



Treasury Board of Canada
Secrétariat

Secrétariat du Conseil du Trésor
du Canada

Canada

Update on the *Access to Information Act* Review

Presentation to the ATIP Community
October 1, 2020

GCDocs # 46101923



Purpose

- Provide an update on the *Access to Information Act* review
- Outline approach to seeking feedback from institutions

A New Legislative Requirement

- In 2016, Government committed to review the *Access to Information Act* in two phases
 - Phase I: Bill C-58 targeted amendments came into force June 2019
 - Phase II: full review of the Act
- Bill C-58 created legislative obligations for President of Treasury Board
 - Review the Act every 5 years, with first review starting by June 21, 2020
 - Table a report of the review in Parliament
- Senate and House standing committees also required to undertake reviews of the Act every 5 years

Review Launch

- Review was launched on June 18, 2020
 - [Website](#)
 - [News release](#)
- Website includes:
 - Preliminary details about the review process
 - Background information on access to information in the federal government
 - Data on the impacts of COVID-19 on access to information
- Website also invites Canadians to subscribe to updates

A screenshot of a 'Stay connected' sign-up form. The title is 'Stay connected' with the text 'Sign up for alerts on updates to our website and upcoming opportunities to participate in our engagement activities.' Below this is a link for 'Privacy Notice'. There is a label 'Email Address' above a text input field. At the bottom is a green 'Sign up' button. The background is a light yellow with a graphic of a speech bubble containing an envelope icon and a red circle with the number '1'.

Scope of Review

Government announced review will focus on 3 broad areas:



Legislation

Reviewing the legislative framework

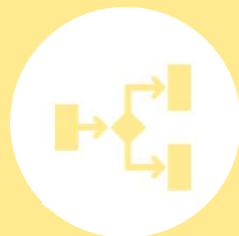
- Who should have right of access?
- Which institutions should be covered by the Act?
- Timeliness of responses
- Exemptions, including advice
- Exclusions, including Cabinet confidences
- Public interest override



Proactive Publication

Opportunities to improve proactive publication to make information openly available

- Add new kinds of info?
- Refine current requirements
- Digital tools to streamline online publication?
- Retention periods



Processes & Systems

Assessing processes and systems to improve service and reduce delays

- Causes of delay
- System costs
- ATI business processes
- Can better technology help?
- Can better IM help?

Engagement Audiences



Internal

- 265+ federal government institutions subject to the Act
- Department of Justice (linkages with *Privacy Act* review)
- Provinces & Territories



External

- Canadians, system users, academics
- Bargaining agents
- Multi-stakeholder Forum on Open Government
- Office of the Information Commissioner
- Office of the Privacy Commissioner
- Parliamentarians



Indigenous

- National Indigenous Organizations
- Other Indigenous representatives, groups and institutions

Two-staged approach to seeking input from government institutions

Stage 1 – Issue identification (October – November 2020)

- Call out to Deputies seeking input on issues to examine – October 2020
 - Call out will provide background information and response template
 - TBS will share call out with ATIP Coordinators
 - ADM-approved responses due in November 2020
- ATIP Coordinators could coordinate response within their institution
 - Collaboration within the institution with Open Government, proactive publication, Parliamentary Affairs, Legal services, others
 - TBS will host call with ATIP coordinators to explain process, answer questions
- Some functional communities have also expressed interest in providing input

Two-stage approach to seeking input from government institutions

Stage 2 – Detailed input (November 2020 – February 2021)

- Call-out for more detailed input from institutions in late November, with responses back in February 2021
- Summary of input from institutions will be published online on the Review webpage
- Review Secretariat may reach out to institutions for additional information or discussion of specific issues beginning in mid-2021

Next Steps

- Raising awareness – September/October 2020
 - TBS is highlighting review at PSMAC, CIOC, Heads of functional communities, Crowns, etc.
- Stage 1 call out – early October

Questions / Comments?