

ANNUAL REPORT ON THE ADMINISTRATION OF THE *PRIVACY ACT*

Export Development Canada

1 April 2021 – 31 March 2022



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INTRODUCTION

The purpose of the *Privacy Act* (“Act”) is to protect the privacy of individuals with respect to their personal information held by government institutions and provide them with a right of access to that information.

Export Development Canada (“EDC”) is a crown corporation and an agent of Her Majesty in Right of Canada with a mandate to support and develop trade between Canada and other countries and Canada’s competitiveness in the international marketplace and to provide development financing and other forms of development support. EDC’s mandate also includes supporting and developing domestic business, where requested by the Minister of International Trade, Export Promotion, Small Business and Economic Development and the Minister of Finance.

This report is prepared and tabled in Parliament in accordance with section 72 of the Act. For clarity, this report pertains to EDC specifically. Individual reports have been prepared and will be tabled for each of EDC’s wholly owned subsidiaries, Exinvest and Development Finance Institute Canada Inc.

ORGANIZATIONAL STRUCTURE

EDC’s Privacy and Information Risk (“P&IR”) Team is part of the Compliance and Ethics Group. The P&IR Team administers the Act for EDC and is responsible for responding to requests submitted to EDC under the Act.

With some fluctuations in team size and composition throughout the reporting period, the team was comprised of 6 full-time employees, of whom 2 were dedicated to ATI. The team was overseen by a Director, P&IR, who reported to the Chief Compliance and Ethics Officer, who in turn reported to EDC’s Senior Vice-President and Chief Risk Officer, Global Risk Management.

At the time of this report, EDC has agreements in place, entered into pursuant to section 73.1 of the Act, for the provision of privacy services to the Development Finance Institute Canada (DFIC) Inc. and Exinvest.

DELEGATION ORDER

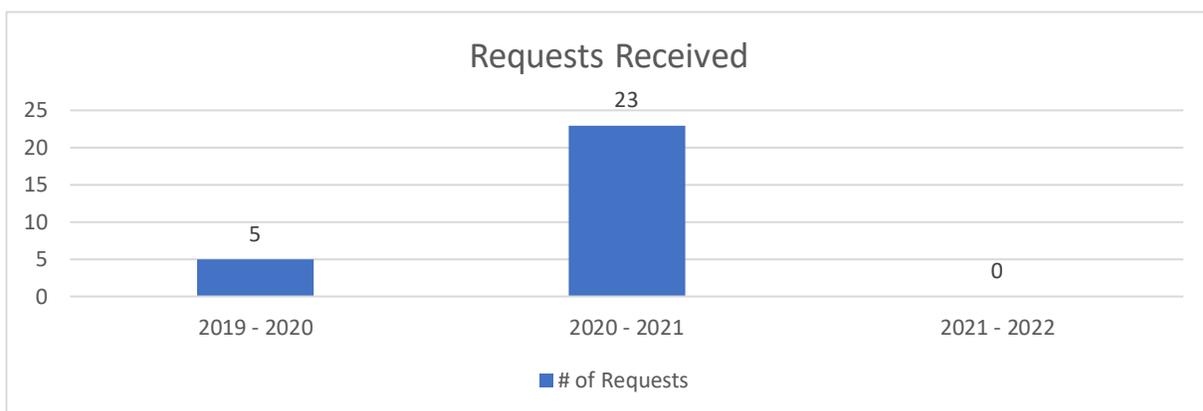
A copy of the delegation order that was made pursuant to section 73.1 of the Act and was in effect at the end of the reporting period is attached at Appendix A.

PERFORMANCE 2021-2022

Below is an overview of EDC’s performance, which is reported in greater detail in the Statistical Report on the Act for 2021-2022 that is attached at Appendix B:

- EDC received no new requests.
- 1 request was carried over from the previous 2020-2021 reporting period for processing during the 2021-2022 reporting period and was completed within 16-30 days.
- No complaints under the Act were received or concluded during the reporting period.
- No request required an extension.
- No consultation from other government institutions were received.
- One hundred per cent of requests were completed within the legislated timelines.
- One hundred per cent of requests completed involved records that were “disclosed in part” (as compared to “all disclosed”).

EDC had a decrease in the number of personal information requests received during the reporting period compared to the previous reporting period. The chart below shows the trend for the past 3 reporting periods.



IMPACT OF COVID-19 PANDEMIC

EDC's COVID-19 pandemic related measures did not impact the institution's ability to fulfill its responsibilities under the Act during the reporting period.

TRAINING AND AWARENESS PROGRAM

During the reporting period, the P&IR Team promoted awareness of EDC's obligations under the Act through mandatory privacy and access to information training for all new employees, who totaled 608 for the reporting period.

INSTITUTION-SPECIFIC POLICIES, GUIDELINES AND PROCEDURES

EDC did not implement any new or revised institution-specific policies, guidelines, procedures or initiatives related to privacy during the reporting period.

COMPLAINTS

No complaints under the Act were received or concluded during the reporting period.

MONITORING COMPLIANCE

EDC uses AccessPro Suite by CSDC Systems Inc. to manage all requests received under the Act. The software has a dashboard function that enables monitoring of the status and time taken to process access to information requests. In addition to weekly team meetings, access compliance metrics, including response times, were a standing item in EDC Board reporting.

MATERIAL PRIVACY BREACHES

No material privacy breaches were reported to the Office of the Privacy Commissioner or Treasury Board Secretariat during the reporting period.

PRIVACY IMPACT ASSESSMENTS

No privacy impact assessments were completed during the reporting period.

PUBLIC INTEREST DISCLOSURES

During the reporting period, 14 disclosures of personal information were made pursuant to section 8(2)(m)(ii) of the Act. All were made for the purposes of despatching emergency responders to assist individuals who posed an imminent danger to themselves or others and were reported to the Privacy Commissioner following the disclosure.

APPENDIX A – DELEGATION OF AUTHORITY

TABLE OF AUTHORITY DELEGATIONS OF AUTHORITY PURSUANT TO SECTION 73(1) OF *PRIVACY ACT* AND REGULATIONS COMPLIANCE AND ETHICS / PRIVACY AND ACCESS TO INFORMATION TEAM (PRIVACY & ATI), GLOBAL RISK MANAGEMENT (GRM) Authorization

1. Authorization to exercise or perform powers, duties or functions of the head of the institution under the *Privacy Act* and Privacy Regulations.

<i>Privacy Act – Section 73(1)</i>																											<i>Privacy Regulations</i>								
SECTIONS	8(2) (j)	8(2) (m)	8(4)	8(5)	9(1) & (4)	10	14	15	17(2)(b) & (3)(b)	18(2)	19(1) & (2)	20	21	22	22.3	23	24	25	26	27	28	31	33(2)	35(1) &(4)	36(3)	37(3)	51(2)(b) & (3)	72 (1)(4)	9	11 (2)	11 (4)	13 (1)	14		
PRESIDENT & CEO	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	
SVP & CHIEF RISK OFFICER, GRM	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X			X	X	X	X	X	X	
VP & CCO, GRM	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X			X	X	X	X	X	X	
DIRECTOR, COMPLIANCE & ETHICS, PRIVACY AND ATI	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X			X	X	X	X	X	X	
PRINCIPAL, PRIVACY AND ATI	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X			X	X	X	X	X	X	X
CEBA CALL CENTRE MANAGEMENT		X*																																	

* This delegation is for the purposes of enabling timely and informed decision-making in emergency situations. It is specific and limited to authority to making the determination disclosure is authorized in accordance with criteria defined for this purpose by the Director, Compliance and Ethics, Privacy and ATI.

2. Authorization to exercise or perform powers, duties or functions of the head of the institution falling outside of the *Privacy Act* and Privacy Regulations.

In addition, for the purposes of this Table of Authority, “Administrative Function Authorizations” refer to the authority to: (i) respond to requests where the relevant personal information is disclosed entirely, without exemption under the *Privacy Act*; (ii) respond to requests where there is no relevant personal information to be disclosed; and (iii) refer a requester to another institution (i.e, when a requester has submitted the request to EDC in error). Any Administrative Function Authorization requires approval by one employee whose title is one mentioned in the Table of Authority above.

**TABLE OF AUTHORITY DELEGATIONS OF AUTHORITY PURSUANT TO SECTION 73(1) OF *PRIVACY ACT* AND REGULATIONS
COMPLIANCE AND ETHICS / PRIVACY AND ACCESS TO INFORMATION TEAM (PRIVACY & ATI) / GLOBAL RISK MANAGEMENT**

<i>Privacy Act – Sections</i>			<i>Privacy Regulations - Sections</i>
8(2)(j) disclosure for research purposes	18(2) exemption (exempt bank) – disclosure may be refused	27 exemption - solicitor-client privilege	9 reasonable facilities and time provided to examine personal information
8(2)(m) disclosure in public interest or in interest of the individual	19(1) exemption - personal information obtained in confidence	28 exemption - medical record	11(2) notification that correction to personal information has been made
8(4) copies of requests under paragraph 8(2)(e) to be retained	19(2) exemption – where authorized to disclose	31 notice of intention to investigate	11(4) notification that correction to personal information has been refused
8(5) notice of disclosure under paragraph 8(2)(m)	20 exemption - federal-provincial affairs	33(2) right to make representation	13(1) disclosure of personal information relating to physical or mental health may be made to a qualified medical practitioner or psychologist for an opinion on whether to release information to the requestor
9(1) record of disclosures to be retained	21 exemption - international affairs and defence	35(1) findings and recommendations of the Privacy Commissioner (complaints)	14 disclosure of personal information relating to physical or mental health may be made to requestor in the presence of a qualified medical practitioner or psychologist
9(4) consistent uses	22 exemption - law enforcement and investigation	35(4) access to be given	
10 personal information to be included in personal information banks	22.3 exemption – <i>Public Servants Disclosure Protection Act</i>	36(3) report of findings and recommendations (exempt banks)	
14 notice where access requested	23 exemption - security clearances	37(3) report of findings and recommendations (compliance review)	
15 extension of time limits	24 exemption - individuals sentenced for an offence	51(2)(b) special rules for hearings	
17(2)(b) language of access	25 exemption - safety of individuals	51(3) <i>ex parte</i> representations	
17(3)(b) access to personal information in alternative format	26 exemption - information about another individual	72(1)(4) report to Parliament	

**DELEGATIONS OF AUTHORITY - TABLE NOTES PURSUANT TO SECTION 73(1) OF *PRIVACY ACT* AND REGULATIONS
COMPLIANCE AND ETHICS / PRIVACY AND ACCESS TO INFORMATION TEAM (PRIVACY & ATI) / GLOBAL RISK MANAGEMENT (GRM)**

3. TITLES

All of the above titles include their equivalent under any future designation.

4. PREVIOUS AUTHORITIES

All current authority designations executed by the President and Chief Executive Officer of EDC (e.g. the head of the corporation) (the “Designations”), are replaced by these Table of Authority and Table Notes without in any way affecting the validity of acts done pursuant to such Designations.



President and Chief Executive Officer

January 18, 2021

Date

3.5.3 Relevant minutes processed and disclosed for audio formats

Number of Minutes Processed	Number of Minutes Disclosed	Number of Requests
0	0	0

3.5.4 Relevant minutes processed per request disposition for audio formats by size of requests

Disposition	Less than 60 Minutes processed		60-120 Minutes processed		More than 120 Minutes processed	
	Number of requests	Minutes Processed	Number of requests	Minutes Processed	Number of requests	Minutes Processed
All disclosed	0	0	0	0	0	0
Disclosed in part	0	0	0	0	0	0
All exempted	0	0	0	0	0	0
All excluded	0	0	0	0	0	0
Request abandoned	0	0	0	0	0	0
Neither confirmed nor denied	0	0	0	0	0	0
Total	0	0	0	0	0	0

3.5.5 Relevant minutes processed and disclosed for video formats

Number of Minutes Processed	Number of Minutes Disclosed	Number of Requests
0	0	0

3.5.6 Relevant minutes processed per request disposition for video formats by size of requests

Disposition	Less than 60 Minutes processed		60-120 Minutes processed		More than 120 Minutes processed	
	Number of requests	Minutes Processed	Number of requests	Minutes Processed	Number of requests	Minutes Processed
All disclosed	0	0	0	0	0	0
Disclosed in part	0	0	0	0	0	0
All exempted	0	0	0	0	0	0
All excluded	0	0	0	0	0	0
Request abandoned	0	0	0	0	0	0
Neither confirmed nor denied	0	0	0	0	0	0
Total	0	0	0	0	0	0

3.5.7 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

3.6 Closed requests

3.6.1 Number of requests closed within legislated timelines

Number of requests closed within legislated timelines	1
Percentage of requests closed within legislated timelines (%)	100

8.2 Requests with Privy Council Office

Number of Days	Fewer Than 100 Pages Processed		100-500 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

Section 9: Complaints and Investigations Notices Received

Section 31	Section 33	Section 35	Court action	Total
1	1	1	0	3

Section 10: Privacy Impact Assessments (PIAs) and Personal Information Banks (PIBs)

10.1 Privacy Impact Assessments

Number of PIAs completed	0
Number of PIAs modified	0

10.2 Institution-specific and Central Personal Information Banks

Personal Information Banks	Active	Created	Terminated	Modified
Institution-specific	12	0	0	0
Central	0	0	0	0
Total	12	0	0	0

Section 11: Privacy Breaches

11.1 Material Privacy Breaches reported

Number of material privacy breaches reported to TBS	0
Number of material privacy breaches reported to OPC	0

11.2 Non-Material Privacy Breaches

Number of non-material privacy breaches	1
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Section 12: Resources Related to the Privacy Act

12.1 Allocated Costs

Expenditures	Amount
Salaries	\$238,455
Overtime	\$0
Goods and Services	\$0
• Professional services contracts	\$0
• Other	\$0
Total	\$238,455

12.2 Human Resources

Resources	Person Years Dedicated to Privacy Activities
Full-time employees	1.760
Part-time and casual employees	0.000
Regional staff	0.000
Consultants and agency personnel	0.000
Students	0.000
Total	1.760

Note: Enter values to three decimal places.