Annual Report on the Administration of the

Access to Information Act

2008-2009
National Arts Centre

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Access to Information Act

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1. Introduction

The National Arts Centre (NAC) is pleased to provide its second annual report on the administration of the Access to Information Act (ATIA) for the fiscal year 2008-2009, 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, 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 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 2008-2009

The NAC received and processed thirteen access to information requests and completed three outstanding requests from the previous reporting period.

The statistical report for the period September 1, 2008 to August 31, 2009 is appended.
**Interpretation of the statistical report**

The NAC received nine access requests from the business sector; three requests from the public sector and one request from the media during this fiscal period.

**Disposition of the requests**

Of the thirteen access to information requests received during this reporting period, one was treated informally because the information is already in the public domain; all the information requested was disclosed for two requests; portions of information was disclosed for three requests; no information was disclosed for five requests and two requests were abandoned by the applicant.

The three requests that were outstanding from the previous reporting period have been completed and no information was disclosed.

We are pleased to report that twelve requests were processed and completed within the 30 day statutory limit and only one request required an extension due to a search through a large number of records.

**5. 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 2009-2010 fiscal year.

**6. Administration of the Access to Information Act**

The ATIP Coordinator executed information sessions to sensitize NAC employees of their responsibilities under the Acts and other relevant legislation, regulations and guidelines.

During this past fiscal year the Coordinator assumed additional responsibilities. One of which is the senior official responsible for Parliamentary Returns. Due to the new requirement that Parliamentary responses must be consistent with information already released under the ATIA, it was deemed appropriate that the Coordinator administer this task.
The Coordinator has also taken on the role of records management. The NAC recognizes that sound information management plays a key role in facilitating the ability to exercise the right of access under the Act. Effective processes and systems will be established to ensure timely and efficient responses to requesters.

Given that the NAC became subject to the ATIA only in 2007, it did not have a proper chapter describing its organization and classes of records in the Info Source publication produced by the Treasury Board Secretariat. The ATIP Coordinator is working diligently in furthering development in this area of responsibility.

7. Complaints, Investigations and Reviews to the Federal Court

One complaint was lodged with the Office of the Information Commissioner of Canada (OIC) during this fiscal period. At the time of this report, the investigation had not been completed.

Of the seven complaints that were lodged with the OIC in the previous period, we are pleased to report that six were not substantiated.

There were no appeals or reviews made to the Federal Court for the 2008-2009 fiscal year.

October 2009
**REPORT ON THE ACCESS TO INFORMATION ACT**

**RAPPORT CONCERNANT LA LOI SUR L'ACCÈS À L'INFORMATION**

<table>
<thead>
<tr>
<th>Source</th>
<th>Media / Médias</th>
<th>Academia / Secteur universitaire</th>
<th>Business / Secteur commercial</th>
<th>Organization / Organisme</th>
<th>Public</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>1</td>
<td></td>
<td>9</td>
<td></td>
<td>3</td>
</tr>
</tbody>
</table>

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

- **Received during reporting period / Receus pendant la période visée par le rapport** 13
- **Outstanding from previous period / En suspend depuis la période antérieure** 3
- **TOTAL** 16

- **Completed during reporting period / Traitées pendant la période visées par le rapport** 16
- **Carried forward / Reportées**

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

1. All disclosed / Communication totale 2
2. Disclosed in part / Communication partielle 7
3. Nothing disclosed (exempted) / Aucune communication (exclusion) 8
4. Nothing disclosed (exempted) / Aucune communication (exclusion) 8
5. Transferred / Transmission

### III. Exemptions invoked / Exceptions invoquées

<table>
<thead>
<tr>
<th>S. Art. 13(1)(a)</th>
<th>S. Art. 16(1)(a)</th>
<th>S. Art. 16(b)</th>
<th>S. Art. 21(1)(a)</th>
</tr>
</thead>
<tbody>
<tr>
<td>(b)</td>
<td>(b)</td>
<td>(c)</td>
<td>(b)</td>
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<tr>
<td>(c)</td>
<td>(c)</td>
<td>(d)</td>
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<tr>
<td>(d)</td>
<td>(d)</td>
<td>S. Art. 16(1)</td>
<td>S. Art. 16(2)</td>
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<tr>
<td>S. Art. 14</td>
<td>S. Art. 16(2)</td>
<td>S. Art. 20(1)(a)</td>
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<tr>
<td>S. Art. 15(1)</td>
<td>S. Art. 16(3)</td>
<td>(b)</td>
<td>S. Art. 22</td>
</tr>
<tr>
<td>Art. 15(1)</td>
<td>S. Art. 17</td>
<td>(c)</td>
<td>S. Art. 23</td>
</tr>
<tr>
<td>International rei. / Relations intern.</td>
<td>Subversive activities / Activités subversives</td>
<td></td>
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<tr>
<td>Defence / Défense</td>
<td>S. Art. 18(a)</td>
<td>(d)</td>
<td>S. Art. 24</td>
</tr>
<tr>
<td>S. Art. 18(a)</td>
<td>S. Art. 18(2)</td>
<td>(d)</td>
<td>S. Art. 25</td>
</tr>
</tbody>
</table>

### IV. Exclusions cited / Exclusions citées

<table>
<thead>
<tr>
<th>S. Art. 68(a)</th>
<th>S. Art. 69(1)(c)</th>
</tr>
</thead>
<tbody>
<tr>
<td>(b)</td>
<td>(d)</td>
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<tr>
<td>(c)</td>
<td>(e)</td>
</tr>
<tr>
<td>S. Art. 68(1)(a)(b)</td>
<td>S. Art. 69(1)(c)</td>
</tr>
</tbody>
</table>

### V. Completion time / Délai de traitement

- 30 days or under / 30 jours ou moins 12
- 31 to 60 days / De 31 à 60 jours 4
- 61 to 120 days / De 61 à 120 jours 1
- 121 days or over / 121 jours ou plus 1

### VI. Extensions / Prorogations des délais

<table>
<thead>
<tr>
<th>30 days or under / 30 jours ou moins</th>
<th>31 days or over / 31 jours ou plus</th>
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</thead>
<tbody>
<tr>
<td>Searching / Recherche</td>
<td>1</td>
</tr>
<tr>
<td>Consultation</td>
<td></td>
</tr>
<tr>
<td>Third party / Tiers</td>
<td></td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td><strong>1</strong></td>
</tr>
</tbody>
</table>

### VII. Translations / Traduction

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

### VIII. Method of access / Méthode de consultation

- Copies given / Copies de l'original 5
- Examination / Examen de l'original
- Copies and examination / Copies examen

### IX. Fees / Frais

<table>
<thead>
<tr>
<th>Net fees collected / Frais net recus</th>
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</table>
| Application fees / Frais de la demande | $60
| Preparation / Préparation             |
| Reproduction                          |
| Computer processing / Traitement informatique |
| Searching / Recherche                 |
| TOTAL                                 | $60

<table>
<thead>
<tr>
<th>Fees waived / Dispense de frais</th>
</tr>
</thead>
<tbody>
<tr>
<td>No. of times / Nombre de fois</td>
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</table>
| $25.00 or under / 25 $ ou moins | $5
| Over $25.00 / De plus de 25 $    | $5

### X. Costs / Coûts

<table>
<thead>
<tr>
<th>Financial (all reasons) / Financiers (raisons)</th>
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</thead>
</table>
| Salary / Traitement                           | $76,000
| Administration (O and M) / Administration (fonctionnement et maintien) | $22,029
| **TOTAL**                                     | **$97,029**

Person year utilization (all reasons) / Années-personnes utilisées (raison)
Person year (decimal format) / Années-personnes (nombre décimal)

TBS/SCT 350-62 (Rev. 1999/03)
Access to Information Act  
Designation Order

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.

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

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

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 1er septembre 2007, au titulaire du poste de Coordonnatrice 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.

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