



Report on the Administration of the
Access to Information Act
for the Fiscal Year
2011–2012

Introduction

Purpose of the *Access to Information Act*

The *Access to Information Act* describes its purpose as follows:

The purpose of this Act is to extend the present laws of Canada to provide a right of access to information in records under the control of a government institution in accordance with the principles 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 government.

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

CBC/Radio-Canada Mandate

The Corporation's mission is set out in paragraphs 3(1)(l) and 3(1)(m) of the *Broadcasting Act*, which provide:

(l) the Canadian Broadcasting Corporation, as the national public broadcaster, should provide radio and television services incorporating a wide range of programming that informs, enlightens and entertains;

(m) the programming provided by the Corporation should

(i) be predominantly and distinctively Canadian,

(ii) reflect Canada and its regions to national and regional audiences, while serving the special needs of those regions,

(iii) actively contribute to the flow and exchange of cultural expression,

(iv) be in English and in French, reflecting the different needs and circumstances of each official language community, including the particular needs and circumstances of English and French linguistic minorities,

(v) strive to be of equivalent quality in English and in French,

(vi) contribute to shared national consciousness and identity,

(vii) be made available throughout Canada by the most appropriate and efficient means and as resources become available for the purpose, and

(viii) reflect the multicultural and multiracial nature of Canada;

Board of Directors

The Corporation is governed by a Board of Directors composed of 12 members, including the Chair, and the President and CEO. The Board of Directors is responsible for the management of the businesses, activities and other affairs of the Corporation. The key responsibilities of the Board are to approve the strategic direction, corporate and business plans for the Corporation, to assess the Corporation's progress in achieving its strategic and business objectives, and to oversee the plans and policies in place to ensure effective communication with Parliament, the public and stakeholders.

Organizational Structure to Fulfill Access to Information Act Responsibilities

CBC/Radio Canada's Associate General Counsel for Media Law is the Corporation's Access to Information and Privacy (ATIP) Coordinator. Reporting to the Vice-President, Real Estate, Legal Services and General Counsel, the ATIP Coordinator is assisted by a full-time ATIP office of eight employees comprising a Director, a Senior Policy, Training and Performance Reporting Officer, and two ATIP processing teams each made up of two analysts and a clerk. Additional support is provided to the ATIP Coordinator by half a full-time equivalent in the form of a lawyer with relevant expertise and good knowledge of the Corporation.

The Corporation has a formal network of 22 ATIP liaison officers covering all of the Corporation's business areas. The liaison officers are responsible for retrieving records and providing initial release recommendations to the ATIP office.

Delegation Order

Pursuant to section 73 of the *Access to Information Act*, the President and CEO of CBC/Radio-Canada has delegated certain of his functions as they relate to the administration of the *Access to Information Act* within CBC/Radio-Canada to the Corporation's ATIP Coordinator and its ATIP Director.

A copy of CBC/Radio Canada's delegation order is appended to this report as Annex A.

Statistical Reports

The statistical report submitted to the Treasury Board Secretariat on the administration of the *Access to Information Act* has been completed and is appended to this report as Annex B.

Interpretation of Statistical Reports

CBC/Radio-Canada received 218 requests under the *Access to Information Act* during 2011–2012. While the requests touched all areas of the Corporation, the business areas that were most affected were English Services (involved in 83 requests) and French Services (involved in 51 requests). The 18 requests that were carried forward from 2010–2011 and the 218 requests received during the reporting period produced a total of 236 requests to be acted on.

Distribution of the 218 new requests among the categories designated by the Treasury Board Secretariat is as follows:

- Media – 18
- Academia – 2
- Business – 76
- Organization – 5
- Public – 117

During 2011–2012, 208 requests were completed, including the 18 that were carried forward from the end of 2010–2011, resulting in a carryover of 28 files into 2012–2013. Of these 28 files, 27 were on time and one was late.

Of the 208 completed requests, 199 were responded to on time by the end of the reporting period. This figure includes 30 requests for which allowable extensions to the statutory 30-day response period were claimed, and 16 requests that were abandoned by the applicants. A total of nine requests were answered late during the reporting period.

During 2011–2012, the average number of days to respond to a request decreased to 36 days. This is a further improvement from the 57 days needed in 2010–2011, and a sharp drop from the 187 days needed in 2008–2009.

Our "deemed refusal rate" has also decreased. For 2011–2012 it is 4.24 per cent, down from 21.53 per cent in 2010–2011. This is another sharp drop from 2007–2008 when our deemed refusal rate was 80.47 per cent. Relatedly, the number of deemed refusal complaints made against CBC/Radio-Canada remains low. In 2011–2012, we received one deemed refusal complaint, just as we did in 2010–2011. This is down from the 8 that were received in 2009–2010, and significantly lower than the 388 deemed refusal complaints that we received in 2007–2008.

The *Act* contains various exemptions and exclusions, including section 68.1 which excludes records related to CBC/Radio-Canada's journalistic, creative, or programming activities from its scope. This year section 68.1 was applied to exclude all records responsive to a request in 29 instances, or 13.94 per cent of the 208 requests we answered. This is down from 2010–2011 when section 68.1 was to completely exclude the documents in 67 or 19.19 per cent of the 349 requests we answered. Although the percentage of requests where we invoked

section 68.1 to partially exclude parts of released records increased slightly from 11.17 per cent last year to 13.46 per cent this year, they decreased in absolute terms from 39 to 28 respectively.

During 2011–2012, we received, processed and completed 8 informal requests for records already released in answer to requests posted on our corporate website.

Education and Training Activities

During 2011–2012 the following training activities were carried out by the ATIP office:

Formal ATIP Training Sessions: We conducted three major training sessions in the Corporation's Toronto, Montreal and Ottawa offices. Each of these sessions was a day long and was delivered by the ATIP Coordinator, the ATIP Director and the ATIP Senior Policy, Training and Reporting Officer. The legal counsel who supports the Coordinator on ATIP matters also participated in the Ottawa and Montreal sessions.

A wide range of material was provided at these sessions including presentations describing key ATIP responsibilities and processes. Practical cases and questionnaires were used to explain the scope and the limits of the exemption and exclusion provisions contained in the *Act*. The Ottawa, Toronto, and Montreal sessions were held between September 21 and September 30, 2011 and were attended by 17, 27, and 22 people respectively. Attendees ranged in rank from Director to mid and junior level staff who are involved in ATIP work. They spanned all of the key business areas of the Corporation including English Services, French Services, Corporate Communications, People and Culture, Corporate Strategy and Business Partnerships, Finance, and the Corporate Secretariat.

Two smaller training sessions were also given during the fiscal year. The first one consisted of a half-day training session given by the ATIP office to key personnel in the Corporate Strategy and Business Partnership sector on April 14, 2011. The session was delivered at the request of the business area and included 5 people from the Executive Director to the junior officer level directly involved in the processing of ATIP requests received in this sector of CBC/Radio-Canada. The second was a one-on-one 4 hour training session that occurred on February 29, 2012 given by the ATIP office to a new employee in the CEO's office.

Additionally, a training session was also delivered by the Coordinator and a lawyer on her staff on December 8, 2011 to the English Services management team of approximately 40 people to explain the Federal Court of Appeal's decision concerning the application of section 68.1 of the *Access to Information Act*.

Informal ATIP Training Sessions: As requests were answered during the year, informal education and training needs emerged from time to time among record holders contacted by the ATIP office. This informal training was conducted in relation to the ATIP request and this training included subjects such as search time calculations, extensions, and the application of specific exemptions.

Newsletters: As reported at the end of 2010–2011, the ATIP office began distributing a newsletter in October 2010 to the ATIP liaison officers in each of the Corporation's business areas. These newsletters are written in the ATIP office and distributed in both official languages. Topics covered in this year's newsletters included the difference between exemptions and exclusions, explanation of discretionary versus mandatory exemptions, and the protection of personal information.

New Institution-Specific Policies, Procedures and Guidelines

As part of our efforts during 2011-2012 to ensure that the improvements we have made in the timeliness and quality of our replies to *Access to Information Act* requests are sustained, a new position was established in the ATIP office with responsibility for development, implementation and management of ATIP policy, training activities, and oversight of the processing of individual requests by ATIP analysts. This position was filled in September 2011.

ATIP processes and responsibilities were updated, recorded, and published in the ATIP process manuals used by ATIP office staff and ATIP liaison officers.

We also improved the website, created last year, where we post records that we release in answer to requests of general interest. Launched in November 2010, this website provided direct access to records released in answer to requests falling in five specific categories: expenses, audits, retreats, agendas, and policies. During 2011–2012 two categories were added, one for minutes of the Corporation's Board of Directors meetings, and a miscellaneous category to capture unique requests not falling in the other categories. To the end of this reporting period, approximately 30,000 pages have been posted in these seven categories.

The records posted in answer to requests of general interest comprise one part of a larger corporate transparency and accountability web page that may be found on CBC/Radio-Canada's corporate website. Among other things, this page includes a series of transparency and accountability bulletins, access to corporate policies, proactively disclosed CBC executives' business travel and hospitality expenses and, in accordance with recent instruction from the Treasury Board Secretariat, a monthly list of closed *Access to Information Act* requests.

The number of times that the transparency and accountability page and some of its key sub-sites were visited during 2011–2012 is as follows:

Transparency and accountability page: 29,207

Access to information page: 3,463

Expenses page: 869

Key Issues Raised as a Result of Complaints

A key issue that was first raised in 2009–2010, as a result of complaints, relates to the Information Commissioner's right to view records in respect of which CBC/Radio-Canada has invoked section 68.1 of the *Access to Information Act*.

On November 23, 2011, the Federal Court of Appeal clarified the Information Commissioner's jurisdiction over section 68.1 of the *Act*. CBC/Radio-Canada has fully implemented the Court's decision, and has submitted the relevant records to the Information Commissioner, including documents relating to the complaints that were held in abeyance by the Commissioner during the court case.

The guidelines developed and posted by CBC/Radio-Canada for the interpretation of section 68.1 of the *Access to Information Act*, have been updated to reflect the Court's decision, and the Information Commissioner's related recommendations regarding the collection and retention of requested records containing information about CBC/Radio-Canada's journalistic, creative or programming activities.

On September 20 2011, the Standing Committee on Access to Information, Privacy and Ethics voted to study the court action between CBC/Radio-Canada and the Information Commissioner over the Commissioner's ability to review documents excluded under Section 68.1 of the *Access to Information Act*. CBC/Radio-Canada appeared as witness on November 24th.

On March 8, 2012, the Committee tabled its report in Parliament titled: "Exclusions and exemptions: study on section 68.1 of the *Access to Information Act* and the resulting Court actions concerning the Canadian Broadcasting Corporation". The Committee's majority report recommended that the Government "*amend section 68.1 of the Access to Information Act in accordance with the expert testimony heard during the study. The Committee also said that in doing so, the Government should consider international models as presented by the Information Commissioner.*"

In its response to the report, the Government recognized that "*before the Committee concluded its study, a decision was rendered by the Federal Court of Appeal which settled the dispute between the CBC and the Information Commissioner. It also agreed to study the various proposals advanced by the Committee regarding a possible amendment to section 68.1 of the Access to Information Act.*"

Annex A – Delegation Order

CBC/Radio-Canada Access to Information Delegation Order
Ordre de la délégation des pouvoirs à CBC/Radio-Canada en matière d'accès à l'information

Pursuant to Section 73 of the *Access to Information Act*, I, Hubert T. Lacroix, President and CEO of CBC/Radio-Canada, do hereby designate the persons holding the positions of: Compliance Officer, Associate Corporate Secretary and Access to Information and Privacy (ATIP) Coordinator; ATIP Director; and ATIP Manager to exercise the powers and functions conferred on me by the *Act* as Head of CBC/Radio- Canada in the manner indicated below:

Conformément à l'article 73 de la *Loi sur l'accès à l'information*, je, Hubert T. Lacroix, président-directeur général de CBC/Radio-Canada, désigne par la présente les personnes détenant les postes d'agent responsable de la conformité, secrétaire général associé et coordonnateur de l'accès à l'information et de la protection des renseignements personnels (AIPRP), de directeur de l'AIPRP et de chef de l'AIPRP, pour exercer les pouvoirs et les fonctions qui me sont conférés en vertu de la *Loi* et à titre de dirigeant de CBC/Radio-Canada, et ce, de la manière suivante :

Section/ Article	Summary of Powers, Duties or Functions/ Sommaire des pouvoirs, devoirs et fonctions	Associate General Counsel, Media Law and ATIP Coordinator/ Avocat-conseil associé, Droit des médias et coordonnateur de l'AIPRP	ATIP Director/ Directeur de l'AIPRP
7 (a)	To give written notice to individuals who make requests that access will, or will not, be given to requested records; and to give access to the information to the individual who made the request within 30 days / Aviser par écrit la personne qui fait la demande que l'accès sera donné ou non aux documents demandés; et donner l'accès à l'information dans les 30 jours à la personne qui en a fait la demande	X	X
8 (1)	To transfer to another institution or to accept transfer from another institution / Transmettre la demande à une autre institution ou accepter la transmission à partir d'une autre institution.	X	X

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9 (1)	To extend time limits for responding to requests submitted under the Act and to issue corresponding notices / Proroger les délais pour répondre aux demandes soumises en vertu de la Loi et envoyer les avis correspondants.	X	X
9 (2)	To notify Information Commissioner of extensions exceeding 30 days / Aviser le Commissaire à l'information des délais dépassant 30 jours.	X	X
10 (1)	To advise individuals requesting a record that the record does not exist, or to advise individuals of the specific provisions of the Act under which a record is withheld / Aviser les personnes demandant un document que celui-ci n'existe pas, ou les aviser des dispositions précises de la Loi sur lesquelles se fonde le refus de communication	X	X
10 (2)	To neither confirm nor deny that a record exists / Ni confirmer ni nier qu'un document existe.	X	X
11 (2), (3)	To require additional payment for before access is given / Exiger un paiement additionnel avant de donner communication du document.	X	X
11 (4)	To require deposit before search for, or production of, records / Exiger le versement d'un dépôt avant la recherche ou la production des documents	X	X
11 (5)	To notify applicant of additional amounts payable / Aviser la personne qui fait la demande des montants additionnels à acquitter.	X	X

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11 (6)	To waive requirement for payment, or to refund payments already made / Dispenser du versement des droits ou les rembourser.	X	X
12 (2) (b) and 12 (3) (b) / 12(2)b) et 12(3)b)	To determine the necessity for translation, or conversion of requested records to alternative format / Déterminer la nécessité de faire traduire les documents demandés ou de les rendre accessibles dans d'autres formats	X	X
13 (1)	To withhold information obtained in confidence from governments of foreign states, provinces, municipalities; defined First Nations Councils; or institutions thereof / Refuser la communication de documents contenant des renseignements obtenus à titre confidentiel de gouvernements d'États étrangers, de gouvernements provinciaux, d'administrations municipales, de conseils des Premières Nations ou d'organismes correspondants	X	X
13 (2)	To disclose information obtained in confidence from governments of foreign states, provinces, municipalities; defined first Nations Councils; or institutions thereof, if the government or institution that provided the information consents to its disclosure or makes the information public / Communiquer des documents contenant des renseignements obtenus à titre confidentiel de gouvernements d'États étrangers, de gouvernements provinciaux, d'administrations municipales, de conseils des Premières Nations ou d'organismes correspondants, si le gouvernement ou l'organisme consent à la communication ou rend l'information publique.	X	X

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14	To withhold information if its disclosure would be injurious to the conduct of federal-provincial affairs / Refuser la communication de documents dont la divulgation risquerait de porter préjudice à la conduite des affaires fédérales-provinciales.	X	X
15	To withhold information if its disclosure would be injurious to the conduct of international affairs, the defence of Canada or its allies, or Canada's efforts toward detecting, preventing, or suppressing subversive or hostile activities / Refuser la communication de documents dont la divulgation risquerait de porter préjudice à la conduite des affaires internationales, à la défense du Canada ou d'États alliés ou associés avec le Canada ou à la détection, à la prévention ou à la répression d'activités hostiles ou subversives.	X	X
16 (1)	To withhold information obtained or prepared by investigative bodies in the course of lawful investigations; or personal information the disclosure of which would be injurious to the enforcement of any law of Canada or a province, or information whose disclosure could reasonably be expected to be injurious to the security of penal institutions / Refuser la communication de documents obtenus ou préparés par des organismes d'enquête au cours d'enquêtes licites; ou de renseignements personnels dont la divulgation risquerait vraisemblablement de nuire aux activités destinées à faire respecter les lois fédérales ou provinciales; ou de renseignements dont la divulgation risquerait vraisemblablement de nuire à la sécurité des établissements pénitentiaires.	X	X

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16 (2)	To withhold information whose disclosure could reasonably be expected to facilitate the commission of an offence / Refuser la communication de documents qui risqueraient vraisemblablement de faciliter la perpétration d'infractions	X	X
16(3)	To withhold information obtained or prepared by the RCMP while performing policing services for a municipality or province / Refuser la communication de documents obtenus ou préparés par la Gendarmerie royale du Canada, dans l'exercice de fonctions de police provinciale ou municipale.	X	X
16.5	To withhold information that was created for the purpose of making a disclosure under the <i>Public Servants Disclosure Protection Act</i> / Refuser de communiquer des documents qui contiennent des renseignements créés en vue de faire une divulgation au titre de la <i>Loi sur la protection des fonctionnaires divulgateurs d'actes répréhensibles</i> .	X	X
17	To withhold information if its disclosure could reasonably be expected to threaten the safety of individuals / Refuser la communication de documents contenant des renseignements dont la divulgation risquerait vraisemblablement de nuire à la sécurité des individus	X	X
18	To withhold information if its disclosure would be injurious to the economic interests of Canada / Refuser la communication de documents dont la divulgation risquerait de porter préjudice aux intérêts économiques du Canada	X	X

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19 (1)	To withhold personal information as defined in section 3 of the <i>Privacy Act</i> / Refuser la communication de documents contenant les renseignements personnels visés à l'article 3 de la <i>Loi sur la protection des renseignements personnels</i> .	X	X
19 (2)	To disclose personal information with the consent of the individual concerned; if the information is publicly available; or in accordance with section 8 of the <i>Privacy Act</i> / Divulguer des documents contenant des renseignements personnels dans les cas où l'individu qu'ils concernent y consent, où le public y a accès et où la communication est conforme à l'article 8 de la <i>Loi sur la protection des renseignements personnels</i>	X	X
20 (1) (a)	To withhold trade secrets of third party / Refuser la communication de documents contenant des secrets industriels de tiers.	X	X
20 (1) (b)	To withhold financial, commercial, scientific or technical information that is confidential to a third party / Refuser la communication de renseignements financiers, commerciaux, scientifiques ou techniques fournis par un tiers, et qui sont de nature confidentielle et traités comme tels par ce tiers	X	X
20 (1) (b.1)	To withhold confidential information provided by a third party for the preparation of emergency management plans that concerns vulnerabilities in the third party's security measures / Refuser la communication de renseignements fournis par un tiers pour la préparation de plans de gestion des urgences et qui portent sur la vulnérabilité des mesures de sécurité de ce tiers	X	X

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20 (1) (c)	To withhold information the disclosure of which could reasonably be expected to materially affect the financial or competitive position of a third party / Refuser la communication de renseignements dont la divulgation risquerait vraisemblablement de porter préjudice matériellement à la position financière ou à la compétitivité d'un tiers	X	X
20 (1) (d)	To withhold information that would interfere with contractual or other negotiations of a third party / Refuser la communication de renseignements dont la divulgation risquerait vraisemblablement d'entraver des négociations menées par un tiers en vue de contrats ou à d'autres fins	X	X
20 (3)	To provide written explanation of environmental testing methods / Fournir une explication écrite des méthodes d'essais d'environnement	X	X
20 (5)	To disclose third party information described at sections 20(1) (a) to (d) of the Act with consent of the third party to whom the information relates / Communiquer tout document contenant des renseignements sur un tiers visés aux alinéas 20(1), a) à d) de la Loi, si le tiers que les renseignements concernent y consent.	X	X
20 (6)	To disclose third part information described at sections 20(1)(b) to d) of the Act if in the public interest / Communiquer tout document qui contient les renseignements visés à l'un ou l'autre des alinéas 20(1)b) à d) de la Loi pour des raisons d'intérêt public.	X	X

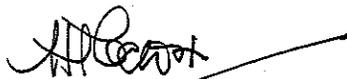
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21(1) (a) to (d)/ 21(1)a) à d)	To withhold information that contains advice, recommendations, accounts of deliberations, positions or plans / Refuser la communication de documents qui contiennent des avis, des recommandations, des comptes rendus de délibérations, des projets préparés ou des renseignements portant sur des positions	X	X
22	To withhold testing and audit information if disclosure would prejudice results of particular tests or audits / Refuser la communication de documents contenant des renseignements relatifs à des essais ou à des vérifications dont la divulgation fausserait leurs résultats de ces opérations.	X	X
22.1	To withhold draft internal audit reports or related audit working papers / Refuser de communiquer tout document qui contient le rapport préliminaire d'une vérification interne ou de documents de travail se rapportant à la vérification.	X	X
23	To withhold information that is subject to solicitor-client privilege / Refuser la communication de documents contenant des renseignements protégés par le secret professionnel qui lie un avocat à son client.	X	X
24	To withhold information the disclosure of which is restricted by other legislation listed in Schedule II of the <i>Act</i> / Refuser la communication de documents contenant des renseignements dont la communication est restreinte en vertu d'une disposition figurant à l'annexe II de la <i>Loi</i> .	X	X

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25	To disclose releasable information after severing it from those parts of records that are to be withheld / Prélever de l'information exemptée par la <i>Loi</i> dans des documents et communiquer les parties dépourvues des renseignements en cause.	X	X
26	To refuse disclosure if information is about to be published / Refuser la communication lorsque l'information est sur le point d'être publiée	X	X
27 (1)	To give third parties notice of intent to disclose information within 30 days of a request being submitted under the <i>Act</i> / Aviser un tiers intéressé de l'intention de communiquer un document dans les 30 jours suivant la réception d'une demande soumise en vertu de la <i>Loi</i>	X	X
27(3)(c)	To receive representations from third parties explaining why records should not be disclosed / Recevoir les observations d'un tiers expliquant pourquoi des documents ne doivent pas être communiqués	X	X
27 (4)	To extend 30 day time limit for third party representations / Proroger le délai de 30 jours pour la réception des observations d'un tiers	X	X
28 (1)	Review representations and decide whether to disclose third party records / Analyser les observations et décider s'il faut communiquer les documents d'un tiers.	X	X

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28 (2)	To waive the requirement for third parties to provide representations in writing / Autoriser un tiers à déroger à l'obligation de présenter ses observations par écrit	X	X
28 (4)	To give applicants access to third party records / Autoriser la communication de documents d'un tiers aux personnes qui en ont fait la demande	X	X
29	To notify third parties and requestors of a third party's right to request judicial review if the Information Commissioner recommends disclosure records containing third party information / Aviser le tiers et les personnes qui ont fait une demande du droit du tiers à exercer un recours en révision si le Commissaire à l'information recommande la communication de documents contenant de l'information concernant le tiers.	X	X
33	To advise the Information Commissioner of third party interest in records withheld from disclosure (following receipt of a complaint from the Information Commissioner) / Aviser le Commissaire à l'information de l'intérêt d'un tiers pour des documents dont la communication a été refusée (à la suite de la réception d'une plainte du Commissaire à l'information).	X	X
35 (2)	To make representations to the Information Commissioner / Présenter des observations au Commissaire à l'information	X	X

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37 (4)	To give complainants access to previously withheld records, as recommended by the Information Commissioner / Communiquer à des plaignants des documents dont la communication a été précédemment refusée, conformément à la recommandation du Commissaire à l'information.	X	X
43 (1)	To notify third parties of requests for judicial review made by the requestors, or the Information Commissioner, where disclosure of third party information is involved / Aviser un tiers du recours en révision déposé par le demandeur, ou par le Commissaire à l'information, lorsqu'il s'agit de communiquer de l'information concernant le tiers intéressé.	X	X
44 (2)	To notify requestors when third parties request judicial review of decisions to disclose third party information / Aviser un demandeur lorsqu'un tiers a demandé un recours en révision de la décision de communiquer de l'information concernant le tiers intéressé.	X	X
52 (2)	To request that Section 52 applications and appeals into the non-disclosure of records pursuant to sections 13(1)(a) or (b), or 15, be held in the National Capital Region / Demander que les auditions et les appels en vertu de l'article 52 relatifs au refus de communication de documents en vertu des alinéas 13(1)a) ou b), ou de l'article 15, aient lieu dans la région de la capitale nationale	X	X
52 (3)	To make representations at section 52 hearings / Présenter des observations dans les auditions relatives à l'article 52	X	X

Section/ Article	Summary of Powers, Duties or Functions/ Sommaire des pouvoirs, devoirs et fonctions	Associate General Counsel, Media Law and ATIP Coordinator/ Avocat-conseil associé, Droit des médias et coordonnateur de l'AIPRP	ATIP Director/ Directeur de l'AIPRP
68.1	To exclude information pertaining to journalistic, creative or programming activities of CBC / Exclure des renseignements qui relèvent de la Société Radio-Canada et qui se rapportent à ses activités de journalisme, de création ou de programmation	X	
69	To exclude confidences of the Queen's Privy Council / Exclure des documents confidentiels du Conseil privé de la Reine pour le Canada.	X	X
71 (2)	To exempt information severed from manuals / Exclure l'information tirée de manuels	X	X
72 (1)	To prepare annual report to Parliament on the administration of the <i>Access to Information Act</i> / Préparer un rapport annuel pour le Parlement sur l'application de la <i>Loi sur l'accès à l'information</i> .	X	X



Hubert T. Lacroix
President and CEO / Président-directeur général

le 1^{er} septembre 2010

Date

Annex B – Statistical Report for Fiscal Year 2011–2012



Statistical Report on the Access to Information Act

Name of institution: CBC / Radio-Canada

Reporting period: 1-Apr-11 to 31-Mar-12

PART 1 – Requests under the Access to Information Act

1.1 Requests

	Number of Requests
Received during reporting period	218
Outstanding from previous reporting period	18
Total	236
Closed during reporting period	208
Carried over to next reporting period	28

1.2 Sources of requests

Source	Number of Requests
Media	18
Academia	2
Business (Private Sector)	76
Organization	5
Public	117
Total	218

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	6	16	1	0	0	0	0	23
Disclosed in part	1	51	9	22	3	0	4	90
All exempted	0	1	2	0	0	0	0	3
All excluded	26	14	1	0	0	0	0	41
No records exist	22	13	0	0	0	0	0	35
Request transferred	0	0	0	0	0	0	0	0
Request abandoned	14	2	0	0	0	0	0	16
Treated informally	0	0	0	0	0	0	0	0
Total	69	97	13	22	3	0	4	208

2.2 Exemptions

Section	Number of requests	Section	Number of requests	Section	Number of requests	Section	Number of requests
13(1)(a)	0	16(2)(a)	44	18(a)	25	20.1	0
13(1)(b)	0	16(2)(b)	0	18(b)	35	20.2	0
13(1)(c)	0	16(2)(c)	0	18(c)	0	20.4	0
13(1)(d)	0	16(3)	0	18(d)	0	21(1)(a)	25
13(1)(e)	0	16.1(1)(a)	0	18.1(1)(a)	0	21(1)(b)	30
14(a)	0	16.1(1)(b)	0	18.1(1)(b)	0	21(1)(c)	8
14(b)	0	16.1(1)(c)	0	18.1(1)(c)	0	21(1)(d)	5
15(1) - I.A.*	0	16.1(1)(d)	0	18.1(1)(d)	0	22	1
15(1) - Def.*	0	16.2(1)	0	19(1)	84	22.1(1)	0
15(1) - S.A.*	0	16.3	0	20(1)(a)	4	23	21
16(1)(a)(i)	0	16.4(1)(a)	0	20(1)(b)	37	24(1)	0
16(1)(a)(ii)	0	16.4(1)(b)	0	20(1)(b.1)	0	26	0
16(1)(a)(iii)	0	16.5	0	20(1)(c)	15		
16(1)(b)	0	17	0	20(1)(d)	11		
16(1)(c)	1						
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)	12	69(1)(a)	0	69(1)(g) re (a)	2
68(b)	0	69(1)(b)	0	69(1)(g) re (b)	2
68(c)	0	69(1)(c)	0	69(1)(g) re (c)	0
68.1	57	69(1)(d)	0	69(1)(g) re (d)	0
68.2(a)	0	69(1)(e)	0	69(1)(g) re (e)	2
68.2(b)	0	69(1)(f)	0	69(1)(g) re (f)	0
				69.1(1)	0

2.4 Format of information released

Disposition	Paper	Electronic	Other formats
All disclosed	18	5	0
Disclosed in part	23	67	0
Total	41	72	0

2.5 Complexity

2.5.1 Relevant pages processed and disclosed

Disposition of requests	Number of pages processed	Number of pages disclosed	Number of requests
All disclosed	507	467	23
Disclosed in part	77651	18798	90
All exempted	40	0	3
All excluded	905	61	41
Request abandoned	0	0	16

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	
	Requests	Pages disclosed	Requests	Pages disclosed	Requests	Pages disclosed	Requests	Pages disclosed	Requests	Pages disclosed
All disclosed	21	226	2	241	0	0	0	0	0	0
Disclosed in part	54	1197	21	4289	8	4021	6	8156	1	1135
All exempted	3	0	0	0	0	0	0	0	0	0
All excluded	40	61	0	0	1	0	0	0	0	0
Abandoned	16	0	0	0	0	0	0	0	0	0
Total	134	1484	23	4530	9	4021	6	8156	1	1135

2.5.3 Other complexities

Disposition	Consultation required	Assessment of fees	Legal advice sought	Other	Total
All disclosed	2	0	0	0	2
Disclosed in part	15	20	0	0	35
All exempted	2	0	0	0	2
All excluded	0	1	0	0	1
Abandoned	0	8	0	0	8
Total	19	29	0	0	48

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
9	9	0	0	0

2.6.2 Number of days past deadline

Number of days past deadline	Number of requests past deadline where no extension was taken	Number of requests past deadline where an extension was taken	Total
1 to 15 days	0	0	0
16 to 30 days	0	1	1
31 to 60 days	1	3	4
61 to 120 days	0	0	0
121 to 180 days	0	1	1
181 to 365 days	0	3	3
More than 365 days	0	0	0
Total	1	8	9

2.7 Requests for translation

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

PART 3 – 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	0	0	0	0
Disclosed in part	24	0	4	13
All exempted	0	0	0	0
All excluded	0	0	0	0
No records exist	0	0	0	0
Request abandoned	0	0	0	0
Total	24	0	4	13

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	3	0	1	3
31 to 60 days	16	0	3	7
61 to 120 days	1	0	0	3
121 to 180 days	2	0	0	0
181 to 365 days	2	0	0	0
365 days or more	0	0	0	0
Total	24	0	4	13

PART 4 – Fees

Fee Type	Fee Collected		Fee Waived or Refunded	
	# of Requests	Amount	# of Requests	Amount
Application	193	\$965	24	\$120
Search	22	\$1,407	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
Total	215	\$2,372	24	\$120

PART 5 – Consultations received from other institutions and organizations

5.1 Consultations received from other government institutions and organizations

Consultations	Other government institutions	Number of pages to review	Other organizations	Number of pages to review
Received during reporting period	35	666	2	6
Outstanding from the previous reporting period	3	3080	0	0
Total	38	3746	2	6
Closed during the reporting period	37	3610	2	6
Pending at the end of the reporting period	1	136	0	0

5.2 Recommendations and completion time for consultations received from other government institutions

Recommendation	Number of days required to complete consultation requests							Total
	1 to 15 days	16 to 30 days	31 to 60 days	61 to 120 days	121 to 180 days	181 to 365 days	than 365 days	
Disclose entirely	7	3	0	0	0	0	0	10
Disclose in part	4	9	1	0	0	2	1	17
Exempt entirely	1	0	0	0	0	0	0	1
Exclude entirely	8	1	0	0	0	0	0	9
Consult other institution	0	0	0	0	0	0	0	0
Other	0	0	0	0	0	0	0	0
Total	20	13	1	0	0	2	1	37

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	than 365 days	
Disclose entirely	0	0	0	0	0	0	0	0
Disclose in part	2	0	0	0	0	0		2
Exempt entirely	0	0	0	0	0	0	0	0
Exclude entirely	0	0	0	0	0	0	0	0
Consult other institution	0	0	0	0	0	0	0	0
Other	0	0	0	0	0	0	0	0
Total	2	0	0	0	0	0	0	2

PART 6 – Completion time of consultations on Cabinet confidences

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

PART 7 – Resources related to the Access to Information Act

7.1 Costs

Expenditures		Amount
Salaries		\$571,594
Overtime		\$0
Goods and Services		\$46,246
• Professional services contracts	\$0	
• Other	\$46,246	
Total		\$617,840

7.2 Human Resources

Resources	Dedicated full-time to ATI activities	Dedicated part-time to ATI activities	Total
Full-time employees	4	2	6
Part-time and casual employees	0	0	0
Regional staff	0	0	0
Consultants and agency personnel	0	0	0
Students	0	0	0
Total	4	2	6