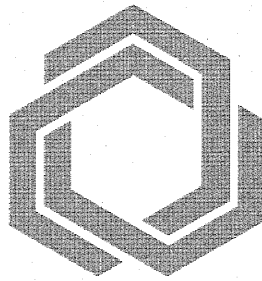


*Annual Report on the Administration
of the*

*Access to Information Act and
Privacy Act*



National Arts Centre

2011-2012

National Arts Centre

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

2011-2012

1. Introduction

The National Arts Centre (NAC) is pleased to provide its fourth annual report on the administration of the *Access to Information Act* (ATIA) for the fiscal year 2011-2012, as required by section 72 of the Act.

The ATIA is based on the following principles:

- government information should be made available to Canadians and permanent residents of Canada;
- exceptions to the right of access should be limited and specific, and;
- decisions on the disclosure of government information should be reviewed independently of government.

2. Mandate

The National Arts Centre Corporation was established in 1966 pursuant to the *National Arts Centre Act* and began operating the Centre in 1969. The NAC reports to Parliament through the Minister of Canadian Heritage.

The NAC is a federal cultural organization dedicated primarily to developing and showcasing the performing arts in the National Capital Region and across Canada. It is a multidisciplinary performing arts centre that features classical music, dance, English and French language theatre, regional programming, special events and variety shows. The NAC takes part in co-productions with other organizations throughout the country, hosts festivals, and, through its new technologies and international tours, reaches out to audiences across Canada and around the world. It is at the forefront of youth and educational activities, supporting programmes for young and emerging artists and programmes for young audiences and producing resources and study materials for teachers.

In furtherance of its objectives to operate and maintain the Centre, the Corporation may arrange for and sponsor performing arts activities at the centre; encourage and assist in the development of performing arts companies resident at the Centre; arrange for or sponsor radio and television broadcasts and the screening of films in the Centre; provide accommodation at the Centre, on such terms and conditions as the Corporation may fix, for national and local organizations whose objectives include the development and encouragement of the performing arts in Canada; and, at the request of the Government of Canada or the Canada Council for the Arts, arrange for performances elsewhere in Canada by performing arts companies, whether resident or non-resident in Canada, and arrange for performances outside Canada by performing arts companies resident in Canada.

The Corporation is deemed, under Section 15 of the *National Arts Centre Act*, to be a registered charity within the meaning of that expression in the *Income Tax Act*.

3. Institution and Delegation Order

The NAC is presided by a Board of Trustees consisting of eight members from across Canada who are appointed by the Governor in Council and two ex-officio members. It has the authority to appoint a President of the Centre, who is Chief Executive Officer, responsible for the operation and administration of the Corporation and its Centre.

The NAC's Access to Information and Privacy (ATIP) Office consists of one ATIP Coordinator on a contract basis.

Pursuant to Section 73 of the ATIA, delegated authority has been designated to the person holding the position of ATIP Coordinator, to exercise or perform all powers, duties and functions of the CEO and President under the Act insofar as they may be exercised or performed in relation to the NAC.

4. Summary of the NAC's access to information activities during the fiscal year 2011-2012

The NAC received five access to information requests. Three of these requests were completed during this fiscal year while two were carried forward.

The statistical report for the period April 1, 2011 to March 31, 2012 is appended.

Interpretation of the statistical report

During this fiscal period, the NAC processed one request from the business sector, one request from an organization and one request from the media.

Disposition of the requests

Of the three access to information requests received and completed during this reporting period, portions of information was disclosed for one request; no information was disclosed for one request; and one request was abandoned by the applicant.

All three requests were processed and completed within the 30 day statutory limit.

5. Education and Training

The Coordinator did not participate in briefing sessions held by the Treasury Board Secretariat. It is anticipated that the Coordinator will participate in any relevant training, meetings and conferences offered by the federal and provincial governments in the 2012-2013 fiscal year.

6. Administration of the Access to Information Act

There were no events of note affecting the Office of the NAC ATIP Coordinator in the last year.

7. Complaints, Investigations and Reviews to the Federal Court

No complaints were lodged with the Office of the Information Commissioner of Canada during this fiscal period. There are currently no outstanding complaints. There were no appeals or reviews made to the Federal Court for the 2011-2012 fiscal year.

May 2012



Statistical Report on the Access to Information Act

Name of institution: National Arts Centre

Reporting period: 2011-04-01 to 31-mars-12

PART 1 – Requests under the Access to Information Act

1.1 Number of Requests

	Number of Requests
Received during reporting period	5
Outstanding from previous reporting period	0
Total	5
Closed during reporting period	3
Carried over to next reporting period	2

1.2 Sources of requests

Source	Number of Requests
Media	2
Academia	0
Business (Private Sector)	1
Organization	2
Public	0
Total	5

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	1	0	0	0	0	0	1
All exempted	1	0	0	0	0	0	0	1
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	1	0	0	0	0	0	0	1
Treated informally	0	0	0	0	0	0	0	0
Total	2	1	0	0	0	0	0	3

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)(a)	0	18(a)	0	20.1	0
13(1)(b)	0	16(2)(b)	0	18(b)	0	20.2	0
13(1)(c)	0	16(2)(c)	0	18(c)	0	20.4	1
13(1)(d)	0	16(3)	0	18(d)	0	21(1)(a)	1
13(1)(e)	0	16.1(1)(a)	0	18.1(1)(a)	0	21(1)(b)	1
14(a)	0	16.1(1)(b)	0	18.1(1)(b)	0	21(1)(c)	0
14(b)	0	16.1(1)(c)	0	18.1(1)(c)	0	21(1)(d)	0
15(1) - I.A.*	0	16.1(1)(d)	0	18.1(1)(d)	0	22	0
15(1) - Def.*	0	16.2(1)	0	19(1)	1	22.1(1)	0
15(1) - S.A.*	0	16.3	0	20(1)(a)	0	23	0
16(1)(a)(i)	0	16.4(1)(a)	0	20(1)(b)	0	24(1)	0
16(1)(a)(ii)	0	16.4(1)(b)	0	20(1)(b.1)	0	26	0
16(1)(a)(iii)	0	16.5	0	20(1)(c)	0		
16(1)(b)	0	17	0	20(1)(d)	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)(a)	1	69(1)(g) re (a)	1
68(b)	0	69(1)(b)	0	69(1)(g) re (b)	0
68(c)	0	69(1)(c)	0	69(1)(g) re (c)	0
68.1	0	69(1)(d)	0	69(1)(g) re (d)	0
68.2(a)	0	69(1)(e)	0	69(1)(g) re (e)	0
68.2(b)	0	69(1)(f)	0	69(1)(g) re (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	1	0	0
Total	1	0	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	1	1	1
All exempted	0	0	1
All excluded	0	0	0
Request abandoned	0	0	1

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	1	1	0	0	0	0	0	0	0	0
All exempted	1	0	0	0	0	0	0	0	0	0
All excluded	0	0	0	0	0	0	0	0	0	0
Abandoned	1	0	0	0	0	0	0	0	0	0
Total	3	1	0	0	0	0	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	1	0	0	0	1
All exempted	1	0	0	0	1
All excluded	0	0	0	0	0
Abandoned	1	0	0	0	1
Total	3	0	0	0	3

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	0	0	0	0
Total	0	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	0	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	0	0	0	0

PART 4 – Fees

Fee Type	Fee Collected		Fee Waived or Refunded	
	Number of requests	Amount	Number of requests	Amount
Application	1	\$5	2	\$10
Search	2	\$50	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	3	\$55	2	\$10

PART 5 – Consultations received from other institutions and organizations

5.1 Consultations received from other government institutions and organizations

Consultations	Other government institutions	Number of pages to review	Other organizations	Number of pages to review
Received during reporting period	4	0	0	0
Outstanding from the previous reporting period	0	0	0	0
Total	4	0	0	0
Closed during the reporting period	4	0	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 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	than 365 days	
Disclose entirely	1	3	0	0	0	0	0	4
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	1	3	0	0	0	0	0	4

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	than 365 days	
Disclose entirely	0	0	0	0	0	0	0	0
Disclose in part	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

Number of days	Number of responses received	Number of responses received past deadline
1 to 15	1	0
16 to 30	0	0
31 to 60	0	0
61 to 120	0	0
121 to 180	0	0
181 to 365	0	0
More than 365	0	0
Total	1	0

PART 7 – Resources related to the Access to Information Act

7.1 Costs

Expenditures		Amount
Salaries		
Overtime		\$0
Goods and Services		\$33 064
• Professional services contracts	\$29 875	
• Other	\$3 189	
Total		\$33 064

7.2 Human Resources

Resources	Dedicated full-time to ATI activities	Dedicated part-time to ATI activities	Total
Full-time employees	0,00	0,00	0,00
Part-time and casual employees	0,00	0,00	0,00
Regional staff	0,00	0,00	0,00
Consultants and agency personnel	0,00	0,25	0,25
Students	0,00	0,00	0,00
Total	0,00	0,25	0,25

APPENDIX B - 1

Additional Reporting Requirements – *Access to Information Act*

In addition to the reporting requirements addressed in form TBS/SCT 350-62 "Report on the *Access to Information Act*", institutions are required to report on the following using this form:

Part III – Exemptions invoked

The National Arts Centre invoked Subsection 20.4 of the ATI once in 2011-2012.

Part IV – Exclusions cited

The National Arts Centre cited Section 69 (1) (a) once in 2011-2012.

National Arts Centre

Annual Report on the Administration of the *Privacy Act*

2011-2012

1. Introduction

The National Arts Centre (NAC) is pleased to provide its annual report on the administration of the *Privacy Act* for the fiscal year 2011-2012, as required by section 72 of the Act.

The *Privacy Act* protects the privacy of individuals with respect to personal information about themselves held by the NAC. The Act recognizes that the right to privacy entails the right to control the use and disclosure of information about oneself.

2. Mandate

The National Arts Centre Corporation was established in 1966 pursuant to the *National Arts Centre Act* and began operating the Centre in 1969. The NAC reports to Parliament through the Minister of Canadian Heritage.

The NAC is a federal cultural organization dedicated primarily to developing and showcasing the performing arts in the National Capital Region and across Canada. The NAC is a multidisciplinary performing arts centre that features classical music, dance, English and French language theatre, regional programming, special events and variety shows. The NAC takes part in co-productions with other organizations throughout the country, hosts festivals, and, through its new technologies and international tours, reaches out to audiences across Canada and around the world. It is at the forefront of youth and educational activities, supporting programmes for young and emerging artists and programmes for young audiences and producing resources and study materials for teachers.

In furtherance of its objectives to operate and maintain the Centre, the Corporation may arrange for and sponsor performing arts activities at the centre; encourage and assist in the development of performing arts companies resident at the Centre; arrange for or sponsor radio and television broadcasts and the screening of films in the Centre; provide accommodation at the Centre, on such terms and conditions as the Corporation may fix, for national and local organizations whose objectives include the development and encouragement of the performing arts in Canada; and, at the request of the Government of Canada or the Canada Council for the Arts, arrange for performances elsewhere in Canada by performing arts companies, whether resident or non-resident in Canada, and arrange for performances outside Canada by performing arts companies resident in Canada.

The Corporation is deemed, under Section 15 of the *National Arts Centre Act*, to be a registered charity within the meaning of that expression in the *Income Tax Act*.

3. Institution and Delegation Order

The NAC is presided by a Board of Trustees consisting of eight members from across Canada who are appointed by the Governor in Council and two ex-officio members. It has the authority to appoint a President of the Centre, who is Chief Executive Officer, responsible for the operation and administration of the Corporation and its Centre.

The NAC's Access to Information and Privacy (ATIP) Office consists of one employee, an ATIP Coordinator.

Pursuant to Section 73 of the *Privacy Act*, delegated authority has been designated to the person holding the position of Access to Information and Privacy Coordinator, with the exception of paragraphs 8(2) (e) and 8(2) (m), to exercise or perform all powers, duties and functions of the CEO and President under the Act insofar as they may be exercised or performed in relation to the NAC.

4. Summary of the NAC's privacy activities during the fiscal year

The NAC did not receive any requests under the *Privacy Act* during this fiscal year.

5. Information on Privacy Impacts Assessments (PIA)

No Privacy Impact Assessments were conducted this past year, as none were required.

6. Data Matching and Data Sharing

There were no new data matching and data sharing activities undertaken during this reporting period.

7. Education and Training

The Coordinator participated in quarterly briefing sessions held by the Treasury Board Secretariat. It is anticipated that the Coordinator will participate in any relevant training, meetings and conferences offered by the federal and provincial governments in the 2012-2013 fiscal year.

8. Disclosures under Section 8(2) (e), (f), (g) and (m) of the *Privacy Act*

There were no 8(2) (e), (f), (g) and (m) requests for the 2011-2012 fiscal year.

9. Exempt Banks

The NAC has no designated exempt banks based on Section 18(2) of the *Privacy Act*.

10. Complaints, Investigations and Appeals to the Federal Court

No complaints or investigations were lodged with the Office of the Privacy Commissioner of Canada and no appeals were made to the Federal Court for the 2010-2011 fiscal year.

May 2012

APPENDIX B - 2

Additional Reporting Requirements – *Privacy Act*

Treasury Board Secretariat is monitoring compliance with the Privacy Impact Assessment (PIA) Policy (which came into effect on May 2, 2002) and the Directive on Privacy Impact Assessment (which came into effect April 1, 2010) through a variety of means. Institutions are therefore required to report the following information for this reporting period. Note that because some institutions are using the Core PIA as outlined in the Directive in advance of the implementation deadline, they will not have Preliminary PIAs to report.

Indicate the number of:

- Preliminary Privacy Impact Assessments initiated
- Preliminary Privacy Impact Assessments completed
- Privacy Impact Assessments initiated
- Privacy Impact Assessments completed
- Privacy Impact Assessments forwarded to the Office of the Privacy Commissioner (OPC)

Note: If your institution did not undertake any of the activities noted above during the reporting period, this must be stated explicitly.

In addition, institutions are required to report on the following:

Part III – Exemptions invoked

The NAC did not invoke any *Privacy Act* exemptions in 2011-2012.

Part IV – Exclusions cited

The NAC did not invoke any *Privacy Act* exclusions in 2011-2012.



CENTRE NATIONAL DES ARTS
NATIONAL ARTS CENTRE

Access to Information Act
Designation Order

Arrêté sur la délégation en vertu de la
Loi sur l'accès à l'information

BY THIS ORDER made pursuant to Section 73 of the *Access to Information Act*, I hereby designate the person holding the position of Access to Information and Privacy Coordinator to exercise or perform all of the powers, duties and functions of the head of a government institution under the Act insofar as they may be exercised or performed in relation to the **National Arts Centre**, effective September 1, 2007.

PAR LE PRÉSENT ARRÊTÉ pris en vertu de l'article 73 de la *Loi sur l'accès à l'information*, je délègue, à compter du 1^{er} septembre 2007, au titulaire du poste de Coordinatrice de l'accès à l'information et de la protection des renseignements personnels, les attributions se rapportant au **Centre National des Arts** qui me sont confiées aux termes de cette loi en ma qualité de responsable d'une institution fédérale.

President and Chief Executive Officer/
Président et chef de la direction

R.S. 1985, c. A-1, s. 73