Privacy Regulations*

DESCRIPTIONS	SECTION	Position / Title										
		DM	ADM-CS / DG-CA	ADM-SPP / DG-RE	ATIP / DIRECTOR	ATIP / ASSISTANT DIRECTOR CCI	ATIP / ASSISTANT DIRECTOR OPS / ATIP / PM-05 OPS	ATIP / PM-05 CCI	ATIP / PM-04 OPS	ATIP / PM-04 CCI	ATIP / PM-03 OPS	ATIP / PM-03 CCI
<b>Privacy Act</b>												
Disclosure to investigative bodies	8(2)(e)	●	●		●		●		●		●	
Disclosure for research and statistics	8(2)(j)	●	●	●								
Disclosure in public interest clearly outweighs any invasion of privacy	8(2)(m)(i)	●										
Disclosure in public interest, benefit of individual	8(2)(m)(ii)	●										
Record of disclosure for investigations	8(4)	●	●		●		●					
Notify Privacy Commissioner of 8(2)(m)	8(5)	●	●		●							
Record of consistent uses	9(1)	●	●		●							
Notify Privacy Commissioner of consistent uses	9(4)	●	●		●							
Personal information in banks	10(1)	●	●		●							
Notice where access is granted	14	●	●		●	●	●	●	●	●	●	●
Extension of time limits	15	●	●		●	●	●	●	●	●	●	●
Notice where access is refused	16	●	●		●	●	●	●	●	●	●	●
Decision regarding translation	17(2)(b)	●	●		●	●	●	●	●	●	●	●
Conversion to alternate format	17(3)(b)	●	●		●	●	●	●	●	●	●	●
Refuse access: exempt bank	18(2)	●	●		●	●	●	●				
Refuse access: confidential information	19(1)	●	●		●	●	●		●			
Disclose confidential information	19(2)	●	●		●	●	●		●			
Refuse access: federal-provincial affairs	20	●	●		●	●	●					
Refuse access: international affairs, defence	21	●	●		●	●	●		●			
Refuse access: law enforcement and investigation	22	●	●		●	●	●		●		●	
Refuse access: security clearance	23	●	●		●	●	●		●		●	
Refuse access: person under sentence	24	●	●		●	●	●					
Refuse access: safety of individuals	25	●	●		●	●	●	●	●		●	
Refuse access: another person's information	26	●	●		●	●	●	●	●	●	●	●
Refuse access: solicitor-client privilege	27	●	●		●	●	●		●			

Refuse access: medical record	28	●	●		●	●	●		●			
Receive notice of investigation	31	●	●		●	●	●			●		
Representation to Privacy Commissioner	33(2)	●	●		●	●	●	●		●		
Response to findings and recommendations of the Privacy Commissioner within a specified time	35(1)(b)	●	●		●	●	●			●		
Access given to complainant	35(4)	●	●		●	●	●					
Response to review of exempt banks	36(3)(b)	●	●		●							
Response to review of compliance	37(3)	●	●		●	●	●					
Request of court hearing in the National Capital Region	51(2)(b)	●	●		●	●						
<i>Ex parte</i> representation to court	51(3)	●	●		●	●	●					
<b>Privacy Regulations</b>												
Examination of records	9	●	●		●	●	●	●	●	●	●	●
Correction of personal information	11(2)	●	●		●	●	●	●				
Notification of refusal to correct personal information	11(4)	●	●		●	●	●	●				
Disclosure: medical information	13(1)	●	●		●	●						
Disclosure: medical information—examine in person, in the presence of a duly qualified medical practitioner	14	●	●		●	●						

● Delegation

### Legend

DM	Deputy Minister
ADM-CS / DG-CA	ADM, Corporate Services / Director General, Corporate Affairs
ADM-SPP / DG-RE	Associate ADM, Strategic and Program Policy / Director General, Research and Evaluation
ATIP / DIRECTOR	Director, Access to Information and Privacy (EX-01)
ATIP / ASSISTANT DIRECTOR CCI	Assistant Director, Complex Cases and Issues (CCI), (PM-06)
ATIP / ASSISTANT DIRECTOR OPS	Assistant Director, ATIP Operations, OPS (PM-06)
ATIP / PM-05 OPS	Senior ATIP Administrator, ATIP Operations (OPS)
ATIP / PM-05 CCI	Senior ATIP Administrators, Complex Cases and Issues (CCI)
ATIP / PM-04 OPS	ATIP Administrators, ATIP Operations (OPS)
ATIP / PM-04 CCI	ATIP Administrators, Complex Cases and Issues (CCI)
ATIP / PM-03 OPS	ATIP Officers, ATIP Operations (OPS)
ATIP / PM-03 CCI	ATIP Officers, ATIP Complex Cases and Issues (CCI)

\*Includes acting appointments and assignments to these positions made pursuant to the *Public Service Employment Act* and *Regulations*.