

Canada Development Investment Corporation

Access to Information Act
Annual Report to Parliament

April 1, 2018 to March 31, 2019

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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, 2018 to March 31, 2019.

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”), Canada TMP Finance Ltd. (“TMP Finance”) and its subsidiary Trans Mountain Corporation (“TMC”). Canada GEN Investment Corporation (“GEN”) was dissolved on June 28, 2018 and ceased to be a subsidiary on that date. An Annual Report on the *Access to Information Act* has been prepared for each subsidiary.

The Corporation reports to Parliament through the Minister of Finance.

Two full-time CDEV employees are dedicated part-time to ATIP activities for CDEV and its subsidiaries, excluding TMC. The ATIP department consists of the ATIP Coordinator and one analyst. CDEV retains advice from external legal counsel and independent consultants as needed.

Delegation Order

The Delegation of Authority Order (Appendix A) is reviewed and approved annually by the head of the organization. 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.

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.

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.

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.

Highlights of the 2018-2019 Statistical Report

Appendix B is intended to provide a summarized statistical report on the *Access to Information Act* from April 1, 2018 to March 31, 2019.

The Corporation received four formal requests and twenty-one informal requests during the reporting period. No requests remained open at March 31, 2019.

Five formal requests were completed during the reporting period. Two were abandoned, one was transferred to another subsidiary and two 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.

Twenty-one informal requests were closed during the reporting period. Sixteen requests were completed in under 15 days and five took 16 to 30 days.

Eleven consultations were received from other Government of Canada institutions. None were outstanding from the previous reporting period. Ten consultations were closed at March 31, 2019.

Of the new consultations, ten were disclosed entirely. Seven were completed under 15 days, two within 16-30 days and one required 31-60 days to complete. One consultation was pending at March 31, 2019.

One exceeded the deadline by 4 days and the other by 177 days. Request 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 consultations than in previous years. The majority were in relation to projects undertaken by the Corporation that were of interest to the media and general public.

During the reporting period exemptions were invoked under sections 13(1)(c), 14(a), 14(b), 16(2)(a), 17, 18, 19(1), 20, 21, 23 and 24(1). No exclusion applied. These exemptions are the most commonly used by the Corporation due to the nature of the business.

Training and Awareness

Four non-ATIP employees participated in an interactive presentation hosted by CDEV's external legal advisors. The information session also served as an introduction to ATIP for the TMC employees assigned with ATIP responsibilities. The event was organized upon TMC becoming subject to the *Act* in September 2018. Topics included ATIP duties, information management and requester relations.

CDEV management meet with ATIP administrators to discuss specific requests and consultations as required.

Management are briefed on the status of files and reporting requirements on a regular basis. Summaries of formal and informal ATIP requests for CDEV and its subsidiaries are presented to the board of directors at least annually.

Policies, Guidelines, Procedures and Initiatives

ATIP policies, guidelines, procedures and initiatives are reviewed regularly. Changes in technology and software options are considered as they become available.

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. The complaint was against another government institution, however the records in question originated from CDEV and therefore CDEV assisted in resolving the complaint. 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.

Monitoring Compliance

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

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 (excluding Trans Mountain Corporation) 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.

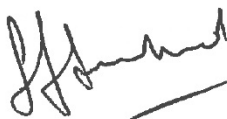
Dated in Vancouver on this ___8th___ day of April 2019

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 (sauf la Corporation Trans Mountain) 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 Vancouver en ce ___8___ jour en avril 2019



Stephen Swaffield

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: 2018-04-01 to 2019-03-31

Part 1: Requests Under the Access to Information Act

1.1 Number of requests

	Number of Requests
Received during reporting period	4
Outstanding from previous reporting period	1
Total	5
Closed during reporting period	5
Carried over to next reporting period	0

1.2 Sources of requests

Source	Number of Requests
Media	2
Academia	0
Business (private sector)	0
Organization	0
Public	2
Decline to Identify	0
Total	4

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	
16	5	0	0	0	0	0	21

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	0	0	0	0	2	0	2
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	1	0	0	0	0	0	0	1
Request abandoned	0	0	0	2	0	0	0	2
Neither confirmed nor denied	0	0	0	0	0	0	0	0
Total	1	0	0	2	0	2	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)	1	20.1	0
13(1)(b)	0	16(2)(a)	0	18(b)	2	20.2	0
13(1)(c)	1	16(2)(b)	0	18(c)	1	20.4	0
13(1)(d)	0	16(2)(c)	1	18(d)	2	21(1)(a)	2
13(1)(e)	0	16(3)	0	18.1(1)(a)	0	21(1)(b)	2
14	0	16.1(1)(a)	0	18.1(1)(b)	1	21(1)(c)	2
14(a)	1	16.1(1)(b)	0	18.1(1)(c)	0	21(1)(d)	0
14(b)	1	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	1
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)	2		
16(1)(a)(iii)	0	17	1				
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	0	2	0
Total	0	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	0	0	0
Disclosed in part	2131	1471	2
All exempted	0	0	0
All excluded	0	0	0
Request abandoned	0	0	2
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	0	0	0	0	2	1471	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	2	0	0	0	0	0	0	0	0	0
Neither confirmed nor denied	0	0	0	0	0	0	0	0	0	0
Total	2	0	0	0	2	1471	0	0	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	2	0	0	0	2
All exempted	0	0	0	0	0
All excluded	0	0	0	0	0
Request abandoned	0	0	0	0	0
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
2	1	1	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	1	1
121 to 180 days	0	0	0
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	2	1
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	1	0	2	1

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	1	1
121 to 180 days	0	0	1	0
181 to 365 days	0	0	0	0
365 days or more	0	0	0	0
Total	1	0	2	1

Part 4: Fees

Fee Type	Fee Collected		Fee Waived or Refunded	
	Number of Requests	Amount	Number of Requests	Amount
Application	2	\$10	2	\$10
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	2	\$10	2	\$10

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	11	936	0	0
Outstanding from the previous reporting period	0	0	0	0
Total	11	936	0	0
Closed during the reporting period	10	637	0	0
Pending at the end of the reporting period	1	299	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	7	2	1	0	0	0	0	10
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	7	2	1	0	0	0	0	10

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	1	1	0	0	0	0	0	0	0	0
16 to 30	0	0	1	143	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	1	1	1	143	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		\$6,924
• Professional services contracts	\$920	
• Other	\$6,004	
Total		\$56,924

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.