

Canada Development Investment Corporation

Access to Information Act
Annual Report to Parliament

April 1, 2017 to March 31, 2018

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Introduction

The *Access to Information Act* (Revised Statutes of Canada, Chapter A-1, 1985) was proclaimed on July 1, 1983. The *Access to Information Act* (the “Act”) gives Canadian citizens and permanent residents a broad right of access to information contained in government records, including Crown Corporations and Agencies, subject to certain specific and limited exceptions.

This Annual Report to Parliament on the *Access to Information Act* is prepared and tabled in Parliament in accordance with section 72 of the *Act* and covers the period from April 1, 2017 to March 31, 2018.

Canada Development Investment Corporation (“CDEV” or the “Corporation”) became subject to the *Access to Information Act* on September 1, 2005.

Mandate of the Institution and Organizational Structure

CDEV was incorporated in 1982 as a federal crown corporation to provide a commercial vehicle for Government equity investment and to manage commercial holdings of the Government in the best interests of Canada, operating in a commercial manner.

CDEV is currently responsible for three wholly-owned subsidiaries: Canada Hibernia Holding Corporation (“CHHC”), Canada Eldor Inc. (“CEI”) and Canada GEN Investment Corporation (“GEN”). An Annual Report on the *Access to Information Act* has been prepared for each subsidiary.

The conduct and affairs of CDEV are overseen by the board of directors who are independent of management. The Corporation reports to Parliament through the Minister of Finance.

During the period April 1, 2017 to March 31, 2018, the Corporation did not borrow from the Government nor did it receive any appropriations.

Administration of Access to Information Activity

CDEV is based in Toronto and operates with a small team of six employees. The Access to Information and Privacy (“ATIP”) Coordinator is a full-time employee of the Corporation dedicated part-time to ATIP activities. The ATIP office consists of the Coordinator and an ATIP analyst with no other regional offices or employees. CDEV also retains advice from an independent consultant as needed.

The Corporation retains a small amount of commercial information in confidence. In the event of requests for such information, the Corporation will undertake appropriate notification and consultation procedures with relevant parties before disclosing any records.

The Delegation of Authority Order (Appendix A) that was approved on September 11,

2015 remained in effect throughout the reporting period. The Order was renewed on May 24, 2018. The authority to approve or deny the release of departmental information requested under the *Act* is shared by the Executive Vice President and the ATIP Coordinator.

Fees

The Corporation has adopted the Government's basic fee structure and normally requires that applicable fees be paid.

Since the Corporation maintains its own bank accounts, it is unable to process cheques made payable to the Receiver General of Canada. To assist applicants who are not aware of this, a note has been inserted in *Info Source* stating that the fee accompanying requests is to be made payable to the Canada Development Investment Corporation.

During the period, a total of \$30 was collected from six formal request applications.

Information Holdings

The Access to Information and Privacy Coordinator is responsible for providing a full accounting of the Corporation's information holdings to the Treasury Board Secretariat and ensures that updates are provided on a timely basis for inclusion in the *Info Source* publications.

The *Info Source* publications contain a description of the classes of corporate records held by the Canada Development Investment Corporation. The Corporation does not have any exempt banks. The Corporation publishes its *Info Source* chapter on its website at www.cdev.gc.ca.

Website

The Canada Development Investment Corporation maintains a public website: www.cdev.gc.ca. The website provides information on ATIP matters for CDEV and its subsidiaries. Completed Access to Information request summaries are published on the website's Access to Information section.

As of the first quarter of 2018, completed request summaries are also available on the Open Government website and included in the searchable database.

Reading Room

Canada Development Investment Corporation does not maintain a formal reading room as it occupies only minimal office space. However, in accordance with the *Access to Information Act*, the Corporation will make arrangements to provide facilities for viewing material on an as required basis.

Training and Awareness

In April 2017, an independent consultant provided a one day information session on the *Access to Information and Privacy Acts* to all six CDEV employees, including two ATIP staff.

Policies, Guidelines, Procedures and Initiatives

There were no changes to policies, guidelines or procedures during the reporting period.

Summary of Key Issues and Actions Taken on Complaints or Audits

One complaint was made to the Office of the Information Commissioner under section 32 of the *Act* alleging incorrect sections of the *Act* were applied to justify the exemption. CDEV worked with the Information Commissioner, external third parties and other Government institutions to successfully resolve the complaint by the end of the reporting period. The exemptions were reviewed and additional records were released to the requester in March 2018.

Monitoring Compliance

Outstanding requests are reviewed regularly to ensure the file is current and processing times are met.

Highlights of the Statistical Report, 2017-18

Appendix B is intended to provide a summarized statistical report on the *Access to Information Act* from April 1, 2017 to March 31, 2018.

The Corporation received six formal requests and five informal requests during the reporting period. One request remained open at March 31, 2018.

Six formal requests were completed during the reporting period. One was abandoned, one was all exempted, one was disclosed in full and three were disclosed in part. Three required 90 day extensions and one required a 60 day extension for government and third party consultations. Two requests were closed past the statutory deadline due to complex third-party and government consultations.

Five informal requests were closed during the reporting period, all under 15 days.

Eight consultations were received from other Government of Canada institutions in addition to one outstanding from the previous reporting period. All of the consultations were closed at March 31, 2018.

Of the new consultations, two were disclosed entirely, three disclosed in part and three exempt entirely. Four were completed under 15 days and four within 16-30 days. The request carried forward from the previous period was disclosed entirely, however it took in excess of 365 days to complete due to the volume of records and external consultations required.

Two requests closed past the statutory deadline due to complex external consultations. One exceeded the deadline by 4 days and the other by 177 days. Requests closed past the statutory deadline accounted for 33% of all formal requests in this period.

Since becoming subject to the *Act* in September 2005 the Corporation on average

receives two formal requests plus four consultations during each reporting period. This period CDEV received more requests and consultations than in previous years. The majority were in relation to two projects undertaken by the Corporation that were of interest to the media and general public.

Exemptions Invoked & Exclusions Cited

During the reporting period exemptions were invoked under sections 18, 19, 20 and 21. Exclusion 68(a) was applied where existing records were already published and accessible elsewhere. These exemptions are the most commonly used by the Corporation due to the nature of the business.

Costs

Total costs associated with *Access to Information Act* administration activities for this reporting period are \$61,742. Expenses increased by \$11,000 from the previous period due to the higher volume of requests and consultations.

Appendix A – Access to *Information Act* Designation Order

DESIGNATION/ DÉLÉGATION

*ACCESS TO INFORMATION ACT/
LOI SUR L'ACCÈS À L'INFORMATION*

Access to Information Act Designation Order

By this order made pursuant to section 73 of the *Access to Information Act*, I hereby authorize those officers and employees of the Canada Development Investment Corporation and subsidiaries occupying, on an acting basis or otherwise, the positions identified within the attached schedule to perform on my behalf any of the powers, duties, or functions specified therein.

This designation replaces and repeals all previous orders.

Dated in Toronto on this 24 day of MAY 2018

Arrêté sur la délégation en vertu de la Loi sur l'accès à l'information

Par le présent arrêté pris en vertu de l'article 73 de la *Loi sur l'accès à l'information*, j'autorise les agents et les employés du Corporation de développement des investissements du Canada et les filiales occupant, par intérim ou autrement, les postes identifiés dans l'annexe ci-jointe à exercer en mon nom, les attributions, les fonctions et les pouvoirs qui y sont spécifiés.

Le présent document remplace et annule tous les arrêtés antérieurs.

Fait à Toronto en ce _____ jour de _____ 2018



Chairperson - Canada Development Investments Corporation /
Le Président - Corporation de développement des investissements du Canada

Appendix B – Statistical Report on the *Access to Information Act*



Statistical Report on the *Access to Information Act*

Name of institution: Canada Development Investment Corporation

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

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

1.1 Number of requests

	Number of Requests
Received during reporting period	6
Outstanding from previous reporting period	1
Total	7
Closed during reporting period	6
Carried over to next reporting period	1

1.2 Sources of requests

Source	Number of Requests
Media	0
Academia	0
Business (private sector)	1
Organization	2
Public	2
Decline to Identify	1
Total	6

1.3 Informal requests

Completion Time							Total
1 to 15 Days	16 to 30 Days	31 to 60 Days	61 to 120 Days	121 to 180 Days	181 to 365 Days	More Than 365 Days	
5	0	0	0	0	0	0	5

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

Part 2: Requests Closed During the Reporting Period

2.1 Disposition and completion time

Disposition of Requests	Completion Time							Total
	1 to 15 Days	16 to 30 Days	31 to 60 Days	61 to 120 Days	121 to 180 Days	181 to 365 Days	More Than 365 Days	
All disclosed	1	0	0	0	0	0	0	1
Disclosed in part	0	0	1	1	0	1	0	3
All exempted	0	0	0	1	0	0	0	1
All excluded	0	0	0	0	0	0	0	0
No records exist	0	0	0	0	0	0	0	0
Request transferred	0	0	0	0	0	0	0	0
Request abandoned	0	0	0	1	0	0	0	1
Neither confirmed nor denied	0	0	0	0	0	0	0	0
Total	1	0	1	3	0	1	0	6

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)	0	18(a)	1	20.1	0
13(1)(b)	0	16(2)(a)	0	18(b)	4	20.2	0
13(1)(c)	0	16(2)(b)	0	18(c)	0	20.4	0
13(1)(d)	0	16(2)(c)	0	18(d)	4	21(1)(a)	1
13(1)(e)	0	16(3)	0	18.1(1)(a)	0	21(1)(b)	1
14	0	16.1(1)(a)	0	18.1(1)(b)	0	21(1)(c)	1
14(a)	0	16.1(1)(b)	0	18.1(1)(c)	0	21(1)(d)	1
14(b)	0	16.1(1)(c)	0	18.1(1)(d)	0	22	0
15(1)	0	16.1(1)(d)	0	19(1)	1	22.1(1)	0
15(1) - I.A.*	0	16.2(1)	0	20(1)(a)	1	23	0
15(1) - Def.*	0	16.3	0	20(1)(b)	3	24(1)	0
15(1) - S.A.*	0	16.4(1)(a)	0	20(1)(b.1)	0	26	0
16(1)(a)(i)	0	16.4(1)(b)	0	20(1)(c)	2		
16(1)(a)(ii)	0	16.5	0	20(1)(d)	3		
16(1)(a)(iii)	0	17	0				
16(1)(b)	0						
16(1)(c)	0						
16(1)(d)	0						

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

2.3 Exclusions

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

2.4 Format of information released

Disposition	Paper	Electronic	Other Formats
All disclosed	1	0	0
Disclosed in part	2	1	0
Total	3	1	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	3	3	1
Disclosed in part	2716	330	3
All exempted	0	0	1
All excluded	0	0	0
Request abandoned	0	0	1
Neither confirmed nor denied	0	0	0

2.5.2 Relevant pages processed and disclosed by size of requests

Disposition	Less Than 100 Pages Processed		101-500 Pages Processed		501-1000 Pages Processed		1001-5000 Pages Processed		More Than 5000 Pages Processed	
	Number of Requests	Pages Disclosed	Number of Requests	Pages Disclosed	Number of Requests	Pages Disclosed	Number of Requests	Pages Disclosed	Number of Requests	Pages Disclosed
All disclosed	1	3	0	0	0	0	0	0	0	0
Disclosed in part	0	0	1	22	1	2	1	306	0	0
All exempted	1	0	0	0	0	0	0	0	0	0
All excluded	0	0	0	0	0	0	0	0	0	0
Request abandoned	1	0	0	0	0	0	0	0	0	0
Neither confirmed nor denied	0	0	0	0	0	0	0	0	0	0
Total	3	3	1	22	1	2	1	306	0	0

2.5.3 Other complexities

Disposition	Consultation Required	Assessment of Fees	Legal Advice Sought	Other	Total
All disclosed	0	0	0	0	0
Disclosed in part	3	0	0	0	3
All exempted	1	0	0	0	1
All excluded	0	0	0	0	0
Request abandoned	0	0	0	0	0
Neither confirmed nor	0	0	0	0	0
Total	4	0	0	0	4

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	0	2	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	1	1
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	0	0
More than 365 days	0	0	0
Total	0	2	2

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	1	0	3	1
All exempted	0	0	1	1
All excluded	0	0	0	0
No records exist	0	0	0	0
Request abandoned	0	0	0	0
Total	1	0	4	2

3.2 Length of extensions

Length of Extensions	9(1)(a) Interference With Operations	9(1)(b) Consultation		9(1)(c) Third-Party Notice
		Section 69	Other	
30 days or less	0	0	0	0
31 to 60 days	1	0	1	0
61 to 120 days	0	0	3	2
121 to 180 days	0	0	0	0
181 to 365 days	0	0	0	0
365 days or more	0	0	0	0
Total	1	0	4	2

Part 4: Fees

Fee Type	Fee Collected		Fee Waived or Refunded	
	Number of Requests	Amount	Number of Requests	Amount
Application	6	\$30	0	\$0
Search	0	\$0	0	\$0
Production	0	\$0	0	\$0
Programming	0	\$0	0	\$0
Preparation	0	\$0	0	\$0
Alternative format	0	\$0	0	\$0
Reproduction	0	\$0	0	\$0
Total	6	\$30	0	\$0

Part 5: Consultations Received From Other Institutions and Organizations

5.1 Consultations received from other Government of Canada institutions and organizations

Consultations	Other Government of Canada Institutions	Number of Pages to Review	Other Organizations	Number of Pages to Review
Received during reporting period	8	978	0	0
Outstanding from the previous reporting period	1	704	0	0
Total	9	1682	0	0
Closed during the reporting period	9	1682	0	0
Pending at the end of the reporting period	0	0	0	0

5.2 Recommendations and completion time for consultations received from other Government of Canada institutions

Recommendation	Number of Days Required to Complete Consultation Requests							Total
	1 to 15 Days	16 to 30 Days	31 to 60 Days	61 to 120 Days	121 to 180 Days	181 to 365 Days	More Than 365 Days	
Disclose entirely	1	1	0	0	0	0	1	3
Disclose in part	1	2	0	0	0	0	0	3
Exempt entirely	2	1	0	0	0	0	0	3
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	4	4	0	0	0	0	1	9

5.3 Recommendations and completion time for consultations received from other organizations

Recommendation	Number of Days Required to Complete Consultation Requests							Total
	1 to 15 Days	16 to 30 Days	31 to 60 Days	61 to 120 Days	121 to 180 Days	181 to 365 Days	More Than 365 Days	
Disclose entirely	0	0	0	0	0	0	0	0
Disclose in part	0	0	0	0	0	0	0	0
Exempt entirely	0	0	0	0	0	0	0	0
Exclude entirely	0	0	0	0	0	0	0	0
Consult other institution	0	0	0	0	0	0	0	0
Other	0	0	0	0	0	0	0	0
Total	0	0	0	0	0	0	0	0

Part 6: Completion Time of Consultations on Cabinet Confidences

6.1 Requests with Legal Services

Number of Days	Fewer Than 100 Pages Processed		101-500 Pages Processed		501-1000 Pages Processed		1001-5000 Pages Processed		More Than 5000 Pages Processed	
	Number of Requests	Pages Disclosed	Number of Requests	Pages Disclosed	Number of Requests	Pages Disclosed	Number of Requests	Pages Disclosed	Number of Requests	Pages Disclosed
1 to 15	0	0	0	0	0	0	0	0	0	0
16 to 30	0	0	0	0	0	0	0	0	0	0
31 to 60	0	0	0	0	0	0	0	0	0	0
61 to 120	0	0	0	0	0	0	0	0	0	0
121 to 180	0	0	0	0	0	0	0	0	0	0
181 to 365	0	0	0	0	0	0	0	0	0	0
More than 365	0	0	0	0	0	0	0	0	0	0
Total	0	0	0	0	0	0	0	0	0	0

6.2 Requests with Privy Council Office

Number of Days	Fewer Than 100 Pages Processed		101-500 Pages Processed		501-1000 Pages Processed		1001-5000 Pages Processed		More Than 5000 Pages Processed	
	Number of Requests	Pages Disclosed	Number of Requests	Pages Disclosed	Number of Requests	Pages Disclosed	Number of Requests	Pages Disclosed	Number of Requests	Pages Disclosed
1 to 15	0	0	0	0	0	0	0	0	0	0
16 to 30	0	0	0	0	0	0	0	0	0	0
31 to 60	0	0	0	0	0	0	0	0	0	0
61 to 120	0	0	0	0	0	0	0	0	0	0
121 to 180	0	0	0	0	0	0	0	0	0	0
181 to 365	0	0	0	0	0	0	0	0	0	0
More than 365	0	0	0	0	0	0	0	0	0	0
Total	0	0	0	0	0	0	0	0	0	0

Part 7: Complaints and Investigations

Section 32	Section 35	Section 37	Total
1	0	0	1

Part 8: Court Action

Section 41	Section 42	Section 44	Total
0	0	0	0

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

9.1 Costs

Expenditures		Amount
Salaries		\$50,000
Overtime		\$0
Goods and Services		\$11,742
• Professional services contracts	\$6,450	
• Other	\$5,292	
Total		\$61,742

9.2 Human Resources

Resources	Person Years Dedicated to Access to Information Activities
Full-time employees	0.50
Part-time and casual employees	0.00
Regional staff	0.00
Consultants and agency personnel	0.00
Students	0.00
Total	0.50

Note: Enter values to two decimal places.