



PORT  
QUÉBEC

ANNUAL REPORT  
TABLED IN PARLIAMENT

PRIVACY ACT

REFERENCE PERIOD  
APRIL 1, 2017, TO MARCH 31, 2018

Canada 

## TABLE OF CONTENTS

	PAGE
1. INTRODUCTION .....	1
2. ORGANIZATIONAL STRUCTURE .....	2
3. DELEGATION ORDER.....	2
4. HIGHLIGHTS OF THE STATISTICAL REPORT 2017-2018 .....	2
4.1 Number of requests received.....	3
4.2 Number of pages examined .....	3
4.3 Exemptions and exclusions .....	3
4.4 Processing time .....	4
4.5 Extension of the time limit .....	4
4.6 Corrections .....	4
4.7 Costs .....	4
5. TRAINING AND AWARENESS AND CAPACITY BUILDING .....	4
6. POLICIES, GUIDELINES AND PROCEDURES AND INITIATIVES .....	5
6.1 Publicly accessible information and inquiry points.....	5
6.2 Policy development.....	6
7. SUMMARY OF KEY ISSUES AND ACTIONS TAKEN ON COMPLAINTS OF AUDITS .....	6
8. MONITORING COMPLIANCE.....	6
9. MATERIAL PRIVACY BREACHES .....	6
10. PRIVACY IMPACT ASSESSMENTS (PIAS).....	7
11. PUBLIC INTEREST DISCLOSURES MADE PURSUANT TO PARAGRAPH 8(2)(M)	7
12. PERSONAL INFORMATION BANKS.....	7

### APPENDICES

APPENDIX A	Statistical report pertaining to the <i>Privacy Act</i> / Form TBS/SCT 350-63 (Rev. 2014/03)
APPENDIX B	Delegation of powers tool for the <i>Access to Information Act</i> and the <i>Privacy Act</i>

## 1. INTRODUCTION

The *Privacy Act* (R.S.C., 1985, c. P-21) came into effect July 1, 1983. It governs the collection of personal information by the federal government, restricts the use and disclosure of this information and grants individuals the right to access and correct information about them. Section 72 of the *Privacy Act* requires that the head of every government institution submit to Parliament an annual report on the administration of this Act within the institution during the financial year.

This report is submitted in accordance with section 72 of the *Privacy Act*. It provides an overview of the activities the Québec Port Authority has carried out pertaining to the protection of personal information during the period from April 1, 2017, to March 31, 2018.

The Québec Port Authority is a not-for-profit shared governance organization that was created on May 1, 1999, following the adoption of the *Canada Marine Act*.

The mission of the Québec Port Authority is to promote and develop maritime trade, to serve the economic interests of the Québec area and of Canada, and to ensure the Port of Québec's profitability in a way that respects both the community and the environment. The means associated with achieving this mandate are to effectively develop and manage the Québec Port Authority's assets, create industrial activity and commercial growth, innovate in the port and transportation sectors, and preserve port heritage.

## 2. ORGANIZATIONAL STRUCTURE

The Corporate Secretary and Director, Compliance and Legal Affairs acts as the Access to Information and Privacy Coordinator for the Québec Port Authority and has the delegated powers to do so. (See the delegation of authority enclosed in Appendix B.)

In accordance with established practices, all formal requests for access to information or to documents are sent directly to this person, and they ensure the requests are promptly processed in accordance with the provisions in the Act. To ensure greater privacy, a separate file is created for each request.

## 3. DELEGATION OF POWERS

The Access to Information and Privacy Coordinator is Karine Hébert, Corporate Secretary and Director, Compliance and Legal Affairs. She is responsible for making decisions about the enforcement of various provisions in the *Privacy Act*. (See the delegation enclosed in Appendix B.)

## 4. HIGHLIGHTS OF THE STATISTICAL REPORT, 2017–2018

Interpretation of the statistical report:

- Number of requests received
- Exemptions and exclusions
- Processing time
- Extension of the time limit
- Corrections
- Communication in accordance with subsection 8(2)
- Fees
- Costs

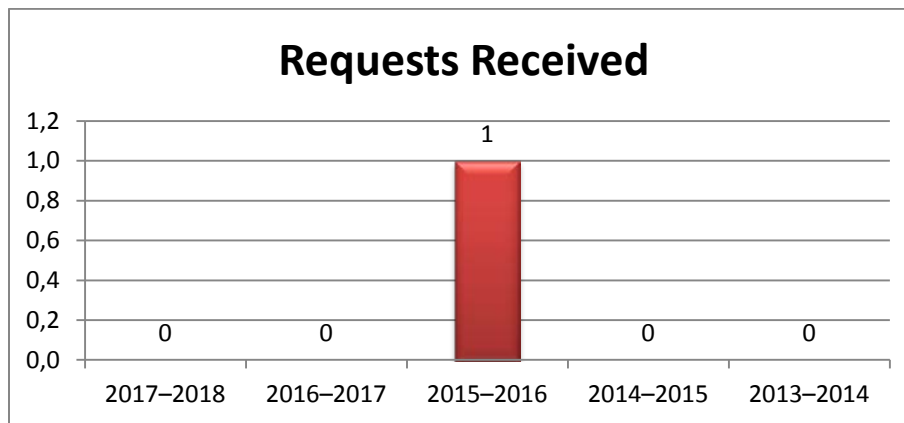
The Québec Port Authority's statistical report regarding the *Privacy Act* is available in Appendix A in accordance with form TBS/SCT 350-63 (Rev. 2014/03) issued by the Government of Canada.

#### 4.1 Number of requests received

Between April 1, 2017, and March 31, 2018, the Québec Port Authority did not receive any official requests.

In comparison this with the previous year, i.e., the period from April 1, 2016, to March 31, 2017, when the Québec Port Authority also did not receive any official requests under the *Privacy Act*.

The graph below shows the number of requests received for the years 2017–2018, 2016–2017, 2015–2016, 2014–2015 and 2013–2014.



#### 4.2 Number of pages examined

The number of pages examined and transmitted during the reference year 2017–2018 is 0. In the previous period, from April 1, 2016, to March 31, 2017, again, no pages were examined.

#### 4.3 Exemptions and exclusions

The *Privacy Act* provides for some exemptions and exclusions under which the Québec Port Authority can or must refuse to disclose certain types of information.

For 2017–2018, the Québec Port Authority did not invoke any such exemptions or exclusions.

#### **4.4 Processing time**

During the reference period, from April 1, 2017, to March 31, 2018, there was no processing time.

#### **4.5 Extension of the time limit**

No requests for access received for the 2017–2018 period were granted an extension of the time limit.

#### **4.6 Corrections**

Paragraph 12(2)(a) of the *Privacy Act* grants any individual the right to request the correction of personal information about them that is held by the federal government. No corrections were requested or made in 2017–2018.

#### **4.7 Costs**

The total cost of enforcing the *Privacy Act* was evaluated to be \$0.

### **5. TRAINING AND AWARENESS, AND CAPACITY BUILDING**

The Québec Port Authority remains determined to train and retain staff who have specialized skills and could continue to provide the best service possible to both internal and external clients. This is why the Access to Information and Privacy Coordinator has a master's degree in law and is a member of the Barreau du Québec.

Considering the recent arrival of the new coordinator, no training activities were completed during the reference period, between April 1, 2017, and March 31, 2018.

It is important to note that, upon being hired by the Québec Port Authority, each new employee attends a meeting with the Access to Information and Privacy Coordinator to receive information about the application of the *Access to Information Act* and the *Privacy Act*.

## 6. POLICIES, GUIDELINES AND PROCEDURES

Each year, the Access to Information and Privacy Secretariat submits to the Treasury Board of Canada Secretariat, for the purpose of publication in Info Source, updates about the Québec Port Authority's activities and information holdings.

In 2017–2018, the Québec Port Authority continued to revise the Info Source chapter in accordance with its activities.

### 6.1 *Publicly accessible information and inquiry points*

Info Source is a series of publications containing information about the Government of Canada and its data collection activities. The purpose of Info Source is to assist individuals in accessing government information and exercising their rights under the *Access to Information Act* and the *Privacy Act*.

In December 2011, the Québec Port Authority began publishing completed requests for access to information on its website. This practice was continued for the reporting period. On March 17, 2015, the Québec Port Authority received an instruction to the effect that the summaries of completed requests for access to information had to be published on Canada's Open Government portal ([open.canada.ca](http://open.canada.ca)). Unfortunately, we still have not received, as of the current reference period, the information and documents requested in order to add our requests to that site. Given these circumstances, the Québec Port Authority publishes summaries directly on its website. The Québec Port Authority will also publish the 2017–2018 annual report on the *Privacy Act*.

As set out in the *Access to Information Act*, government institutions such as the Québec Port Authority must respond to requests from individuals, public or private organizations and others for access to information. The list includes the request number in both official languages, the number of pages transmitted and an indication of whether the pages were transmitted in whole or in part. Moreover, requests pertaining to personal or proprietary information related to a third party are not included.

Moreover, if individuals wish to obtain a copy of the documents published in response to requests submitted on the Québec Port Authority's website, the entire procedure to follow as well as the contact information for the Access to Information and Privacy Coordinator can be found on the website.

## **6.2 Policy development**

During the 2017–2018 reference period, the Québec Port Authority retained its policies and instructions on access to information and the protection of personal information, as required by the Treasury Board of Canada Secretariat.

## **7. SUMMARY OF KEY ISSUES AND ACTIONS TAKEN ON COMPLAINTS OR AUDITS**

In this reporting period, no complaints were filed with the Privacy Commissioner, no applications for judicial review were filed with the Federal Court, and no appeals were filed with the Federal Court of Appeal.

In addition, no complaint investigations were carried out by the Office of the Privacy Commissioner or were under way at the end of said reporting period.

## **8. MONITORING COMPLIANCE**

The Corporate Secretariat and Compliance and Legal Affairs Department monitors the processing time of received requests. Firstly, a file is opened for each request, and each one is entered into a tracking table. The progress of requests is tracked in this table. Everyone required to respond appropriately to the received requests is sent regular emails to ensure they meet the deadline. The President and Chief Executive Officer is notified of each request received by the Access to Information and Privacy Coordinator.

## **9. MATERIAL PRIVACY BREACHES**

A material privacy breach involves the irregular or unauthorized collection, use, disclosure, retention or disposal of sensitive personal information that could reasonably be thought to cause serious harm or injury to the person involved.

No material privacy breaches occurred during the reporting period.



**10. PRIVACY IMPACT ASSESSMENTS**

To achieve its mandate, the Québec Port Authority must fulfill certain responsibilities that require the collection, use and disclosure of personal information. As the guardian of this information, the Québec Port Authority uses privacy impact assessments (PIAs) as a risk management tool in accordance with the Treasury Board's policy.

The Québec Port Authority did not complete or initiate any PIAs, and therefore, no evaluations were sent to the Office of the Privacy Commissioner of Canada in the reporting period.

**11. DISCLOSURES MADE PURSUANT TO PARAGRAPH 8(2)(m)**

Paragraphs 8(2)(e) and (m) of the *Privacy Act* authorize the disclosure of personal information to various investigative or regulatory bodies, or to members of Parliament, or the disclosure of such information in the public interest.

The Québec Port Authority did not disclose personal information pursuant to the previously cited paragraphs, specifically paragraph 8(2)(m) of the aforementioned Act, during the 2017–2018 reference period.

**12. PERSONAL INFORMATION BANKS**

Over the course of 2009, the Québec Port Authority examined personal information banks collected on it, and this examination is still ongoing. Personal information banks are being restructured so that they better reflect the Québec Port Authority's actual situation.

**APPENDIX A**

**STATISTICAL REPORT  
PERTAINING TO THE  
*PRIVACY ACT***



## Statistical Report on the *Privacy Act*

Name of institution: Québec Port Authority

Reporting period: 2017-04-01 to 2018-03-31

### Part 1: Requests Under the *Privacy Act*

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

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

## 2.2 Exemptions

Section	Number of Requests	Section	Number of Requests	Section	Number of 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	28	0
21	0	22.3	0		

## 2.3 Exclusions

Section	Number of Requests	Section	Number of Requests	Section	Number of 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

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
<b>Total</b>	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	Legal Advice Sought	Interwoven Information	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
<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: Disclosures Under Subsections 8(2) and 8(5)

Paragraph 8(2)(e)	Paragraph 8(2)(m)	Subsection 8(5)	Total
0	0	0	0

## Part 4: Requests for Correction of Personal Information and Notations

Disposition for Correction Requests Received	Number
Notations attached	0
Requests for correction accepted	0
<b>Total</b>	0

## Part 5: Extensions

### 5.1 Reasons for extensions and disposition of requests

Disposition of Requests Where an Extension Was Taken	15(a)(i) Interference With Operations	15(a)(ii) Consultation		15(b) Translation or Conversion
		Section 70	Other	
All disclosed	0	0	0	0
Disclosed in part	0	0	0	0
All exempted	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

**Part 8: Complaints and Investigations Notices Received**

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

**Part 9: Privacy Impact Assessments (PIAs)**

Number of PIA(s) completed	0
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**Part 10: Resources Related to the Privacy Act**

**10.1 Costs**

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

**10.2 Human Resources**

Resources	Person Years Dedicated 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
<b>Total</b>	<b>0,00</b>

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



**APPENDIX B**

**DELEGATION OF POWERS TOOL  
*ACCESS TO INFORMATION ACT*  
AND  
*PRIVACY ACT***

## ***Delegation of Powers Tool***

### **Notes regarding delegation**

The purpose of this section is to establish the management framework for the *Access to Information Act* and the *Privacy Act*. In accordance with section 73 of the *Privacy Act* and section 73 of the *Access to Information Act*, I the undersigned, Mario Girard, President and CEO of the Québec Port Authority, delegate to its Corporate Secretary and Director, Compliance, Legal Affairs, Mrs. Karine Hébert, the power to perform the duties of Access to Information and Privacy Coordinator under the following sections of the aforementioned statutes.

### **Privacy Act**

- 8(2)(j) Disclose personal information for research purposes.
- 8(2)(m) Disclose personal information in the interest of the public or a person.
- 8(4) Retain a copy of requests received under paragraph 8(2)(e) and the documents that were transmitted.
- 8(5) Notify the Privacy Commissioner of any disclosure of personal information under paragraph 8(2)(m).
- 9(1) Retain a record of use.
- 9(4) Notify the Privacy Commissioner of consistent uses and update the index accordingly.
- 10 Include personal information in personal information banks.
- 14 Respond to requests for access to personal information within 30 days of receiving them, and give access to the information or notify the applicant otherwise.
- 15 Extend the time limit permitted to respond to a request for access.
- 17(2)(b) Determine whether it is necessary to have the requested information translated.
- 17(3)(b) Alternative format.

- 18(2) As necessary, refuse to disclose personal information contained in a personal information bank designated as an exempt bank.
- 19(1) Refuse to disclose personal information that was obtained in confidence from another government.
- 19(2) As necessary, disclose personal information requested under subsection 19(1) if the government from which the information was obtained consents to the disclosure or makes the information public.
- 20 As necessary, refuse to disclose information the disclosure of which could reasonably be expected to be injurious to the conduct of federal-provincial affairs.
- 21 As necessary, refuse to disclose information the disclosure of which could reasonably be expected to be injurious to the conduct of international affairs or defence.
- 22 As necessary, refuse to disclose information prepared by an investigative body or information the disclosure of which could reasonably be expected to be injurious to the enforcement of any law or the security of penal institutions.
- 22.1(1) The Privacy Commissioner shall refuse to disclose any personal information requested that was obtained or created by the Commissioner or on the Commissioner's behalf in the course of an investigation. [Applies only to the Privacy Commissioner.]
- 22.2 The Public Sector Integrity Commissioner shall refuse to disclose any personal information requested that was obtained or created by the Commissioner or on the Commissioner's behalf in the course of an investigation into a disclosure made under the *Public Servants Disclosure Protection Act* or an investigation commenced under section 33 of that Act. [Applies only to the Public Sector Integrity Commissioner.]
- 22.3 Refuse to disclose personal information requested that was created for the purpose of making a disclosure under the *Public Servants Disclosure Protection Act* or in the course of an investigation into a disclosure under that Act.
- 23 As necessary, refuse to disclose information prepared by an investigative body for the purpose of determining whether to grant security clearances.
- 24 As necessary, refuse to disclose information that was collected by the Correctional Service of Canada or the Parole Board of Canada while the individual who made the request was under sentence for an offence, if the situation corresponds to what is provided for in this section.

- 25 As necessary, refuse to disclose information the disclosure of which could reasonably be expected to threaten the safety of individuals.
- 26 As necessary, refuse to disclose information about an individual other than the individual who made the request, and refuse to disclose such information where the disclosure is prohibited under section 8.
- 27 As necessary, refuse to disclose information that is subject to solicitor-client privilege.
- 28 As necessary, refuse to disclose information that relates to the physical or mental health of the individual who requested it where the examination of the information by the individual would be contrary to the best interests of the individual.
- 31 Receive notice from the Privacy Commissioner of the intention to carry out an investigation.
- 33(2) In the course of an investigation, have an opportunity to make representations to the Privacy Commissioner.
- 35(1) Receive a report from the Privacy Commissioner containing the findings of the investigation, and give notice to the Commissioner of any action taken.
- 35(4) Give a complainant access to personal information after giving notice to the Privacy Commissioner that access will be given, in accordance with paragraph 35(1)(b).
- 36(3) Receive the Privacy Commissioner's report containing the findings of an investigation of an exempt bank.
- 37(3) Receive the Privacy Commissioner's report presenting the findings of the audit of an observation.
- 51(2)(b) Request that hearings pertaining to the cases described in section 51 be heard and determined in the National Capital Region.
- 51(3) Request and have the opportunity to make representations during hearings pertaining to the cases described in section 51.
- 72(1) Prepare an annual report to Parliament.
- 77 Fulfill the responsibilities that are conferred upon the head of an institution under section 77 of the Act and are not mentioned above.

### Privacy Regulations

- 9 Provide reasonable facilities and set a time for the examination of personal information.
- 11(2) Provide notification that the requested corrections have been made.
- 11(4) Provide notification that the requested corrections were refused.
- 13(1) As necessary, authorize the disclosure of an individual's personal information relating to their physical or mental health to a duly qualified medical practitioner or psychologist in order that the practitioner or psychologist may provide an opinion as to whether disclosure of the information would be contrary to the best interests of the individual.
- 14 As necessary, disclose to an individual personal information relating to their physical or mental health in the presence of a duly qualified medical practitioner or psychologist.

### Access to Information Act

- 4(2.1) Make every reasonable effort to assist people making requests for access to information, respond to their questions accurately and completely, and provide timely access to documents in the format requested.
- 7(a) Notify the person who made the request for access.
- 7(b) Authorize access to the record.
- 8(1) Transfer the request to another institution.
- 9 Extend the time limit.
- 11(2), (3), (4), (5), (6) Additional fees.
- 12(2) Language of access to information.
- 12(3) Access to information in an alternative format.
- 13 Exemptions – Information obtained in confidence.
- 14 Exemptions – Federal-provincial affairs.
- 15 Exemptions – International affairs and defence.
- 16 Exemptions – Law enforcement and investigations.
- 16.1 Exemptions – Records relating to investigations, examinations and audits conducted by the Auditor General, the Commissioner of Official Languages, the Information Commissioner and the Privacy Commissioner.
- 16.2 Exemptions – Records relating to investigations conducted by the Commissioner of Lobbying.

- 16.3 Exemptions – Records relating to investigations and examinations conducted in accordance with the *Canada Elections Act*.
- 16.4 Exemptions – Records relating to investigations conducted by Public Sector Integrity Commissioner.
- 16.5 Exemptions – Records relating to the disclosure of information under the *Public Servants Disclosure Protection Act*.
- 17 Exemptions – Safety of individuals.
- 18 Exemptions – Economic interests of Canada.
- 18.1 Exemptions – Economic interests of the Canada Post Corporation, Export Development Canada, the Public Sector Pension Investment Board, and VIA Rail Canada Inc.
- 19 Exemptions – Personal information.
- 20 Exemptions – Third party information.
- 20.1 Exemptions – Third party information obtained by the Public Sector Pension Investment Board.
- 20.2 Exemptions – Third party information obtained by the Canada Pension Plan Investment Board.
- 20.4 Exemptions – Contracts of performing artists or the identity of anonymous donors of the National Arts Centre Corporation.
- 21 Exemptions – Operations of government.
- 22 Exemptions – Auditing procedures.
- 22.1 Exemptions – Audit working papers and draft audit reports.
- 23 Exemptions – Solicitor-client privilege.
- 24 Exemptions – Statutory prohibitions.
- 25 Severability.
- 26 Exemptions – Information to be published.
- 27(1), (4) Notice to third parties.
- 28(1), (2), (4) Notice to third parties.
- 29(1) Disclosure of information on the recommendation of the Information Commissioner.
- 33 Advise the Information Commissioner of the involvement of a third party.
- 35(2) Right to make representations.
- 37(4) Access to be given to a complainant.
- 43(1) Notice to third parties (application for review by the Federal Court).



- 44(2) Notice to the person who requested the record (application for review by the Federal Court, presented by a third party).
- 52(2), (3) Special rules for hearings.
- 71(1), (2) Exclusion of exempt information from manuals.
- 72 Prepare an annual report to Parliament.
- 77 Responsibilities that are conferred upon the head of an institution under section 77 of the Act and are not mentioned above.

Access to Information Regulations

- 6(1) Transfer a request.
- 7(2) Fees relating to search and preparation.
- 7(3) Fees relating to production and programming.
- 8 Give access to records.
- 8.1 Limitations in respect of format.

I signed in the City of Québec, Province of Quebec, this 4<sup>th</sup> day of July of the year 2017.



Mario Girard  
President and Chief Executive Officer