

ANNUAL REPORT ON THE ADMINISTRATION OF THE *PRIVACY ACT*

Export Development Canada

1 April 2023 – 31 March 2024



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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 His 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 relates to EDC and also meets the reporting requirements of EDC’s wholly owned non-operational subsidiary, Exinvest Inc. A separate report is prepared and tabled for EDC’s wholly owned operating subsidiary, 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 has, among other responsibilities, primary responsibility for administering the *Privacy Act* and the *Access to Information Act* and is responsible for responding to requests submitted to EDC under these Acts. Throughout the reporting period, the team was comprised of 6 full-time employees, with 2 employees dedicated to Privacy. The team was overseen by the Director, Ethics, Privacy and Information Risk, who reported to the Chief Compliance and Ethics Officer, who in turn reported to EDC’s Senior Vice-President and Chief Risk and Sustainability Officer.

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 Inc. and Exinvest Inc.

DELEGATION ORDER

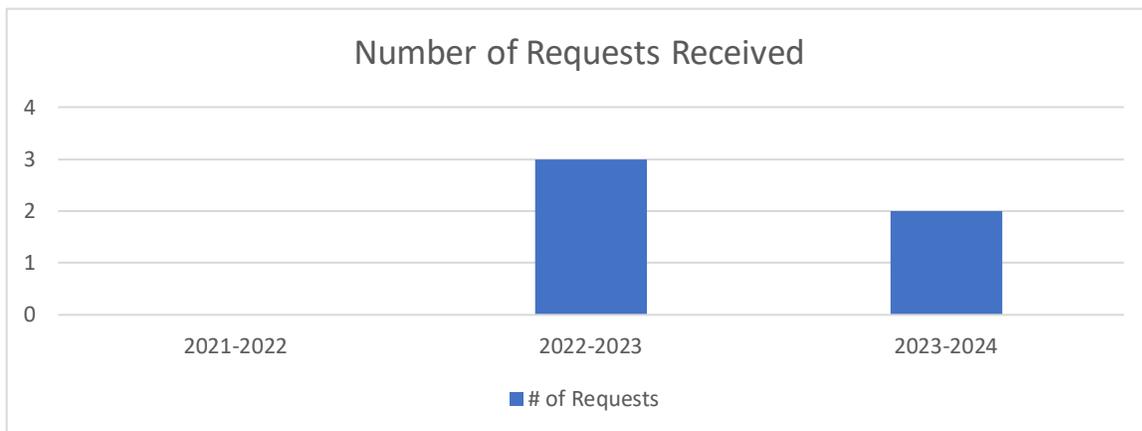
A copy of the delegation order that was made pursuant to section 73.1 of the Act and was in effect at the end of the reporting period is attached at Appendix A.

PERFORMANCE 2023-2024

Below is an overview of key data on EDC’s performance during the reporting period.

- EDC received two new requests during the reporting period.
- Of the two requests that were completed during the reporting period, 100% were completed within legislated timelines.
- Of the two requests that were completed during the reporting period:
 - One was completed within 1 - 15 days, and
 - One was completed within 16 – 30 days.
- None of the requests required an extension.
- One hundred percent of requests completed involved records that were “disclosed in part” (as compared to “all disclosed”).
- As of the last day of the reporting period, there were no active requests.
- As of the last day of the reporting period, there were no active complaints.
- No requests for consultation from other government institutions were received.

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.



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 175 for the reporting period. Additionally, the P&IR Team carried out other privacy

awareness initiatives such as individual training sessions tailored to specific groups based on need, and newsletter articles and job aids focusing on privacy protection.

INSTITUTION-SPECIFIC POLICIES, GUIDELINES AND PROCEDURES

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

EDC did not initiate any new collections or consistent uses of Social Insurance Numbers during the reporting period.

INITIATIVES AND PROJECTS TO IMPROVE ACCESS TO INFORMATION

During the 2023-2024 reporting period, EDC completed the process of onboarding to ATIP Online, a centralized, publicly facing website hosted by the Treasury Board Secretariat for individuals to submit requests for access to information, including personal information.

COMPLAINTS

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

MATERIAL PRIVACY BREACHES

No material privacy breaches occurred or 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 on new or substantially modified programs or activities, as defined in the Directive on Privacy Impact Assessments.

PUBLIC INTEREST DISCLOSURES

No disclosures of personal information pursuant to section 8(2)(m) of the Act (disclosures considered to be in the public interest) were made 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.

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
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.

Ma:read Lavery

President and Chief Executive Officer

January 18, 2021

Date