

2007-2008 Annual Report to Parliament

The Administration of the *Access to Information Act*



RC4415 Rev. 08



Canada Revenue
Agency

Agence du revenu
du Canada

Canada



Foreword

This annual report to Parliament was prepared under the direction of the Minister of National Revenue and the Commissioner of the Canada Revenue Agency (CRA). The report describes the administration of the *Access to Information Act* (ATIA) for the 2007-2008 fiscal year by the CRA.

Section 72 of the ATIA requires that the head of every government institution prepare and submit a report to Parliament, each year, on the administration of the ATIA.

The report will detail how the CRA administered and fulfilled its obligations under the ATIA during the period of April 1, 2007, to March 31, 2008. The report will also include information on changes to the Access to Information program, the delivery and the emerging issues that will require the CRA's focus in the year ahead.

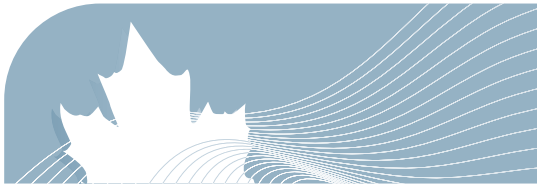
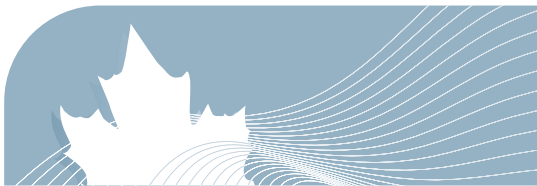


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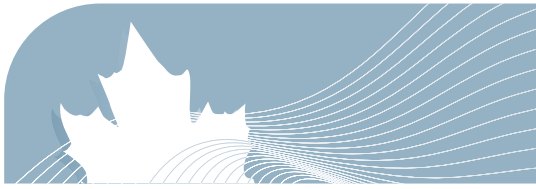
The Canada Revenue Agency

The CRA is responsible for the administration of tax programs and the delivery of economic and social benefits. It administers most provincial and territorial tax programs. The CRA carries out its duties by:

- providing first-rate service to Canadians;
- offering efficient and effective delivery of government programs;
- ensuring continual and consistent administration of the *Income Tax Act* and *Excise Tax Act*;
- building and maintaining inter-departmental, provincial and other governmental relationships; and
- allowing transparent and accountable administration of duties.

The Minister of National Revenue is accountable to Parliament for all of the CRA's activities.

The Commissioner is the Chief Executive Officer of the CRA and is responsible for the day-to-day activities of the CRA. The Commissioner is a member of the Board of Management. He is accountable to the Board for the daily management of the CRA.



Delegation of Responsibilities under the *Access to Information Act*

The ATIA came into effect on July 1, 1983. The Act provides Canadian citizens, permanent residents or any person present in Canada, the legal right to obtain information, in any form, that is under the control of the Federal Government. The purpose of the ATIA is to make government more open and transparent, thereby allowing citizens to participate in decision making and hold the government accountable for its actions.

The ATIA gives individuals a right to access information held in records under the control of a government institution. The main principles behind the ATIA are that government information should be available to the public; that necessary exemptions/exclusions to the release of information should be limited and specific; and that decisions on disclosure should be reviewed independently of government.

The President of the Treasury Board is a member of the Ministry responsible for the government-wide administration of the ATIA. The Minister of National Revenue, as the head of the CRA, is responsible for the administration of the ATIA. The Minister is allowed, under Section 73 of the ATIA, to use a Designation Order to delegate responsibilities under the ATIA to other officials of the CRA. The Minister must sign the Designation Order, which authorizes certain officials to exercise the powers, duties and functions on the Minister's behalf. The current Designation Order gives signing authority for all relevant sections of the *Access to Information Act & Regulations* to the Commissioner, Deputy Commissioner, Assistant Commissioners, Deputy Assistant Commissioners, Director General of the Corporate Audit and Evaluations Branch, and the Director and Assistant Directors of the Access to Information and Privacy (ATIP) Directorate. The Managers within the ATIP Directorate also have signing authority for everything except discretionary exemptions of the ATIA.

Access to Information Act
Designation Order

Arrêté sur la délégation en vertu de la
Loi sur l'accès à l'information

I, Gordon O'Connor, Minister of National Revenue, do hereby designate, pursuant to section 73 of the *Access to Information Act*¹, the officers or employees of the Canada Revenue Agency who hold the positions set out in the attached Schedule to exercise or perform the powers, duties or functions that have been given to me as head of a government institution under the sections of the *Access to Information Act* and its regulations that are set out in the Schedule above each position.

Je, Gordon O'Connor, ministre du Revenu national, délègue par les présentes, en vertu de l'article 73 de la *Loi sur l'accès à l'information*², aux cadres ou employés de l'Agence du revenu du Canada détenteurs des postes mentionnés à l'annexe ci-après les attributions dont je suis, en qualité de responsable d'une institution fédérale, investie par les articles de la *Loi sur l'accès à l'information* qui sont mentionnées dans l'annexe en regard de chaque poste.

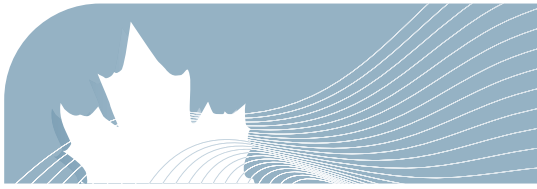


Gordon O'Connor
Minister of National Revenue / Ministre du Revenu national

Signed in Ottawa, Ontario, Canada this 30 day of June 2008
Signée à Ottawa, Ontario, Canada le 30 jour de juin 2008

¹ R.S., c. A-1

² S.R., ch. A-1



SCHEDULE

Officers authorized to perform the powers, duties or functions given to the Minister of National Revenue as head of a government institution under the provisions of the *Access to Information Act* and its regulations

Subsection 4(2.1), sections 7 to 16, 17 to 18, 18.1, 19 to 22, 23 to 29, 33, 35, 37, 43, 44, 52 and 71 of the *Access to Information Act*, and sections 5 to 8 of the *Access to Information Regulations*

Commissioner
Deputy Commissioner
Assistant Commissioners
Deputy Assistant Commissioner, Assessment and Benefit Services Branch
Deputy Assistant Commissioner, Compliance Programs Branch
Deputy Assistant Commissioner, Finance and Administration Branch
Deputy Assistant Commissioner, Information Technology Branch
Deputy Assistant Commissioner, Legislative Policy and Regulatory Affairs Branch
Deputy Assistant Commissioner, Taxpayer Services and Debt Management Branch
Director-General, Corporate Audit and Evaluation Branch
Director, Access to Information and Privacy, Public Affairs Branch
Assistant Directors, Access to Information and Privacy, Public Affairs Branch

Section 16.5 of the *Access to Information Act*

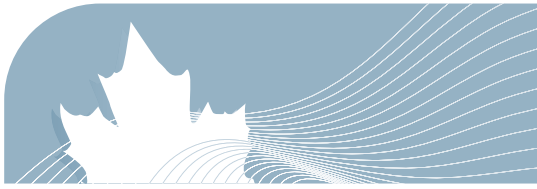
Commissioner
Deputy Commissioner
Director-General, Corporate Audit and Evaluation Branch
Assistant Commissioner, Public Affairs Branch
Director, Access to Information and Privacy, Public Affairs Branch
Assistant Directors, Access to Information and Privacy, Public Affairs Branch

Section 22.1 of the *Access to Information Act*

Commissioner
Deputy Commissioner
Director-General, Corporate Audit and Evaluation Branch
Assistant Commissioner, Public Affairs Branch
Director, Access to Information and Privacy, Public Affairs Branch
Assistant Directors, Access to Information and Privacy, Public Affairs Branch

Subsection 4(2.1), subsection 16(3), sections 7 to 13, 19, 20, 24, 25, 27, 28, 29, 33, 35, 37, 43, and 44 of the *Access to Information Act* and sections 5 to 8 of the *Access to Information Regulations*

Managers, Access to Information and Privacy, Public Affairs Branch



Access to Information and Privacy Directorate

The ATIP Directorate is part of the Public Affairs Branch (PAB) of the CRA. The mandate of PAB is to provide effective communication functions and support to the CRA regarding any programs, issues and activities administered or controlled by the CRA.

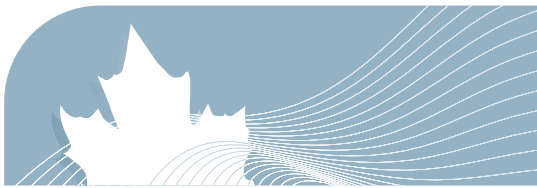
The primary responsibility of the ATIP Directorate is to fulfill all legislative requirements of the ATIA and the *Privacy Act* (PA) for the CRA. In addition, the Directorate provides policy advice and training to CRA employees regarding their responsibilities and obligations under the ATIA and PA.

The ATIP coordinator for the CRA is the Director of the ATIP Directorate. The Directorate has a total of 66 employees and consists of production units in Ottawa, Montreal and Vancouver as well as a Program Support and Training Group.

The responsibilities of the CRA's ATIP officials include providing services to the public, to CRA officials and other federal institutions, and liaising with the Treasury Board Secretariat and the offices of the Information and Privacy Commissioners of Canada. In addition, they provide guidance, policy advice, and training to CRA employees regarding their obligations under the ATIA and PA.

Employees of the ATIP Directorate will:

- advise requestors on the best way to obtain information;
- provide advice on filing a formal request and explain the process associated;
- deliver a timely and complete response to each request;
- give notice of the right to complain regarding any matter related to the processing of a request;
- exercise leadership and direction in the execution and application of the ATIA and PA throughout the CRA;
- promote awareness and understanding of the ATIA and PA within the CRA;
- provide ATIP training, advice and information activities;
- give advice regarding the release of records for an informal request;
- provide policy advice on ATIP-related CRA initiatives;
- develop and implement policies, procedures and guidelines relating to the effective application of the ATIA and PA within the CRA; and
- prepare the Annual Reports to Parliament on the administration of the ATIA and PA for the CRA.



Responding to Access to Information requests

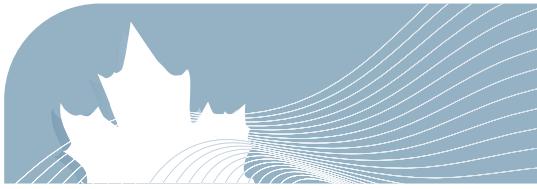
The intake of requests under the ATIA has increased by 18% from the previous year, reaching an all-time high for the CRA with 1,903 requests received. While the CRA completed fewer requests this fiscal year than last, the number of pages reviewed to respond to those requests has increased by more than 5%. Although extremely difficult to quantify, there is also a marked increase in the level of complexity faced by the CRA in responding to requests. It continues to be a challenge for both the CRA and its ATIP officials.

Review of Access to Information requests

	2003-2004	2004-2005	2005-2006	2006-2007	2007-2008
Requests received	1,668	1,861	1,772	1,604	1,903
Requests completed	1,538	1,859	1,442	2,060	1,636
Pages reviewed	389,615	325,918	344,394	403,334	426,750

The ATIP Directorate also responded to 127 requests for consultation from other government departments. Over 11,200 pages were received for review and recommendations for disclosure. The number of pages increased by 400% over the previous year.

Over the same reporting period, the CRA received 100 complaints from 62 complainants, a decrease of 88% from the previous year. Of the 100 access complaints received and the complaints carried over from previous years, 57 were closed. It is important to note that during the 2006-2007 fiscal year, over 90% of the access complaints dealt with were received from one complainant.



Program development

Training

During the 2007-2008 fiscal year, the ATIP Directorate provided training sessions to employees on a regular basis. The Directorate provided ATIP training to a total of 618 employees, delivered through 30 sessions, hosted across the country.

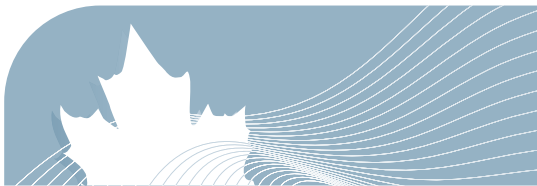
The ATIP Directorate is focused on the importance of training CRA employees on the administration of the ATIA and PA, as public awareness and request complexity increases. With this in mind, the Program Support and Training Group is making plans to initiate regional training sessions through video conferences to raise the level of awareness among CRA employees regarding their role and responsibilities under the PA.

Since February 2004, ATIP training has been a compulsory component of the Management Group Learning Program (MGLP). The MGLP Core Program is an introductory course for new managers and supervisors. It introduces the key concepts in technical and managerial competencies within the CRA. As a result of an inclusion of the ATIP portion, a total of 58 MGLP training sessions, including 12 sessions during this fiscal year, were delivered. The 12 sessions delivered translate to 240 employees who will occupy managerial or supervisory positions in the CRA. A total of 1,100 managers have received ATIP training since the creation of the MGLP.

ATIP realignment

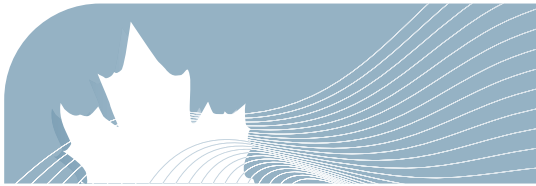
The ATIP program has been continually strengthening and modernizing itself by making changes to processes, procedures and structure under the ATIP realignment initiative. The objectives of the realignment are to:

- optimize existing resources and structure to ensure that the ATIP Directorate has employees with knowledge, skills and organizational support to work effectively;
- provide a cost effective delivery of the ATIP program; and
- adopt effective and integrated processing of requests.



As part of the ATIP realignment initiative, the following projects have been undertaken during the 2007-2008 fiscal year:

- The ATIP Technological Tools Renewal Project (TTRP) was designed to reduce the paper burden caused by the ATIP process and to optimize existing resources, by simplifying internal processes and leveraging information technology. The ATIP TTRP will see the development and implementation of a new imaging software used for processing documents, the design and creation of easy-to-use web-based applications for tasking tracker and drop-off box for documents responsive to requests, and the development of procedures and guidelines for the implementation of a new ATIP electronic process. This project will have considerable advantages which include a reduction in the paper burden in the CRA ATIP process, thus contributing effectively to the CRA-wide Sustainable Development Action Plan, and the improvement of the cost efficiency of the ATIP program.
- A comprehensive communication strategy to increase ATIP awareness across the CRA has been developed and will be implemented over the next three years. This project will enable the ATIP Directorate to take into account strategic considerations and have a structured action plan to move ahead in the years to come.
- The ATIP Directorate has also started working on a Quality Assurance Process that will aim at ensuring consistency in the application of the ATIA and PA. Although in the initial stages, this process will ensure that the CRA is balancing access rights against protecting the integrity of the tax system, taxpayer confidentiality and individual privacy rights.



Appendix A

Government of Canada / Gouvernement du Canada

REPORT ON THE ACCESS TO INFORMATION ACT RAPPORT CONCERNANT LA LOI SUR L'ACCÈS À L'INFORMATION

Institution CANADA REVENUE AGENCY / AGENCE DU REVENU DU CANADA			Reporting period / Période visée par le rapport 2007-04-01 to/à 2008-03-31		
Source	Media / Médias 70	Academia / Secteur universitaire 1	Business / Secteur commercial 542	Organization / Organisme 62	Public 1228

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	1903
Outstanding from previous period / En suspens depuis la période antérieure	431
TOTAL	2334
Completed during reporting period / Traitées pendant la période visées par le rapport	1636
Carried forward / Reportées	698

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

1. All disclosed / Communication totale	175	6. Unable to process / Traitement impossible	151
2. Disclosed in part / Communication partielle	889	7. Abandoned by applicant / Abandon de la demande	352
3. Nothing disclosed (excluded) / Aucune communication (exclusion)	19	8. Treated informally / Traitement non officiel	6
4. Nothing disclosed (exempt) / Aucune communication (exemption)	40	TOTAL	1636
5. Transferred / Transmission	4		

III Exemptions invoked / Exceptions invoquées

S. Art. 13(1)(a)	15	S. Art. 16(1)(a)	26	S. Art. 18(b)	0	S. Art. 21(1)(a)	54
(b)	6	(b)	41	(c)	0	(b)	172
(c)	13	(c)	294	(d)	3	(c)	0
(d)	1	(d)	0	S. Art. 19(1)	442	(d)	5
S. Art. 14	15	S. Art. 16(2)	13	S. Art. 20(1)(a)	1	S. Art. 22	17
S. 15(1) International rel. / Relations Intern.	33	S. Art. 16(3)	0	(b)	6	S. Art. 23	129
Defence / Défense	0	S. Art. 17	0	(c)	11	S. Art. 24	568
Subversive activities / Activités subversives	0	S. Art. 18(a)	0	(d)	1	S. Art. 26	4

IV Exclusions cited / Exclusions citées

S. Art. 68(a)	6	S. Art. 69(1)(c)	1
(b)	0	(d)	1
(c)	1	(e)	1
S. Art. 69(1)(a)	2	(f)	0
(b)	0	(g)	8

V Completion time / Délai de traitement

30 days or under / 30 jours ou moins	459
31 to 60 days / De 31 à 60 jours	350
61 to 120 days / De 61 à 120 jours	410
121 days or over / 121 jours ou plus	417

VI Extensions / Prorogations des délais

	30 days or under / 30 jours ou moins	31 days or over / 31 jours ou plus
Searching / Recherche	249	370
Consultation	4	2
Third party / Tiers	0	1
TOTAL	253	373

VII Translations / Traduction

Translations requested / Traductions demandées		
Translations prepared / Traductions préparées	English to French / De l'anglais au français	0
	French to English / Du français à l'anglais	0

VIII Method of access / Méthode de consultation

Copies given / Copies de l'original	1058
Examination / Examen de l'original	6
Copies and examination / Copies et examen	0

IX Fees / Frais

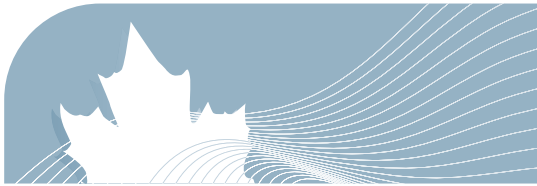
Net fees collected / Frais net perçus		
Application fees / Frais de la demande	9,612.40	Preparation / Préparation 480.00
Reproduction	33,612.36	Computer processing / Traitement informatique 172.00
Searching / Recherche	1,025.00	TOTAL 44,901.76
Fees waived / Dispense de frais		No. of times / Nombre de fois \$
\$25.00 or under / 25 \$ ou moins		8 \$ 45.60
Over \$25.00 / De plus de 25 \$		3 \$ 727.80

X Costs / Coûts

Financial (all reasons) / Financiers (raisons)	
Salary / Traitement	\$ 2,478,895.12
Administration (O and M) / Administration (fonctionnement et maintien)	\$ 249,079.39
TOTAL	\$ 2,727,974.51
Person year utilization (all reasons) / Années-personnes utilisées (raison)	
Person year (decimal format) / Années-personnes (nombre décimal)	41

TBS/SCT 350-62 (Rev. 1999/03)





Supplemental reporting requirements for 2007-2008

Access to Information Act

In addition to the reporting requirements addressed in form TBS/SCT 350-62 "Report on the *Access to Information Act*," the CRA is required to report the following:

Part III – Exemptions invoked

Section 13

Subsection 13(e) ___0___

Section 14

Subsection 14(a) ___15___

Subsection 14(b) ___0___

Part IV – Exclusions cited

Subsection 69.1 ___2___