



National Research  
Council Canada

Conseil national  
de recherches Canada

# **NRC - CNRC**

## *Annual Report to Parliament 2006-2007*

*Access to Information Act*

## TABLE OF CONTENTS

### Report on the *Access to Information Act*

#### Introduction

National Research Council - Role and Responsibilities	Page 1
Organization of Access to Information Activities	1
Delegation Instrument	2
Administrative Issues	2
Annual Statistical Report – 2006-2007	3
Nature of Requests	4
Completion Times and Extensions	4
Exemptions Invoked	5
Exclusions Cited	5
Complaints	5
Costs	6

## **Introduction**

In accordance with Section 72 of the *Access to Information Act*, this twenty-third Annual Report on the administration of the *Access to Information Act* at the National Research Council (NRC) describes how NRC discharged its responsibilities in relation to the *Act* in the fiscal year 2006-2007.

## **National Research Council of Canada - Role and Responsibilities**

According to the *National Research Council (NRC) Act*, the mandate of the organization is to undertake, assist or promote scientific and industrial research in different fields of importance to Canada; to investigate standards and methods of measurement; and to work on the standardization and certification of scientific and technical apparatus and instruments and of materials used or usable by Canadian industries. NRC is also responsible for the operation and administration of astronomical observatories established or maintained by the Government of Canada and for the operation of a national science library. NRC is defined as a Separate Employer under the *Public Service Staff Relations Act* and as a Departmental Corporation under the *Financial Administration Act*.

NRC's business is based on scientific research, technology, knowledge creation, and innovation. Its vision is to be valued as the world's best national organization for research and innovation; its purpose to provide integrated science and technology solutions in areas of critical importance to Canada; its role to be a vital instrument of the federal government translating science and technology into social and economic well-being for Canadians and its goals to contribute to the global competitiveness of Canadian industry in key sectors and to the economic viability of communities, to strengthen Canada's innovation system, and to make significant contributions to Canada's priorities in health and wellness, sustainable energy and the environment.

## **Organization of Access to Information Activities**

The President has assigned responsibility for implementation of the *Access to Information Act* to the Secretary General of the organization. Operational responsibility for the implementation of the *Act* has been delegated to the Access to Information and Privacy Coordinator.

The National Research Council has procedures in place for all formal access requests. These requests are processed by the Access to Information and Privacy Coordinator who has the authority to access to all records held by NRC. The Coordinator works closely with the Records Manager and Senior Management across the organization.

In accordance with Section 71 of the *Access to Information Act*, the NRC-Canada Institute for Scientific and Technical Information (NRC-CISTI) and the various Information Centres are the designated locations where the public may inspect manuals used by employees to administer or carry out programs or activities that affect the public. While the main NRC-CISTI library is located in Building M-55, Montreal Road Campus, Ottawa, Ontario, other NRC-Information Centres are located in NRC Institutes across the country.

### **Delegation Instrument**

Pursuant to Section 73 of the *Access to Information Act*, the President has designated the persons holding the positions indicated below to exercise the powers and perform the duties and functions of the President as the head of a government institution under the sections of the *Act* set out opposite each position.

<u>Position</u>	Sections of the <i>Access to Information Act</i>
Secretary General	Full authority
Access to Information Coordinator	7(a), 8(1), 9, 11(2)(3)(4)(5)(6) 12(2)(3), 26, 27(1), 28(1)(2)(4) 29(1), 33, 37(4), 43(1), 44(2)

### **Administrative Issues**

#### Staffing

A new ATIP Officer position was created in 2006 to support the ATIP Coordinator and ensure the effective management of the ATIP process. The ATIP Officer took up her position at the end of May 2006. The ATIP office is now a two-person team. Some of the key activities are to process access to information files, to develop policies and procedures, to formulate and to provide advice to management as well as to research and implement an electronic ATIP software application.

#### Training for the Coordinator and for the Officer, Access to Information and Privacy

In 2006-2007, the Coordinator and the Officer, Access to Information and Privacy participated in training sessions, workshops and seminars organized by the Treasury Board Secretariat and the Department of Justice.

In addition, they attended the 2006 conference of the Canadian Access and Privacy Association.

The NRC ATIP team is being proactive in supporting the development, in the ATIP area, of another employee within the Secretary General's Office for succession planning. This employee attended ATI information workshops and provides administrative support to the team.

#### ATIP Electronic Tool

In 2006-2007, the NRC ATIP office invested in an Imaging and Document Management System to enhance its tracking, searching, storing and processing activities through electronic means.

#### Awareness Sessions

The ATIP office continued to provide information and advice to NRC directors, managers and staff, on an on-going basis. In particular, presentations were made to staff of the Strategy and Development Branch, and to new NRC managers in the context of a two-day orientation session.

At the request of the Human Resources Division, the ATIP Office prepared a presentation that will be used in webcast orientation sessions for new NRC employees, across Canada.

The ATIP office also worked closely with the Administrative Services and Property Management to discuss ways of enhancing awareness within the contracting process. Specialized training for the contracting unit was also provided. The dialogue to incorporate an access to information check-list into the contracting process continues.

#### **Annual Statistical Report 2006-2007**

The annual statistical report for the fiscal year 2006-2007 is included at the end of this chapter.

## Interpretation of the Statistical Report

### **Nature of Requests**

The requests processed in the year under review can be categorized as follows:

<u>Subject</u>	<u>No. of Requests</u>
• Research program	7
• Grants and contributions including the NRC-Industrial Research Assistance Program (NRC-IRAP)	9
• Administrative matters	16
• Call-ups against Master Standing Offers	17

NRC is asked by other government organizations for its views on disclosure of information that originated within the National Research Council. In the same manner, NRC consults with other government organizations when it finds records that originated with them.

During the last fiscal year, thirty-three requests for consultation were received from other government departments, and seven consultation requests were sent to other agencies by NRC.

### **Completion Times and Extensions**

Seventy percent of the requests were processed within thirty days and twenty-two percent were the object of an extension sent within thirty after the receipt of the request. The remaining eight percent were carried forward into the next fiscal year.

For the reporting period, one extension was sought for searching, five for the purpose of consultation and six for third party consultations.

### **Exemptions Invoked**

#### Section 13

(Information obtained in confidence)

Section 13 was invoked once, during the year.

#### Section 16

(Law enforcement and investigations)

Section 16 was invoked once.

### Section 18

(Economic Interests of Canada)

Section 18 was invoked 5 times.

### Section 19

(Personal Information)

In the past year, Section 19 was invoked seven times.

### Section 20

(Third Party Information)

This section of the *Act* is most often invoked when an Access to Information request pertains to the NRC-Industrial Research Assistance Program.

NRC-IRAP's principal goal is to promote the acquisition, development and use of technology by Canadian firms to improve their technological competence and competitiveness. To achieve this goal, NRC-IRAP provides technical advice, expertise, and some financial assistance to firms, and aims at increasing firms' awareness of technological innovations being applied elsewhere in Canada or abroad. As part of the process of providing advice on a specific project enquiry, NRC-IRAP needs to understand and assess the significance of the opportunity or the problem to be addressed from a technical, business and management point of view. Accordingly, NRC-IRAP is privy to proprietary and commercially confidential information from the firms. Disclosure of this accumulated information could significantly damage a firm's competitive position.

Last year, section 20 was invoked fourteen times.

### Section 21

(Advice etc.)

In the past year, section 21 was invoked eight times.

### Section 23

(Solicitor – Client Privilege)

In the past year, Section 23 was invoked once.

### **Exclusions Cited**

Section 69 was invoked once in the past year.

### **Complaints**

There were two new complaints made against NRC in 2006-2007.

In the first case, the complainant alleged that an incomplete response had been provided in response to a request for information on various research contracts. While the investigation was in progress, NRC forwarded additional records to the requester and advised the Commissioner.

In the second one, the complainant alleged that the extension requested by NRC for consultations (60 days) was excessive. Following investigation, the Commissioner concluded that the length of the extension applied by NRC was reasonable.

One complaint filed in 2005 relating to information withheld in records dealing with a contract was discontinued by the requestor.

The outstanding complaint from 2004 relating to two access requests in regards to an audit report was resolved as the Commissioner's findings noted that the report in question had been provided.

### **Costs**

The cost of administering the *Access to Information Act* is estimated at \$160,650 for the reporting period. This cost includes the salary of the Coordinator, the salary of the new ATIP Officer and a small portion of the salary of the Secretary General, the Legal Counsel, the NRC-IRAP staff, the Administrative Assistant in the Office of the Secretary General, the staff of Records Services and of the contract office.

**ATTACHMENT**

**ANNUAL STATISTICAL REPORT**

***ACCESS TO INFORMATION ACT***

April 1, 2006 to March 31, 2007



REPORT ON THE ACCESS TO INFORMATION ACT / RAPPORT CONCERNANT LA LOI SUR L'ACCÈS À L'INFORMATION

Institution / National Research Council of Canada / Conseil national de recherches du Canada				Reporting period / Période visée par le rapport 1 April/avril 2006 - 31 March/mars 2007	
Source	Media / Médias	Academia / Secteur universitaire	Business / Secteur commercial	Organization / Organisme	Public
	0	0	41	0	12

**I Requests under the Access to Information Act / Demandes en vertu de la Loi sur l'accès à l'information**

Received during reporting period / Reçues pendant la période visée par le rapport	53
Outstanding from previous period / En suspens depuis la période antérieure	0
<b>TOTAL</b>	<b>53</b>
Completed during reporting period / Traitées pendant la période visées par le rapport	49
Carried forward / Reportées	4

**II Disposition of requests completed / Disposition à l'égard des demandes traitées**

1. All disclosed / Communication totale	37	6. Unable to process / Traitement impossible	0
2. Disclosed in part / Communication partielle	12	7. Abandoned by applicant / Abandon de la demande	0
3. Nothing disclosed (excluded) / Aucune communication (exclusion)	0	8. Treated informally / Traitement non officiel	0
4. Nothing disclosed (exempt) / Aucune communication (exemption)	0	<b>TOTAL</b>	<b>49</b>
5. Transferred / Transmission	0		

**III Exemptions invoked / Exceptions invoquées**

Art. 13(1)(a)	0	S. Art. 16(1)(a)	0	S. Art. 18(b)	2	S. Art. 21(1)(a)	1
(b)	0	(b)	0	(c)	0	(b)	3
(c)	1	(c)	0	(d)	0	(c)	2
(d)	0	(d)	0	S. Art. 19(1)	7	(d)	2
S. Art. 14	0	S. Art. 16(2)	1	S. Art. 20(1)(a)	1	S. Art. 22	0
Art. 15(1) International rel. / Relations intern.	0	S. Art. 16(3)	0	(b)	5	S. Art. 23	1
Defence / Défense	0	S. Art. 17	0	(c)	4	S. Art. 24	0
Subversive activities / Activités subversives	0	S. Art. 18(a)	3	(d)	4	S. Art. 26	0

**IV Exclusions cited / Exclusions citées**

S. Art. 68(a)	0	S. Art. 69(1)(c)	0
(b)	0	(d)	0
(c)	0	(e)	0
S. Art. 69(1)(a)	0	(f)	0
(b)	0	(g)	1

**V Completion time / Délai de traitement**

30 days or under / 30 jours ou moins	37
31 to 60 days / De 31 à 60 jours	6
61 to 120 days / De 61 à 120 jours	6
121 days or over / 121 jours ou plus	0

**VI Extensions / Prorogations des délais**

	30 days or under / 30 jours ou moins	31 days or over / 31 jours ou plus
Searching / Recherche	1	0
Consultation	3	2
Third party / Tiers	0	6
<b>TOTAL</b>	<b>4</b>	<b>8</b>

**VII Translations / Traduction**

Translations requested / Traductions demandées	0
Translations prepared / Traductions préparées	0
English to French / De l'anglais au français	0
French to English / Du français à l'anglais	0

**VIII Method of access / Méthode de consultation**

Copies given / Copies de l'original	49
Examination / Examen de l'original	0
Copies and examination / Copies et examen	0

**X Fees / Frais**

Net fees collected / Frais net perçus	
Application fees / Frais de la demande	265
Reproduction	0
Searching / Recherche	0
<b>TOTAL</b>	<b>265</b>
Fees waived / Dispense de frais	No. of times / Nombre de fois
\$25.00 or under / 25 \$ ou moins	0
Over \$25.00 / De plus de 25 \$	0

**X Costs / Coûts**

Financial (all reasons) / Financiers (raisons)	
Salary / Traitement	\$ 156,150
Administration (O and M) / Administration (fonctionnement et maintien)	\$ 4,500
<b>TOTAL</b>	<b>\$ 160,650</b>
Person year utilization (all reasons) / Années-personnes utilisées (raison)	
Person year (decimal format) / Années-personnes (nombre décimal)	2.25

