

Canada TMP Finance Ltd.

Privacy Act

Annual Report to Parliament

April 1, 2020 to March 31, 2021

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Introduction

The *Privacy Act* (Revised Statutes of Canada, Chapter A-1, 1985) was proclaimed on July 1, 1983. The *Privacy Act* (the “*Act*”) extends to individuals the right of access to information about themselves held by federal institutions, again subject to specific and limited exceptions. The law also protects the individual’s privacy by preventing others from having access to personal information and gives individuals substantial control over its collection and use.

This Annual Report to Parliament on the *Privacy Act* is prepared and tabled in Parliament in accordance with section 72 of the *Act* and covers the period from April 1, 2020 to March 31, 2021.

Canada TMP Finance Ltd. (“TMP Finance” or “the Company”), formerly known as Project Deliver I, became subject to the *Privacy Act* upon incorporation on May 28, 2018.

Mandate and Organizational Structure

TMP Finance is a wholly-owned subsidiary of the Canada Development Investment Corporation (“CDEV”) and has no employees. Day to day operations are administered by CDEV employees in Toronto, Ontario.

TMP Finance is mandated to acquire, finance and provide strategic direction to the Trans Mountain Corporation (“TMC”) and its entities. TMP Finance is the parent company of TMC.

Two full-time CDEV employees are dedicated part-time to Access to Information and Privacy (“ATIP”) activities for CDEV and its subsidiaries, excluding TMC. The ATIP department consists of the ATIP Coordinator and one analyst. CDEV retains advice from external legal counsel and independent consultants as needed.

The Corporation has a service agreement in place with CDEV, which includes the provision of Access to Information and Privacy (“ATIP”) services. Two full-time CDEV employees are dedicated part-time to ATIP activities for CDEV and its subsidiaries, excluding TMC. The ATIP department consists of the ATIP Coordinator and one analyst. CDEV retains advice from external legal counsel and independent consultants as needed.

Delegation Order

The Delegation of Authority Order (Appendix A) is reviewed and approved annually by the head of the organization. The authority to approve or deny the release of departmental information requested under the *Act* is shared by the CEO and the ATIP Coordinator of CDEV.

Information Holdings

TMP Finance does not maintain a public website however CDEV, its parent corporation, has a website: www.cdev.gc.ca. The website provides information on ATIP matters for CDEV and its subsidiaries.

Completed request summaries are also available on the Open Government website and included in the searchable database.

TMP Finance does not maintain a formal reading room as it occupies only minimal office space. However, in accordance with the *Privacy Act*, the Corporation will make arrangements to provide facilities for viewing material on an as required basis.

Performance and Highlights of the 2020-2021 Statistical Report

Appendices B and C provide a summarized statistical report on the requests for personal information received under the *Privacy Act* from April 1, 2020 to March 31, 2021.

Since its incorporation in May 2018, TMP Finance has received no formal or informal requests and no consultations from other institutions.

Training and Awareness

CDEV management meet with ATIP administrators to discuss specific requests and consultations as required.

Management are briefed on the status of files and reporting requirements on a regular basis. Summaries of formal and informal ATIP requests for CDEV and its subsidiaries are presented to the board of directors at least annually.

Policies, Guidelines, Procedures and Initiatives

CDEV's privacy policy, which applies to TMP Finance, is reviewed by the board of directors on an annual basis and amended as required. The privacy policy was last reviewed in June 2021.

ATIP policies, guidelines, procedures and initiatives are reviewed regularly. Changes in technology and software options are considered as they become available.

Summary of Key Issues and Actions Taken on Complaints or Audits

No complaints were received and no audits were conducted.

Monitoring Compliance

No monitoring was necessary in this period.

Material Privacy Breaches

No material privacy breaches occurred and none were reported to the Office of the Privacy Commissioner or the Privacy Policy Division, Treasury Board of Canada Secretariat in this period.

Privacy Impact Assessment

No privacy Impact Assessment was conducted in this reporting period.

Public Interest Disclosures

No public interest disclosure was made under paragraph 8 (2)(m) of the *Privacy Act* in this reporting period.

Appendix A – *Privacy Act Delegation Order*

DESIGNATION/ DÉLÉGATION

PRIVACY ACT / LOI SUR LA PROTECTION DES RENSEIGNEMENTS PERSONNELS

Privacy Act Designation Order

By this order made pursuant to section 73 of the *Privacy Act*, I hereby authorize those officers and employees of the Canada Development Investment Corporation and subsidiaries (excluding Trans Mountain Corporation) occupying, on an acting basis or otherwise, the positions identified within the attached schedule to perform on my behalf any of the powers, duties, or functions specified therein.

This designation replaces and repeals all previous orders.

Dated in Vancouver on this 6 day of September 2021

Arrêté sur la délégation en vertu de la Loi sur la protection des renseignements personnels

Par le présent arrêté pris en vertu de l'article 73 de la *Loi sur la protection des renseignements personnels*, j'autorise les agents et les employés du Corporation de développement des investissements du Canada et les filiales (sauf la Corporation Trans Mountain) occupant, par intérim ou autrement, les postes identifiés dans l'annexe ci-jointe à exercer en mon nom, les attributions, les fonctions et les pouvoirs qui y sont spécifiés.

Le présent document remplace et annule tous les arrêtés antérieurs.

Fait à Vancouver en ce 6 jour en septembre 2021



Stephen Swaffield

Chairperson - Canada Development Investments Corporation /
Le Président - Corporation de développement des investissements du Canada

Schedule 1Designation Order- *Privacy Act*

| Powers, Duties or Functions | Section | CEO |
|---|----------------|------------|
| To disclose personal information to an investigative body specified in the regulations, on the written request of the body, for the purpose of enforcing any law of Canada or a province or carrying out a lawful investigation, if the request specifies the purpose and describes the information to be disclosed | 8(2)(e) | yes |
| To disclose personal information when public interest outweighs invasion of privacy or when disclosure benefits the individual | 8(2)(m) | yes |

Schedule 2Designation Order- *Privacy Act*

| | Section | CEO | ATIP Coordinator |
|--|----------------|------------|-----------------------------|
| To disclose personal information when satisfied that the purpose for which the information is disclosed cannot reasonably be accomplished unless the information is provided in a form that identifies the person to whom it relates and to obtain a written undertaking that no subsequent disclosure of the information will be made in a form that could reasonably be expected to identify the individual to whom it relates | 8(2)(j) | yes | yes |
| To keep copies of requests made under 8(2)(e), keep records of information disclosed pursuant to such requests and make those copies and records available to the Privacy Commissioner | 8(4) | yes | yes |
| To notify the Privacy Commissioner in writing of disclosure under paragraph 8(2)(m) | 8(5) | yes | yes |
| To retain a record of use of personal information | 9(1) | yes | yes |
| To notify the Privacy Commissioner of consistent use of personal information and update index accordingly | 9(4) | yes | yes |
| To include personal information in personal information banks | 10 | yes | yes |
| To give written notice as to whether or not access will be given | 14(a) | yes | yes |
| To give access to requester | 14(b) | yes | yes |
| To extend time limit and give notice of extension | 15 | yes | yes |

| | | | |
|--|----------|-----|-----|
| To determine the necessity for a translation or interpretation of a record | 17(2)(b) | yes | yes |
| To determine whether a record should be provided in an alternative format | 17(3) | yes | yes |
| To refuse to disclose personal information referred to in that section | 18(2) | yes | yes |
| To refuse to disclose personal information referred to in that section | 19(1) | yes | yes |
| To disclose, with consent, personal information referred to in that subsection | 19(2) | yes | yes |
| To refuse to disclose personal information referred to in that section | 20 | yes | yes |
| To refuse to disclose personal information referred to in that section | 21 | yes | yes |
| To refuse to disclose personal information referred to in that section | 22 | yes | yes |
| To refuse to disclose personal information referred to in that section | 22.3 | yes | yes |
| To refuse to disclose personal information referred to in that section | 23 | yes | yes |
| To refuse to disclose personal information under that section | 24 | yes | yes |
| To refuse to disclose personal information under that section | 25 | yes | yes |
| To refuse to disclose personal information under that section | 26 | yes | yes |
| To refuse to disclose personal information under that section | 27 | yes | yes |
| To refuse to disclose personal information under that section | 27.1 | yes | yes |
| To refuse to disclose personal information under that section | 28 | yes | yes |
| To receive notice of investigation by the Privacy Commissioner | 31 | yes | yes |
| To make representations to the Privacy Commissioner | 33(2) | yes | yes |
| To receive the report of findings of the investigation | 35(1) | yes | yes |

| | | | |
|---|----------|-----|-----|
| and give notice of action taken or proposed to be taken or reasons why no action has been or is proposed to be taken | | | |
| To provide access to personal information | 35(4) | yes | yes |
| To receive the report of findings of the investigation of files in exempt banks | 36(3) | yes | yes |
| To receive the report of findings after investigation in respect of personal information | 37(3) | yes | yes |
| To request that the matter be heard and determined in the National Capital Region | 51(2)(b) | yes | yes |
| To request the opportunity to make representations <i>ex parte</i> | 51(3) | yes | yes |
| To prepare annual report for submission to Parliament | 72 | yes | yes |
| Provision of privacy services | 73.1 | yes | yes |
| To carry out responsibilities conferred on the head of the institution by regulations made under section 77, not included above | 77 | yes | yes |

Appendix B – Statistical Report on the *Privacy Act*



Statistical Report on the *Privacy Act*

Name of institution: CANADA TMP FINANICE LTD.

Reporting period: 2020-04-01 to 2021-03-31

Section 1: Requests Under the *Privacy Act*

1.1 Number of requests

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

Section 2: Requests Closed During the Reporting Period

2.1 Disposition and completion time

| Disposition of Requests | Completion Time | | | | | | | Total |
|------------------------------|-----------------|---------------|---------------|----------------|-----------------|-----------------|--------------------|----------|
| | 1 to 15 Days | 16 to 30 Days | 31 to 60 Days | 61 to 120 Days | 121 to 180 Days | 181 to 365 Days | More Than 365 Days | |
| All disclosed | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Disclosed in part | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| All exempted | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| All excluded | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| No records exist | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Request abandoned | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Neither confirmed nor denied | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Total | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |

2.2 Exemptions

| Section | 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 | 27.1 | 0 |
| 21 | 0 | 22.3 | 0 | 28 | 0 |
| | | 22.4 | 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

| Paper | Electronic | Other |
|-------|------------|-------|
| 0 | 0 | 0 |

2.5 Complexity

2.5.1 Relevant pages processed and disclosed

| Number of Pages Processed | Number of Pages Disclosed | Number of Requests |
|---------------------------|---------------------------|--------------------|
| 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 |
| Total | 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 |
| Total | 0 | 0 | 0 | 0 | 0 |

2.6 Closed requests

2.6.1 Number of requests closed within legislated timelines

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

2.7 Deemed refusals

2.7.1 Reasons for not meeting legislated timelines

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

2.7.2 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 Timelines Where an Extension Was Taken | Total |
|--|--|---|-------|
| 1 to 15 days | 0 | 0 | 0 |
| 16 to 30 days | 0 | 0 | 0 |
| 31 to 60 days | 0 | 0 | 0 |
| 61 to 120 days | 0 | 0 | 0 |
| 121 to 180 days | 0 | 0 | 0 |
| 181 to 365 days | 0 | 0 | 0 |
| More than 365 days | 0 | 0 | 0 |
| Total | 0 | 0 | 0 |

5.2 Length of extensions

| Length of Extensions | 15(a)(i) Interference with operations | | | | 15 (a)(ii) Consultation | | | 15(b) Translation purposes or conversion |
|----------------------|---|-----------------------|--------------------------|-----------------------------------|---|----------|----------|--|
| | Further review required to determine exemptions | Large volume of pages | Large volume of requests | Documents are difficult to obtain | Cabinet Confidence Section (Section 70) | External | Internal | |
| 1 to 15 days | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| 16 to 30 days | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| 31 days or greater | | | | | | | | 0 |
| Total | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |

Section 6: Consultations Received From Other Institutions and Organizations

6.1 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 | 0 | 0 | 0 | 0 |
| Outstanding from the previous reporting period | 0 | 0 | 0 | 0 |
| Total | 0 | 0 | 0 | 0 |
| Closed during the reporting period | 0 | 0 | 0 | 0 |
| Carried over to the next reporting period | 0 | 0 | 0 | 0 |

Section 7: Completion Time of Consultations on Cabinet Confidences

7.1 Requests with Legal Services

| Number of Days | Fewer Than 100 Pages Processed | | 101-500 Pages Processed | | 501-1000 Pages Processed | | 1001-5000 Pages Processed | | More than 5000 Pages Processed | |
|----------------|--------------------------------|-----------------|-------------------------|-----------------|--------------------------|-----------------|---------------------------|-----------------|--------------------------------|-----------------|
| | Number of Requests | Pages Disclosed | Number of Requests | Pages Disclosed | Number of Requests | Pages Disclosed | Number of Requests | Pages Disclosed | Number of Requests | Pages Disclosed |
| 1 to 15 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| 16 to 30 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| 31 to 60 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| 61 to 120 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| 121 to 180 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| 181 to 365 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| More than 365 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Total | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |

7.2 Requests with Privy Council Office

| Number of Days | Fewer Than 100 Pages Processed | | 101-500 Pages Processed | | 501-1000 Pages Processed | | 1001-5000 Pages Processed | | More than 5000 Pages Processed | |
|----------------|--------------------------------|-----------------|-------------------------|-----------------|--------------------------|-----------------|---------------------------|-----------------|--------------------------------|-----------------|
| | Number of Requests | Pages Disclosed | Number of Requests | Pages Disclosed | Number of Requests | Pages Disclosed | Number of Requests | Pages Disclosed | Number of Requests | Pages Disclosed |
| 1 to 15 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| 16 to 30 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| 31 to 60 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| 61 to 120 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| 121 to 180 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| 181 to 365 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| 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 8: Complaints and Investigations Notices Received

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

Section 9: Privacy Impact Assessments (PIA) and Personal Information Banks (PIB)**9.1 Privacy Impact Assessments**

| | |
|----------------------------|---|
| Number of PIA(s) completed | 0 |
|----------------------------|---|

9.2 Personal Information Banks

| Personal Information Banks | Active | Created | Terminated | Modified |
|----------------------------|--------|---------|------------|----------|
| | 0 | 0 | 0 | 0 |

Section 10: Material Privacy Breaches

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

Section 11: Resources Related to the *Privacy Act***11.1 Costs**

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

11.2 Human Resources

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

Note: Enter values to three decimal places.

Appendix C – Supplementary Statistical Report on the *Access to Information Act* and *Privacy Act*



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

Name of institution: CANADA TMP FINANCE LTD.

Reporting period: 2020-04-01 to 2021-03-31

Section 1: Capacity to Receive Requests

Enter the number of weeks your institution was able to receive ATIP requests through the different channels.

| | Number of Weeks |
|--|-----------------|
| Able to receive requests by mail | 52 |
| Able to receive requests by email | 52 |
| Able to receive requests through the digital request service | 52 |

Section 2: Capacity to Process Records

2.1 Enter the number of weeks your institution was able to process paper records in different classification levels.

| | No Capacity | Partial Capacity | Full Capacity | Total |
|--|-------------|------------------|---------------|-----------|
| Unclassified Paper Records | 0 | 0 | 52 | 52 |
| Protected B Paper Records | 0 | 0 | 52 | 52 |
| Secret and Top Secret Paper Records | 0 | 0 | 52 | 52 |

2.2 Enter the number of weeks your institution was able to process electronic records in different classification levels.

| | No Capacity | Partial Capacity | Full Capacity | Total |
|---|-------------|------------------|---------------|-----------|
| Unclassified Electronic Records | 0 | 0 | 52 | 52 |
| Protected B Electronic Records | 0 | 0 | 52 | 52 |
| Secret and Top Secret Electronic Records | 0 | 0 | 52 | 52 |