



Canadian Grain  
Commission    Commission canadienne  
des grains



**Canadian Grain Commission  
2018-2019  
Annual Report to Parliament  
Access to Information Act**

# Canadian Grain Commission 2018-2019 Annual Report to Parliament on the *Access to Information Act*

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### **1. Introduction**

The Canadian Grain Commission (CGC) presents to Parliament its *Annual Report on the Administration of the Access to Information Act* (the “Act”) for fiscal year 2018-2019 (April 1, 2018 to March 31, 2019). This report is prepared and tabled in accordance with section 72 of the Act and section 20 of the *Service Fees Act*.

The Act gives Canadian citizens, permanent residents and any person or corporation present in Canada a right to access records of government institutions that are subject to the Act. The Act maintains that government information should be made available to the public, necessary 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.

In accordance with the Treasury Board of Canada Secretariat (TBS) requirements, this report provides an overview of the activities of the CGC in administering its responsibilities under the Act. This report should be considered along with CGC’s 2018-2019 *Annual Report to Parliament on the Administration of the Privacy Act*, which is tabled separately.

The CGC is a federal government department, which administers the provisions of the *Canada Grain Act* (CGA). The CGC’s mandate, as set out in the CGA, is to, “in the interests of producers, establish and maintain standards of quality for Canadian grain and regulate grain handling in Canada, to ensure that grain is a dependable commodity for domestic and export markets”.

The CGC’s Core Responsibility is Grain Regulation, or, to regulate grain handling in Canada and to establish and maintain science based standards for Canadian grain. The CGC regulates the handling of 20 grains grown in Canada to protect producer rights and ensure the integrity of grain transactions.

The Departmental Results of this Core Responsibility are that domestic and international markets regard Canadian grain as dependable and safe and that farmers are fairly compensated for their grain. The CGC supports its Core Responsibility through its programs: Grain Quality, Grain Research, and Safeguards for Grain Farmers.

**2. Access to Information and Privacy Office structure**

The CGC is supported by Agriculture and Agri-Food Canada’s (AAFC) Access to Information and Privacy (ATIP) office who assists in processing and responding to access to information and privacy requests received by the CGC.

The CGC’s Chief Operating Officer is responsible for the coordination and implementation of policies, guidelines and procedures to ensure compliance with the *Access to Information Act* and the *Privacy Act*.

The CGC has an access to information and privacy coordinator whose key responsibilities include:

- Ensuring timely processing of all ATIP requests and coordinating with AAFC’s ATIP office for processing the CGC’s ATIP requests;
- Proactively disclosing summaries of closed access requests on the CGC’s website;
- Providing CGC staff with advice and guidance on ATIP-related matters;
- Preparing annual reports to Parliament and maintaining the CGC’s Info Source chapter; and
- Developing and updating Personal Information Banks (PIBs).

**3. Delegation of authority**

The Deputy Head of the CGC is the Chief Commissioner and is responsible for responding to requests made under the *Access to Information Act*. Section 73 of the Act provides for the deputy head of the CGC to delegate the powers, duties and functions designated by the Act.

The Chief Operating Officer of the CGC heads the CGC’s operations and reports to the Chief Commissioner. This position has full delegated authority of the powers, duties and functions designated by the Act.

The delegation of authority instrument for the administration of the Act is appended hereto as Annexes A and B.

**4. Access to Information Act Statistical Report**

The CGC’s detailed Statistical Report on the Act for April 1, 2018 to March 31, 2019 is attached at Annex C. In comparing this statistical report with that of the previous reporting period (April 1, 2017 to March 31, 2018), it was noted that CGC received five requests for information under the Act.

**Number of ATI requests**

<b>Year</b>	<b>Outstanding</b>	<b>Received</b>	<b>Completed</b>	<b>Carried Forward</b>
2015-2016	1	1	2	0
2016-2017	0	1	0	1
2017-2018	1	0	1	0
2018-2019	0	5	1	4

### **Access requests received and completed**

- The CGC received five new requests for information under the Act.
- Four requests were carried forward to the next reporting period (April 1, 2019-March 31, 2020).
- The completed request was responded to within the statutory timeframe stipulated by the Act.
- As part of the completed request, no documents were held by the CGC and resulted in nil pages being released.

### **Exemptions invoked**

- There were no exemptions or exclusions applied to the information contained in the records for the completed request.

### **Extensions**

- The Act allows extensions beyond the 30-day statutory time from for specific reasons. During the reporting period there were no extensions required.

### **Informal requests**

- The CGC also responds to informal requests for information from the public. Informal requests are generally requests for previously released records under a formal access request.
- There were no informal requests received during this reporting period.

### **Consultations**

#### **Number of Pages to Review for Consultations**

- The CGC must also respond to consultations pursuant to the Act from other government institutions in order to provide those institutions with recommendations regarding the release of information related to the CGC.
- For this reporting period, the CGC received 11 consultation requests from other institutions and all were completed within 30 days of receipt.
- The number of pages reviewed by the CGC for other institutions totalled 276.

<b>Year</b>	<b>Outstanding</b>	<b>Received</b>	<b>Completed</b>	<b>Carried Forward</b>
2015-2016	0	15 (521 pages)	15	0
2016-2017	0	14 (1322 pages)	14	0
2017-2018	0	12 (117 pages)	12	0
<u>2018-2019</u>	0	11 (276 pages)	11	0

In summary:

The CGC received 16 requests during the reporting period, five requests for information and 11 consultation requests.

Summaries of the CGC's completed access to information requests may be found on the Government of Canada's Open Government Web pages.

## **5. Reporting of the Access to Information fees for the purpose of the *Service Fees Act***

The *Service Fees Act* requires a responsible authority to report annually to Parliament on the fees collected by the institution.

With respect to fees collected under the *Access to Information Act*, the information below is reported in accordance with the requirements of section 20 of the *Service Fees Act*.

- Enabling authority: *Access to Information Act*.
- Fee amount: The fee amount for the 2018 to 2019 fiscal period was \$5.00 per request made under the Act.
- Total revenue: The total fee revenue for the 2018 to 2019 fiscal period collected was \$25.00.
- Fees waived: No fees were waived for the 2018 to 2019 fiscal period.
- Cost of operating the program: \$13,120.00.

## **6. ATIP training and education**

During the reporting period, the AAFC ATIP office provided a training session to approximately 40 CGC employees. Training highlights from that session include:

- An overview of the access to information administrative processes;
- A definition of employee roles and responsibilities in relation to fulfilling CGC's responsibilities under the Act;
- The principles of the duty to assist; and
- An overview of exemptions and exclusions.

The CGC continues to review and develop information management practices and procedures within the organization as part of an ongoing records and information management project.

## **7. Policies, guidelines, procedures and engagement**

The CGC did not implement any new or revise any existing access to information policies, guidelines or procedures during the 2018 to 2019 fiscal period.

## **8. Access complaints, investigations and audits**

The Act provides a system of review to help ensure federal institutions comply with their obligations. Under this system of review, a requester may file a complaint with the Information Commissioner of Canada, who will investigate the matter on behalf of the requester. After the complaint investigation is carried out, the Commissioner issues a finding on the matter and determines whether an institution handled the request properly.

The CGC received no complaints during the reporting period.

No audits in relation to the CGC's obligations under the Act were carried out during the reporting period.

## **9. Monitoring timelines**

Requests received under the Act by the CGC are monitored by AAFC's ATIP office using an automated system to ensure the timely processing of ATIP requests. The workflow case management tool used by AAFC tracks all actions and due dates, stores relevant records requiring review, maintains audit logs, promotes the use of standard templates, allows extensive search capability to facilitate analysis and generates progress and statistical reports.

CGC's ATIP Coordinator monitors the time to process access to information requests by completing an internal tracking log spreadsheet, which is updated to reflect key dates and activities for all requests including deadlines. Senior management is kept apprised of the access to information activities as required.

## **10. Closing**

In closing, the CGC is fully committed to both the spirit and the intent of the Act to ensure openness and transparency with the CGC and with the Canadian public.

### **Delegation of authority instrument – Annexes A and B**

#### **Annex A – *Access to Information Act* Designation Order - Canadian Grain Commission**



### ***Access to Information Act Designation Order - Canadian Grain Commission***

The Chief Commissioner of the Canadian Grain Commission, pursuant to section 73 of the *Access to Information Act*, hereby designates the persons of the CGC holding the positions set out in the schedule hereto, or the persons occupying on an acting basis those positions, to exercise the powers and perform the duties and functions of the Chief Commissioner as the head of a government institution under the sections of the Act as set out in the schedule opposite each position. This Designation Order supersedes all previous Designation Orders.

Date: <sup>May 31, 2018</sup>

Patti Miller  
Chief Commissioner  
Canadian Grain Commission





**Annex B – Delegation of authority instrument for the administration of the *Access to Information Act***

**Sections of the *Access to Information Act***

<b>Sections</b>	<b>Powers, Duties or Functions</b>	<b>Chief Operating Officer</b>
4(2.1)	Responsibility of government institutions	X
7(a)	To notify applicant and to give access to the record	X
7(b)	Giving access to records	X
8(1)	To transfer to another institution or to accept transfer from another institution	X
9	To extend time limits	X
11(2), (3)	To require additional payment before access is given	X
11(4)	To require deposit before search or production of record	X
11(5)	To notify applicant of payment required	X
11(6)	To waive requirement for payment or to refund	X
12(2)b)	To have record translated in the public interest	X
12(3)(b)	To have record made accessible in alternative format	X
13	To exempt information obtained in confidence	X
13(2)	To disclose with consent of the other government	X
14	To exempt information re: federal – provincial affairs	X
15	To exempt information re: international affairs and defence	X
16	To exempt information re: law enforcement and investigations	X

16.5	To exempt information re: Public Servant Disclosure Act	X
17	To exempt information re: safety of individuals	X
18	To exempt information re: economic interests of Canada	X
19	To exempt personal information	X
20	To exempt third party information	X
21	To exempt information re: advice and recommendations	X
22	To exempt information re: testing procedures, tests and audits	X
22.1	To exempt information re: Audit working papers and draft audit reports	X
23	To exempt information re: solicitor client privilege	X
24	To exempt information re: statutory prohibitions	X
25	To sever exempt information from records and to disclose the remaining information	X
26	To refuse access when information is published	X
27(1)	To notify third party of intent to disclose	X
27(4)	To extend time limit for third party notification process	X
28(1)(b)	Review representations of third parties	X
28(2)	To waive the requirement of third parties providing representation in writing	X
28(4)	To notify third party of decision	X
29(1)	Where the Information Commissioner recommends disclosure	X
33	To advise Information Commissioner of third party involvement	X

35(2)(b)	To have the right to make representations to Information Commissioner	X
37(4)	To provide access to complainant pursuant to Information Commissioner's recommendation	X
43(1)	To provide notification to third party (application to Federal Court for review)	X
44(2)	To notify applicant that third party has applied for Court review	X
52(2)(b), (3)	Special rules for hearing	X
71(1)	Facility for inspection of manuals	X
71(2)	To exempt information severed from manuals	X
72	To prepare annual report to Parliament	X
<b>Legend:</b> X = has delegated authority		

**Sections of the *Access to Information Regulations***

<b>Sections</b>	<b>Powers, Duties or Functions</b>	<b>Chief Operating Officer</b>
6(1)	Transfer of request	X
7(2)	Search and preparation fees	X
7(3)	Production and programming fees	X
8	Providing access to record(s)	X
8.1	Limitation in respect of format	X
<b>Legend:</b> X = Has delegated authority		

**Statistical report on the *Access to Information Act* – Annex C**



## Statistical Report on the Access to Information Act

Name of institution: Canadian Grain Commission

Reporting period: 2018-04-01 to 2019-03-31

### 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
<b>Total</b>	<b>5</b>
Closed during reporting period	1
Carried over to next reporting period	4

#### 1.2 Sources of requests

Source	Number of Requests
Media	2
Academia	0
Business (private sector)	3
Organization	0
Public	0
Decline to Identify	0
<b>Total</b>	<b>5</b>

#### 1.3 Informal 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	
0	0	0	0	0	0	0	0

**Note:** All requests previously recorded as “treated informally” will now be accounted for in this section only.

## 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	0	0	0	0	0	0	0
All exempted	0	0	0	0	0	0	0	0
All excluded	0	0	0	0	0	0	0	0
No records exist	0	1	0	0	0	0	0	1
Request transferred	0	0	0	0	0	0	0	0
Request abandoned	0	0	0	0	0	0	0	0
Neither confirmed nor denied	0	0	0	0	0	0	0	0
<b>Total</b>	<b>0</b>	<b>1</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>1</b>

### 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)	0	18(a)	0	20.1	0
13(1)(b)	0	16(2)(a)	0	18(b)	0	20.2	0
13(1)(c)	0	16(2)(b)	0	18(c)	0	20.4	0
13(1)(d)	0	16(2)(c)	0	18(d)	0	21(1)(a)	0
13(1)(e)	0	16(3)	0	18.1(1)(a)	0	21(1)(b)	0
14	0	16.1(1)(a)	0	18.1(1)(b)	0	21(1)(c)	0
14(a)	0	16.1(1)(b)	0	18.1(1)(c)	0	21(1)(d)	0
14(b)	0	16.1(1)(c)	0	18.1(1)(d)	0	22	0
15(1)	0	16.1(1)(d)	0	19(1)	0	22.1(1)	0
15(1) - I.A.*	0	16.2(1)	0	20(1)(a)	0	23	0
15(1) - Def.*	0	16.3	0	20(1)(b)	0	24(1)	0
15(1) - S.A.*	0	16.4(1)(a)	0	20(1)(b.1)	0	26	0
16(1)(a)(i)	0	16.4(1)(b)	0	20(1)(c)	0		
16(1)(a)(ii)	0	16.5	0	20(1)(d)	0		
16(1)(a)(iii)	0	17	0				
16(1)(b)	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)	0	69(1)(g) re (a)	0
68(b)	0	69(1)(a)	0	69(1)(g) re (b)	0
68(c)	0	69(1)(b)	0	69(1)(g) re (c)	0
68.1	0	69(1)(c)	0	69(1)(g) re (d)	0
68.2(a)	0	69(1)(d)	0	69(1)(g) re (e)	0
68.2(b)	0	69(1)(e)	0	69(1)(g) re (f)	0
		69(1)(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	0	0	0
<b>Total</b>	0	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	0	0	0
All exempted	0	0	0
All excluded	0	0	0
Request abandoned	0	0	0
Neither confirmed nor denied	0	0	0

### 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	0	0	0	0	0	0	0	0	0	0
All exempted	0	0	0	0	0	0	0	0	0	0
All excluded	0	0	0	0	0	0	0	0	0	0
Request abandoned	0	0	0	0	0	0	0	0	0	0
Neither confirmed nor denied	0	0	0	0	0	0	0	0	0	0
<b>Total</b>	0	0	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	0	0	0	0	0
All exempted	0	0	0	0	0
All excluded	0	0	0	0	0
Request abandoned	0	0	0	0	0
Neither confirmed nor	0	0	0	0	0
<b>Total</b>	0	0	0	0	0

### 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
<b>Total</b>	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
<b>Total</b>	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
<b>Total</b>	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
<b>Total</b>	0	0	0	0

## Part 4: Fees

Fee Type	Fee Collected		Fee Waived or Refunded	
	Number of Requests	Amount	Number of Requests	Amount
Application	5	\$25	0	\$0
Search	0	\$0	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
<b>Total</b>	5	\$25	0	\$0

## Part 5: Consultations Received From Other Institutions and Organizations

### 5.1 Consultations received from other Government of Canada institutions and organizations

Consultations	Other Government of Canada Institutions	Number of Pages to Review	Other Organizations	Number of Pages to Review
Received during reporting period	11	276	0	0
Outstanding from the previous reporting period	0	0	0	0
<b>Total</b>	11	276	0	0
Closed during the reporting period	11	0	0	0
Pending at the end of the reporting period	0	276	0	0

### 5.2 Recommendations and completion time for consultations received from other Government of Canada 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	More Than 365 Days	
Disclose entirely	10	0	0	0	0	0	0	10
Disclose in part	1	0	0	0	0	0	0	1
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
<b>Total</b>	11	0	0	0	0	0	0	11

### 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	More Than 365 Days	
Disclose entirely	0	0	0	0	0	0	0	0
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
<b>Total</b>	0	0	0	0	0	0	0	0

## Part 6: Completion Time of Consultations on Cabinet Confidences

### 6.1 Requests with Legal Services

Number of Days	Fewer 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
1 to 15	0	0	0	0	0	0	0	0	0	0
16 to 30	0	0	0	0	0	0	0	0	0	0
31 to 60	0	0	0	0	0	0	0	0	0	0
61 to 120	0	0	0	0	0	0	0	0	0	0
121 to 180	0	0	0	0	0	0	0	0	0	0
181 to 365	0	0	0	0	0	0	0	0	0	0
More than 365	0	0	0	0	0	0	0	0	0	0
<b>Total</b>	0	0	0	0	0	0	0	0	0	0

### 6.2 Requests with Privy Council Office

Number of Days	Fewer 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
1 to 15	0	0	0	0	0	0	0	0	0	0
16 to 30	0	0	0	0	0	0	0	0	0	0
31 to 60	0	0	0	0	0	0	0	0	0	0
61 to 120	0	0	0	0	0	0	0	0	0	0
121 to 180	0	0	0	0	0	0	0	0	0	0
181 to 365	0	0	0	0	0	0	0	0	0	0
More than 365	0	0	0	0	0	0	0	0	0	0
<b>Total</b>	0	0	0	0	0	0	0	0	0	0

## Part 7: Complaints and Investigations

Section 32	Section 35	Section 37	Total
0	0	0	0

## Part 8: Court Action

Section 41	Section 42	Section 44	Total
0	0	0	0

**Part 9: Resources Related to the Access to Information Act****9.1 Costs**

<b>Expenditures</b>		<b>Amount</b>
Salaries		\$13,120
Overtime		\$0
Goods and Services		\$0
• Professional services contracts	\$0	
• Other	\$0	
<b>Total</b>		<b>\$13,120</b>

**9.2 Human Resources**

<b>Resources</b>	<b>Person Years Dedicated to Access to Information Activities</b>
Full-time employees	0.20
Part-time and casual employees	0.00
Regional staff	0.00
Consultants and agency personnel	0.00
Students	0.00
<b>Total</b>	<b>0.20</b>

**Note:** Enter values to two decimal places.