



Annual Report to Parliament

— *Access to Information Act*

For the period from April 1, 2019 to March 31, 2020

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Annual Report to Parliament

Access to Information Act
(April 1, 2019 to March 31, 2020)

Foreword

This Annual Report to Parliament has been prepared in accordance with Section 94 of the *Access to Information Act*. It is intended to describe how the Public Sector Pension Investment Board (“**PSPIB**”) and those of its wholly-owned subsidiaries identified in its delegation order (collectively “**PSP Investments**”) administered their responsibilities in relation to the Act for the reporting period from April 1, 2019 to March 31, 2020. Of note is that this Annual Report also covers PSP Investments’ wholly-owned subsidiary Downsview Metro Devco Inc. (“Downsview”), operating under the name of Northcrest Developments in Ontario. As per the Delegation of Authority, Canadian operating wholly-owned subsidiaries with their own heads have a separate Access to Information and Privacy Office. However, PSPIB’s Access to Information and Privacy (ATIP) Coordinator was acting as Downsview’s ATIP Coordinator during the reporting period. As a result, Downsview’s access to information activities for the reporting period are covered in this Annual Report.

Annual Reports are to be tabled in Parliament in accordance with section 94 of the *Access to Information Act*.

Mandatory Reporting Requirements

1 Introduction

1.1 Summary

The purpose of the *Access to Information Act* is to provide a right of access to information in records under the control of a government institution in accordance with the principles that government information should be available to the public, that necessary exceptions to the right of access should be limited and specific and that decisions on the disclosure of government information should be reviewed independently of government.

This Act is intended to complement and not replace existing procedures for access to government information and is not intended to limit in any way access to the type of government information that is normally available to the general public.

1.2 Mandate

The Public Sector Pension Investment Board is a Canadian Crown corporation established to invest the amounts transferred by the Government of Canada equal to the proceeds of the net contributions since April 1, 2000 for the pension plans of the Public Service, the Canadian Forces and the Royal Canadian Mounted Police, and since March 1, 2007 for the Reserve Force Pension Plan (collectively the “Plans”). The amounts so transferred to the Corporation are to fund the liabilities under the Plans for service after the foregoing dates.

Its statutory objects are to manage the funds transferred to it in the best interests of the contributors and beneficiaries under the Plans and to maximize investment returns without undue risk of loss, having regard to the funding, policies and requirements of the Plans and their ability to meet their financial obligations.

2 Structure of the Institution to Fulfill its Responsibilities

The Access to Information Office is under the responsibility of the Legal Affairs department of PSPIB. During the current reporting period, the Access of Information Office responsibilities were fulfilled by the following ATIP staff:

- Tammy Marer, Senior Director, Legal Affairs – ATIP Coordinator
- Anita Dernovici, Senior Analyst, Access to Information and Privacy
- Analyst, Access to Information and Privacy
- Sophie Boivin, Administrative Assistant, Legal Affairs and Access to Information

To note that certain Access to Information Office responsibilities were fulfilled by the following individuals at Downsview:

- Tim Hamelin, Vice-President, Finance
- Derek Goring, Executive Vice-President, Development

Please note that PSP Investments and Downsview do not have any service agreements to report under section 96 of the *Access to Information Act*.

3 Delegation Orders

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Public Sector Pension Investment Board ("PSPIB")

and its Wholly-Owned Subsidiaries

Delegation Order ("Order")

(section 73, *Access to Information Act*,

R.S.C. 1985, c. A-1, as amended and section 73, *Privacy Act*, R.S.C. 1985, c. P-21, as amended)

1. This Order may be cited as the "PSPIB and wholly-owned subsidiaries of PSPIB Head of Institution Delegation Order pursuant to the *Access to Information Act* and *Privacy Act*".
2. Pursuant to Section 73 of the *Access to Information Act* and Section 73 of the *Privacy Act*, the undersigned, acting in his capacity of head of PSPIB, its Wholly-Owned Subsidiaries in existence as of the date of this Order as well as those which may hereafter be established, PSP Investments USA LLC, PSP Investments Holding Europe Ltd and PSP Investments Asia Ltd (the "**Government Institutions**"), hereby designate the persons holding the positions set out in the schedule set forth in Section 4 below, or the persons occupying on an acting basis those positions, to exercise his powers, duties and functions, under the provisions of the Acts and related regulations set out in the schedule opposite each position. This Delegation Order replaces all previous delegation orders for the Government Institutions.
3. For the purposes of this Order, "**Wholly-Owned Subsidiaries**" shall include all Canadian wholly-owned subsidiaries of PSPIB which are corporations, with the exception of those subsidiaries with their own heads.
4. **Schedule**

Position	<i>Access to Information Act</i> and Regulations	<i>Privacy Act</i> and Regulations
Access to Information and Privacy Coordinator	Full authority, except for s. 23 of the <i>Access to Information Act</i>	Full authority, except for s. 27 of the <i>Privacy Act</i>
Senior Vice President and Chief Legal Officer	s. 23, <i>Access to Information Act</i>	s. 27, <i>Privacy Act</i>

This Delegation Order has been made at Montreal, on the 7th day of February, 2018.

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Neil Cunningham
President and CEO

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**Public Sector Pension Investment Board
("PSPIB")
and its Wholly-Owned Subsidiaries**

Delegation Order ("Order")

(section 95(1), *Access to Information Act*,
R.S.C. 1985, c. A-1, as amended and section 73, *Privacy Act*, R.S.C. 1985, c. P-21, as amended)

1. This Order may be cited as the "PSPIB and wholly-owned subsidiaries of PSPIB Head of Institution Delegation Order pursuant to the *Access to Information Act* and *Privacy Act*".
2. Pursuant to Section 95(1) of the *Access to Information Act* and Section 73 of the *Privacy Act*, the undersigned, acting in his capacity of head of PSPIB, its Wholly-Owned Subsidiaries in existence as of the date of this Order as well as those which may hereafter be established, PSP Investments USA LLC, PSP Investments Holding Europe Ltd and PSP Investments Asia Limited (the "Government Institutions"), hereby designate the persons holding the positions set out in the schedule set forth in the attached Section 4 below, or the persons occupying on an acting basis those positions, to exercise his powers, duties and functions, under the provisions of the Acts and related regulations set out in the schedule opposite each position. This Delegation Order replaces all previous delegation orders for the Government Institutions.
3. For the purposes of this Order, "Wholly-Owned Subsidiaries" shall include all Canadian wholly-owned subsidiaries of PSPIB which are corporations, with the exception of those subsidiaries with their own heads.

This Delegation Order has been made in Montreal and is effective starting on the 21st day of June 2019.

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Neil Cunningham
President and CEO

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4. Schedule

PSPIB
Delegation of Authority
Under the Access to Information Act and the Privacy Act

Position/Title	<i>Access to Information Act and Regulations</i>	<i>Privacy Act and Regulations</i>
Senior Vice-President and Chief Legal Officer	Full authority	Full authority
Access to Information and Privacy Coordinator	Full authority	Full authority
Access to Information and Privacy Analyst(s)	Full authority	Full authority

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4 Performance 2019-2020

4.1 Interpretation of the Statistical Report

Due to the limited number of access to information requests received by PSP Investments, no meaningful trends can be identified. Historical data has been compiled in the table below and no clear interpretation can be made from those results. Please note that Downsview has not received any access to information requests to-date. The statistical report is attached.

FY	Number of Closed Requests	Requests All Disclosed	Extensions	Processed within established timeline (%)	Exemptions Used	Number of Consultations
2015	8	0	1	87.5%	16.2(1), 18(b), 18(d), 18.1(1)(c), 19(1), 20(1)(b), 20(1)(c), 20.1, 21(1)(a), 21(1)(b), 21(1)(d), 23	1
2016	3	1	2	33.3%	16(2), 18.1(1)(c), 19(1)	3
2017	4	2	2	50%	18(b), 18(d), 18.1(1)(c), 19(1), 20(1)(b), 20(1)(c), 20(1)(d), 20.1	6
2018	4	3	0	100%	26	5
2019	3	0	3	0%	18(d), 18(d), 18.1(1)(c), 19(1), 20(1)(b), 20.1	1
2020	7	0	6	14.3%	18(b), 18(c), 18.1(1)(c), 19(1), 20(1)(b), 20(1)(c), 20.1, 21(1)(a), 21(1)(b), 21(1)(c)	1

4.2 Covid-19-Related Measures

There was a slight risk of non-compliance with PSP Investments' statutory deadlines under the *Access to Information Act* due to the fact that PSP Investments' offices closed mid-March 2020 and we did not receive our mail on a daily basis. However, to mitigate that risk, the ATIP Office published notices on PSP Investments' website requesting to send all access to information requests via the ATIP Online Request Service. With the exception of the above, the ATIP Office was in the position to work remotely at full capacity without impacting access to information matters. Since Downsview requests would be addressed to PSP Investments' ATIP Coordinator, the same circumstances applied to Downsview.

5 Access to Information-Related Training and Awareness

During the reporting period, PSP Investments launched an Access to Information online training course for all employees which was made available as part of onboarding and to all current PSP Investments employees and staff augment consultants. In addition, after receiving a broad ATIP request, senior management was provided with ATIP advice on the subject. Finally, the ATIP Office provided training to the newly hired senior management at Downsview for the purposes of setting up all access to information related matters within the organization.

Downsview has not provided any training or awareness activities during the reporting period.

6 Policies, Guidelines, Procedures and Initiatives

During the reporting period, PSP Investments implemented a guideline with respect to its' proactive disclosure. No other new policies, guidelines, directives or procedures were implemented related to the Act.

Downsview did not implement any new policies, guidelines, directives or procedures related to the Act.

7 Complaints and/or Investigations

PSP Investments and Downsview received no complaints during the reporting period and no audits or investigations were concluded during this period.

8 Monitoring of Time Process for Requests

PSP Investments received only a limited number of access to information requests in the reporting period and does not receive many requests in general. As a result, there is no formal procedure in place to monitor the time to process these requests and the level of officials advised. Nonetheless, an electronic tracking system was put in place which includes timely reminders. The processing of the requests was documented in a file management system to ensure easy access and consultation.

Since Downsview requests would be addressed to PSP Investments' ATIP Coordinator, the same circumstances applied to Downsview.

Statistical Report on the *Access to Information Act*

Name of institution: Public Sector Pension Investment Board

Reporting period: 2019-04-01 to 2020-03-31

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

1.1 Number of requests

	Number of Requests
Received during reporting period	6
Outstanding from previous reporting period	3
Total	9
Closed during reporting period	7
Carried over to next reporting period	2

1.2 Sources of requests

Source	Number of Requests
Media	5
Academia	0
Business (private sector)	0
Organization	0
Public	1
Decline to Identify	0
Total	6

1.3 Informal requests

Completion Time							
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	Total
13	0	0	0	0	0	0	13

Note: All requests previously recorded as “treated informally” will now be accounted for in this section only.

Section 2: Decline to act on vexatious, made in bad faith or abuse of right requests

	Number of Requests
Outstanding from previous reporting period	0
Sent during reporting period	1
Total	1
Approved by the Information Commissioner during reporting period	0
Declined by the Information Commissioner during reporting period	1
Carried over to next reporting period	0

Section 3: Requests Closed During the Reporting Period

3.1 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	1	0	4	2	0	0	7
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 transferred	0	0	0	0	0	0	0	0
Request abandoned		0	0	0	0	0	0	0
Neither confirmed nor denied	0	0	0	0	0	0	0	0
Decline to act with the approval of the Information Commissioner	0	0	0	0	0	0	0	0
Total	0	1	0	4	2	0	0	7

3.2 Exemptions

Section	Number of Requests	Section	Number of Requests	Section	Number of Requests	Section	Number of Requests
13(1)(a)	0	16(2)	0	18(a)	0	20.1	0
13(1)(b)	0	16(2)(a)	0	18(b)	7	20.2	0
13(1)(c)	0	16(2)(b)	0	18(c)	0	20.4	0
13(1)(d)	0	16(2)(c)	0	18(d)	7	21(1)(a)	2
13(1)(e)	0	16(3)	0	18.1(1)(a)	0	21(1)(b)	1
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)	7	21(1)(d)	0
14(b)	0	16.1(1)(c)	0	18.1(1)(d)	0	22	0
15(1)	0	16.1(1)(d)	0	19(1)	6	22.1(1)	0
15(1) - I.A.*	0	16.2(1)	0	20(1)(a)	0	23	0
15(1) - Def.*	0	16.3	0	20(1)(b)	2	23.1	0
15(1) - S.A.*	0	16.31	0	20(1)(b.1)	0	24(1)	0
16(1)(a)(i)	0	16.4(1)(a)	0	20(1)(c)	0	26	0
16(1)(a)(ii)	0	16.4(1)(b)	0	20(1)(d)	0		
16(1)(a)(iii)	0	16.5	0				
16(1)(b)	0	16.6	0				
16(1)(c)	0	17	0				
16(1)(d)	0						

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

3.3 Exclusions

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

3.4 Format of information released

Paper	Electronic	Other
0	7	0

3.5 Complexity

3.5.1 Relevant pages processed and disclosed

Number of Pages Processed	Number of Pages Disclosed	Number of Requests
585	585	7

3.5.2 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	4	133	3	452	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	4	133	3	452	0	0	0	0	0	0

3.5.3 Other complexities

Disposition	Consultation Required	Assessment of Fees	Legal Advice Sought	Other	Total
All disclosed	0	0	0	0	0
Disclosed in part	4	0	0	0	4
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	4	0	0	0	4

3.6 Closed requests

3.6.1 Number of requests closed within legislated timelines

	Requests closed within legislated timelines
Number of requests closed within legislated timelines	4
Percentage of requests closed within legislated timelines (%)	57.1

3.7 Deemed refusals

3.7.1 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
3	0	0	3	0

3.7.2 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	2	2
16 to 30 days	0	1	1
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	3	3

3.8 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 4: Extensions

4.1 Reasons for extensions and disposition of requests

Disposition of Requests Where an Extension Was Taken	9(1)(a) Interference With Operations	9(1)(b) Consultation		9(1)(c) Third-Party Notice
		Section 69	Other	
All disclosed	0	0	0	0
Disclosed in part	2	0	4	3
All exempted	0	0	0	0
All excluded	0	0	0	0
No records exist	0	0	0	0
Request abandoned	0	0	0	0
Total	2	0	4	3

4.2 Length of extensions

Length of Extensions	9(1)(a) Interference With Operations	9(1)(b) Consultation		9(1)(c) Third-Party Notice
		Section 69	Other	
30 days or less	0	0	1	0
31 to 60 days	0	0	0	0
61 to 120 days	1	0	3	3
121 to 180 days	1	0	0	0
181 to 365 days	0	0	0	0
365 days or more	0	0	0	0
Total	2	0	4	3

Section 5: Fees

Fee Type	Fee Collected		Fee Waived or Refunded	
	Requests	Amount	Requests	Amount
Application	6	\$30	0	\$0
Other fees	0	\$0	0	\$0
Total	6	\$30	0	\$0

Section 6: Consultations Received From Other Institutions and Organizations

6.1 Consultations received from other Government of Canada institutions and organizations

Consultations	Other Government of Canada Institutions	Number of Pages to Review	Other Organizations	Number of Pages to Review
Received during reporting period	7	53	0	0
Outstanding from the previous reporting period	0	0	0	0
Total	7	53	0	0
Closed during the reporting period	7	53	0	0
Carried over to next reporting period	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 Request	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
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

Section 32 Notice of intention to investigate	Subsection 30(5) Ceased to investigate	Section 35 Formal representations	Section 37 Reports of finding received	Section 37 Reports of finding containing recommendations issued by the Information Commissioner	Section 37 Reports of finding containing orders issued by the Information Commissioner
0	0	0	0	0	0

Section 9: Court Action

9.1 Court actions on complaints received before June 21, 2019 and on-going

Section 41 (before June 21, 2019)	Section 42	Section 44
0	0	0

9.2 Court actions on complaints received after June 21, 2019

Section 41 (after June 21, 2019)				
Complainant (1)	Institution (2)	Third Party (3)	Privacy Commissioner (4)	Total
0	0	0	0	0

Section 10: Resources Related to the Access to Information Act**10.1 Costs**

Expenditures		Amount
Salaries		\$64,745
Overtime		\$0
Goods and Services		\$17,108
• Professional services contracts	\$2,492	
• Other	\$14,616	
Total		\$81,853

10.2 Human Resources

Resources	Person Years Dedicated to Access to Information Activities
Full-time employees	0.77
Part-time and casual employees	0.00
Regional staff	0.00
Consultants and agency personnel	0.00
Students	0.00
Total	0.77

Note: Enter values to two decimal places.

2019-2020 Supplemental Statistical Report – Requests affected by COVID-19 measures

Supplemental Statistical Report on the *Access to Information Act*

The following table reports the total number of formal requests received during two periods; 2019-04-01 to 2020-03-13 and 2020-03-14 to 2020-03-31.

Table 1 – Requests Received

		Column (Col.) 1
		Number of requests
Row 1	Received from 2019-04-01 to 2020-03-13	6
Row 2	Received from 2020-03-14 to 2020-03-31	0
Row 3	Total¹	6

¹ – Total for Row 3 should equal the total in the ATI Statistical Report section 1.1 Row 1

The following table reports the total number of requests closed within the legislated timelines and the number of closed requests that were deemed refusals during two periods 2019-04-01 to 2020-03-13 and 2020-03-14 to 2020-03-31.

Table 2 – Requests Closed

		Col. 1	Col. 2
		Number of requests closed within the legislated timelines	Number of requests closed past the legislated timelines
Row 1	Received from 2019-04-01 to 2020-03-13 and outstanding from previous reporting periods	4	3
Row 2	Received from 2020-03-14 to 2020-03-31	0	0
Row 3	Total²	4	3

² – Total for Row 3 Col. 1 should equal the total in the ATI Statistical Report section 3.6.1

Row 1 -- Total for Row 3 Col. 2 should equal the total in the ATI Statistical Report section 3.7.1. Col. 1 Row 1

The following table reports the total number of requests carried over during two periods; 2019-04-01 to 2020-03-13 and 2020-03-14 to 2020-03-31.

Table 3 – Requests Carried Over

		Col. 1
		Number of requests
Row 1	Requests received from 2019-04-01 to 2020-03-13 and outstanding from previous reporting period that were carried over to the 2020-2021 reporting period	2
Row 2	Requests received from 2020-03-14 to 2020-03-31 that were carried over to the 2020-2021 reporting period	0
Row 3	Total³	2

³ – Total for Row 3 should equal the total in the ATI Statistical Report section 1.1 Row 5