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1. INTRODUCTION

According to the Federal Accountability Act effective September 1, 2007, VIA Rail Canada Inc. ("VIA Rail") is subject to the legal requirements of the Privacy Act ("PA").

The PA gives Canadian citizens and all people living in Canada the right to access information about them that is held by the federal administration. The PA also protects them against unauthorized disclosure of their personal information and controls how the institution will collect, use, store, disclose and dispose of personal information.

This annual report is tabled in Parliament according to section 72 of the PA and covers the period from April 1, 2015 to March 31, 2016.

2. INSTITUTION

VIA Rail operates Canada's national passenger rail service on behalf of the Government of Canada. An independent Crown corporation established in 1977, VIA Rail provides a safe, cost-effective and environmentally responsible service from coast to coast in both official languages. The Corporation operates close to 475 train departures weekly on a 12,500 kilometers network, connecting over 400 Canadian communities. With approximately 2,600 active employees, VIA Rail carried 3.8 million passengers in 2015.

VIA Rail's Services

Inter-city Travel (The Corridor)

In the densely populated Corridor between Québec City, QC and Windsor, ON, more than 390 trains per week provide downtown-to-downtown travel between major urban centers, suburban centers and communities. These trains carry more than 90 percent of the Corporation's total ridership.

Long-distance Travel and Tourism

In Western and Eastern Canada, VIA Rail's trains attract travellers from around the world and support Canada's tourism industry. The Canadian, VIA Rail's Western transcontinental train, provides service between Vancouver and Toronto. In Eastern Canada, The Ocean runs between Montreal and Halifax.

Mandatory Services

VIA Rail provides a passenger service in several rural and remote regions of Canada. Mandated by the Government of Canada to meet essential transportation needs, these trains serve many communities where alternative, year-round transportation is limited or unavailable.

3. VIA RAIL'S ACCESS TO INFORMATION AND PRIVACY ("ATIP") UNIT

VIA Rail's ATIP unit was created in 2007. Since June 1, 2010, ATIP falls under the responsibility of VIA Rail's ATIP Coordinator, who is also the Corporation's Chief Legal & Risk Officer and Corporate Secretary.

This person is responsible for interpreting and applying the statutory and policy requirements as they relate to the public's right of access to VIA Rail's records under the Access to information Act and to personal information under the PA. In more complex cases, the Coordinator makes recommendations to senior management on the disclosure of information. The Coordinator's area of responsibility includes administering the process by which access to information and personal information requests are received and responded to, in compliance with the applicable statutory and policy requirements. It is to be noted that significant parts of these responsibilities are likely to be exercised by or in collaboration with the ATIP Analysts.

The organizational structure of VIA Rail's ATIP unit effective from May 25, 2015 to March 31, 2016, is as follows:



4. DELEGATION ORDER

Pursuant to section 73 of the PA, VIA Rail's President and Chief Executive Officer has delegated the totality of his functions as they relate to the administration of the PA within VIA Rail, to the Corporation's ATIP Coordinator and to the ATIP Analysts.

The delegation order is attached as Appendix 1.

5. INTERPRETATION OF THE STATISTICAL REPORT

The completed statistical report for 2015 is attached as Appendix 2.

Requests:

VIA Rail received twenty-two (22) personal information requests between April 1, 2015 and March 31, 2016. Of these twenty-two (22) requests, three (3) were carried over from the previous reporting period (April 1, 2014 to March 31, 2015).

No requests were carried over to the next reporting period.

Completion time:

VIA Rail's completion time for requests closed during the 2015-2016 reporting period is of 23 days as compared to the legislative requirement of 30 days.

Costs:

The total costs incurred by the ATIP unit regarding privacy were of \$16,849. This amount includes \$15,180 in salary, \$1,569 in consultation fees and \$100 for expenditures related to the standard operations of the service.

Human resources:

As for human resources, it has been estimated that 0.97 FTE (full time employee) was dedicated to privacy activities.

6. ATIP EDUCATIONAL AND TRAINING ACTIVITIES

Listed below are some of VIA Rail's activities for 2015 in order to meet the legal requirements of the PA:

- A report on privacy was included as part of every VIA Rail annual report as well as the quarterly reports.
- New employees are required to complete an on-line Code of Conduct module which includes questions about privacy with respect to both individual and corporate responsibility.
- A quarterly newsletter is published on VIA Rail's intranet in order to raise our employees' awareness to privacy issues.

7. POLICIES, GUIDELINES AND PROCEDURES

VIA Rail's internal privacy policy has been reviewed, improved and published in accordance with the applicable guidelines. In addition, a privacy breach protocol was created.

8. COMPLAINTS

No complaints were filed between April 1, 2015 and March 31, 2016.

9. MONITORING OF PROCESSING TIME

A new ATIP Analyst was hired in May 2015. This new Analyst has enabled a more rapid identification and resolution of issues that could affect the processing time of access to information requests.

10. MATERIAL PRIVACY BREACHES

No material privacy breaches took place during this reporting period.

11. PRIVACY IMPACT ASSESSMENT ("PIA")

No formal PIAs were initiated or completed during this reporting period.

12. DISCLOSURE PURSUANT PARAGRAPH 8(2)(E), 8(2)(M) **AND 8(5)**

During this reporting period, VIA Rail made two (2) disclosures under section 8(2)(e). Both of them were made to government institutions for investigative purposes. No disclosures were made under paragraph 8(2)(m) or 8(5).

APPENDIX 1 - DELEGATION OF AUTHORITY



DELEGATION OF AUTHORITY

DÉLÉGATION DE POUVOIRS

ACCESS TO INFORMATION ACT AND PRIVACY ACT

LOI SUR L'ACCÈS À L'INFORMATION ET LOI SUR LA PROTECTION DES RENSEIGNEMENTS PERSONNELS

I, the undersigned, President, pursuant to Section 73 of the *Access to Information Act* and Section 73 of the *Privacy Act*, hereby authorize officers and employees of VIA Rail occupying positions identified within the attached appendix to exercise signing authorities or perform any of the President's powers, duties or functions specified therein.

Je, soussigné, Président, conformément à l'article 73 de la *Loi sur l'accès à l'information* et à l'article 73 de la *Loi sur la protection des renseignements*, autorise par la présente les agents et les employés de VIA Rail occupant les postes identifiés dans l'annexe ci-jointe à assumer au nom du Président les pouvoirs de signature ainsi que les attributions, fonctions et pouvoirs qui y sont spécifiés.

Signed at Montréal this June 6, 2016.

Signé à Montréal, ce 6 juin 2016.

President and Chief Executive Officer Président et chef de la direction

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VIA Rail Delegation of Authority Under the *Privacy Act*

Subject	Privacy Act Section	Position / Title				
		Jean-François Legault Head, Legal Services (ATIP Coordinator)	Gabrielle Caron et Kristel Cantara ATIP Analysts	Peter Lambrinakos Director, Corporate Security		
Disclosure for any purposes in accordance with any Act of Parliament	8(2)(b)	•	•			
Disclosure for any purposes in accordance with the Security of Canada Information Act	8(2)(b)	•	•	•		
Disclosure to investigative bodies	8(2)(e)	•	•			
Disclosure for research and statistics	8(2)(j)	•	•			
Disclosure in public interest, benefit of individual	8(2)(m)	•	•			
Copy of requests under paragraph 8(2) e) to be retained	8(4)	•	•			
Notice of disclosure under paragraph 8(2)(m)	8(5)	•	•			
Record of disclosures to be retained	9(1)	•	•			
Notify Privacy Commissioner of consistent uses	9(4)	•	•			
Personal information in banks	10(1)	•	•			
Notice where access is requested	14	•	•			
Extension of time limits	15	•	•			
Notice where access is refused	16	•	•			
Decision regarding translation	17(2)(b)	•	•			
Conversion to alternate format	17(3)(b)	•	•			
Refuse access - exempt bank	18(2)	•	•			
Refuse access - confidential information obtained from another government	19(1)	•	•			
Disclose confidential information obtained from another government	19(2)	•	•			
Refuse access - federal-provincial affairs	20	•	•			
Refuse access - international affairs and defence	21	•	•			
Refuse access - law enforcement and investigation	22	•	•			
Refuse access - security clearance	23	•	•			
Refuse access – individual sentenced for an offence	24	•	•			
Refuse access - safety of individuals	25	•	•			
Refuse access - another individual's information	26	•	•			

VIA Rail Delegation of Authority Under the *Privacy Act*

Subject	Privacy Act Section	Position / Title				
		Jean-François Legault Head, Legal Services (ATIP Coordinator)	Gabrielle Caron et Kristel Cantara ATIP Analysts	Peter Lambrinakos Director, Corporate Security		
Refuse access - solicitor-client privilege	27	•	•			
Refuse access - medical record	28	•	•			
Action to take in response to the notice of intention to investigate	31	•	•			
Representation to Privacy Commissioner	33(2)	•	•			
Information previously exempted	35(1)(b)	•	•			
Access to be given	35(4)	•	•			
Response to review of exempt banks	36(3)(b)	•	•			
Report of findings and recommendations	37(3)	•	•			
Request court hearing in the National Capital Region	51(2)(b)	•	•			
Ex-parte representation to court	51(3)	•	•			

APPENDIX 2 - STATISTICAL REPORT

Statistical Report on the Privacy Act

Name of institution: VIA Rail Canada Inc.

Reporting period: 2015-04-01 to 2016-03-31

Part 1: Requests Under the Privacy Act

	Number of Requests
Received during reporting period	22
Outstanding from previous reporting period	0
Total	22
Closed during reporting period	19
Carried over to next reporting period	3

Part 2: Requests Closed During the Reporting Period

2.1 Disposition and completion time

	Completion Time									
Disposition of Requests	1 to 15 Days	16 to 30 Days	31 to 60 Days	61 to 120 Days		181 to 365 Days	More Than 365 Days	Total		
All disclosed	2	2	0	0	0	0	0	4		
Disclosed in part	1	12	1	0	0	0	0	14		
All exempted	0	0	0	0	0	0	0	0		
All excluded	0	0	0	0	0	0	0	0		
No records exist	0	1	0	0	0	0	0	1		
Request abandoned	0	0	0	0	0	0	0	0		
Neither confirmed nor denied	0	0	0	0	0	0	0	0		
Total	3	15	1	0	0	0	0	19		



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	14
19(1)(f)	0	22.1	0	27	0
20	0	22.2	0	28	0
21	0	22.3	0		

2.3 Exclusions

	Number of		Number of		Number of
Section	Requests	Section	Requests	Section	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

Disposition	Paper	Electronic	Other formats
All disclosed	4	0	0
Disclosed in part	14	0	0
Total	18	0	0

2.5 Complexity

2.5.1 Relevant pages processed and disclosed

	Number of Pages	Number of Pages	
Disposition of Requests	Processed	Disclosed	Number of Requests
All disclosed	46	46	4
Disclosed in part	3938	3918	14
All exempted	0	0	0
All excluded	0	0	0
Request abandoned	0	0	0
Neither confirmed nor			
denied	0	0	0
Total	3984	3964	18

2.5.2 Relevant pages processed and disclosed by size of requests

Less Than 100 Pages Processed		101-500 Pages Processed		501-1000 Pages Processed		1001-5000 Pages Processed		More Than 5000 Pages Processed		
Disposition	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	4	46	0	0	0	0	0	0	0	0
Disclosed in part	4	209	7	1435	2	1264	1	1010	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	8	255	7	1435	2	1264	1	1010	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	1	1	0	2
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	1	1	0	2

2.6 Deemed refusals

2.6.1 Reasons for not meeting statutory deadline

Number of Requests Closed	Principal Reason					
Past the Statutory Deadline	Workload	External Consultation	Internal Consultation	Other		
1	1	0	0	0		

2.6.2 Number of days past deadline

Number of Days Past Deadline	Number of Requests Past Deadline Where No Extension Was Taken	Number of Requests Past Deadline Where An Extension Was Taken	Total
1 to 15 days	1	0	1
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	1	0	1

2.7 Requests for translation

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

Part 3: Disclosures Under Subsections 8(2) and 8(5)

Paragraph 8(2)(e)	Paragraph 8(2)(m)	Subsection 8(5)	Total
2	0	0	2

Part 4: Requests for Correction of Personal Information and Notations

Disposition for Correction Requests Received	Number
Notations attached	0
Requests for correction accepted	0
Total	0

Part 5: Extensions

5.1 Reasons for extensions and disposition of requests

	15(a)(i)	15(a Consu	15(b)		
Disposition of Requests Where an Extension Was Taken	Interference With Operations	Section 70	Other	Translation or Conversion	
All disclosed	0	0	0	0	
Disclosed in part	0	0	0	0	
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	0	0	0	0	

5.2 Length of extensions

	15(a)(i)		a)(ii) ultation	15(b)
Length of Extensions	Interference with operations	Section 70	Other	Translation purposes
1 to 15 days	0	0	0	0
16 to 30 days	0	0	0	0
Total	0	0	0	0

Part 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
Pending at the end of the reporting period	0	0	0	0

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

	Numb	er of Da	ys Requi	red to C	omplete	Consulta	tion Rec	uests
Recommendation	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
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
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

6.3 Recommendations and completion time for consultations received from other organizations

	Num	ber of da	ays requi	red to co	omplete	consulta	tion requ	iests
							More	
	4 1 - 45	40.1-00	04.1- 00	61 to	121 to	181 to	Than	
Barrage Latin	1 to 15 Days	Days	31 to 60 Days	120 Days	180 Days	365 Ddays	365 Days	Total
Recommendation	Days	Days	Days	Days	Days	Duays	Days	Total
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
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

Part 7: Completion Time of Consultations on Cabinet Confidences

7.1 Requests with Legal Services

	Fewer Than 100 101-500 Pages 501-1000 Pages Processed Processed Pages Processed				501-1000 1001-5 Pages Processed Pages Pro		1001-5000 Pages Processed		More than 5000 Pages Processed	
Number of Days	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

	Fewer Than 100 Pages Processed			101–500 Pages Processed		501-1000 1001-5000 More to Pages Processed Pages Processed Pages				an 5000 ocessed
Number of Days	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

Part 8: Complaints and Investigations Notices Received

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

Part 9: Privacy Impact Assessments (PIAs)

Number of PIA(s) completed	0
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Part 10: Resources Related to the Privacy Act

10.1 Costs

Expenditures		Amount
Salaries		\$15,180
Overtime		\$0
Goods and Services		\$1,669
 Professional services contracts 	\$1,569	
Other	\$100	
Total		\$16,849

10.2 Human Resources

Resources	Person Years Dedicated to Privacy Activities
Full-time employees	0.23
Part-time and casual employees	0.00
Regional staff	0.00
Consultants and agency personnel	0.00
Students	0.00
Total	0.23

Note: Enter values to two decimal places.