

CANADIAN MUSEUM OF HISTORY
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MUSÉE CANADIEN DE L'HISTOIRE

CANADIAN WAR MUSEUM
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MUSÉE CANADIEN DE LA GUERRE

# Annual Report to Parliament on the Administration of the *Access to Information Act*

April 1, 2025 to March 31, 2026

Canada

**Annual Report on the Administration of the**
***Access to Information Act***
**2025–2026**
**Canadian Museum of History**

## Introduction

The Canadian Museum of History ("the Museum" or "the corporation") submits an Annual Report on its administration of the *Access to Information Act* ("the *Act*") to Parliament each year for tabling in accordance with section 94 of the *Act*. This report covers the 2025–2026 fiscal year, with a reporting period of April 1, 2025 to March 31, 2026.

The purpose of the *Act* is to provide the right of access to records under the control of a government institution. The *Act* maintains that government records should be made available to the public, that necessary exceptions to the right of access should be limited and specific, and that decisions on the disclosure of records should be reviewed independently of government.

In accordance with Treasury Board of Canada Secretariat (TBS) requirements, this report provides an overview of Museum activities in the administration of its responsibilities under the *Act*.

## Mandate

The Canadian Museum of History is a federal Crown corporation responsible for two national museums: the Canadian Museum of History and the Canadian War Museum. The corporation is also responsible for administering Digital Museums Canada and presenting the Virtual Museum of New France. The corporation's mandate is to enhance Canadians' knowledge, understanding and appreciation of events, experiences, people and objects that reflect and have shaped Canada's history and identity, while also enhancing their awareness of world history and cultures.

The corporation did not have any wholly owned subsidiaries during the reporting period in question.

## Access to Information and Privacy Office

The Access to Information and Privacy (ATIP) Office is the dedicated unit within the Museum responsible for coordinating compliance activities under the *Access to Information Act*. The ATIP Office is found within the Reconciliation, Engagement and Government Affairs Portfolio.

The ATIP Office is responsible for processing all access to information requests submitted to the Museum. It provides access to information advice to senior management and prepares reports to Parliament, the TBS, and senior management. The ATIP Office is accountable for developing and implementing effective policies, guidelines, systems and procedures to ensure that the corporation fulfills its obligations under the *Act*. The ATIP Office represents the Museum in complaints and investigations conducted by the Information Commissioner of Canada, and in any Federal Court applications arising from ATIP matters.

The ATIP Office consists of the Director, Evaluation, Audit and Regulatory Affairs, and the ATIP and Integrity Officer. In addition, two part-time consultants support *Access to Information Act* responsibilities, providing advice on complex files.

The corporation is responsible for exercising powers, duties and functions under the *Act*. During 2025–2026, the corporation was not party to any service agreements with another federal institution under section 96 of the *Act.*

## Proactive disclosure responsibilities

The Reconciliation, Engagement and Government Affairs portfolio works collaboratively with Museum officials to fulfill the proactive publication requirements under Part 2 of the *Act*. For a breakdown of the group(s) and/or positions(s) responsible for meeting each applicable proactive publication requirement under Part 2 of the *Act*, see the section "Proactive Publication under Part 2 of the *Act*," below.

## Delegation Order

In accordance with section 95(1) of the *Act*, the President and Chief Executive Officer (CEO), as head of the Museum, has delegated the powers, duties and functions for administration of the *Act* to the Chief Strategy Officer and Vice-President, Reconciliation, Engagement and Government Affairs and to the Director, Evaluation, Audit and Regulatory Affairs. The signed and dated Delegation Order is provided as Appendix A of this report.

## Highlights of the *Access to Information Act Statistical Report*

During the reporting period, the Museum received nine new requests with none carried over from previous reporting periods. Five requests were closed during the 2025–2026 fiscal year, with 2,288 pages processed. As a result, the Museum had four active requests — all within legislative timelines — as at March 31, 2026.

Three (60%) of the five completed requests were closed within the statutory time frame. See Table 1 below for completion times for requests closed during the 2025–2026 fiscal year.

Table 1: Completion times for closed requests, fiscal year 2025–2026

| Number of days to complete | Number of requests |
|---|---|
| 1–30 days | 0 |
| 31–60 days | 2 |
| 61–120 days | 3 |
| 121–180 days | 0 |
| 181–365 days | 0 |
| More than 365 days | 0 |

Two (40%) of the completed requests were closed with a status of "all disclosed," while the remaining three (60%) were closed with a status of "disclosed in part."

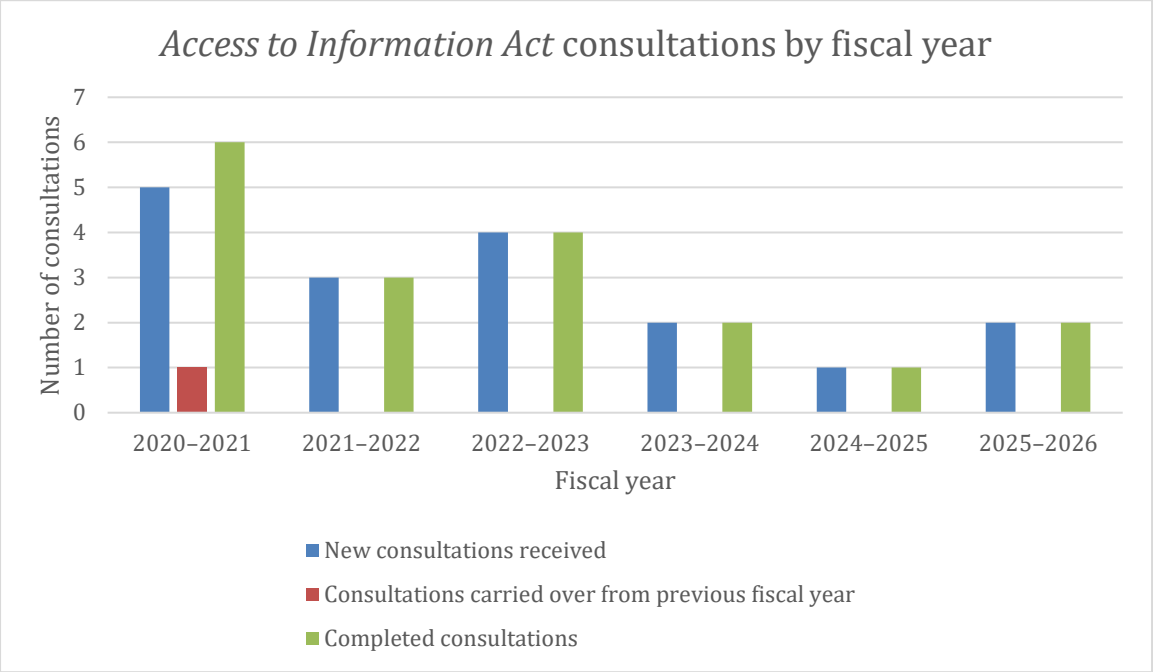
Section 9(1)(a) of the *Act* permits an extension to the original 30-day statutory time limit if a large number of records have been requested and their processing would unreasonably interfere with regular operations. Likewise, section 9(1)(b) of the *Act* permits an extension if consultations are required that cannot be completed within the original time limit. The Museum applied extensions to four of the five requests closed during the reporting period. The Museum applied section 9(1)(a) three times and section 9(1)(b) two times.

Table 2: Access to information consultations

| Consultation | Sending institution type | Number of days to complete | Status | Number of pages released |
|---|---|---|---|---|
| AC-2025-01 | Federal institution | 17 | Disclosed in part | 18 |
| AC-2025-02 | Federal institution | 8 | All disclosed | 6 |

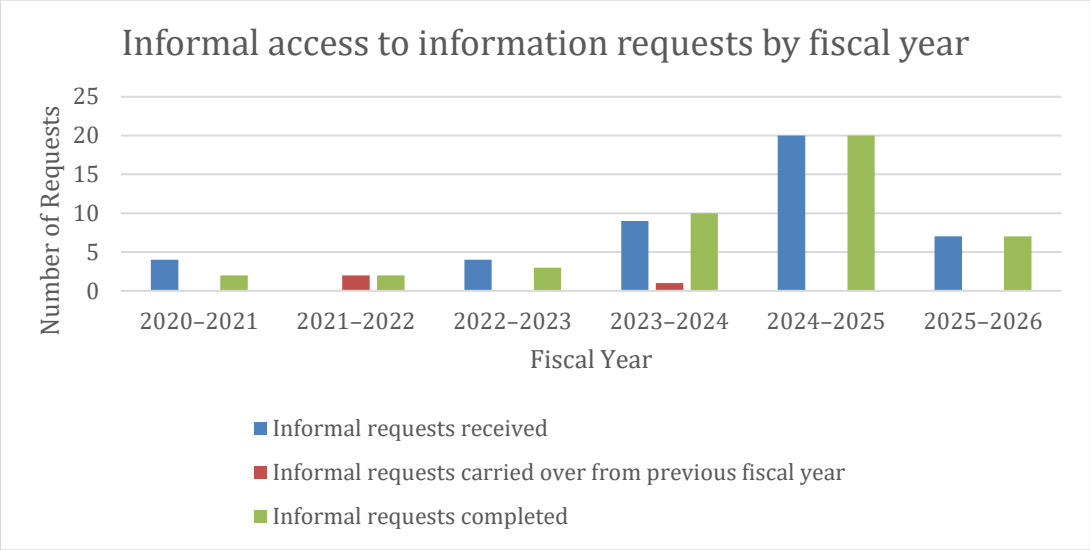
As demonstrated in Table 2, the Museum received and closed two consultations under the *Act* during the reporting period. In total, 24 pages were reviewed and released.

Chart 1: *Access to Information Act* consultations by fiscal year




An informal access to information request is a request for information made to the ATIP Office of a Government of Canada institution that is either not made or not processed under the *Act.* As indicated in Chart 2, the Museum completed seven informal access to information requests during the 2025–2026 fiscal year. In total, 263 pages were released.

Chart 2: Informal access to information requests by fiscal year




Summaries of completed access to information requests and the process for making an access to information request are available on the Museum's website.

## Training and awareness

During the reporting period, the Museum directed employees to complete the Canada School of Public Service training offering *Access to Information and Privacy Fundamentals*. Over the course of the fiscal year, 193 employees successfully completed the course.

As a follow-up to the general training sessions, the ATIP Office conducted three awareness sessions addressing the needs of specific teams within the Museum. Collectively, these sessions were attended by 28 employees.

The ATIP Office remains responsible for providing education and training activities, and provides ongoing advice to employees during the processing of requests, to ensure the fulfillment of the Museum's obligations under the *Act*.

## Policies, guidelines, procedures and initiatives

The Museum implemented *Heightened Safeguards for Access to Information and Privacy Files with Special Considerations*. This policy instrument outlines steps to follow to maintain confidentiality for ATIP Office files, including requests for personal information and privacy breach reports requiring additional security measures.

## Proactive publication under Part 2 of the *Act*

The Museum qualifies as a government institution as defined in sections 3 and 81 of the *Act*. As such, sections 82–84 of the *Act* apply. The Museum is required to proactively publish travel expenses, hospitality expenses, and reports tabled in Parliament.

Each year, the Museum completes a report summarizing its legislative and regulatory reporting requirements. This document outlines proactive publication requirements as required by Part 2 of the *Act*.

Table 3 below details the Museum's proactive publication requirements.

Table 3: Canadian Museum of History proactive publication summary

| **Legislative requirement** | **Section of the *Act*** | **Publication timeline** | **Does requirement apply to your institution (Y/N)?** | **Internal group(s) or positions(s) responsible for fulfilling requirement** | **Percentage of proactive publication requirements published within legislated timelines*** | **Link to webpage where published** |
|---|---|---|---|---|---|---|
| Travel expenses | 82 | Within 30 days after the end of the month of reimbursement | Yes | Finance, Infrastructure and Visitor Services – Finance | 83% | Government Travel Expenses |
| Hospitality expenses | 83 | Within 30 days after the end of the month of reimbursement | Yes | Finance, Infrastructure and Visitor Services – Finance | 83% | Hospitality Expenses |
| Reports tabled in Parliament | 84 | Within 30 days after tabling | Yes | Reconciliation, Engagement and Government Affairs | 100% | Corporate Reports |
| Contracts over $10,000 | 86 | Q1–Q3: Within 30 days after the end of the quarter<br>Q4: Within 60 days after the end of the quarter | No | | | |
| Grants and contributions over $25,000 | 87 | Within 30 days after the end of the quarter | No | | | |
| Packages of briefing materials prepared for new or incoming deputy heads or equivalent | 88(a) | Within 120 days after appointment | No | | | |
| Titles and reference numbers of memoranda prepared for a deputy head or equivalent | 88(b) | Within 30 days after the end of the month received | No | | | |

| Legislative requirement | Section of the *Act* | Publication timeline | Does requirement apply to your institution (Y/N)? | Internal group(s) or positions(s) responsible for fulfilling requirement | Percentage of proactive publication requirements published within legislated timelines* | Link to webpage where published |
|---|---|---|---|---|---|---|
| received by their office | | | | | | |
| Packages of briefing materials prepared for a deputy head or equivalent's appearance before a committee of Parliament | 88(c) | Within 120 days after appearance | No | | | |
| Reclassification of positions | 85 | Within 30 days after the end of the quarter | No | | | |
| Packages of briefing materials prepared by a government institution for new or incoming ministers | 74(a) | Within 120 days after appointment | No | | | |
| Titles and reference numbers of memoranda prepared by a government institution for the minister, that is received by their office | 74(b) | Within 30 days after the end of the month received | No | | | |
| Package of question period notes prepared by a government institution for the minister | 74(c) | Within 30 days after last sitting day of the House of Commons in June and December | No | | | |

| Legislative requirement | Section of the *Act* | Publication timeline | Does requirement apply to your institution (Y/N)? | Internal group(s) or positions(s) responsible for fulfilling requirement | Percentage of proactive publication requirements published within legislated timelines* | Link to webpage where published |
|---|---|---|---|---|---|---|
| and in use on the last sitting day of the House of Commons in June and December | | | | | | |
| Packages of briefing materials prepared by a government institution for a minister's appearance before a committee of Parliament | 74(d) | Within 120 days after appearance | No | | | |
| Travel expenses | 75 | Within 30 days after the end of the month of reimbursement | No | | | |
| Hospitality expenses | 76 | Within 30 days after the end of the month of reimbursement | No | | | |
| Contracts over $10,000 | 77 | Q1–Q3: Within 30 days after the end of the quarter<br>Q4: Within 60 days after the end of the quarter | No | | | |
| Ministers' offices expenses<br>*Note: This consolidated report is currently published by the TBS on | 78 | Within 120 days after the end of the fiscal year | No | | | |

| **Legislative requirement** | **Section of the *Act*** | **Publication timeline** | **Does requirement apply to your institution (Y/N)?** | **Internal group(s) or positions(s) responsible for fulfilling requirement** | **Percentage of proactive publication requirements published within legislated timelines*** | **Link to webpage where published** |
|---|---|---|---|---|---|---|
| behalf of all institutions. | | | | | | |

## Initiatives and projects to improve access to information

The Museum is committed to making information about Canada's history and identity available to the public. The Museum actively facilitates access to its records for Indigenous communities. This includes the following practices:

- Proactively sharing information related to cultural heritage, both tangible and intangible, with the relevant Indigenous communities in the context of research, repatriation, and other discussions.
- Distilling and collating data from multiple sources and databases into digestible formats and reports.
- Incorporating cultural protocols into access practices for sensitive material and information.
- Revisiting copyright and other access restrictions placed on information collected from Indigenous communities, and, wherever possible, removing these restrictions to facilitate access for the Indigenous community of origin, and to prioritize their decision-making rights.

The Museum makes its collections databases available online at:

historymuseum.ca/collections
warmuseum.ca/collections

The Museum offers the public access to corporate records, archives, and the library through the Military History Research Centre and the Canadian History Research Centre, respectively. Please note that access may be subject to restrictions. The Museum continues to digitize collections to make them more accessible to the public.

## Complaints, investigations and audits

The *Act* provides a system of review to help ensure that government institutions comply with their obligations. Under this system, the individual making a request may file a complaint with the Office of the Information Commissioner of Canada (OIC), which will investigate the matter on behalf of the requester. After the complaint has been investigated, the Commissioner will issue a finding on the matter, indicating whether an institution has handled the request properly.

The Museum did not carry over any complaints from previous fiscal years into 2025–2026. One new complaint under the *Act* was received. As at March 31, 2026, the complaint remains active as the Museum is awaiting communication from the OIC. No audits relating to Museum obligations under the *Act* were carried out during the reporting period.

### Monitoring access to information request timelines

The ATIP and Integrity Officer provides weekly written status reports to the Director, Evaluation, Audit and Regulatory Affairs and the Chief Strategy Officer and Vice-President, Reconciliation, Engagement and Government Affairs on ongoing access to information requests. This reporting identifies the due date for each request and identifies any extensions taken.

The approval process for access to information requests involves the Director, Evaluation, Audit and Regulatory Affairs, the Chief Strategy Officer and Vice-President, Reconciliation, Engagement and Government Affairs, and the Chief Experience Officer and Vice-President,

Public Affairs, Advancement and Digital. The ATIP and Integrity Officer sets the timeframe for the approval process and tracks the progress of each individual file. Follow-up with management is done as needed.

## The right of public access and information sharing

On an ongoing basis, the Vice-President, Reconciliation, Engagement and Government Affairs reviews all information sharing agreements and arrangements prior to being finalized. The Vice-President ensures that these instruments reflect the right of public access to information.

## Proactive publication

On a monthly basis, the Director, Financial Planning and Reporting reviews all proactively published information under Part 2 of the *Access to Information Act*.

# APPENDIX A:
# DELEGATION ORDER

**_Access to Information Act_ – Delegation Order**

Pursuant to section 95 of the *Access to Information Act*, I, as head of the Canadian Museum of History, hereby designate the persons holding the positions set out in the schedule hereto, or persons occupying on an acting basis those positions, to exercise the powers and functions conferred on me under certain Acts, which are specified in relation to each position.

This Delegation Order supersedes all previous *Access to Information Act* Delegation Orders.



Caroline Dromaguet
President and CEO, Canadian Museum of History
Date: 2024-08-02

## *ACCESS TO INFORMATION ACT*

## Delegation of Authority[1]

The *Access to Information Act* grants certain powers, duties and functions to the President and CEO of the Canadian Museum of History as the head of a government institution. However, under section 95(1) of the *Act*, the head can delegate any of the powers, duties or functions to one or more officers or employees of the institution. Delegates are accountable to the head of the institution for any decisions they make; however, ultimate responsibility rests with the head of the institution.

The below table lists sections of the *Act* that may be delegated by the President and CEO. To provide clarity, a description accompanied by a brief explanation of the relevant section of the *Act* is provided. The furthest three columns to the right indicate the appropriate level of responsibility for each section that may be delegated.

| Section and subsection of the *Access to Information Act* | Description | Explanation | President and CEO | Chief Strategy Officer, Vice-President, Reconciliation, Engagement and Government Affairs | Director, Evaluation, Audit and Regulatory Affairs |
|---|---|---|---|---|---|
| ***Access to Information Act*** | | | | | |
| 4(2.1) | Duty to assist | The head of a government institution will respond to a request without regard for the identity of the person submitting the request and will make every reasonable effort to assist the requester. | **Yes** | **Yes** | **Yes** |
| 6.1(1) | Reason for declining to act on a request | The head of a government institution may make an application to the Information Commissioner of Canada to refuse to process a request for information that is vexatious, made in bad faith, or an abuse of the right of access. | **Yes** | **No** | **No** |
| 6(1.3) | Reason for declining to act on a request: Notice – Suspension | When submitting a refusal to act on an access to information request to the Information Commissioner of Canada, the time limit for processing an access to information request is | **Yes** | **No** | **No** |

[1] *In the *Access to Information Act* delegation table, some sections of the *Act* are marked with a *. This symbol identifies sections of the *Act* where responsibility is delegated solely to the Chief Strategy Officer and Vice-President, Reconciliation, Engagement and Government Affairs. In the absence of the Chief Strategy Officer and Vice-President, Reconciliation, Engagement and Government Affairs, responsibility for these sections of the *Act* rests with the President and CEO.

| Section and subsection of the *Access to Information Act* | Description | Explanation | President and CEO | Chief Strategy Officer, Vice-President, Reconciliation, Engagement and Government Affairs | Director, Evaluation, Audit and Regulatory Affairs |
|---|---|---|---|---|---|
| | | suspended.<br>Section 6(1.3) indicates that the head of the government institution must notify the requester of the suspension and the reason behind it. This notice must occur at the same time as the refusal application is submitted to the Information Commissioner of Canada. | | | |
| 6(1.4) | Reason for declining to act on a request: Notice – End of suspension | The Information Commissioner of Canada may reject the application for refusal to process an access to information request. If so, the head of the government institution must inform the requester that the refusal to process application has been rejected and must indicate the day on which the processing of the request resumes (i.e., the suspension of processing ends). | **Yes** | **No** | **No** |
| 6(2)* | Reason for declining to act on a request: Notice | The Information Commissioner of Canada may agree with the application for refusal to process an access to information request. If so, the head of the government institution must inform the requester in writing about the refusal and the reasoning behind it. | **Yes** | **Yes** | **No** |
| 7* | Notice where access requested | The head of a government institution must communicate to the requester whether access to the desired records will be granted and, if so, whether in whole or in part (i.e., response letter). | **Yes** | **Yes** | **No** |
| 8(1) | Transfer of request | The head of a government institution may transfer an access to information request that it has received to another institution. | **Yes** | **Yes** | **Yes** |
| 9 | Extension of time | The head of a | **Yes** | **Yes** | **Yes** |

| Section and subsection of the *Access to Information Act* | Description | Explanation | President and CEO | Chief Strategy Officer, Vice-President, Reconciliation, Engagement and Government Affairs | Director, Evaluation, Audit and Regulatory Affairs |
|---|---|---|---|---|---|
| | limits | government institution may extend the time limit for processing an access to information request past the initial 30 days. | | | |
| 10* | Where access is refused | The head of a government institution may refuse access to a record requested under the *Access to Information Act*. If so, the head of the institution will state in the response letter (see section 7):<br><br>(a) that the record does not exist;<br><br>(b) the section of the *Act* on which refusal was based;[2] and<br><br>c) that the requester has the right to make a formal complaint to the Information Commissioner of Canada about the refusal. | **Yes** | **Yes** | **No** |
| 11(2) | Application fee – Waiver | The head of a government institution may agree to waive or refund the $5 application fee for submitting an access to information request. | **Yes** | **Yes** | **Yes** |
| 12(2)(b)* | Language of access | The head of a government institution may cause records included in an access to information request to be translated into the official language of choice of the requester. | **Yes** | **Yes** | **No** |
| 12(3)(b)* | Access to record in alternative format | The head of a government institution may provide the requester with access to public records in an alternative format (Braille, audio recording, etc.). | **Yes** | **Yes** | **No** |

[2] The head of the institution must inform the requester what section of the *Access to Information Act* would apply if records existed. The head of the institution may, but is not required to, indicate whether records exist.

| Section and subsection of the *Access to Information Act* | Description | Explanation | President and CEO | Chief Strategy Officer, Vice-President, Reconciliation, Engagement and Government Affairs | Director, Evaluation, Audit and Regulatory Affairs |
|---|---|---|---|---|---|
| 13 | Exemption – Information obtained in confidence | The head of a government institution must withhold from public release information received in confidence from another government body (foreign state, international organization of states, province, municipal or regional government, or Aboriginal government). | **Yes** | **Yes** | **Yes** |
| 14 | Exemption – Federal-provincial affairs | The head of a government institution may withhold from public release information about the conduct of federal-provincial affairs. | **Yes** | **Yes** | **Yes** |
| 15 | Exemption – International affairs and defence | The head of a government institution may withhold from public release information related to international affairs, defence, and national security. | **Yes** | **Yes** | **Yes** |
| 16 | Exemption – Law enforcement and investigations | The head of a government institution may withhold from public release information related to law enforcement, investigations, and security. | **Yes** | **Yes** | **Yes** |
| 16.5* | Exemption – *Public Servants Disclosure Protection Act* | The *Public Servants Disclosure Protection Act* enables public servants to make a disclosure of workplace wrongdoing. Under section 16.5 of the *Access to Information Act*, the head of a government institution must withhold information created as part of the disclosure of wrongdoing and investigation of wrongdoing processes. | **Yes** | **Yes** | **No** |
| 17 | Exemption – Safety of individuals | The head of a government institution may withhold from public release information related to the safety of individuals. | **Yes** | **Yes** | **Yes** |
| 18 | Exemption – Economic interests | The head of a government institution | **Yes** | **Yes** | **Yes** |

| Section and subsection of the *Access to Information Act* | Description | Explanation | President and CEO | Chief Strategy Officer, Vice-President, Reconciliation, Engagement and Government Affairs | Director, Evaluation, Audit and Regulatory Affairs |
|---|---|---|---|---|---|
| | of Canada | may withhold from public release the following types of information:<br><br>(a) Trade secrets, as well as financial, commercial, scientific and technical information belonging to the Government of Canada that has or is likely to have substantial value.<br><br>(b) Information that would damage the competitive position of the government if disclosed or information that would interfere with contractual or other negotiations of a government institution.<br><br>(c) Original scientific or technical research that is intended to be published by a government employee.<br><br>(d) Information that would damage the financial interests of a government institution if disclosed.<br><br>(e) Information that would damage the Government of Canada's ability to manage the economy (i.e., details about fiscal or monetary policy).<br><br>(f) Information that would reasonably be expected to result in an undue benefit to any individual if disclosed. | | | |
| 18.1 | Exemption – Economic interest of certain government institutions | The head of a government institution may withhold from public release trade secrets or financial, commercial, scientific or technical information that belongs to, and has consistently been treated as confidential by, one of the | **Yes** | **Yes** | **Yes** |

| Section and subsection of the *Access to Information Act* | Description | Explanation | President and CEO | Chief Strategy Officer, Vice-President, Reconciliation, Engagement and Government Affairs | Director, Evaluation, Audit and Regulatory Affairs |
|---|---|---|---|---|---|
| | | following institutions:<br><br>(a) The Canada Post Corporation<br><br>(b) Export Development Canada<br><br>(c) The Public Sector Pension Investment Board<br><br>(d) VIA Rail Canada Inc. | | | |
| 19 | Exemption – Personal information | The head of a government institution must withhold from public release personal information as defined in the *Privacy Act.* | **Yes** | **Yes** | **Yes** |
| 20 | Exemption – Third party information | The head of a government institution may withhold from public release confidential third-party information. | **Yes** | **Yes** | **Yes** |
| 21 | Exemption – Advice, etc. | The head of a government institution may withhold from public release advice or recommendations, consultations, deliberations, negotiating positions, or government operations and personnel plans that have not yet been implemented. | **Yes** | **Yes** | **Yes** |
| 22 | Exemption – Testing procedures, tests, and audits | The head of a government institution may withhold from public release information about procedures and techniques involved in testing and auditing, and details relating to specific tests about to be given and audits about to be conducted. | **Yes** | **Yes** | **Yes** |
| 22.1 | Exemption – Internal audits | The head of a government institution may withhold from release any record containing the draft report of an internal audit of a government institution or any related audit working paper. | **Yes** | **Yes** | **Yes** |

| Section and subsection of the *Access to Information Act* | Description | Explanation | President and CEO | Chief Strategy Officer, Vice-President, Reconciliation, Engagement and Government Affairs | Director, Evaluation, Audit and Regulatory Affairs |
|---|---|---|---|---|---|
| 23 | Exemption – Protected information: solicitors, advocates and notaries | The head of a government institution may withhold from public release information classified as solicitor-client privilege. | **Yes** | **Yes** | **Yes** |
| 23.1 | Exemption – Protected information: patents and trademarks | The head of a government institution may withhold from release confidential patent or trademark discussions. Cross-reference with sections 16.1 of the *Patent Act* or section 51.13 of the *Trademarks Act*. | **Yes** | **Yes** | **Yes** |
| 24 | Exemption – Statutory prohibitions against disclosure | This section of the *Act* references prohibitions against disclosure included in other government legislation (i.e., section 540, *Canada Elections Act*). The head of the institution must withhold information from public release based on the limitations imposed by the other government legislation(s). | **Yes** | **Yes** | **Yes** |
| 25 | Severability | Records cannot be withheld from public release without undue cause. The head of an institution must review records line by line to determine what can be released and what must be protected. | **Yes** | **Yes** | **Yes** |
| 26 | Exception – Refusal of access if information is to be published[3] | The head of a government institution may withhold from release a record or part of a record if the material is to be published by a government institution. | **Yes** | **Yes** | **Yes** |
| 27(1) | Notice to third | If a government institution intends to disclose third- | **Yes** | **Yes** | **Yes** |

[3] In order to apply section 26 to a record, the final version of the record must be prepared in at least one official language within 90 days of receipt of the request. In other words, only translation and printing of the record remain to be done. The record's release may then be delayed for as many days as are normally required for it to be translated and printed. If publication is not to occur within 90 days, then section 26 does not apply.

| Section and subsection of the *Access to Information Act* | Description | Explanation | President and CEO | Chief Strategy Officer, Vice-President, Reconciliation, Engagement and Government Affairs | Director, Evaluation, Audit and Regulatory Affairs |
|---|---|---|---|---|---|
| | parties[4] | party information described in section 20(1) of the *Act*, then the head of the institution has a duty to notify the third party within 30 days of receipt of the request. | | | |
| 27(4) | Notice to third parties – Extension of time limits | The head of a government institution may extend the time limit after the initial 30 days in order to notify a third party, provided that the request-processing deadline has been formally extended under paragraphs 9(1)(a) or 9(1)(b) of the *Access to Information Act*. | **Yes** | **Yes** | **Yes** |
| 28(1)(b)* | Representations of third party and decisions | In cases where a third party is notified under section 27(1), the head of a government institution must decide within 30 days after the notice is given whether to release the third-party information in whole or in part, and give notice of the decision to the third party. | **Yes** | **Yes** | **No** |
| 28(2)* | Representations to be made in writing | The response of the third party to a notice issued under section 27(1) of the *Act* must be made in writing unless the head of the government institution agrees otherwise, in which case it may be made orally. | **Yes** | **Yes** | **No** |
| 28(4)* | Disclosure of record | A government institution decides to disclose third-party information following notification. In this case, the head of the institution must wait for 20 days to allow the third party to challenge the disclosure in Federal Court. Once this time has elapsed, the head must provide the individual who | **Yes** | **Yes** | **No** |

| Section and subsection of the *Access to Information Act* | Description | Explanation | President and CEO | Chief Strategy Officer, Vice-President, Reconciliation, Engagement and Government Affairs | Director, Evaluation, Audit and Regulatory Affairs |
|---|---|---|---|---|---|
| | | requested the record with access, unless the release of records is challenged in Federal Court. | | | |
| 33 | Notice to third parties | The Office of the Information Commissioner may investigate a formal complaint related to a government institution's refusal to provide access to a record. In such cases, the head of the government institution must inform the Information Commissioner of any third parties formally consulted under section 27(1) of the *Act*. | **Yes** | **Yes** | **Yes** |
| 35(2)(b)* | Right to make representations | During the course of an investigation by the Office of the Information Commissioner, the head of the government institution will be given an opportunity to represent their institution (i.e., formal representations). | **Yes** | **Yes** | **No** |
| 37(4) | Access to be given | As a result of an investigation, the Office of the Information Commissioner may issue a finding asking or ordering a government institution to release records, in part or in whole, to the individual who made the request. The head of the government institution must comply with this request within a set timeframe. | **Yes** | **No** | **No** |
| 41(2) | Review by Federal Court – Government institution | The head of a government institution may apply to Federal Court for review of the outcome of the complaint investigation as issued by the Office of the Information Commissioner. | **Yes** | **No** | **No** |
| 43(2)* | Service or notice | In a formal complaint | **Yes** | **Yes** | **No** |

| Section and subsection of the *Access to Information Act* | Description | Explanation | President and CEO | Chief Strategy Officer, Vice-President, Reconciliation, Engagement and Government Affairs | Director, Evaluation, Audit and Regulatory Affairs |
|---|---|---|---|---|---|
| | | under the *Access to Information Act*, involved parties may apply to Federal Court for review of the outcome of the complaint investigation as issued by the Office of the Information Commissioner. If the government institution applies to Federal Court or receives notice that another party has done so, then the head must notify the Information Commissioner, the complainant, third parties (if necessary), and the Office of the Privacy Commissioner (if necessary). | | | |
| 44(2)* | Notice to person who requested record | The head of a government institution must send the person who requested records written notice of any third-party court proceedings with respect to the access to information request in question. | **Yes** | **Yes** | **No** |
| 52(2) | Special rules for hearings | In the event that a refusal to disclose records is reviewed in Federal Court, the head of a government institution may request that proceedings take place in the National Capital Region. | **Yes** | **No** | **No** |
| 52(3) | *Ex parte* representations | In the event that a refusal to disclose records is reviewed in Federal Court, the head of a government institution may represent the institution before the Court. | **Yes** | **No** | **No** |
| 94(1) | Annual Report – Government institutions | At the end of each fiscal year, the head of a government institution or his or her delegate must prepare an annual report to Parliament about institutional activities undertaken during the | **Yes** | **Yes** | **Yes** |

| Section and subsection of the *Access to Information Act* | Description | Explanation | President and CEO | Chief Strategy Officer, Vice-President, Reconciliation, Engagement and Government Affairs | Director, Evaluation, Audit and Regulatory Affairs |
|---|---|---|---|---|---|
| | | previous 12 months under the *Access to Information Act*. | | | |
| 94(4) | Copy of report to designated minister | The head of a government institution or his or her delegate must submit the institution's annual report on *Access to Information Act* activities to the designated minister (i.e., the TBS) immediately after the document is tabled in Parliament. | **Yes** | **Yes** | **Yes** |
| 96(3) | Provision of services related to access to information – Notice[5] | The head of the government institution receiving the services must provide a copy of the written agreement to the Office of the Information Commissioner and the designated minister as soon as possible after the agreement is entered into. The head of the institution shall also notify the Information Commissioner and the designated minister of any material change to that agreement. | **Yes** | **No** | **No** |
| 96(4) | Provision of services related to access to information – Fees (See footnote 4) | The head of the government institution providing the services may charge a fee for those services. The fee is not to exceed the cost of providing the service. | **Yes** | **No** | **No** |
| 96(5) | Provision of services related to access to information – Spending authority (see footnote 4) | The head of the government institution that charges the fee may spend the revenues that are received from the provision of the services for any purpose of that institution. If the head of | **Yes** | **No** | **No** |

[5] A federal institution may delegate any *Access to Information Act* power, duty or function to another federal institution in the same ministerial portfolio provided that:

- the power, duty or function is granted to or imposed on the head of the institution (section 96[1]); and
- a written agreement is in place prior to delegating (section 96[2]).

| Section and subsection of the *Access to Information Act* | Description | Explanation | President and CEO | Chief Strategy Officer, Vice-President, Reconciliation, Engagement and Government Affairs | Director, Evaluation, Audit and Regulatory Affairs |
|---|---|---|---|---|---|
| | | the institution spends the revenues, he or she must do so in the fiscal year in which they are received or, unless an appropriation act provides otherwise, in the next fiscal year. | | | |
| ***Access to Information* Regulations[6]** | | | | | |
| 6(1) | Transfer of request | The head of a government institution or his or her delegate may transfer an access to information request to another government institution, provided that the institution agrees to process the request within the specified time limit. | **Yes** | **Yes** | **Yes** |
| 8 | Providing access to records | The head of a government institution or his or her delegate may allow a requester to examine the record in person rather than receive a copy, in certain circumstances. | **Yes** | **Yes** | **Yes** |
| 8.1* | Limitations in respect of format | The head of a government institution may deny a request for a record to be released in an alternate format if doing so is unreasonable. In this case, the head of the institution must release the record either in an existing format or a feasible alternative format. | **Yes** | **Yes** | **No** |

[6] https://laws-lois.justice.gc.ca/eng/Regulations/SOR-83-507/index.html