



Yukon
Highways and Public Works
enabling yukon

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Access to
Information
and Protection
of Privacy

Activity Report on the Administration of the **ATIPP Act**

April 1, 2012 to March 31, 2013



I am pleased to once again present the annual report outlining activities in the 2012-13 fiscal year related to the administration of the *Access to Information and Protection of Privacy (ATIPP) Act*.

The ATIPP Act plays a critical role in ensuring Yukoners have access to Yukon government program information as well as their own personal information, at the same time ensuring personal information is protected from unauthorized collection, use or disclosure.

The Yukon government continues to support its commitment and improve its practices to ensure accountability and transparency in its information management practices.

The 2012/13 reporting year is notable in that there was a sharp increase in ATIPP requests; therefore, I have included a summary in order to account for the increased activity.

As always, ATIPP Office staff are available to assist you with any questions and comments about the information provided in this document and to guide you through the ATIPP process.

A handwritten signature in dark brown ink, consisting of a large, stylized initial 'M' followed by a horizontal line.

Mike Johnson, P. Eng.
Deputy Minister, Highways and Public Works



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Summary 2012/13

Activity Levels (Access to Information)

Incoming access requests doubled from the 2011/12 reporting year, as indicated in Table 1. This was the result of two major pressures: the first being a spike of applicant activity leading to the September 19, 2012, deadlines related to the Indian Residential School Claim Resolution Process, and the second being a large number of requests related to amendments to the *ATIPP Act* passed by the Yukon Legislative Assembly in December 2012.

Legislative Amendment

Amendments to three sections of the *ATIPP Act* came into effect, as follows:

Section 5: To limit the right of access to briefing materials specific to preparing

- a Minister in relation to a sitting of the Legislative Assembly, including briefings to support debate on an appropriation bill
- a Minister in respect of assuming responsibilities for a new department or corporation
- the Premier in respect of forming a new government

This limitation to the right of access extends only until 5 years after the date of the activity referenced above.

Section 15: To enable a public body to refuse to disclose records where disclosure would reveal a confidence of the Executive Council or its committees and to provide a limited/explicit list of Cabinet-related records that must be excepted from release.

Section 16: To expand and clarify what types of information within records may be withheld as “policy advice” in order to assist public bodies in using this discretionary exception.

Significant Activities

ATIPP Office staff attended the Alberta Access and Privacy Conference in June 2012. Yukon also continues to actively participate as a member of the Privacy Subcommittee of the federal/provincial/territorial Public Sector Chief Information Officer Council.

Access and privacy training was delivered internally to ATIPP coordinators (individually and as a group) and to various program areas across government, and continues to be part of the quarterly governmentwide corporate orientation program.

Statistics on Access to Information

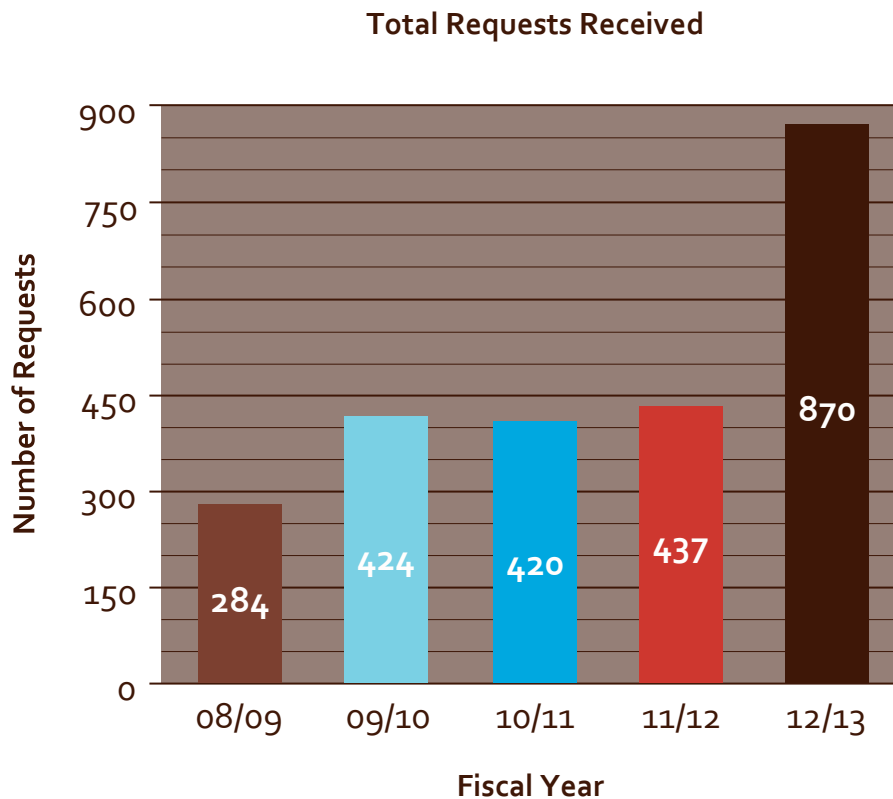
The statistics for this report are compiled from the ATIPP database that is administered and maintained by the Yukon government’s Access to Information and Protection of Privacy (ATIPP) Office.



The report provides a summary of formal requests received by the ATIPP Office between April 1, 2012 and March 31, 2013.

- Total Number of Formal Requests Received
- Total Number of Formal Requests Received by Public Bodies
- Total Number of Formal Requests by Types of Applicants
- Total Formal Requests by Type of Information
- Total Number of Completed Formal Requests
- Response Time of Total Formal Requests Completed
- Outcome of Formal Requests
- Reasons for Refusal of Requests in Total or in Part

Total Number of Formal Requests Received





Total Number of Formal Requests Received by Public Bodies

Requests Received by Public Bodies

Total Requests Received 870
(April 1, 2012 – March 31, 2013)

Public Body	# of Requests	% of Total Requests*
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Health & Social Services	204	23.4%
Justice	170	19.5%
Yukon Hospital Corporation	115	13.2%
Education	100	11.5%
Tourism & Culture (Yukon Archives)	86	4.1%
Energy, Mines & Resources	36	3.9%
Community Services	34	3.8%
Highways & Public Works	33	2.2%
Executive Council Office	19	2.0%
Environment	17	1.6%
Yukon Housing Corporation	14	0.9%
Economic Development	9	0.9%
Public Service Commission	8	0.5%
Tourism & Culture	8	0.3%
Women's Directorate	3	0.2%
Yukon Workers' Compensation Health & Safety Board	4	0.2%
Finance	3	0.1%
French Language Services	2	0.0%
Yukon Development Corporation	2	0.0%
Yukon Energy Corporation	2	
Yukon Liquor Corporation	1	
Yukon College	0	
Yukon Lottery Commission	0	

* Totals may not add to 100% due to rounding.



Total Number of Formal Requests by Types of Applicants

Types of Applicants

Law Firm	515
Public	128
Political Party	129
Media	46
Business	13
Interest Group	33
Other Government	6
Total Requests Received (April 1, 2012 – March 31, 2013)	870

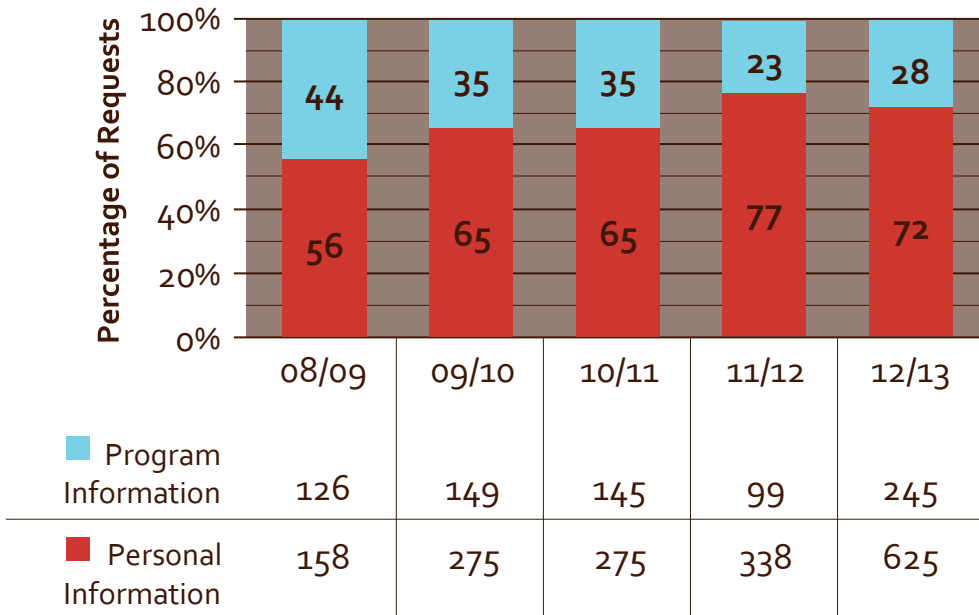
Type of Applicant	# of Requests	% of Total Requests*
		59.2%
		14.7%
		14.8%
		5.3%
		1.5%
		3.8%
		0.7%

* Totals may not add to 100% due to rounding.



Total Formal Requests by Type of Information

Requests by Type of Information



Number of Requests

Total Number of Formal Requests Completed

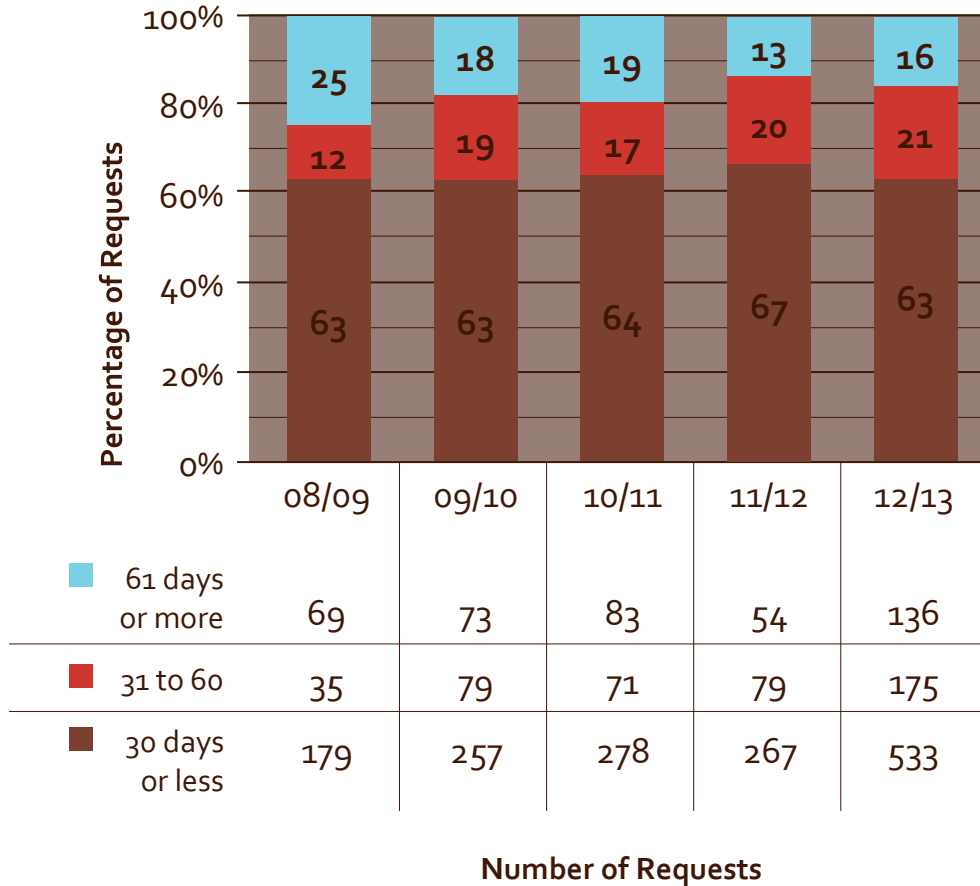
Completed Requests

Carried forward from 2011/12	85
New Requests 2012/13	870
Total requests that were open during 2012/13	955
Completed 2012/13	844
Carried forward as of March 31, 2013	111



Response Time of Total Formal Requests Completed

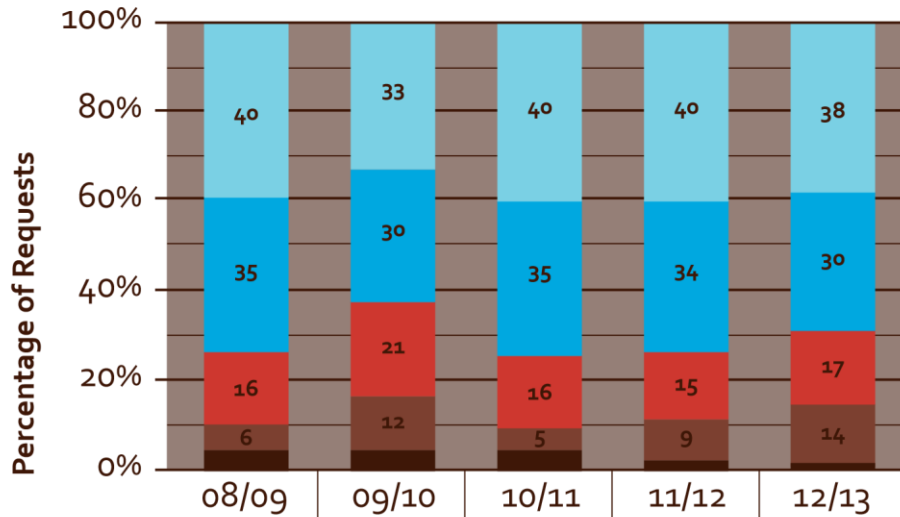
Response Time
(Completed Requests)





Outcome of Formal Requests

Outcome of Requests



■	Granted	112	135	172	160	317
■	Partly Granted	98	124	153	136	256
■	No Records	45	86	69	60	140
■	Withdrawn/ Discontinued	16	48	20	34	116
■	Refused	12	17	18	10	15

Number of Requests



Reasons for Refusal of Requests in Total or in Part

Reasons for Refusal of Requests in Total or in Part (April 1, 2012 – March 31, 2013)

ATIPP Act Section Number	Exceptions to Disclosures	No of times where exception was applied
MANDATORY EXCEPTION		
15	Cabinet confidence	10
24	Disclosure harmful to business interests of a third party	33
25	Disclosure harmful to personal privacy of a third party	579
DISCRETIONARY EXCEPTION		
16	Policy advice, recommendations, or draft regulations	16
17	Disclosure harmful to the financial or economic interests of a public body	10
18	Legal Advice	24
19	Disclosure harmful to law enforcement	8
20	Disclosure harmful to intergovernmental relations or negotiations	12
21	Disclosure harmful to the conservation of heritage sites, etc.	0
22	Disclosure harmful to the individual or public safety	0
23	Information that will be published or released within 90 days	5
EXCLUSIONS		
2	Record outside the scope of the Act	11
4	Other legislation paramount	0