



Annual Report to Parliament on the Administration of the *Access to Information Act* 2023-2024

Pursuant to subsection 94(1) of the *Access to Information Act*, this document contains the Annual Report to Parliament on the Administration of the *Access to Information Act* for 2023-2024 as submitted by the Minister of National Defence.

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Introduction

The purpose of the *Access to Information Act* is to extend the present laws of Canada to provide a right of access to information in records under the control of a federal government institution in accordance with the principles that:

- government information should be 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.

This is the eleventh annual report prepared by the Communications Security Establishment Canada (CSE) and tabled in Parliament in accordance with section 94 of the *Access to Information Act* and section 20 of the *Service Fees Act*. It presents an overview of the agency's activities and describes how the Access to Information and Privacy (ATIP) Office carried out its responsibilities under the *Access to Information Act* during the reporting period 1 April 2023 to 31 March 2024.

Mandate of the Communications Security Establishment Canada

On August 1st, 2019, the *Communications Security Establishment Act (CSE Act)* entered into force as part of Bill C-59 (*An Act respecting national security matters*). The *CSE Act* sets out the five (5) aspects of CSE's mandate:

- helping to protect and defend Canada's most important cyber systems;
- acquiring foreign intelligence in support of the Government of Canada's intelligence priorities;
- conducting defensive foreign cyber operations;
- conducting active foreign cyber operations; and
- providing technical and operational assistance to federal law enforcement and security agencies, the Canadian Forces and the Department of National Defence.

The *CSE Act* provides CSE with a modern set of authorities and an enhanced accountability framework with new oversight and review functions.

Organizational Structure

The ATIP Office is part of the Transparency and Information Sharing (TIS) group in CSE's Authorities, Compliance and Transparency (ACT) Branch. As noted in the previous annual report, this new restructuring was part of CSE's strategic goal to uphold the highest standards of compliance, lawfulness, and respect for the privacy of Canadians.

The Access to Information and Privacy Office include a manager responsible for twelve (12) full-time positions working in two (2) separate teams: ATIP Operations and, Privacy Policy and Governance (PPGO). At the end of the reporting period, the ATIP Operations team consisted of one (1) supervisor, five (5) analysts and one (1) support officer, while the PPGO team consisted of one (1) supervisor and four (4) analysts.

In addition to preparing reports for Parliament and Treasury Board Secretariat (TBS), the ATIP Office acts on behalf of CSE as the delegated authority in dealings with TBS, and representatives of the federal Information and Privacy Commissioners regarding CSE's administration of the *Access to Information Act* (ATIA) and *Privacy Act* (PA).

Specifically, the ATIP Operations team is responsible for the following activities:

- Processing requests under the *Access to Information Act* and *Privacy Act*;
- Responding to consultation requests from other government institutions;
- Providing advice and guidance to senior management and staff of CSE on ATIP legislation and policy-related matters;
- Supporting CSE's legislative compliance obligations under the Acts, including the application of their associated regulations, policies and guidelines;
- Representing CSE in ATIP Communities of practice, such as the TBS ATIP Community meetings;
- Drafting and implementing internal ATIP procedures, guidance documents and working aids; and,
- Providing training and other outreach initiatives to CSE staff on the administration of the *Access to Information Act* and the *Privacy Act*.

The Privacy Policy and Governance team is responsible for the following activities:

- Supporting Deputy Chief, Authorities, Compliance and Transparency, CSE's Chief Privacy Officer in ensuring the institution's programs and activities are in accordance with the requirements of the *Privacy Act* and related policy instruments.
- Identifying and managing privacy risks across the institution, partly by leading or supporting the development of Privacy Impact Assessments, Privacy Needs Analyses, System Identification Documents, Privacy Notice Statements, and maintenance of Personal Information Banks;
- Supporting CSE's legislative compliance obligations under the *Privacy Act*, including the application of associated regulations, policies and guidelines;
- Identifying and managing privacy breaches and material privacy breaches;
- Representing CSE in privacy protection communities of practice;

- Coordinating the annual update of the institution's Info Source publication, which includes a description of the agency's organizational structure and record holdings;
- Drafting and implementing privacy-related policies, internal procedures, guidance documents and working aids; and,
- Providing training to CSE staff on the administration of the *Privacy Act* focusing on the protection of personal information.

Part 2: Proactive Publications

Part 2 of the *Access to Information Act* outlines the need for government departments to proactively disclose information to the Canadian public. Although CSE works principally with sensitive, classified information, the organization is not exempt from these requirements and is committed to disclosing information where possible.

CSE's Strategic Policy's Parliamentary Affairs unit is primarily responsible for preparing and publishing material such as briefing binders for the Chief's parliamentary committee appearances and transition material for a new Chief. This unit also supports the Department of National Defence's publication of Question Period notes and/or transitional material for a new Minister as needed. Before these documents are posted on CSE's website and the Government of Canada's Proactive Disclosure site, CSE's ATIP Operations team reviews all materials for sensitive, classified information that would be exempted or excluded should this information be requested under Part 1 of the *Access to Information Act*.

The CSE ATIP Operations team is responsible for the publication of reports tabled in Parliament which includes the ATIA and PA annual reports as well as the monthly publication of the list of briefing notes to the Chief, CSE.

Delegation Order

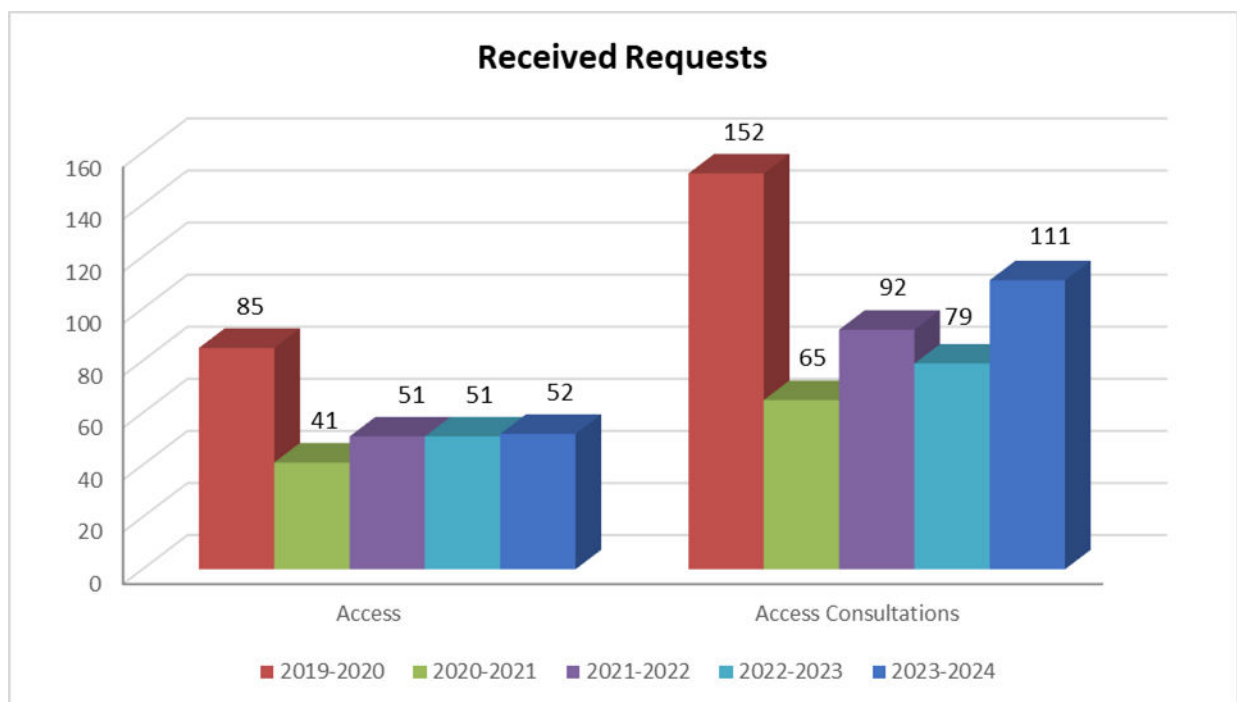
The delegation order in effect at the end of 2023-2024 has been updated from an earlier organizational structure at CSE and a copy can be found in Appendix I of this report. The Minister of National Defence, the Honourable Bill Blair, delegated all authorities under section 95 of the *Access to Information Act* to the Chief, CSE, the Deputy Chief, Authorities, Compliance and Transparency, the Director, Transparency and Information Sharing, and to the Manager, Transparency and Disclosures. He also delegated limited authorities to the Supervisor, Access to Information and Privacy Operations.

Performance 2023-2024

CSE's 2023-2024 Statistical Report on the *Access to Information Act* and Supplemental ATIP Statistical Report for 2023-2024 (both of which were validated by TBS) can be found in Appendix II.

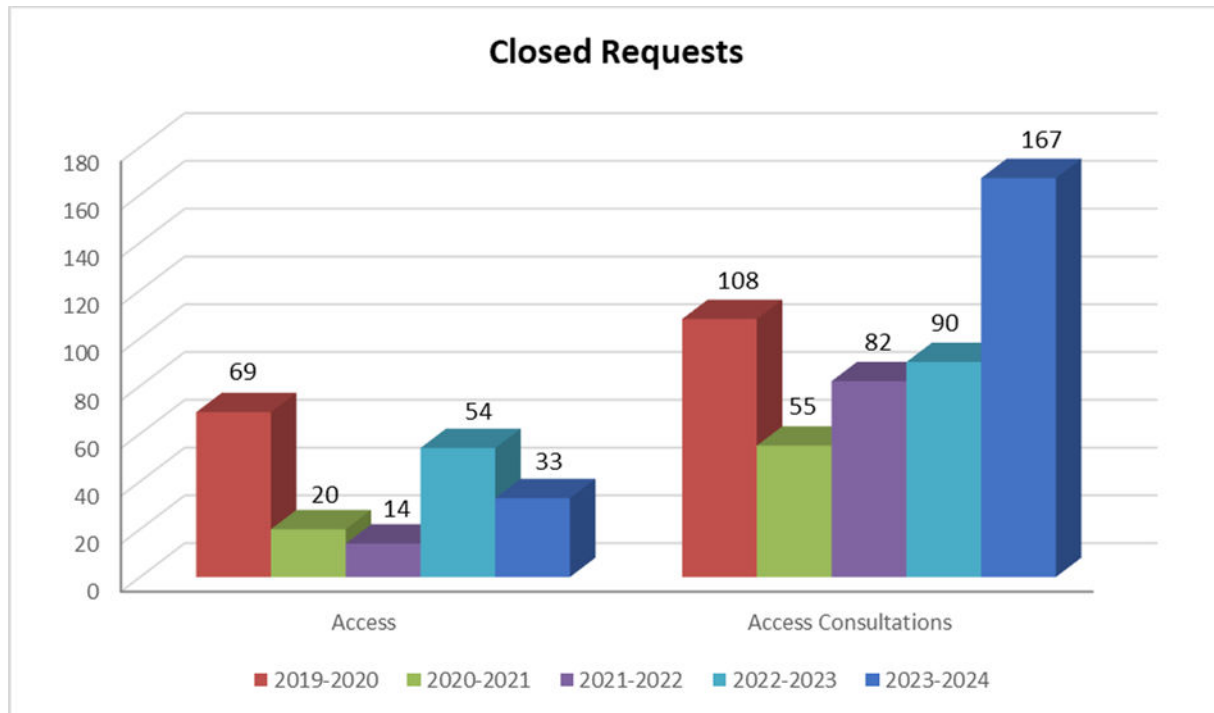
Number and Origin of Formal Requests

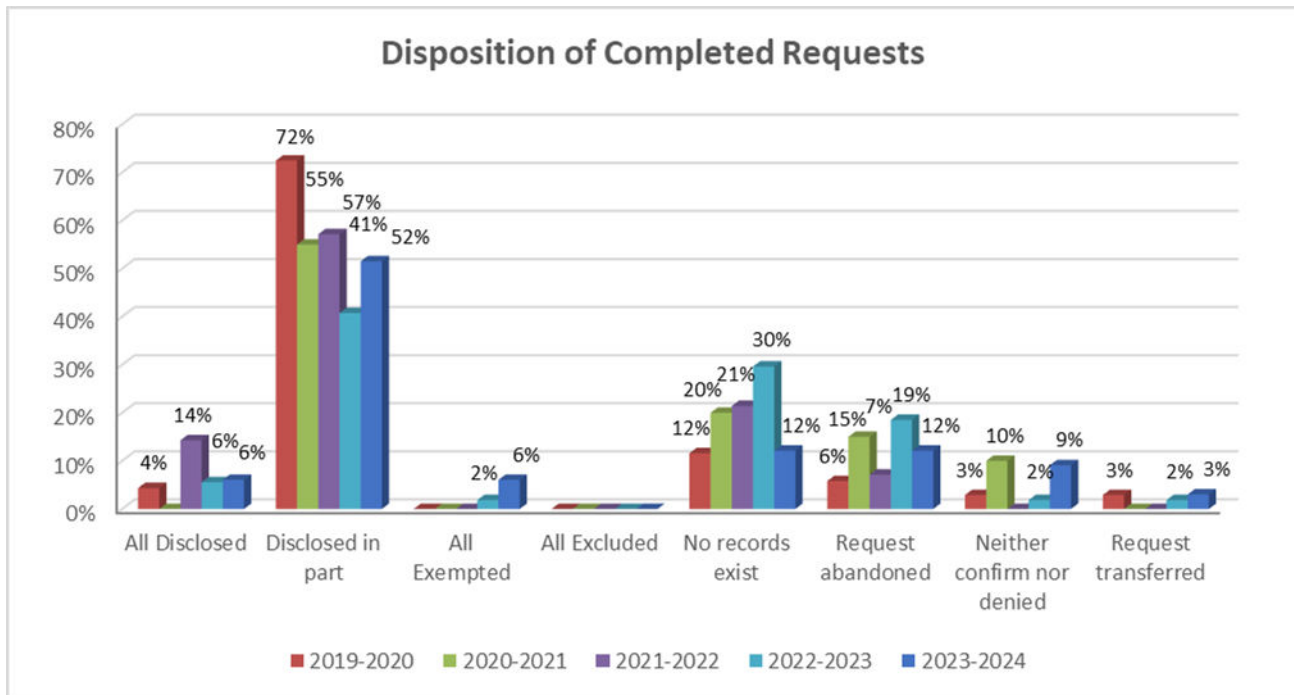
During the 2023-2024 reporting period, CSE received 52 requests under the ATIA (compared to 51, 51, 41, and 85, in 2022-2023, 2021-2022, 2020-2021 and 2019-2020, respectively) which is consistent with the last several reporting periods. CSE carried over 28 requests from 2022-2023 and 118 from previous periods into 2023-2024 for a total of 198. By the end of the 2023-2024 fiscal year, CSE closed 33 requests and carried-forward 165 into the next reporting period. As in previous years, the requests covered information that included highly sensitive material, for which complex processing is required. This decrease in CSE's request closure rate from 2022-2023 can be attributed to an increase in the number of closed consultations, the residual effects of COVID-19 in the backlog of files and limited resources to search and/or review classified systems and material. Requests from media decreased from 35% in 2022-2023 to 19% in 2023-2024. Requests from the public and academia made up 61% (an increase from 26% in the previous fiscal year) and 35% (up from 18%) of the total requests received respectively. 9% of requestors declined to identify.



Disposition of Completed Requests

CSE closed 33 requests during this reporting period. Of these, two (2) (6%) were disclosed in full, seventeen (17) (51%) were disclosed in part, and two (2) (6%) were fully exempted. There were four (4) cases in which no records existed, and four (4) requests were abandoned by the applicants. The closed requests encompassed 7,150 pages processed, a jump from the 5,309 pages processed in 2022-2023. This increase in pages processed can be attributed to the type and amount of information amassed in the requested files.





Neither Confirm Nor Deny

Section 10(2) of the Act states that institutions do not have to disclose to a requester whether a record exists. Section 10(2) was designed to address situations in which the mere confirmation of a record's existence (or non-existence) would reveal information that could be protected under the Act. Access to information best practices recommend that the application of section 10(2) be limited to circumstances where the confirmation or denial of the existence of a record would be injurious to Canada's foreign relations, the defence of Canada, law enforcement activities, the safety of individuals, or the possible disclosure of personal information. When notifying a requester that it is invoking this provision, institutions must also indicate the part of the Act on which a refusal could reasonably be expected to be based if the record existed. The application of subsection 10(2) was used in three (3) cases during the 2023-2024 reporting period.

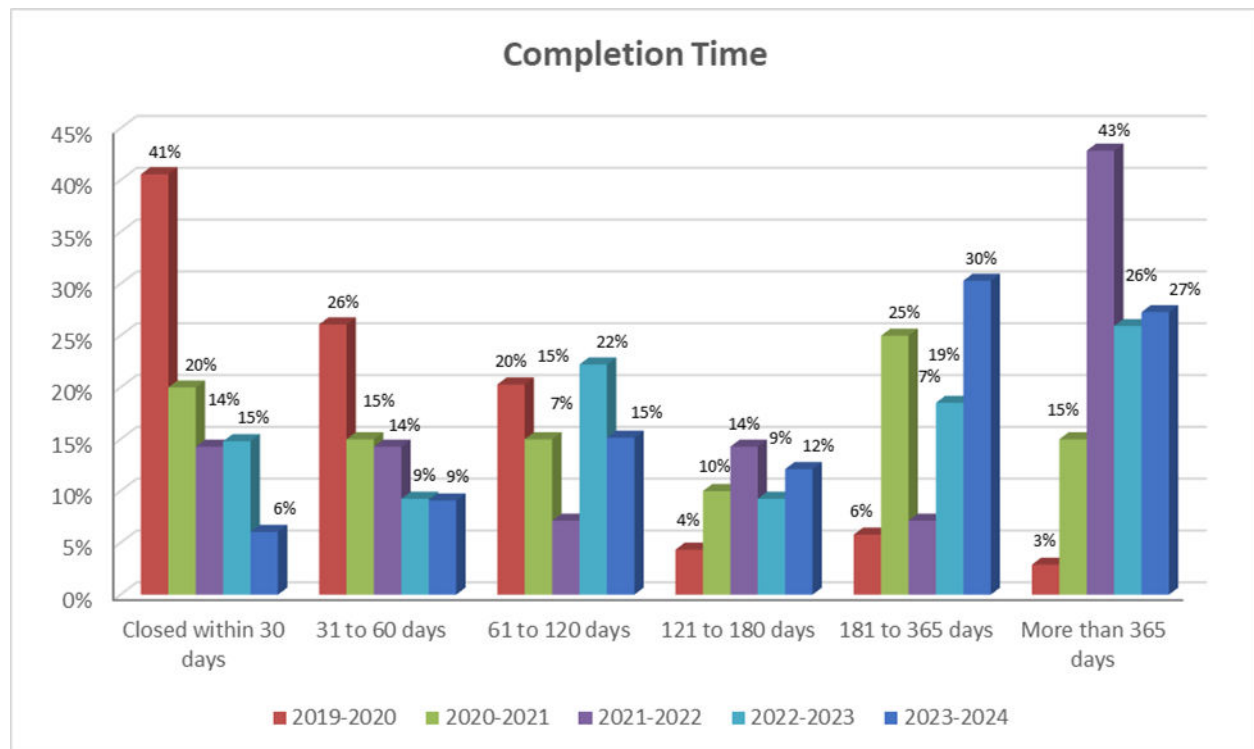
Completion Time

Two (2) requests made under the ATIA were closed within legislated timelines in the 2023-2024 reporting period. These two (2) requests represent 6% of the total completed requests. CSE closed two (2) requests within 1-30 days; three (3) between 31 and 60 days; five (5) between 61 and 120 days; four (4) between 121 and 180 days; ten (10) between 181 and 365 days; and nine (9) took more than 365 days to process. 165 requests were carried forward into 2024-2025 compared to 146 from 2022-2023 into 2023-2024. This increase from the previous reporting period can be attributed to the focus on responding to consultations from other government departments. CSE will

endeavour to improve on the timeliness of responses. In general, the requests received during 2023-2024 involved information of a highly sensitive nature, resulting in greater complexity in fulfilling them. Of the total request carried over into 2024-2025, 37 (22%) were received during the 2023-2024 reporting period.

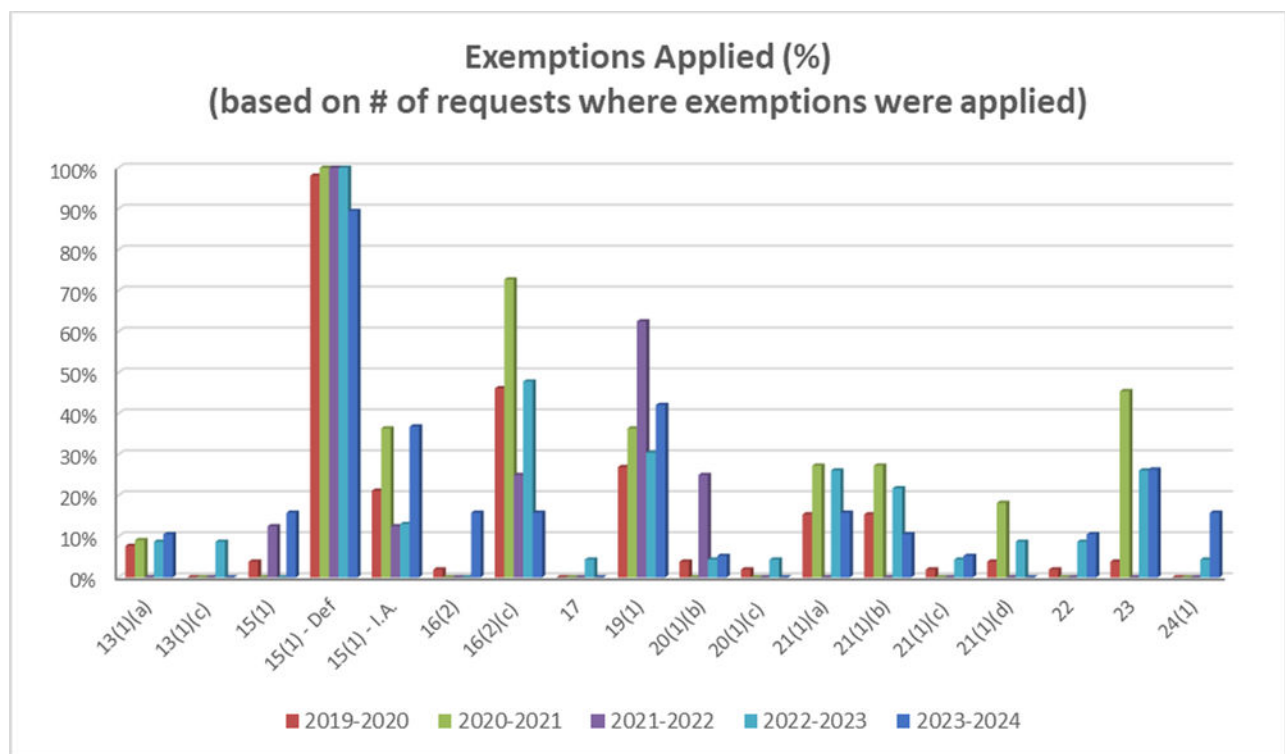
Open Requests outstanding from previous reporting periods

Reporting period received	Within Legislated timelines	Beyond Legislated timelines	Total
2014-2015 or earlier	0	11	11
2015-2016	0	4	4
2016-2017	0	18	18
2017-2018	0	17	17
2018-2019	1	7	8
2019-2020	0	16	16
2020-2021	1	12	13
2021-2022	0	23	23
2022-2023	2	16	18
2023-2024	7	30	37
Total	11	154	165



Exemptions to the Release of Information

The exemption most applied by CSE was subsection 15(1) - Defence of the *Access to Information Act*. It was applied to protect information which could be reasonably expected to be injurious to the defence of Canada on seventeen (17) requests. Subsection 15(1) – International Affairs was also used seven (7) times to protect information that could be injurious to the conduct of international affairs. Other frequently used exemptions that were applied throughout the course of the fiscal year are paragraphs 16(2)(c), information relating to the vulnerability or methods used to protect particular buildings or other structures or systems; 19(1), personal information of individuals; 21(1)(b), an account of consultations or deliberations in which directors, officers or employees of a government institution, a minister of the Crown or the staff of a minister participate; and 23, information that is subject to solicitor-client privilege or the professional secrecy of advocates and notaries or to litigation privilege.



Extension of the Time Limit

There was one (1) extension taken pursuant to paragraph 9(1)(a) of the *Access to Information Act*. CSE claimed three (3) extensions under 9(1)(b) to conduct consultations that could not reasonably be completed within the original time limit. No extensions were claimed under paragraph 9(1)(c) to conduct third party consultations in accordance with subsection 27(1) of the *Act*. This decrease from

the 2022-2023 reporting period can be attributed to the focus on consultations and lack of resources making it difficult for the ATIP Operations team and the OPIs to retrieve and review records so that appropriate extensions could be taken withing legislated timelines.

Consultations

CSE was consulted on 111 requests during this fiscal year compared to 79 for the previous reporting period. Other federal government institutions accounted for all 111 of the consultations while none were received from non-federal government organizations. In addition to the 111 new consultations, 96 were carried over from 2022-2023, resulting in 207 ongoing consultation requests in 2023-2024. CSE closed 167 consultations with a total of 28,524 pages. 40 consultations have been carried over into 2024-2025. Consultation requests for records of historical nature (e.g. during the Cold War era) continue to contribute to the volume of consultations though significant effort was made to reduce this number throughout 2023-2024. These historical consultation requests comprise 33 of the 40 consultations carried over into 2024-2025. The historical requests are voluminous in nature and have impacted the ATIP Operations team's ability to close other requests in a timely fashion.

Of the 167 consultations closed, sixteen (16) were closed within the first 15 days; eighteen (18) in 16-30 days; thirty-six (36) in 31-60 days; thirty (30) between 61-120 days; six (6) in 121-180 days; seven (7) in 181-365 days; and fifty-four (54) took more than 365 days.

Requests Treated Informally

CSE closed 44 out of 50 informal requests during this reporting period and carried over 6 into the next reporting period. CSE responded to twenty-nine (29) requests between 1-15 days; six (6) requests between 16 to 30 days; three (3) requests between 31 to 60 days; and six (6) between 61 to 120 days.

Complaints, Judicial Review and Audits

Individuals who are not satisfied with the processing of their access to information request can file a complaint with the Office of the Information Commissioner of Canada (OIC).

The OIC notified CSE of seventeen (17) complaints in 2023-2024, a significant increase from the seven (7) received in 2022-2023 and closed eleven (11) complaints against CSE. CSE provided information to the OIC in relation to all complaints as requested.

Eleven (11) of the complaints received during the reporting period were a result of delays in responding to requests. Five (5) alleged that CSE had improperly applied exemptions to unjustifiably deny access to records and one (1) alleged that CSE did not conduct a proper search for responsive records.

In 2023-2024, the OIC asked CSE to provide formal representations on seven (7) complaints. These representations were provided as requested.

The OIC provided letters notifying CSE that it had ceased to investigate six (6) complaints and provided notifications that complainants had discontinued their complaints on two (2) cases.

The OIC issued findings on the remaining three (3) closed complaints. Initial and Final Reports indicating the complaint was well founded, with orders were issued on one (1) of the closed complaints in the 2022-2023 reporting period. Initial and Final Reports issued as well founded with orders were received on a second complaint in the current reporting period. CSE complied with the orders in both cases. A Final Report was issued on the third closed complaint as well founded and resolved.

The OIC issued three (3) Initial Reports with orders on complaints that were carried over into the 2024-2025 reporting period.

At the end of 2023-2024, the OIC had fourteen (14) complaints pending with CSE. CSE continues to work closely with the OIC to resolve complaints in an efficient manner.

Active Complaints from previous reporting periods

Reporting period received	Number of Open Complaints
2014-2015 or earlier	0
2015-2016	0
2016-2017	0
2017-2018	0
2018-2019	1
2019-2020	0
2020-2021	0
2021-2022	0
2022-2023	1
2023-2024	12
Total	14

Training and Awareness

CSE is committed to the ongoing learning and development of its employees and has put a special emphasis on reaching new hires by delivering ATIP training to incoming co-op students. All new employees are required to complete ATIP training during the on-boarding process.

The ATIP Office delivered no formal training but has continued outreach to the Offices of Primary Interest when responding to ATIP requests on their roles and responsibilities. For example,

advising how and where to search for records; how to retrieve them; how to determine which records are responsive; and how to send the responsive records to the ATIP Unit. This training also touches on best practices in information management in order to best respond to future requests.

In addition to these, the ATIP Operations team delivered 8 informal one-on-one training sessions upon request in the reporting period.

CSE encourages employees to take [Canada School for Public Service \(CSPS\)](#) ATIP training courses and the ATIP Office continues to make educational resources available via a dedicated page on the internal web. New employees are required to complete an online training session “*Access to Information and Privacy Fundamentals*” within three months of their start date.

Policies, Guidelines, and Procedures

CSE did not introduce any new policies, guidelines, or procedures to comply with any new Treasury Board of Canada Secretariat policies and directives or in response to issues raised by the Office of the Information Commissioner or other Agents of Parliament. However, the ATIP Operations team did implement some measures to increase efficiencies.

The ATIP Operations team continues to seek new opportunities to improve the efficiency and timeliness of processing requests. In fiscal year 2023-2024, this included improvements to the *ATIP Manual* outlining how to respond to access requests, access consultations, privacy requests and privacy consultations; and flow charts illustrating the ATIP Operations team’s processes.

The team is also actively recruiting new hires both internal and external to the federal government. It is important to note though that CSE’s hiring process is conducted in three phases which can take anywhere from 6-12 months or longer thereby making it challenging to respond quickly to staffing needs.

Proactive Publication under Part 2 of the ATIA

CSE is a government institution as defined in section 3 of the *Access to Information Act* and in Schedule I.1 of the *Financial Administration Act*. CSE is subject to sections 82 to 88 of the ATIA, except for section 85. CSE also supports the Department of National Defence in their compliance with sections 74 (a) and (c) as needed.

CSE posts briefing material to the Chief, CSE (deputy head) to [Open.Canada.ca](#). [Reports tabled in Parliament](#) and briefing material for the Chief in support of [parliamentary committee appearances](#) as well as briefing material (transition binder) for a new Chief are published on CSE’s public website.

CSE does not currently disclose travel and hospitality expenses, contracts over \$10,000 or grants and contributions over \$25,000. CSE is required under legislation to disclose this information and is currently developing processes to ensure that the release of travel locations and business partnerships is not injurious to national security.

Legislative Requirement	Section	Publication Timeline	Institutional Requirement
All Government Institutions as defined in section 3 of the <i>Access to Information Act</i>			
Travel Expenses	82	Within 30 days after the end of the month of reimbursement	x
Hospitality Expenses	83	Within 30 days after the end of the month of reimbursement	x
Reports tabled in Parliament	84	Within 30 days after tabling	x
Government entities or Departments, agencies, and other bodies subject to the Act and listed in Schedules I, I.1, or II of the <i>Financial Administration Act</i>			
Contracts over \$10,000	86	Q1-3: Within 30 days after the quarter Q4: Within 60 days after the quarter	x
Grants & Contributions over \$25,000	87	Within 30 days after the quarter	x
Packages of briefing materials prepared for new or incoming deputy heads or equivalent	88(a)	Within 120 days after appointment	x
Titles and reference numbers of memoranda prepared for a deputy head or equivalent, that is received by their office	88(b)	Within 30 days after the end of the month received	x
Packages of briefing materials prepared for a deputy head or equivalent's appearance before a committee of Parliament	88(c)	Within 120 days after appearance	x
Government institutions that are departments named in Schedule I to the <i>Financial Administration Act</i> or portions of the core public administration named in Schedule IV to that Act (i.e. government institutions for which Treasury Board is the employer)			
Reclassification of positions	85	Within 30 days after the quarter	
Ministers			
Packages of briefing materials prepared by a government institution for new or incoming ministers	74(a)	Within 120 days after appointment	
Titles and reference numbers of memoranda prepared by a government institution for the minister, that is received by their office	74(b)	Within 30 days after the end of the month received	
Package of question period notes prepared by a government institution for the minister and in use on the last sitting day of the House of Commons in June and December	74(c)	Within 30 days after last sitting day of the House of Common in June and December	
Packages of briefing materials prepared by a government institution for a minister's	74(d)	Within 120 days after appearance	

appearance before a committee of Parliament			
Travel Expenses	75	Within 30 days after the end of the month of reimbursement	
Hospitality Expenses	76	Within 30 days after the end of the month of reimbursement	
Contracts over \$10,000	77	Q1-3: Within 30 days after the quarter Q4: Within 60 days after the quarter	
Ministers' Offices Expenses *Note: This consolidated report is currently published by TBS on behalf of all institutions.	78	Within 120 days after the fiscal year	

Following a committee appearance, CSE's Parliamentary Affairs sends the preparatory binder to ATIP for consultation. ATIP will recommend any necessary redactions and a Parliamentary Affairs analyst will apply them accordingly.

Following ATIP's response to the consultation, the analyst sends the binder to Linguistic Services to have each document translated. Since there are several binders, many items in the binders may be identical or similar to previous binders that have been published, or that are seeking to be published. In that case, the analyst makes sure to highlight the similarities and differences between each item and identifies them to our Linguistic Services team. If the document has already been translated, this alleviates any duplication of work. Once Linguistic Services returns the French translated documents, the analyst verifies if the document (formatting, content, etc.) aligns with the English binders, before sending it to the Web Team for publication.

Parliamentary Affairs prepares a briefing note for the Chief, CSE (Deputy Minister) for final approval. The Chief reviews the material that will be published prior to it being posted on the webpage. For each new preparatory binder that is proactively disclosed, the Parliamentary Affairs team monitors and reviews similarly disclosed materials to ensure overall consistency.

Prior to sending a request to the Web Team to have the binder published, the analyst includes each document found in the binder into a Word document in effort to compile the documents and facilitate accessibility for the Web Team. The analyst also fills out a publication template to meet the Web Team's requirements to proactively disclose the briefing material. The Web Team is also notified if there are any similarities or differences between binders.

Lessons Learned include:

- Reviewing materials to determine duplicative materials saves time for each of the Linguistic Services, ATIP, and Web teams.
- It is critical to begin the proactive disclosure process as soon as materials are finalized.

- When preparing binders, it is critical to ensure they are designed with accessibility requirements in mind to help support our Web team comply with TBS web publishing standards.

Part 2 of the ATIA requires briefing packages for Parliamentary Committee appearances to be published 120 calendar days following the appearance. CSE published 2/4 (50%) binders this fiscal year within the reporting period.

- [House Standing Committee on National Defence \(NDDN\) Supplementary Estimates B 2023-24 - December 7, 2023](#)
- [Transition Binder for the Honourable Bill Blair, Minister of National Defence, July 26, 2023](#)

CSE was unable to meet the legislative deadline, due to the volume of materials and time constraints with the proactive disclosure process, including translation and working to ensure accessibility on the CSE and Open Government websites.

The CSE ATIP Operations Team is responsible for the publication of briefing notes to the Chief, CSE monthly. Once retrieved, the list of briefing notes is reviewed for redactions which are then confirmed by the subject matter experts and the Chief's Office. The finalized list is translated and published to [Open.Canada.ca](#) as indicated above. While all monthly lists were published, the established timelines were not met (0%).

Initiatives and Projects to Improve Access to Information

CSE proactively publishes [ATIA request summaries](#), reports and other publications to the [Open Gov portal](#) as well as other material on its own [external site](#). Visitors to CSE's main [external site](#) can also find information on the laws and authorities that govern CSE's activities, oversight and review bodies that ensure CSE activities comply with the law, steps on how to make an official complaint to the Chief of CSE, and laws and policies CSE follows to protect the privacy of Canadians.

CSE is also part of the [National Security Transparency Commitment](#) which strives to increase Canadians' understanding of what the Government does to protect national security, *how* the Government does it, and *why* such work is important.

The ATIP Operations team works in conjunction with CSE's Open Government unit to promote transparency and information sharing to the Canadian public. The former is responsible for posting ATIP request summaries and coordinating the review of material for publication under Part 2 of the Act while the latter works within the organization to identify datasets that can be shared publicly while not specified for publication under the Act.

CSE's Open Government unit works to promote a culture of openness and transparency across the organization by proactively accelerating the release of data and information of value to the public. The unit performs two uploads a year (September and March) to the Open Government portal. Uploads include, datasets which contain human resources and financial information and CSE's Annual Report. While CSE does primarily handle sensitive information, the organization is committed to finding new and innovative ways to share information of interest to Canadians.

Last fiscal year, CSE released 8 datasets and 44 information assets to the Open Government Portal. CSE has designed a guide to help CSE employees determine the eligibility of assets for release onto the GC Open Government Portal.

CSE also follows internal procedure for posting information to the Open Government portal which includes review by ATIP, Legal Services and Security and approval by the CSE Open Government Group and Director General.

CSE has continued to improve processes by using the ATIP Online Management Tool (AOMT) which replaced the ATIP Online Request Service (AORS) in this reporting period. The AOMT is a centralized website developed by TBS that enables users to complete access to information requests and submit them to any of the institutions that are subject to the Government of Canada's *Access to Information Act*. CSE received 51 requests via this service, representing approximately 98% of the total requests received. This is an increase from 86% in 2022-2023. The remaining request was received by regular mail.

It is important to note that the ATIP Operations team also supports the work of the National Security Intelligence Review Agency (NSIRA), the National Security and Intelligence Committee of Parliamentarians (NSICOP), and the Intelligence Commissioner (IC) by reviewing their documents, which contain sensitive CSE information, and providing unclassified versions that can be shared openly with the public.

There has been an increase in non-ATIP related requests which has impacted the time our team can devote to access and privacy requests. This time is not represented in the statistical reporting, but accounts for approximately 2 FTE for the reporting period, an increase from 1.36 in 2022-2023.

Reporting on Access to Information fees for the purposes 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 payable: \$5.00 application fee is the only fee charged for an ATI request
- Total revenue: \$260.00
- Fees waived or refunded: 0
- Cost of operating the program: \$576,914.00

Monitoring Compliance

Using our case management software, the ATIP Office continues to produce reports on the time taken to process requests. These reports are shared with our ATIP Coordinator throughout the fiscal year. The ATIP Operations team tracks all requests and reports bi-weekly to the team manager on any issues and/or delays in processing requests. This provides an opportunity for the manager to triage requests or allocate resources, for example, to meet legislated timelines. CSE's Executive Committee (made up of DM and ADM level executives) is also informed of the status of *Access to Information Act* requests on a weekly basis.

Like many other government departments, CSE is experiencing a backlog in responding to requests for information. The ATIP Operations team has implemented mechanisms and tools to address this backlog such as the team's bi-weekly tracker for requests for information and access consultations. The ATIP supervisor and manager are briefed weekly on the number of new requests, closed requests, and are alerted to any backlogs by ATIP analysts. This is an opportunity to discuss how best to triage requests and allocate resources as required to meet legislated timelines.

As mentioned earlier, the ATIP Operations team reviews any proactively published information for anything that would be injurious. The Strategic Policy and Planning team then reviews for accuracy and completeness of the information before it is shared with CSE's web team for publication. Prior to publication of proactively published information, CSE prepares a briefing note for the Chief, CSE (Deputy Minister) for final approval. The Chief reviews the material that will be published prior to it being posted on the webpage. For each new preparatory binder that is proactively disclosed, the Parliamentary Affairs team monitors and reviews similarly disclosed materials to ensure overall consistency.

The following statement is referenced in all contracts issued by or on behalf of CSE regarding access to information:

CSE ensures the right of public access in its contracts by including a clause indicating that records created by the Contractor, and under the control of Canada, are subject to the [Access to Information Act](#).

The Contractor acknowledges the responsibilities of Canada under the [Access to Information Act](#) and must, to the extent possible, assist Canada in discharging these responsibilities. Furthermore, the Contractor acknowledges that section 67.1 of the [Access to Information Act](#) provides that any person, who destroys, alters, falsifies or conceals a record, or directs anyone to do so, with the intent of obstructing the right of access that is provided by the [Access to Information Act](#) is guilty of an offence and is liable to imprisonment or a fine, or both.

Appendix I: Delegation of Authority

COMMUNICATIONS SECURITY ESTABLISHMENT

ACCESS TO INFORMATION ACT DELEGATION ORDER

The Minister of National Defence, pursuant to section 95 of the *Access to Information Act*, hereby designates the persons holding the positions set out below, or the persons occupying on an acting basis those positions, to exercise the powers, duties and functions of the Minister of National Defence as the head of the Communications Security Establishment, under the provisions of the *Access to Information Act* and related regulations set out below for each position.

- Chief, Communications Security Establishment: full authority, except joint authority under subsection 20(6) (public interest disclosure) with the Deputy Chief, Authorities, Compliance and Transparency
- Deputy Chief, Authorities, Compliance and Transparency: full authority, except joint authority under subsection 20(6) (public interest disclosure) with the Chief, Communications Security Establishment
- Director, Transparency and Information Sharing: full authority, except for subsection 20(6) (public interest disclosure).
- Manager, Transparency and Disclosures: full authority, except for subsection 20(6) (public interest disclosure).
- Supervisor, Access to Information and Privacy Operations: paragraph 7(a) only when no record exists (notice), section 9 (extension of time limits), section 11 (fees), sections 27 and 28 (consultations to third party documents).

This delegation order replaces all previous delegation orders.

Dated at Ottawa this 20 day of March 2024.



The Honourable Bill Blair, P.C., C.O.M., M.P.
Minister of National Defence



Government
of Canada

Gouvernement
du Canada

Statistical Report on the *Access to Information Act*

Name of institution: Communications Security Establishment Canada (CSE)

Reporting period: 2023-04-01 to 2024-03-31

Section 1: Requests Under the *Access to Information Act*

1.1 Number of requests

		Number of Requests
Received during reporting period		52
Outstanding from previous reporting periods		146
• Outstanding from previous reporting period	28	
• Outstanding from more than one reporting period	118	
Total		198
Closed during reporting period		33
Carried over to next reporting period		165
• Carried over within legislated timeline	11	
• Carried over beyond legislated timeline	154	

1.2 Sources of requests

Source	Number of Requests
Media	10
Academia	22
Business (private sector)	4
Organization	1
Public	10
Decline to Identify	5
Total	52

1.3 Channels of requests

Source	Number of Requests
Online	51
E-mail	0
Mail	1
In person	0
Phone	0
Fax	0
Total	52

Section 2: Informal Requests

2.1 Number of informal requests

		Number of Requests
Received during reporting period		47
Outstanding from previous reporting periods		3
• Outstanding from previous reporting period	3	
• Outstanding from more than one reporting period	0	
Total		50
Closed during reporting period		44
Carried over to next reporting period		6

2.2 Channels of informal requests

Source	Number of Requests
Online	46
E-mail	1
Mail	0
In person	0
Phone	0
Fax	0
Total	47

2.3 Completion time of informal requests

Completion Time							
0 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
29	6	3	6	0	0	0	44

2.4 Pages released informally

Less Than 100 Pages Released		100-500 Pages Released		501-1000 Pages Released		1001-5000 Pages Released		More Than 5000 Pages Released	
Number of Requests	Pages Released	Number of Requests	Pages Released	Number of Requests	Pages Released	Number of Requests	Pages Released	Number of Requests	Pages Released
0	0	0	0	0	0	0	0	0	0

2.5 Pages re-released informally

Less Than 100 Pages Re-released		100-500 Pages Re-released		501-1000 Pages Re-released		1001-5000 Pages Re-released		More Than 5000 Pages Re-released	
Number of Requests	Pages Re-released	Number of Requests	Pages Re-released	Number of Requests	Pages Re-released	Number of Requests	Pages Re-released	Number of Requests	Pages Re-released
24	999	13	2818	5	3488	2	5647	0	0

Section 3: Applications to the Information Commissioner on Declining to Act on 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
Withdrawn during reporting period	0
Carried over to next reporting period	0

Section 4: Requests Closed During the Reporting Period**4.1 Disposition and completion time**

Disposition of Requests	Completion Time							Total
	0 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	2	0	2
Disclosed in part	0	0	1	3	2	5	6	17
All exempted	0	0	0	1	0	1	0	2
All excluded	0	0	0	0	0	0	0	0
No records exist	0	0	1	1	0	1	1	4
Request transferred	1	0	0	0	0	0	0	1
Request abandoned	0	0	1	0	1	0	2	4
Neither confirmed nor denied	0	1	0	0	1	1	0	3
Declined to act with the approval of the Information Commissioner	0	0	0	0	0	0	0	0
Total	1	1	3	5	4	10	9	33

4.2 Exemptions

Section	Number of Requests	Section	Number of Requests	Section	Number of Requests	Section	Number of Requests
13(1)(a)	2	16(2)	3	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)	3	18(d)	0	21(1)(a)	3
13(1)(e)	0	16(3)	0	18.1(1)(a)	0	21(1)(b)	2
14	0	16.1(1)(a)	0	18.1(1)(b)	0	21(1)(c)	1
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	2
15(1)	3	16.1(1)(d)	0	19(1)	8	22.1(1)	1
15(1) - I.A.*	7	16.2(1)	0	20(1)(a)	0	23	5
15(1) - Def.*	17	16.3	0	20(1)(b)	1	23.1	0
15(1) - S.A.*	0	16.4(1)(a)	0	20(1)(b.1)	0	24(1)	3
16(1)(a)(i)	0	16.4(1)(b)	0	20(1)(c)	0	26	0
16(1)(a)(ii)	0	16.5	0	20(1)(d)	0		
16(1)(a)(iii)	0	16.6	0				
16(1)(b)	0	17	0				
16(1)(c)	1						
16(1)(d)	0						

* I.A.: International Affairs Def.: Defence of Canada S.A.: Subversive Activities

4.3 Exclusions

Section	Number of Requests	Section	Number of Requests	Section	Number of Requests
68(a)	0	69(1)	0	69(1)(g) re (a)	3
68(b)	0	69(1)(a)	1	69(1)(g) re (b)	0
68(c)	0	69(1)(b)	0	69(1)(g) re (c)	2
68.1	0	69(1)(c)	0	69(1)(g) re (d)	1
68.2(a)	0	69(1)(d)	0	69(1)(g) re (e)	1
68.2(b)	0	69(1)(e)	1	69(1)(g) re (f)	1
		69(1)(f)	0	69.1(1)	0

4.4 Format of information released

Paper	Electronic				Other
	E-record	Data set	Video	Audio	
1	18	0	0	0	0

4.5 Complexity

4.5.1 Relevant pages processed and disclosed for paper, e-record and dataset formats

Number of Pages Processed	Number of Pages Disclosed	Number of Requests
7150	3382	28

4.5.2 Relevant pages processed per request disposition for paper, e-record and dataset formats by size of requests

Disposition	Less Than 100 Pages Processed		100-500 Pages Processed		501-1000 Pages Processed		1001-5000 Pages Processed		More Than 5000 Pages Processed	
	Number of Requests	Pages Processed	Number of Requests	Pages Processed	Number of Requests	Pages Processed	Number of Requests	Pages Processed	Number of Requests	Pages Processed
All disclosed	1	6	1	102	0	0	0	0	0	0
Disclosed in part	6	122	9	2162	1	837	1	3148	0	0
All exempted	1	45	0	0	1	708	0	0	0	0
All excluded	0	0	0	0	0	0	0	0	0	0
Request abandoned	4	20	0	0	0	0	0	0	0	0
Neither confirmed nor denied	3	0	0	0	0	0	0	0	0	0
Declined to act with the approval of the Information Commissioner	0	0	0	0	0	0	0	0	0	0
Total	15	193	10	2264	2	1545	1	3148	0	0

4.5.3 Relevant minutes processed and disclosed for audio formats

Number of Minutes Processed	Number of Minutes Disclosed	Number of Requests
0	0	0

4.5.4 Relevant minutes processed per request disposition for audio formats by size of requests

Disposition	Less Than 60 Minutes Processed		60 - 120 Minutes Processed		More than 120 Minutes Processed	
	Number of Requests	Minutes Processed	Number of Requests	Minutes Processed	Number of Requests	Minutes Processed
All disclosed	0	0	0	0	0	0
Disclosed in part	0	0	0	0	0	0
All exempted	0	0	0	0	0	0
All excluded	0	0	0	0	0	0
Request abandoned	0	0	0	0	0	0
Neither confirmed nor denied	0	0	0	0	0	0
Declined to act with the approval of the Information Commissioner	0	0	0	0	0	0
Total	0	0	0	0	0	0

4.5.5 Relevant minutes processed and disclosed for video formats

Number of Minutes Processed	Number of Minutes Disclosed	Number of Requests
0	0	0

4.5.6 Relevant minutes processed per request disposition for video formats by size of requests

Disposition	Less Than 60 Minutes Processed		60 - 120 Minutes Processed		More than 120 Minutes Processed	
	Number of Requests	Minutes Processed	Number of Requests	Minutes Processed	Number of Requests	Minutes Processed
All disclosed	0	0	0	0	0	0
Disclosed in part	0	0	0	0	0	0
All exempted	0	0	0	0	0	0
All excluded	0	0	0	0	0	0
Request abandoned	0	0	0	0	0	0
Neither confirmed nor denied	0	0	0	0	0	0
Declined to act with the approval of the Information Commissioner	0	0	0	0	0	0
Total	0	0	0	0	0	0

4.5.7 Other complexities

Disposition	Consultation Required	Legal Advice Sought	Other	Total
All disclosed	0	0	0	0
Disclosed in part	7	0	0	7
All exempted	0	0	0	0
All excluded	0	0	0	0
Request abandoned	1	0	0	1
Neither confirmed nor denied	0	0	0	0
Declined to act with the approval of the Information Commissioner	0	0	0	0
Total	8	0	0	8

4.6 Closed requests

4.6.1 Requests closed within legislated timelines

Number of requests closed within legislated timelines	2
Percentage of requests closed within legislated timelines (%)	6.060606061

4.7 Deemed refusals

4.7.1 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
31	21	2	4	4

4.7.2 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	4	0	4
31 to 60 days	3	0	3
61 to 120 days	3	0	3
121 to 180 days	4	1	5
181 to 365 days	8	0	8
More than 365 days	6	2	8
Total	28	3	31

4.8 Requests for translation

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

Section 5: Extensions

5.1 Reasons for extensions and disposition of requests

Disposition of Requests Where an Extension Was Taken	9(1)(a) Interference With Operations/ Workload	9(1)(b) Consultation		9(1)(c) Third-Party Notice
		Section 69	Other	
All disclosed	0	0	0	0
Disclosed in part	1	0	2	0
All exempted	0	0	0	0
All excluded	0	0	0	0
Request abandoned	0	0	1	0
No records exist	0	0	0	0
Declined to act with the approval of the Information Commissioner	0	0	0	0
Total	1	0	3	0

5.2 Length of extensions

Length of Extensions	9(1)(a) Interference With Operations/ Workload	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	2	0
61 to 120 days	0	0	1	0
121 to 180 days	0	0	0	0
181 to 365 days	1	0	0	0
365 days or more	0	0	0	0
Total	1	0	3	0

Section 6: Fees

Fee Type	Fee Collected		Fee Waived		Fee Refunded	
	Number of Requests	Amount	Number of Requests	Amount	Number of Requests	Amount
Application	52	\$260.00	0	\$0.00	0	\$0.00
Other fees	0	\$0.00	0	\$0.00	0	\$0.00
Total	52	\$260.00	0	\$0.00	0	\$0.00

Section 7: Consultations Received From Other Institutions and Organizations

7.1 Consultations received from other Government of Canada institutions and other organizations

Consultations	Other Government of Canada Institutions	Number of Pages to Review	Other Organizations	Number of Pages to Review
Received during the reporting period	111	2997	0	0
Outstanding from the previous reporting period	96	30587	0	0
Total	207	33584	0	0
Closed during the reporting period	167	28524	0	0
Carried over within negotiated timelines	16	539	0	0
Carried over beyond negotiated timelines	24	4521	0	0

7.2 Recommendations and completion time for consultations received from other Government of Canada institutions

Recommendation	Number of Days Required to Complete Consultation Requests							Total
	0 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	11	4	9	5	1	0	17	47
Disclose in part	5	14	26	25	5	6	29	110
Exempt entirely	0	0	0	0	0	1	4	5
Exclude entirely	0	0	0	0	0	0	0	0
Consult other institution	0	0	0	0	0	0	0	0
Other	0	0	1	0	0	0	4	5
Total	16	18	36	30	6	7	54	167

7.3 Recommendations and completion time for consultations received from other organizations outside the Government of Canada

Recommendation	Number of Days Required to Complete Consultation Requests							Total
	0 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
Total	0	0	0	0	0	0	0	0

Section 8: Completion Time of Consultations on Cabinet Confidences**8.1 Requests with Legal Services**

Number of Days	Fewer Than 100 Pages Processed		100-500 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	1	0	0	0	0	0	0	0	0	0
16 to 30	1	5	1	43	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
Total	2	5	1	43	0	0	0	0	0	0

8.2 Requests with Privy Council Office

Number of Days	Fewer Than 100 Pages Processed		100-500 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
Total	0	0	0	0	0	0	0	0	0	0

Section 9: Investigations and Reports of finding**9.1 Investigations**

Section 32 Notice of intention to investigate	Subsection 30(5) Ceased to investigate	Section 35 Formal Representations
16	8	7

9.2 Investigations and Reports of finding

Section 37(1) Initial Reports			Section 37(2) Final Reports		
Received	Containing recommendations issued by the Information Commissioner	Containing an intent to issue an order by the Information Commissioner	Received	Containing recommendations issued by the Information Commissioner	Containing orders issued by the Information Commissioner
3	0	3	2	0	1

Section 10: Court Action**10.1 Court actions on complaints**

Section 41				
Complainant (1)	Institution (2)	Third Party (3)	Privacy Commissioner (4)	Total
0	0	0	0	0

10.2 Court actions on third party notifications under paragraph 28(1)(b)

Section 44 - under paragraph 28(1)(b)
0

Section 11: Resources Related to the Access to Information Act**11.1 Allocated Costs**

Expenditures		Amount
Salaries		\$433,714
Overtime		\$0
Goods and Services		\$143,200
• Professional services contracts	\$0	
• Other	\$143,200	
Total		\$576,914

11.2 Human Resources

Resources	Person Years Dedicated to Access to Information Activities
Full-time employees	4.132
Part-time and casual employees	0.000
Regional staff	0.000
Consultants and agency personnel	0.000
Students	0.000
Total	4.132

Note: Enter values to three decimal places.



Supplemental Statistical Report on the *Access to Information Act* and the *Privacy Act*

Name of institution: Communications Security Establishment Canada (CSE)

Reporting period: 2023-04-01 to 2024-03-31

Section 1: Open Requests and Complaints Under the *Access to Information Act*

1.1 Enter the number of open requests that are outstanding from previous reporting periods.

Fiscal Year Open Requests Were Received	Open Requests that are <i>Within</i> Legislated Timelines as of March 31, 2024	Open Requests that are <i>Beyond</i> Legislated Timelines as of March 31, 2024	Total
Received in 2023-24	7	30	37
Received in 2022-23	2	16	18
Received in 2021-22	0	23	23
Received in 2020-21	1	12	13
Received in 2019-20	0	16	16
Received in 2018-19	1	7	8
Received in 2017-18	0	17	17
Received in 2016-17	0	18	18
Received in 2015-16	0	4	4
Received in 2014-15 or earlier	0	11	11
Total	11	154	165

1.2 Enter the number of open complaints with the Information Commissioner of Canada that are outstanding from previous reporting periods.

Fiscal Year Open Complaints Were Received by Institution	Number of Open Complaints
Received in 2023-24	12
Received in 2022-23	1
Received in 2021-22	0
Received in 2020-21	0
Received in 2019-20	0
Received in 2018-19	0
Received in 2017-18	1
Received in 2016-17	0
Received in 2015-16	0
Received in 2014-15 or earlier	0
Total	14

Section 2: Open Requests and Complaints Under the *Privacy Act*

2.1 Enter the number of open requests that are outstanding from previous reporting periods.

Fiscal Year Open Requests Were Received	Open Requests that are <i>Within</i> Legislated Timelines as of March 31, 2024	Open Requests that are <i>Beyond</i> Legislated Timelines as of March 31, 2024	Total
Received in 2023-24	5	9	14
Received in 2022-23	0	4	4
Received in 2021-22	0	4	4
Received in 2020-21	0	4	4
Received in 2019-20	0	2	2
Received in 2018-19	0	0	0
Received in 2017-18	0	0	0
Received in 2016-17	0	1	1
Received in 2015-16	0	0	0
Received in 2014-15 or earlier	0	3	3
Total	5	27	32

2.2 Enter the number of open complaints with the Privacy Commissioner of Canada that are outstanding from previous reporting periods.

Fiscal Year Open Complaints Were Received by Institution	Number of Open Complaints
Received in 2023-24	3
Received in 2022-23	2
Received in 2021-22	3
Received in 2020-21	0
Received in 2019-20	0
Received in 2018-19	0
Received in 2017-18	0
Received in 2016-17	0
Received in 2015-16	0
Received in 2014-15 or earlier	0
Total	8

Section 3: Social Insurance Number

Has your institution begun a new collection or a new consistent use of the SIN in 2023-24?	No
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Section 4: Universal Access under the Privacy Act

How many requests were received from foreign nationals outside of Canada in 2023-24?	0
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