

ANNUAL REPORT ON THE
ACCESS TO INFORMATION ACT

2016/2017

May 19, 2017



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Presentation of the 2016/2017 annual report

In compliance with section 72 of the *Access to Information Act*, this annual report is prepared by Telefilm Canada and tabled on its behalf in Parliament by the Minister of Canadian Heritage.

Purpose of the Access to Information Act

The *Access to Information Act* (the “Act”) gives Canadian citizens the right to access information contained in records under the control of federal institutions governed by the Act. This right is nevertheless subject to exceptions specified in the Act. Furthermore, decisions made by federal institutions on the disclosure of information are subject to independent review by the Office of the Information Commissioner of Canada as well as by the federal courts.

Mandate of the institution

Telefilm Canada (the “Corporation”) is a federal cultural institution dedicated to the development and promotion of the Canadian audiovisual industry. Telefilm Canada provides financial support to the private sector to create distinctively Canadian productions that appeal to domestic and international audiences. The Corporation also administers the funding programs of the Canada Media Fund.

Organisation

The Director of Legal Services is the designated Access to Information and Privacy Coordinator (the “Coordinator”) for the Corporation. The Coordinator refers requests filed under the Act to Legal Services staff, who ensure their coordination as well as all aspects of their processing, including final decisions issued to applicants. Furthermore, Legal Services staff deal with any other issues related to access to information within the Corporation.

Findings

In 2016/2017, the number of access to information requests decreased compared to the previous year. Telefilm Canada received 10 formal access to information requests, which is 24 fewer than in the previous financial year and represents a 71% decrease. The number of requests appears to fluctuate over time, as 36 formal requests were received in 2014/2015 but just 4 during the 2013/2014 period. Of the 10 formal requests received, 1 was abandoned by the applicant.

The number of informal requests rose from 5 to 7 files, representing a 40% increase over the 2015/2016 financial year. This number also appears to fluctuate over time, as there were 4 informal requests in 2014/2015 and 7 in 2013/2014.

As in previous financial years, during the 2016/2017 period our institution received no requests for a release package featured on the list of completed access to information requests published on “open.canada.ca” and our own website. Moreover, the Corporation processed 3 requests for consultation from other federal institutions, the same number as in 2015/2016. The rate of these requests also appears to fluctuate when compared with previous financial years: 4 requests for consultation were received in 2014/2015 and 9 in 2013/2014.

As has been the case in recent years, some formal access requests received in 2016/2017 concerned the communication of information related to specific project files, whereas other requests pertained to all documents and correspondence containing specific terms.

Of the 5 files completed during the 2016/2017 period (including 3 files which were outstanding from the previous reporting period), only one required an extension of processing time. This extension was necessary specifically due to the volume of documents concerned and the relatively complex nature of the information requested. Other than the foregoing, no additional measures were required with respect to the time needed to process access to information requests.

During the 2016/2017 period, the Office of the Information Commissioner of Canada opened 6 complaint files in connection with requests processed by the Corporation, compared with 16 complaint files in 2015/2016, 4 in 2014/2015 and none in 2013/2014. The 6 complaint files concern the application of exceptions under the Act, as well as the validity and length of the extension invoked by the Corporation. Furthermore, during the same period, the Office of the Information Commissioner of Canada closed 12 complaint files (pertaining to 8 complaints filed in 2015 and 4 filed in 2016). The Office of the Information Commissioner of Canada deemed 8 of those complaints to be abandoned or discontinued, 1 to be unfounded and 1 to be founded.

During the 2016/2017 period, Legal Services provided 1 training session to Telefilm Canada staff designed to raise awareness on the part of the Corporation’s employees and managers about important aspects related to access to information. As in previous years, this training was delivered by way of an interactive online platform and included a questionnaire. Total participation for all locations was estimated at 182 individuals.

During the same period, Legal Services also delivered 2 training sessions at the head office in Montréal to raise awareness among new employees about important aspects of access to information. The two sessions were attended by 6 and 5 individuals, respectively.

Moreover, in the light of the complaint deemed to be founded, Legal Services provided an additional session at the head office in Montréal to train 11 employees about their obligation under the Act to lend assistance and the best practices to follow in this regard.

In addition to the foregoing, Legal Services continued to be consistently available to respond to the needs and questions of the Corporation's employees and managers regarding access to information. Finally, in addition to the preceding, during the 2016/2017 period, the Corporation did not implement any new or revised access to information policies, guidelines or procedures.

Schedule "A"

Copy of the Delegation Order

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MEMO

To: Stéphane Odesse, Director, Legal Services and ATIP Coordinator
Pierre-Yves Marchand, Paralegal
Khadidja Kedir, Lawyer
Alexandra Beaulieu, Lawyer

From: Carolle Brabant, Executive Director

Date: October 4, 2016

Subject: Delegation of Powers, Duties and Functions under the *Access to Information Act* and the *Privacy Act*.

This is to confirm in writing that effective October 4, 2016 I designated, pursuant to section 73 of the *Access to Information Act* ("ATIA") and the *Privacy Act*, Stéphane Odesse, Director, Legal Services and Access to Information and Privacy ("ATIP") Coordinator for Telefilm Canada, to exercise and perform all the powers, duties and functions of the Executive Director as head of Telefilm Canada under the ATIA and the *Privacy Act*.

In addition, effective October 4, 2016 I delegated these same powers, duties and functions to Pierre-Yves Marchand, Paralegal, for the administration and carrying out of all and any of Telefilm Canada's responsibilities and activities pursuant to and under the ATIA and the *Privacy Act*.

In addition, effective October 4, 2016 I delegated these same powers, duties and functions to Khadidja Kedir, Lawyer, for the administration and carrying out of all and any of Telefilm Canada's responsibilities and activities pursuant to and under the ATIA and the *Privacy Act*.


In addition, effective October 4, 2016 I delegated these same powers, duties and functions to Alexandra Beaulieu, Lawyer, for the administration and carrying out of all and any of Telefilm Canada's responsibilities and activities pursuant to and under the ATIA and the *Privacy Act*.

The Paralegal and Lawyers listed above shall report directly to the Director, Legal Services and ATIP Coordinator and to no other person within Telefilm Canada for ATIA and *Privacy Act* purposes.

Any proposed changes to the authority and procedure hereby granted shall require my prior written authorization.

Signed this 4 day of October, 2016

Telefilm Canada



Carolle Brabant
Executive Director



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Canada

Schedule "B"

Statistical Report



Statistical Report on the *Access to Information Act*

Name of institution: Telefilm Canada

Reporting period: 2016-04-01 to 2017-03-31

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

1.1 Number of requests

	Number of Requests
Received during reporting period	10
Outstanding from previous reporting period	4
Total	14
Closed during reporting period	5
Carried over to next reporting period	9

1.2 Sources of requests

Source	Number of Requests
Media	0
Academia	0
Business (private sector)	10
Organization	0
Public	0
Decline to Identify	0
Total	10

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	
6	1	0	0	0	0	0	7

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	0	0	0	0	0	0	0	0
Disclosed in part	0	4	0	0	0	0	0	4
All exempted	0	0	0	0	0	0	0	0
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	0	4	0	1	0	0	0	5

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)	0	20.1	0
13(1)(b)	0	16(2)(a)	0	18(b)	0	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)	0	21(1)(a)	4
13(1)(e)	0	16(3)	0	18.1(1)(a)	0	21(1)(b)	4
14	0	16.1(1)(a)	0	18.1(1)(b)	0	21(1)(c)	0
14(a)	0	16.1(1)(b)	0	18.1(1)(c)	0	21(1)(d)	0
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)	3	22.1(1)	0
15(1) - I.A.*	0	16.2(1)	0	20(1)(a)	0	23	0
15(1) - Def.*	0	16.3	0	20(1)(b)	2	24(1)	1
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)	0		
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)	0	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	0	0	0
Disclosed in part	3	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	0	0	0
Disclosed in part	1660	2131	4
All exempted	0	0	0
All excluded	0	0	0
Request abandoned	5794	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	0	0	0	0	0	0	0	0	0	0
Disclosed in part	2	39	0	0	1	561	1	1531	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	0	0	0	0	0	0	0	0	1	0
Neither confirmed nor denied	0	0	0	0	0	0	0	0	0	0
Total	2	39	0	0	1	561	1	1531	1	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	1	0	0	0	1
All exempted	0	0	0	0	0
All excluded	0	0	0	0	0
Request abandoned	1	0	0	0	1
Neither confirmed nor	0	0	0	0	0
Total	2	0	0	0	2

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: 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	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	1	0	0	0
Total	1	0	0	0

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	0	0	0	0
61 to 120 days	1	0	0	0
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	0	0

Part 4: Fees

Fee Type	Fee Collected		Fee Waived or Refunded	
	Number of Requests	Amount	Number of Requests	Amount
Application	10	\$50	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	10	\$50	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	3	40	0	0
Outstanding from the previous reporting period	0	0	0	0
Total	3	40	0	0
Closed during the reporting period	3	40	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	3	0	0	0	0	0	0	3
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	3	0	0	0	0	0	0	3

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
6	0	0	6

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		\$160 203
Overtime		\$2 548
Goods and Services		\$0
• Professional services contracts	\$0	
• Other	\$0	
Total		\$162 751

9.2 Human Resources

Resources	Person Years Dedicated to Access to Information Activities
Full-time employees	1,75
Part-time and casual employees	0,00
Regional staff	0,00
Consultants and agency personnel	0,00
Students	0,00
Total	1,75

Note: Enter values to two decimal places.