



Office of the
Chief Electoral Officer
of Canada

Annual Report on the *Privacy Act*

For the period ending
March 31, 2018

For enquiries, please contact:

Public Enquiries Unit
Elections Canada
30 Victoria Street
Gatineau, Quebec
K1A 0M6
Tel.: 1-800-463-6868
Fax: 1-888-524-1444 (toll-free)
TTY: 1-800-361-8935
www.elections.ca



ElectionsCanE



@ElectionsCan_E



ElectionsCanadaE

ISSN 2371-3658
Cat. No.: SE2-9E-PDF

© Chief Electoral Officer of Canada, 2018

All rights reserved

Printed in Canada

Table of Contents

1. Introduction.....	5
1.1. Mandate of the Office of the Chief Electoral Officer	5
1.2. Structure of the Access to Information and Privacy Office	6
2. Administration of the <i>Privacy Act</i>.....	7
2.1. Education and training	7
2.2. Institutional privacy policies and procedures	7
2.3. Institutional monitoring of privacy requests.....	7
2.4. Material privacy breaches	7
2.5. Privacy impact assessments.....	7
3. Statistical Report on Requests under the <i>Privacy Act</i>.....	9
3.1. Number of requests.....	9
3.2. Disposition of completed requests	9
3.3. Completion time of requests	10
3.4. Disclosures of personal information under paragraph 8(2)(m)	10
3.5. Fees and Costs	11
4. Complaints and Judicial Review.....	13
Appendix I: Delegation of Authority	15
Appendix II: Statistical Report on the <i>Privacy Act</i>, 2017–2018.....	17

1. Introduction

The Privacy Act (the Act) extends to Canadians and individuals present in Canada the right to access their personal information from federal government institutions. The Act also protects individuals' privacy by preventing others from having access to their personal information. Furthermore, it limits federal institutions' use of the personal information that they collect and retain.

Section 72 of the Act requires that the head of every institution subject to the Act prepare an annual report for tabling in Parliament. This report describes how Elections Canada administered its responsibilities under the Act during the reporting period of April 1, 2017, to March 31, 2018.

1.1. Mandate of the Office of the Chief Electoral Officer

The Office of the Chief Electoral Officer, commonly known as Elections Canada, is an independent, non-partisan agency that reports directly to Parliament. Its mandate is to:

- be prepared to conduct a federal general election, by-election or referendum;
- administer the political financing provisions of the *Canada Elections Act*;
- monitor compliance with electoral legislation;
- conduct public information campaigns on voter registration, voting and becoming a candidate;
- conduct education programs for students on the electoral process;
- provide support to the independent commissions in charge of adjusting the boundaries of federal electoral districts following each decennial census;
- carry out studies on alternative voting methods and, with the approval of parliamentarians, test alternative voting processes for future use during electoral events; and,
- provide assistance and cooperation in electoral matters to electoral agencies in other countries or to international organizations.

In fulfilling its mandate, Elections Canada also has the responsibility to:

- appoint, train and support returning officers and retain the services of field liaison officers across Canada;
- maintain the National Register of Electors, which is used to prepare preliminary lists of electors at the start of electoral events;
- publish reports on the conduct of elections and official voting results;
- maintain electoral geography information, which provides the basis for maps and other geographic products;
- register political entities, including political parties, electoral district associations, candidates, nomination contestants, leadership contestants, third parties that engage in election advertising and referendum committees;
- administer the reimbursements and subsidies paid to eligible candidates, registered political parties and auditors;

- disclose information on registered parties and electoral district associations, registered parties' nomination and leadership contestants, candidates, third parties and referendum committees, including their financial returns;
- refer to the Commissioner of Canada Elections information concerning possible offences under the *Canada Elections Act* (or other relevant acts);
- consult the Advisory Committee of Political Parties for advice and recommendations;
- issue written opinions, guidelines and interpretation notes on the application of the *Canada Elections Act* to political entities;
- appoint the Broadcasting Arbitrator, who is responsible for allocating free and paid broadcasting time among political parties and for arbitrating disputes that may arise between parties and broadcasters; and,
- recommend to Parliament amendments for the better administration of the *Canada Elections Act* by submitting a recommendations report after a general election, as well as by providing expert advice and other special reports.

1.2. Structure of the Access to Information and Privacy Office

The Access to Information and Privacy (ATIP) Office is a part of the Information and IT Services Management Division within the Chief Information Officer and Chief Security Officer Branch of the Internal Services Sector. It is managed on a full-time basis by the agency's ATIP Coordinator, with three additional full-time staff as well as full-time consultant(s) as required.

The ATIP Office is responsible for the following activities:

- processing requests under the *Access to Information Act* and the *Privacy Act* (the Acts);
- responding to consultation requests from other government institutions;
- providing advice and guidance to senior management and staff of Elections Canada on privacy issues and privacy impact assessments (PIAs);
- developing and delivering awareness training to Elections Canada managers and employees on how to fulfill their obligations under the Acts;
- developing policies, procedures and guidelines in support of ATIP legislation and central agency requirements;
- monitoring institutional compliance with the Acts, procedures and policies;
- acting on behalf of Elections Canada in dealings with the Treasury Board Secretariat, the offices of the Information Commissioner and Privacy Commissioner of Canada and other government institutions regarding ATIP affairs;
- preparing annual reports to Parliament, in addition to other statutory reports and material that may be required by central agencies;
- preparing and publishing the annual update of Elections Canada's chapter of *Info Source*, describing the agency's record holdings and personal information banks; and,
- representing Elections Canada by participating in ATIP community forums, such as the Treasury Board Secretariat's ATIP Community meetings.

2. Administration of the *Privacy Act*

2.1. Education and training

Privacy training at Elections Canada typically involves educating staff on the principles of the Act; how to securely manage privacy requests and protect personal information. In the 2017–2018 fiscal year, Elections Canada delivered 20 formal and 1 informal ATIP training and awareness sessions for 199 employees of various levels. All of the sessions provided an overview of the ATIP process, legislation, roles and responsibilities. The ATIP Office also raised awareness of privacy issues throughout the agency when providing advice on the collection, retention, use and disclosure of personal information.

2.2. Institutional privacy policies and procedures

No new institution-specific policies or procedures related to privacy were implemented in this fiscal year. Elections Canada is continuing to review its ATIP tools and procedures, and update them as required.

2.3. Institutional monitoring of privacy requests

The ATIP Office uses its case management software to monitor the status of each request being processed, including the number of days remaining before the statutory deadline. A weekly progress report of all open and recently closed files is regularly provided to senior officials, including the Chief Electoral Officer and the Executive Committee.

2.4. Material privacy breaches

A material privacy breach is any unauthorized collection, use, disclosure, retention or disposal of sensitive personal information that could reasonably be expected to cause injury or harm to the individual.

No material privacy breaches occurred at Elections Canada during the reporting period.

2.5. Privacy impact assessments

Elections Canada consistently conducts privacy impact assessments (PIAs) to address privacy risks in new or existing departmental programs, initiatives or projects that manage personal information.

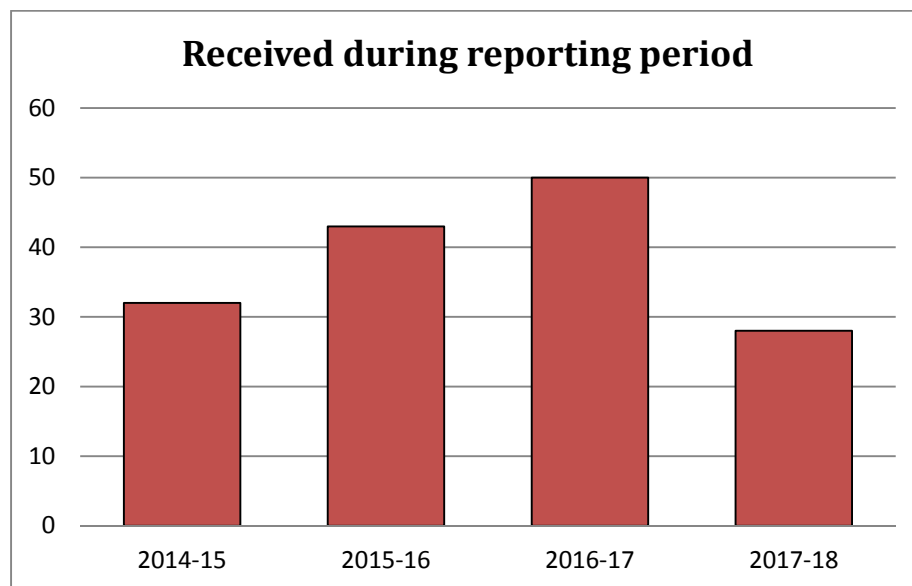
Elections Canada did not complete any PIAs in this fiscal year but did initiate several. These PIAs should be finalized in 2018-2019.

3. Statistical Report on Requests under the *Privacy Act*

This section provides an interpretation of several statistics on the processing of requests made to Elections Canada under the Act. All figures and data for the 2017–2018 fiscal year are provided in the attached statistical report (see Appendix II).

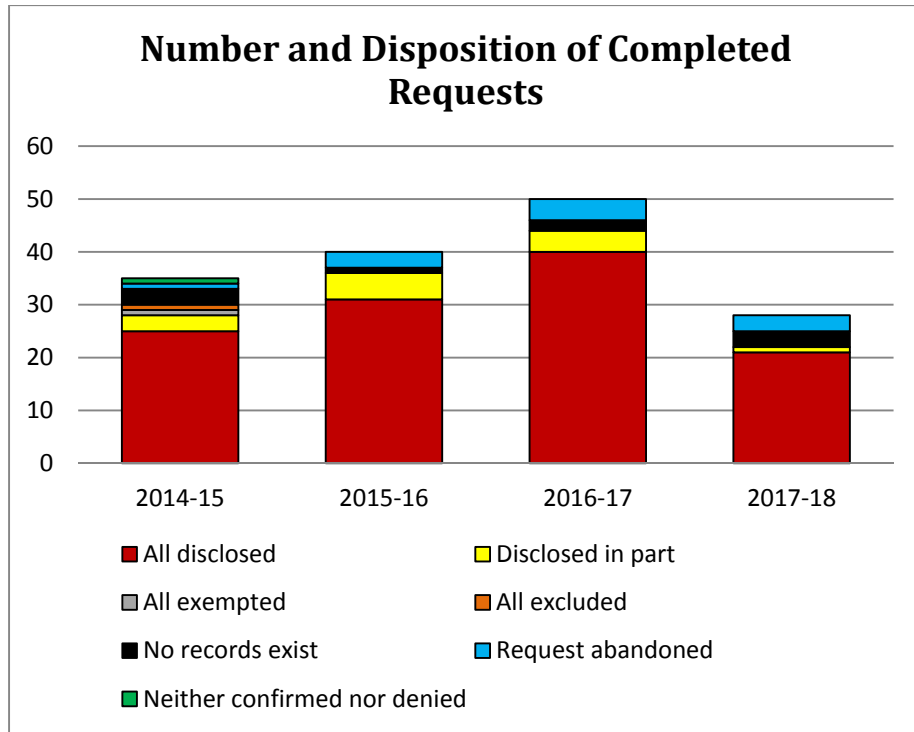
3.1. Number of requests

Elections Canada received 28 formal requests for personal information during 2017–2018, a 44 percent decrease from the previous year. Twenty-eight requests were processed during the reporting period and two requests were carried over into the new fiscal year.



3.2. Disposition of completed requests

Of the 28 requests completed during the reporting period, 21 resulted in full disclosure of the information requested. This represents 75 percent of all completed requests, similar to the previous fiscal year. One request resulted in partial disclosure, where personal information of individuals unassociated with the request was exempted further to section 26 of the Act. No records were found to exist for three requests, and three requests were abandoned by the applicant.



3.3. Completion time of requests

As in the previous year, 96 percent of requests for personal information were completed within 30 days. Elections Canada has historically received simple privacy requests that are uncomplicated to process. One request in the 2017–2018 fiscal year required between 31–60 days to complete.

3.4. Disclosures of personal information under paragraph 8(2)(m)

Subsection 8(2) of the Act stipulates that a government institution may disclose personal information under its control without the consent of those whom the information relates. Such disclosures are discretionary and are subject to any other act of Parliament.

Paragraph 8(2)(m) affirms that an institution may disclose personal information for any purpose where, in the opinion of the head of the institution, the public interest in the disclosure clearly outweighs any invasion of privacy that could result from it or where the disclosure would clearly benefit the individual to whom the information relates.

In accordance with previous years, Elections Canada did not disclose any personal information pursuant to paragraph 8(2)(m) in the 2017–2018 fiscal year.

3.5. Fees and Costs

There is no charge to individuals for processing requests under the Act.

During this reporting period, the ATIP Office expended \$211,448 to administer the Act. Salaries accounted for \$121,043 of this total, whereas spending on goods and services amounted to \$90,405.

4. Complaints and Judicial Review

Individuals who disagree with the handling of their personal information or the processing of a request under the Act can file a complaint with the Office of the Privacy Commissioner of Canada (OPC).

There was one complaint against Elections Canada filed with the OPC in 2017–2018 relating to the existence of records. The investigation of this complaint has not concluded.

No judicial reviews were reported to Elections Canada in 2017–2018.

Appendix I: Delegation of Authority



The Chief Electoral Officer • Le directeur général des élections

PRIVACY ACT DELEGATION ORDER

The Chief Electoral Officer of Canada, in accordance with section 73 of the *Privacy Act*, hereby designates the person holding the position set out below, or, in that person's absence, the Director Information Management or person acting in that position to exercise the powers and perform the duties and functions of the Chief Electoral Officer of Canada, as the head of the government institution under the Act.

POSITION

SECTIONS OF THE *PRIVACY ACT*

Manager and Coordinator Access to Information and Privacy

All sections

Date: MAR 17 2011

Signature:

Appendix II: Statistical Report on the *Privacy Act*, 2017–2018



Gouvernement
du Canada

Government
of Canada

Statistical Report on the *Privacy Act*

Name of institution: Elections Canada

Reporting period: 2017-04-01 to 2018-03-31

Part 1: Requests Under the *Privacy Act*

	Number of Requests
Received during reporting period	28
Outstanding from previous reporting period	2
Total	30
Closed during reporting period	28
Carried over to next reporting period	2

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	19	2	0	0	0	0	0	21
Disclosed in part	0	1	0	0	0	0	0	1
All exempted	0	0	0	0	0	0	0	0
All excluded	0	0	0	0	0	0	0	0
No records exist	0	2	1	0	0	0	0	3
Request abandoned	3	0	0	0	0	0	0	3
Neither confirmed nor denied	0	0	0	0	0	0	0	0
Total	22	5	1	0	0	0	0	28

2.2 Exemptions

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

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	20	1	0
Disclosed in part	0	1	0
Total	20	2	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	32	32	21
Disclosed in part	236	164	1
All exempted	0	0	0
All excluded	0	0	0
Request abandoned	0	0	3
Neither confirmed nor denied	0	0	0
Total	268	196	25

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	21	32	0	0	0	0	0	0	0	0
Disclosed in part	0	0	1	164	0	0	0	0	0	0
All exempted	0	0	0	0	0	0	0	0	0	0
All excluded	0	0	0	0	0	0	0	0	0	0
Request abandoned	3	0	0	0	0	0	0	0	0	0
Neither confirmed nor denied	0	0	0	0	0	0	0	0	0	0
Total	24	32	1	164	0	0	0	0	0	0

2.5.3 Other complexities

Disposition	Consultation Required	Legal Advice Sought	Interwoven Information	Other	Total
All disclosed	0	0	0	0	0
Disclosed in part	0	0	0	0	0
All exempted	0	0	0	0	0
All excluded	0	0	0	0	0
Request abandoned	0	0	0	0	0
Neither confirmed nor denied	0	0	0	0	0
Total	0	0	0	0	0

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
0	0	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	0	0
181 to 365 days	0	0	0
More than 365 days	0	0	0
Total	0	0	0

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

Paragraph 8(2)(e)	Paragraph 8(2)(m)	Subsection 8(5)	Total
0	0	0	0

Part 4: Requests for Correction of Personal Information and Notations

Disposition for Correction Requests Received	Number
Notations attached	0
Requests for correction accepted	0
Total	0

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	0	0	0	0
Disclosed in part	0	0	0	0
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	0	0	0	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	0	0	0	0
16 to 30 days	0	0	0	0
Total	0	0	0	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	1	27	0	0
Outstanding from the previous reporting period	0	0	0	0
Total	1	27	0	0
Closed during the reporting period	1	27	0	0
Pending at the end of the reporting period	0	0	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	1	0	0	0	0	0	0	1
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
Total	1	0	0	0	0	0	0	1

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
Total	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
Total	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
Total	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
1	0	0	0	1

Part 9: Privacy Impact Assessments (PIAs)

Number of PIA(s) completed	0
----------------------------	---

Part 10: Resources Related to the *Privacy Act*

10.1 Costs

Expenditures		Amount
Salaries		\$121,043
Overtime		\$0
Goods and Services		\$90,405
• Professional services contracts	\$85,481	
• Other	\$4,924	
Total		\$211,448

10.2 Human Resources

Resources	Person Years Dedicated to Privacy Activities
Full-time employees	1.58
Part-time and casual employees	0.00
Regional staff	0.00
Consultants and agency personnel	0.34
Students	0.00
Total	1.92

Note: Enter values to two decimal places.