

ANNUAL REPORT ON THE ACCESS TO INFORMATION ACT 2019-2020

A1: INTRODUCTION

The *Access to Information Act* gives Canadian citizens as well as people and corporations present in Canada the right to have access to federal government records that are not of a personal nature. The *Act* complements but does not replace other procedures for obtaining government information. It is not intended to limit in any way the access to government information that is normally available to the public upon request.

The SJPA is subject to the *Access to Information Act (Act)* with respect to all records and information holdings under its control. The Annual Report is prepared and tabled in Parliament in accordance with section 72 of the Access to Information Act.

The Saint John Port Authority (SJPA), one of Canada's Port Authorities was established by the Government of Canada on May 1, 1999 pursuant to the *Canada Marine Act*. The SJPA's mandate is to manage and operate the Port on a commercial basis by ensuring efficient utilization of its infrastructure and for port activities relating to shipping, navigation, transportation of passengers and goods, handling and storage of goods as described in its Letters Patent.

A2: ORGANIZATION

The Saint John Port Authority is a small organization and its team consists of 31 full time employees split between 4 key areas. One employee has been assigned to the responsibility of administering SJPA obligations under the *Act* as well as ensuring its compliance with the requirements of the *Act*.

The role of the Access to Information and Privacy Coordinator (Coordinator) is in addition the individual's fulltime responsibilities as Executive Assistant to the CEO and Corporate Secretary. This individual reports directly to the President & CEO who has the ultimate authority for administration of the *Access to Information Act* for the SJPA.

Under section 96 of the Access to Information Act the Saint John Port Authority did not have any service agreements during this reporting period.

A3: DELEGATION ORDER

The Access to Information and Privacy Coordinator for the SJPA is Kerrileigh Nelson, Executive Assistant to the CEO, Corporate Secretary and ATIP Coordinator under direction of the President & CEO, Jim Quinn who has not delegated any powers, duties or functions for the administration of the *Act* to SJPA personnel.

A4: HIGHLIGHTS OF THE STATISTICAL REPORT, 2019-2020

In 2019-20 reporting period the Saint John Port Authority had one (1) formal requests for access to information. Additionally, the SJPA received zero (0) requests for consultations under the *Act*. The completed Statistical Report, in accordance with form TBS/SCT 350-62 "Report on the Access to Information Act" has been included, as well as the new exemptions table. The form and new exemptions tables will be provided by separate email.

The number of requests for the previous 3-5 years has been consistent and is on par with previous reporting periods.

COVID-19 did not impact the Saint John Port Authority's ability to fulfill the Access to Information responsibilities. There were no mitigation measures implemented.

A5: TRAINING AND AWARENESS

In 2019-20 reporting period, The Saint John Port Authority did not provide employees with training and/or education sessions on the Access to Information or Privacy administration.

A6: POLICIES, GUIDELINES, PROCEDURES AND INITIATIVES

As the established practice, all formal requests for access to information under the *Act* are sent to the Access to Information and Privacy Coordinator in consultation with Head of the Institution (President & CEO). All requests (formal or informal) are treated pursuant to the provisions of the *Act*.

The Saint John Port Authority did not implement any such policies, guidelines, procedures or initiatives during the reporting period.

A7: SUMMARY OF KEY ISSUES AND ACTIONS TAKEN ON COMPLAINTS OR AUDITS

In 2019-20 reporting period, there were no complaints received or no audits or investigations concluded.

A8: MONITORING COMPLIANCE

The Saint John Port Authority did not conduct any monitoring during the reporting period.

ANNUAL REPORT ON THE PRIVACY ACT 2019-2020

B1: INTROUCTION

The Saint John Port Authority (SJPA) is subject to the *Privacy Act* (Act) with respect to all records and information holdings under its control. The *Privacy Act* protects the privacy of all Canadian citizens and permanent residents regarding personal information held by a government institution. The Annual Report is prepared and tabled in parliament in accordance with section 72 of the Privacy Act.

The Saint John Port Authority (SJPA), one of Canada's Port Authorities was established by the Government of Canada on May 1, 1999 pursuant to the *Canada Marine Act*. The SJPA's mandate is to manage and operate the Port on a commercial basis by ensuring efficient utilization of its infrastructure and for port activities relating to shipping, navigation, transportation of passengers and goods, handling and storage of goods as described in its Letters Patent.

B2: ORGANIZATIONAL STRUCTURE

The SJPA is a small organization and its team consists of 31 full time employees split between 4 key areas. One (1) employee has been assigned to the responsibility of administering SJPA obligations under the *Act* as well as ensuring its compliance with the requirements of the *Act*.

The role of Access to Information and Privacy Coordinator is in addition to the individual's fulltime responsibilities as Executive Assistant to the CEO & Corporate Secretary. This individual reports directly to the President & CEO who has the ultimate authority for administration of the Privacy Act for the SJPA.

Under section 73.1 of the Privacy Act the Saint John Port Authority did not have any service agreements during this reporting period.

B3: DELEGATION ORDER

The Access to Information and Privacy Coordinator (Coordinator) for the SJPA is Kerrileigh Nelson, Executive Assistant to the CEO & Corporate Secretary under direction of the President & CEO, Jim Quinn who has not delegated any powers, duties or functions for the administration of the *Act* to SJPA personnel.

B4: HIGHLIGHTS OF THE STATISTICAL REPORT, 2019-2020

The Saint John Port Authority did not receive any privacy requests under the *Act*. The SJPA does not have any privacy requests outstanding from previous years.

The completed Statistical Report, in accordance with form TBS/SCT 350-62 "Report on the Privacy Act" has been included, as well as the new exemptions table. The form and new exemptions table will be provided by separate email.

The number of requests for the previous 3-5 years has been consistent and is on par with previous reporting periods. The Saint John Port Authority continues to receive a low number or zero number of privacy requests.

COVID-19 did not impact the Saint John Port Authority's ability to fulfill the Privacy Act responsibilities. There were no mitigation measures implemented.

B5: TRAINING AND AWARENESS

There was no training and education for Access to Information or Privacy administration undertaken in 2019-20 reporting period.

B6: POLICIES, GUIDELINES, PROCEUDRES AND INITIATIVES

As the established practice, all formal requests for access to information under the *Act* are sent to the Access to Information and Privacy Coordinator. All requests (formal or informal) are treated pursuant to the provisions of the *Act*.

There were no new or revised privacy related policies, guidelines or procedures implemented during the reporting period.

B7: SUMMARY OF KEY ISSUES AND ACTIONS TAKEN ON COMPLAINTS OR AUDITS

There were no privacy complaints and/or investigations received or investigations conducted by the Saint John Port Authority during the reporting period so therefore there are no key issues.

B8: MONITORING COMPLAINE

The Saint John Port Authority did not conduct any monitoring during the reporting period.

B9: MATERIAL PRIVACY BREACHES

The were no material privacy breaches during the reporting period.

B10: PRIVACY IMPACT ASSESSMENTS (PIA's)

There were no PIAs conducted during the reporting period as there were no complaints or investigations.

B11: PUBLIC INTEREST DISCLOSURES

There were no public interest disclosures made under paragraph 8 (2)(m) of the Privacy Act during the reporting period and so therefore the Privacy Commission or was not notified.



Statistical Report on the Access to Information Act

Name of institution: Saint John Port Authority

Reporting period: 2019-04-01 to 2020-03-31

Section 1: Requests Under the Access to Information Act

1.1 Number of requests

	Number of Requests
Received during reporting period	1
Outstanding from previous reporting period	0
Total	1
Closed during reporting period	1
Carried over to next reporting period	0

1.2 Sources of requests

Source	Number of Requests
Media	1
Academia	0
Business (private sector)	0
Organization	0
Public	0
Decline to Identify	0
Total	1

1.3 Informal requests

Completion Time							
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	Total
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.

Section 2: Decline to act vexatious, made in bad faith or abuse of right requests

	Number of Requests
Outstanding from previous reporting period	0
Sent during reporting period	0
Total	0
Approved by the Information Commissioner during reporting period	0
Declined by the Information Commissioner during reporting period	0
Carried over to next reporting period	0

Section 3: Requests Closed During the Reporting Period**3.1 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	1	0	0	0	1
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	0	0	0	0	0	0	0
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
Requires the approval of the Information Commissioner	0	0	0	0	0	0	0	0
Total	0	0	0	1	0	0	0	1

3.2 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)	1	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)	1	23.1	0
15(1) - S.A.*	0	16.31	0	20(1)(b.1)	0	24(1)	0
16(1)(a)(i)	0	16.4(1)(a)	0	20(1)(c)	1	26	0
16(1)(a)(ii)	0	16.4(1)(b)	0	20(1)(d)	1		
16(1)(a)(iii)	0	16.5	0				
16(1)(b)	0	16.6	0				
16(1)(c)	0	17	0				
16(1)(d)	0						

3.5.3 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 denied	0	0	0	0	0
Total	0	0	0	0	0

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3.6 Closed requests

3.6.1 Number of requests closed within legislated timelines

	Requests closed within legislated timelines
Number of requests closed within legislated timelines	1
Percentage of requests closed within legislated timelines (%)	100

3.7 Deemed refusals

3.7.1 Reasons for not meeting legislated timelines

Number of Requests Closed Past the Legislated Timelines	Principal Reason			
	Interference with Operations / Workload	External Consultation	Internal Consultation	Other
0	0	0	0	0

3.7.2 Requests closed beyond legislated timelines (including any extension taken)

Number of Days Past Legislated Timelines	Number of Requests Past Legislated Timeline Where No Extension Was Taken	Number of Requests Past Legislated Timeline 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

3.8 Requests for translation

Translation Requests	Accepted	Refused	Total
English to French	0	0	0
French to English	0	0	0
Total	0	0	0

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Section 4: Extensions

4.1 Reasons for extensions and disposition of requests

Disposition of Requests Where an Extension Was Taken	9(1)(a) Interference With Operations	Consultation		9(1)(c) Third-Party Notice
		Section 69	Other	
All disclosed	0	0	0	1
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	1

4.2 Length of extensions

Length of Extensions	9(1)(a) Interference With Operations	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	1
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	1

Section 5: Fees

Fee Type	Fee Collected		Fee Waived or Refunded	
	Requests	Amount	Requests	Amount
Application	1	\$5	0	\$0
Other fees	0	\$0	0	\$0
Total	1	\$5	0	\$0

Section 8: Complaints and investigations

Section 32 Notice of intention to investigate	Subsection 30(5) Ceased to investigate	Section 35 Formal representations	Section 37 Reports of finding received	Section 37 Reports of finding containing recommendations issued by the	Section 37 Reports of finding containing orders issued by the Information Commissioner
0	0	0	0	0	0

Section 9.1 Court actions on complaints received before June 21, 2019 and on-going

9.1 Court actions on complaints received before June 21, 2019 and on-going

Section 41 (before June 21, 2019)	Section 42	Section 44
0	0	0

9.2 Court actions on complaints received after June 21, 2019

Section 41 (after June 21, 2019)				
Complainant (1)	Institution (2)	Third Party (3)	Privacy Commissioner (4)	Total
0	0	0	0	0

Section 10: Resources Related to the Access to Information Act

10.1 Costs

Expenditures		Amount
Salaries		\$63,000
Overtime		\$0
Goods and Services		\$0
• Professional services contracts	\$0	
• Other	\$0	
Total		\$63,000

10.2 Human Resources

Resources	Access to Information Activities
Full-time employees	1.00
Part-time and casual employees	0.00
Regional staff	0.00
Consultants and agency personnel	0.00
Students	0.00
Total	1.00

Note: Enter values to two decimal places.

Statistical Report on *Privacy Act*

Name of institution: Saint John Port Authority

Reporting period: 2019-04-01 to 2020-03-31

Section 1: Requests Under the *Privacy Act*

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

Section 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	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
Total	0	0	0	0	0	0	0	0

2.2 Exemptions

Section	Requests	Section	Requests	Section	Requests
18(2)	0	22(1)(a)(i)	0	23(a)	0
19(1)(a)	0	22(1)(a)(ii)	0	23(b)	0
19(1)(b)	0	22(1)(a)(iii)	0	24(a)	0
19(1)(c)	0	22(1)(b)	0	24(b)	0
19(1)(d)	0	22(1)(c)	0	25	0
19(1)(e)	0	22(2)	0	26	0
19(1)(f)	0	22.1	0	27	0
20	0	22.2	0	27.1	0
21	0	22.3	0	28	0
		22.4	0		

2.3 Exclusions

Section	Requests	Section	Requests	Section	Requests
69(1)(a)	0	70(1)	0	70(1)(d)	0
69(1)(b)	0	70(1)(a)	0	70(1)(e)	0
69.1	0	70(1)(b)	0	70(1)(f)	0
		70(1)(c)	0	70.1	0

2.4 Format of information released

Paper	Electronic	Other
0	0	0

2.5 Complexity

2.5.1 Relevant pages processed and disclosed

Processed	Disclosed	Number of Requests
0	0	0

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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 exempt	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	0	0	0	0	0	0	0	0	0	0
Total	0	0	0	0	0	0	0	0	0	0

2.5.3 Other complexities

Disposition	Required	Sought	Information	Other	Total
All disclosed	0	0	0	0	0
Disclosed in part	0	0	0	0	0
All exempt	0	0	0	0	0
All excluded	0	0	0	0	0
Request abandoned	0	0	0	0	0
Neither confirmed	0	0	0	0	0
Total	0	0	0	0	0

2.6 Closed requests

2.6.1 Number of requests closed within legislated timelines

	Requests closed within legislated timelines
Number of requests closed within legislated timelines	0
Percentage of requests closed within legislated timelines (%)	0

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2.7 Deemed refusals

2.7.1 Reasons for not meeting legislated timelines

Number of Requests Closed Past the Legislated Timelines	Principal Reason			
	Interference with Operations / Workload	External Consultation	Internal Consultation	Other
0	0	0	0	0

7.2 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
365	0	0	0	0	0	0	0	0	0	0
Total	0	0	0	0	0	0	0	0	0	0

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Section 8: Complaints and Investigations Notices Received

Section 31	Section 33	Section 35	Court action	Total
0	0	0	0	0

Section 9: Privacy Impact Assessments (PIA) and Personal Information Banks (PIB)

9.1 Privacy Impact Assessments

Number of PIA(s) completed	0
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9.2 Personal Information Banks

Personal Information Banks	Active	Created	Terminated	Modified
	0	0	0	0

Section 10: Material Privacy Breaches

Number of material privacy breaches reported to TBS	0
Number of material privacy breaches reported to OPC	0

Section 11: Resources Related to the Privacy Act

11.1 Costs

Expenditures	Amount
Salaries	\$0
Overtime	\$0
Goods and Services	\$0
• Professional services contracts	\$0
• Other	\$0
Total	\$0

11.2 Human Resources

Resources	to Privacy Activities
Full-time employees	0.00
Part-time and casual employees	0.00
Regional staff	0.00
Consultants and agency personnel	0.00
Students	0.00
Total	0.00

Note: Enter values to two decimal places.