



Report on the Administration of the
Access to Information Act
for the Fiscal Year
2012–2013

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 says that:

(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 12 member Board of Directors that includes 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 one senior analyst, one junior analyst 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 16 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 functions as they relate to the administration of the *Access to Information Act* within CBC/Radio-Canada to the Corporation's ATIP Coordinator, the ATIP Director and the ATIP Office's Senior Policy, Training and Performance Reporting Officer.

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. It includes the required table on completed informal access to information requests.

Interpretation of Statistical Reports

CBC/Radio-Canada received 154 requests under the *Access to Information Act* during 2012-2013. The 28 requests that were carried forward from 2011-2012 and the 154 requests received during the reporting period produced a total of 182 requests to be acted on during the reporting period. While the requests touched all areas of the Corporation, the business areas that were most affected were English Services (involved in 151 requests) and French Services (involved in 91 requests).

Distribution of the 154 new requests among the categories designated by the Treasury Board Secretariat is as follows:

- Media – 12
- Academia – 7
- Business – 59
- Organization – 10
- Public – 66

During 2012-2013, 152 requests were completed, including the 28 that were carried forward from the end of 2011-2012, resulting in a carryover of 30 requests into 2013-2014. All of these 30 requests were within the processing timelines established by the *Act*.

Of the 152 completed requests, 150 were responded to on time. This figure includes 42 requests for which allowable extensions to the statutory 30-day response period were claimed, and eight requests that were abandoned by the applicants. A total of two requests were answered late during the reporting period. These were among the 28 requests carried forward from 2011-2012. No requests received during 2012-2013 were answered late.

During 2012-2013, an average of 38 days was required to respond to requests made under the *Act*. Although this is slightly more than the 36 days required in 2011-2012, it is significantly better than the 57 days needed in 2010-2011, and the 187 days needed in 2008-2009.

Forty two extensions to the 30 day response period were claimed by the Corporation pursuant to section 9 of the *Access to Information Act*. Sixteen were taken due the volume of records required to be searched through and processed. Of them, only four were for more than 60 days. Twenty four of the remaining 26 extensions were taken to consult with private sector third parties. The records that were the subject of consultation with third parties were largely related to administrative and marketing matters. Two extensions involved consultation with federal government institutions. No requests for which extensions were claimed during 2012-2013 were closed beyond the extended response dates.

The Corporation's "deemed refusal rate" has decreased to 1.1%, continuing the trend reflected in the following table:

Fiscal year	Deemed refusal rate
2007-2008	80.47%
2008-2009	75.09%
2009-2010	57.70%
2010-2011	21.53%
2011-2012	4.24%
2012-2013	1.10%

Excluding the two late files carried forward from 2011-2012, the deemed refusal rate for files received during 2012-2013 is 0%.

No deemed refusal complaints were made against CBC/Radio-Canada in 2012-2013. This is down from the 388 such complaints that were received in 2007-2008 when the Corporation became subject to the *Act*.

The *Act* contains various exemption and exclusion provisions, including section 68.1 which excludes records related to CBC/Radio-Canada's journalistic, creative, or programming activities. This year, section 68.1 was applied to exclude all records responsive to a request in only two instances, or 1.39% of the 152 requests answered. This is down from 2011-2012 when section 68.1 was similarly applied to 29 requests, or 13.99% of the 208 requests answered that year. One of the two instances referred to above was related to journalistic sources. The other instance involved a request for programming material. Although falling within the provisions of section 68.1, to be of assistance, the Corporation provided internet weblinks so the requester could view the excluded programming material.

During 2012-2013, the Corporation received, processed and completed seventeen informal requests for records already released in answer to requests posted on its corporate website. This does not include the 1,902 visits to the Corporation's Transparency and Accountability website where many records released under the *Act* are posted proactively.

The Corporation assists other institutions in processing their requests when documents that pertain to CBC/Radio-Canada are found among records being processed by their Access to Information offices. In this regard, the Corporation received 35 consultation requests from institutions during 2012-2013. When added to the one such consultation carried forward from the previous fiscal year, the Corporation responded to a total of 36 consultation requests involving 681 pages. This is a 24% decrease from 2011-2012 when the Corporation was consulted on 46 occasions. For the most part, the records on which the Corporation was consulted had to do with administrative and business matters. All the consultation requests were answered within the time limits requested by the consulting institutions.

Education and Training Activities

During 2012-2013 the following training activities were carried out:

Formal ATIP Training Sessions: Three major ATIP training sessions were conducted in the Corporation's Toronto, Montreal and Ottawa offices. The objective of these follow-up training sessions was to build on last year's training and increase the knowledge that had already been provided to members of the Corporation's ATIP liaison network and interested business areas. The sessions were 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 participated in the Ottawa and Toronto sessions.

Each of these sessions provided refresher training on the subjects presented in the 2011-2012 sessions, including key ATIP responsibilities and processes related to the application of the exemption and exclusion provisions contained in the *Act*. Building on this base, detailed training was provided on the class and injury tests that underpin the exemptions most frequently applied by the Corporation. The application of the section 68.1 exclusion and its relation to section 25 of the *Act* was also covered, as was the complaint investigation process followed by the Office of the Information Commissioner. The requirement for severance recommendations to be supported by sound rationales was also emphasized.

The Ottawa, Toronto, and Montreal day-long sessions were held between February 13 and February 27, 2013 and were attended by 15, 14 and 19 people respectively. Attendees included Chiefs of Staff, Directors and staff involved in ATIP work spanning all of the key business areas of the Corporation.

A training session was also given during the fiscal year to the Corporation's People & Culture Sector. It consisted of a half-day training session given by the ATIP Office to key human resources staff on November 16, 2012. The session was delivered at the request of the business area and included 10 people from the Executive Director to the junior officer level directly involved in the processing of ATIP requests related to their business area.

Informal ATIP Training Sessions: As in previous years, the ATIP Office continued to provide informal education and training to individual record holders on an as required basis during the processing of individual Access to Information requests. The subjects covered during these sessions included the application of the section 68.1 exclusion, search time calculation, the basis for extensions, and the injury tests related to discretionary exemptions.

Newsletters: Four ATIP newsletters were distributed to ATIP liaison officers in all of the Corporation's business areas. These newsletters are written in the ATIP Office and distributed in both official languages. Their topics included sections 17 and 19 of the *Act*, the creation of records and a summary of the Corporation's 2011-2012 ATIP performance.

New Institution-Specific Policies, Procedures and Guidelines

The Corporation has continued building on its November 2010 initiative to post records released in answer to requests of general interest. This site now comprises more than 35,000 pages released in response to 216 requests in the following eight categories: expenses, audits, retreats, agendas, policies, Board of Directors meetings, external legal fees and miscellaneous.

During 2012-2013 the Corporation began proactively posting the minutes of meetings of the Board of Directors. By the end of the reporting period more than 3,900 pages of records relating to 14 meetings of the Board of Directors that took place between October 2011 and September 2012 were reviewed and processed as if they had been requested under the *Act*, and posted online where they have been accessed more than 900 times by website visitors.

In keeping with direction from the Treasury Board Secretariat, the texts of closed Access to Information requests have been posted on the Corporation's website every month since December 2011. By the end of 2012-2013 the texts of 201 requests have been posted. The only texts not posted are those that are uniquely of interest to the requestor and contain primarily personal information of the requester.

The Corporation has continued to update its ATIP processes. ATIP Office staff and ATIP liaison officers have been informed of changes made to the manuals that guide them in their ATIP duties.

Key Issues Raised as a Result of Complaints/Audits/Investigations

On December 6, 2012 the Information Commissioner tabled a special report in Parliament that included her report card on the Corporation's access to information performance for the 2011-2012 fiscal year. CBC/Radio-Canada's access to information performance was rated at the 'A' level, up from the 'F' that was given for the 2009-2010 reporting period.

In awarding an 'A' to CBC/Radio-Canada, the Information Commissioner noted improvement in the timeliness of replies to requests; changes that had been made to our retrieval of records pertaining to requests for information about journalistic, creative, and programming activities; and that responses to enquiries made by her investigators were being provided more quickly. She reported that leadership was the primary factor in CBC/Radio-Canada's improved performance and noted particularly that the President and CEO made compliance with the *Act* a corporate priority and had communicated this to all staff including the Corporation's Vice Presidents.

The Information Commissioner also reported favourably on the Corporation's Transparency and Accountability webpage, describing it as current, user friendly,

and easy to navigate. She noted that in addition to meeting the requirements of the Treasury Board Secretariat respecting the posting of texts of completed access requests, that CBC/Radio-Canada also posts complete released packages for requests of general interest, information about audits and expenses, and minutes of Board of Directors meetings that have not yet been the subject of access requests. She said that in her view these are best practices.

The Information Commissioner's report card is available at the following link:

http://www.oic-ci.gc.ca/eng/special_report_2011-2012_rapport_special_cbc-src.aspx

At the end of her report card, the Information Commissioner made five recommendations. One of them was that the Corporation's progress in implementing her recommendations be included in this report. Accordingly the Information Commissioner's four other recommendations, the Corporation's responses to them and the current status of the actions taken are as follows:

1. *The Office of the Information Commissioner recommends that the President and CEO of the Canadian Broadcasting Corporation continue to demonstrate exemplary leadership and champion transparency throughout the organization.*

Response

This recommendation is agreed with. The CBC will take the following actions:

- *Continue including ATIP performance in the objectives of the CEO and all Vice Presidents.*
- *Disclose even more types of information proactively.*
- *Continue making records that have been released in answer to Access to Information requests available to the public on the Corporation's Transparency and Accountability web site.*

Current Status

- ATIP performance remains included in the performance agreements of the President and CEO and the Vice Presidents.
- Begin proactively posting the expense claims and supporting records of the President and CEO and the Vice Presidents before the end of 2013-2014.
- Released records continue to be posted proactively on the Corporation's Transparency and Accountability website. Recent updates include the posting of requests related to expenses and external legal fees, as well as documents presented at 14 recent Board of Directors meetings.

2. *The Office of the Information Commissioner recommends that the Canadian Broadcasting Corporation continue to reduce its deemed refusal rate to zero.*

Response

Going forward, we will consistently aim for a deemed refusal rate of 0. It is difficult to guarantee that we will achieve that rate every year. Our deemed refusal rate to the end of the first half of this fiscal year is 2%.

The CBC will take the following actions:

- *Continue emphasizing ATIP performance as a corporate priority.*
- *Continue rigorous internal ATIP performance reporting.*

Current Status

- The Corporation's deemed refusal rate for 2012-2013 was 1.1%. For new requests received during 2012-2013, the deemed refusal rate is 0%.
 - Emphasis of ATIP as a corporate priority continues as evidenced by its inclusion in the performance agreements of the President and CEO and the Vice Presidents.
 - Weekly and quarterly reporting to senior levels ranging from the ATIP Director to senior corporate executives continues for access to information request performance. Before the end of 2013-2014 a similar performance reporting process will be established for the processing of access to information complaints.
3. *The Office of the Information Commissioner recommends that, to reflect current operations, the President and CEO of the Canadian Broadcasting Corporation revise the delegation order to give the director of the access to information office full authority for access to information decisions.*

Response

This recommendation is agreed with. The delegation instrument will be amended.

Current Status

- This recommendation has been acted on and is reflected in the expanded delegation instrument attached at Annex A to this report.
4. *To protect requesters' rights, the Office of the Information Commissioner recommends that the Canadian Broadcasting Corporation dedicate more*

resources to complaint resolution until the backlog of complaints is eliminated.

Response

Eliminating the complaint backlog is a priority for CBC. We will implement the following three step plan to reduce the complaint backlog:

1) Continue working strategically with the OIC to group and prioritize complaints, and jointly monitor progress on them to ensure that maximum output is being achieved from available resources;

2) Ensure all CBC administrative processes related to complaint resolution are as efficient as possible; and

3) When steps 1) and 2) have produced all the efficiencies they can, if necessary and as budget pressures permit, engage supplementary resource(s) as required.

Current Status

- During the third quarter of the reporting period regular bi-weekly meetings at the Director level were put in place between the Information Commissioner's office and the Corporation's ATIP Office for the joint prioritization and monitoring of complaints.
- The Corporation's administrative processes related to complaint processing have been harmonized with those for the processing of requests thereby standardizing processes, simplifying forms and consolidating reporting.
- Action on Steps 1 and 2 above has resulted in favourable observation at senior levels in the Information Commissioner's office regarding the speed and quality of responses to enquiries provided to her investigators, such that financial expenditure on additional resources is not indicated at the present time.

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: Associate General Counsel, Media Law and ATIP Coordinator; ATIP Director; and ATIP Senior Policy, Training, and Reporting Officer 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'avocat-conseil associé, droit des médias et coordonnateur de l'AIPRP, de directeur de l'AIPRP et de premier agent, politiques, formation et rapports 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	ATIP Senior Policy, Training, and Reporting Officer / Premier agent, politiques, formation et rapports 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	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	X

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9 (1)	To extend time limits for responding to requests submitted under the <i>Act</i> and to issue corresponding notices / Proroger les délais pour répondre aux demandes soumises en vertu de la <i>Loi</i> et envoyer les avis correspondants.	X	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	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 <i>Act</i> 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 <i>Loi</i> sur lesquelles se fonde le refus de communication	X	X	X
10 (2)	To neither confirm nor deny that a record exists / Ni confirmer ni nier qu'un document existe.	X	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	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	X
11 (5)	To notify applicant of additional amounts payable / Aviser la personne qui fait la demande des montants additionnels à acquitter.	X	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	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	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	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	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	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	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	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	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	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	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	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	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	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	X
20 (1) (a)	To withhold trade secrets of third party / Refuser la communication de documents contenant des secrets industriels de tiers.	X	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	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	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	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	X
20 (3)	To provide written explanation of environmental testing methods / Fournir une explication écrite des méthodes d'essais d'environnement	X	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	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	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	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	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	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	X
24	To withhold information the disclosure of which is restricted by other legislation listed in Schedule II of the Act / 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 Loi.	X	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	ATIP Senior Policy, Training, and Reporting Officer / Premier agent, politiques, formation et rapports de l'AIPRP
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	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	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	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	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	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	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	ATIP Senior Policy, Training, and Reporting Officer / Premier agent, politiques, formation et rapports de l'AIPRP
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	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	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	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	X
35 (2)	To make representations to the Information Commissioner / Présenter des observations au Commissaire à l'information	X	X	X
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	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	ATIP Senior Policy, Training, and Reporting Officer / Premier agent, politiques, formation et rapports de l'AIPRP
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	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	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	X
52 (3)	To make representations at section 52 hearings / Présenter des observations dans les auditions relatives à l'article 52	X	X	X
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	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	ATIP Senior Policy, Training, and Reporting Officer / Premier agent, politiques, formation et rapports de l'AIPRP
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	X
71 (2)	To exempt information severed from manuals / Exclure l'information tirée de manuels	X	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	X



Hubert T. Lacroix
 President and CEO / Président-directeur général
 December 17, 2012 / 17 décembre 2012

Annex B – Statistical Report for Fiscal Year 2012–2013



Statistical Report on the Access to Information Act

Name of Institution: CBC/Radio-Canada

Reporting Period: 01-04-2012 to 31-03-2013

PART 1 - Requests under the Access to Information Act

1.1 Number of Requests

	Number of Requests
Received during reporting period	154
Outstanding from pervious reporting period	28
Total	182
Closed during reporting period	152
Carried over to next reporting period	30

1.2 Sources of Requests

Source	Number of Requests
Media	12
Academia	7
Business (Private Sector)	59
Organization	10
Public	66
Total	154

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	5	8	3	1	0	0	0	17
Disclosed in part	4	29	17	25	1	2	1	79
All exempted	0	6	0	0	0	0	0	6
All excluded	3	2	0	0	0	0	0	5
No records exist	7	10	0	0	0	0	0	17
Request transferred	0	0	0	0	0	0	0	0
Request abandoned	21	6	0	0	0	1	0	28
Treated informally	0	0	0	0	0	0	0	0
Total	40	61	20	26	1	3	1	152

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)	0	18(a)	19	20.1	1
13(1)(b)	0	16(2)(b)	0	18(b)	30	20.2	0
13(1)(c)	0	16(2)(c)	0	18(c)	1	20.4	0
13(1)(d)	0	16(3)	0	18(d)	1	21(1)(a)	18
13(1)(e)	0	16.1(1)(a)	0	18.1(1)(a)	0	21(1)(b)	22
14(a)	0	16.1(1)(b)	0	18.1(1)(b)	0	21(1)(c)	5
14(b)	0	16.1(1)(c)	0	18.1(1)(c)	0	21(1)(d)	4
15(1) - I.A.*	0	16.1(1)(d)	0	18.1(1)(d)	0	22	0
15(1) - Def.*	0	16.2(1)	0	19(1)	77	22.1(1)	0
15(1) - S.A.*	0	16.3	0	20(1)(a)	5	23	6
16(1)(a)(i)	0	16.4(1)(a)	0	20(1)(b)	29	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)	16		
16(1)(b)	0	17	0	20(1)(d)	12		
16(1)(c)	0						
16(1)(d)	0						

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

2.3 Exclusions

Section	Number of requests	Section	Number of requests	Section	Number of requests
68(a)	5	69(1)(a)	2	69(1)(g) re (a)	1
68(b)	0	69(1)(b)	0	69(1)(g) re (b)	1
68(c)	0	69(1)(c)	1	69(1)(g) re (c)	0
68.1	30	69(1)(d)	0	69(1)(g) re (d)	0
68.2(a)	0	69(1)(e)	0	69(1)(g) re (e)	1
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	14	3	0
Disclosed in part	25	54	0
Total	39	57	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	251	240	17
Disclosed in part	15580	12016	79
All exempted	4	0	6
All excluded	0	9	5
Request Abandoned	5012	0	28

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	17	240	0	0	0	0	0	0	0	0
Disclosed in part	55	1490	14	2935	4	1621	6	5970	0	0
All exempted	6	0	0	0	0	0	0	0	0	0
All excluded	5	9	0	0	0	0	0	0	0	0
Abandoned	27	0	0	0	0	0	0	0	1	0
Total	110	1739	14	2935	4	1621	6	5970	1	0

2.5.3 Other complexities

Disposition	Consultation required	Assessment of fees	Legal advice sought	Other	Total
All disclosed	1	2	0	0	3
Disclosed in part	24	18	0	0	42
All exempted	0	0	0	0	0
All excluded	0	0	0	0	0
Abandoned	0	8	0	0	8
Total	25	28	0	0	53

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
2	2	0	0	0

2.6.2 Number of days past deadline

Number of days past deadline	Number of requests past deadline where no extension was taken	Number of requests past deadline where an extension was taken	Total
1 to 15 days	0	0	0
16 to 30 days	0	0	0
31 to 60 days	0	0	0
61 to 120 days	0	0	0
121 to 180 days	0	1	1
181 to 365 days	0	1	1
More than 365 days	0	0	0
Total	0	2	2

2.7 Request 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) Thiry party notice
		Section 69	Other	
All Disclosed	0	0	0	1
Disclosed in part	15	0	2	22
All exempted	0	0	0	0
All excluded	0	0	0	0
No records exist	0	0	0	0
Request abandoned	1	0	0	1
Total	16	0	2	24

3.2 Length of extensions

Length of extensions	9(1)(a) Interference with operations	9(1)(b) Consultation		9(1)(c) Thiry party notice
		Section 69	Other	
30 days or less	6	0	0	3
31 to 60 days	6	0	2	20
61 to 120 days	2	0	0	1
121 to 180 days	1	0	0	0
181 to 365 days	1	0	0	0
365 days or more	0	0	0	0
Total	16	0	2	24

PART 4 - Fees

Fee Type	Fee Collected		Fee Waived or Refunded	
	Number of requests	Amount	Number of requests	Amount
Application	139	\$ 695.00	4	\$20.00
Search	18	\$ 1656.00	1	\$ 304.00
Production	0	\$ 0.00	0	\$ 0.00
Programming	0	\$ 0.00	0	\$0.00
Preparation	0	\$ 0.00	0	\$ 0.00
Alternative format	0	\$ 0.00	0	\$ 0.00
Reproduction	0	\$ 0.00	0	\$ 0.00
Total	157	\$ 2351.00	5	\$ 324.00

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 the reporting period	29	638	6	43
Outstanding from the previous reporting period	1	0	0	0
Total	30	638	6	43
Closed during the reporting period	30	638	6	43
Pending at the end of the reporting period	0	0	0	0

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

Recommendations	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	9	1	0	0	0	0	0	10
Disclose in part	8	8	1	0	0	0	0	17
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	17	9	1	0	0	0	0	27

5.3 Recommendations and completion time for consultations received from other organizations

Recommendations	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	3	0	0	0	0	0	0	3
Disclose in part	2	0	1	0	0	0	0	3
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	5	0	1	0	0	0	0	6

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 days	0	0
Total	0	0

PART 7 - Resources related to the *Access to Information Act*

7.1 Costs

Expenditures		Amount
Salaries		\$ 603092.00
Overtime		\$ 0.00
Goods and Services		\$ 24098.00
• Professional services contracts	\$ 0.00	
• Other	\$ 24098.00	
Total		\$ 627190.00

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

Appendix A

Previously released ATI package released informally

Institution	Number of informal releases of previously released ATI packages
CBC	17