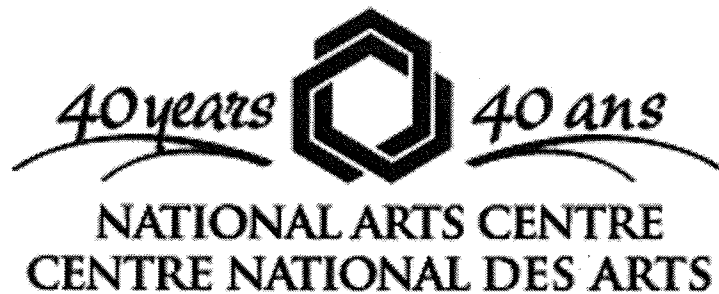


*Annual Report on the Administration
of the*

Access to Information Act



2008-2009

National Arts Centre

Annual Report on the Administration of the *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

Institution / The National Arts Centre/Le Centre national des Arts				Reporting period / Période visée par le rapport September 1, 2008 - August 31, 2009/1 septembre 2008 - 31 août 2009	
Source	Media / Médias 1	Academia / Secteur universitaire	Business / Secteur commercial 9	Organization / Organisme	Public 3

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	13
Outstanding from previous period / En suspens 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	6. Unable to process / Traitement impossible	
2. Disclosed in part / Communication partielle	3	7. Abandoned by applicant / Abandon de la demande	2
3. Nothing disclosed (excluded) / Aucune communication (exclusion)		8. Treated informally / Traitement non officiel	1
4. Nothing disclosed (exempt) / Aucune communication (exemption)	8	TOTAL	16
5. Transferred / Transmission			

III Exemptions invoked / Exceptions invoquées

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

IV Exclusions cited / Exclusions citées

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

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	
121 days or over / 121 jours ou plus	

VI Extensions / Prorogations des délais

	30 days or under / 30 jours ou moins	31 days or over / 31 jours ou plus	
Searching / Recherche			1
Consultation			
Third party / Tiers			
TOTAL			1

VII Translations / Traduction

Translations requested / Traductions demandées		
Translations prepared / Traductions préparées	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 et examen	

IX Fees / Frais

Net fees collected / Frais net perçus			
Application fees / Frais de la demande	\$60	Preparation / Préparation	
Reproduction		Computer processing / Traitement informatique	
Searching / Recherche		TOTAL	\$60
Fees waived / Dispense de frais		No. of times / Nombre de fois	\$
\$25.00 or under / 25 \$ ou moins		1	\$ 55
Over \$25.00 / De plus de 25 \$			\$

X Costs / Coûts

Financial (all reasons) / Financiers (raisons)	
Salary / Traitement	\$ 75,000
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)	1.





CENTRE NATIONAL DES ARTS
NATIONAL ARTS CENTRE

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.

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***, je délègue, à compter du 1^{er} 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.

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

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