

# ANNUAL REPORT ON THE ADMINISTRATION OF THE *PRIVACY ACT*

Export Development Canada

1 April 2024 – 31 March 2025

## Contents

INTRODUCTION .....	2
ORGANIZATIONAL STRUCTURE .....	2
DELEGATION ORDER .....	2
PERFORMANCE 2024-2025 .....	2
TRAINING AND AWARENESS PROGRAM .....	3
INSTITUTION-SPECIFIC POLICIES, GUIDELINES AND PROCEDURES .....	4
INITIATIVES AND PROJECTS TO IMPROVE PRIVACY .....	4
COMPLAINTS .....	5
MATERIAL PRIVACY BREACHES .....	5
PRIVACY IMPACT ASSESSMENTS .....	5
PUBLIC INTEREST DISCLOSURES .....	5
MONITORING COMPLIANCE .....	5
APPENDIX A – DELEGATION OF AUTHORITY .....	6

## INTRODUCTION

The purpose of the *Privacy Act* (“Act”) is to protect the privacy of individuals with respect to their personal information held by government institutions and provide them with a right of access to that information.

Export Development Canada (“EDC”) is a crown corporation and an agent of His Majesty in Right of Canada with a mandate to support and develop trade between Canada and other countries and Canada’s competitiveness in the international marketplace, and to provide development financing and other forms of development support. EDC’s mandate also includes supporting and developing domestic business, where requested by the Minister of International Trade and the Minister of Finance.

This report is prepared and tabled in Parliament in accordance with section 72 of the Act. For clarity, this report relates to EDC and also meets the reporting requirements of EDC’s wholly owned non-operational subsidiary, Exinvest Inc. A separate report is prepared and tabled for EDC’s wholly owned operating subsidiary, Development Finance Institute Canada Inc.

## ORGANIZATIONAL STRUCTURE

EDC’s Privacy and Information Risk (“P&IR”) Team is part of the Compliance and Ethics Group. The P&IR Team has, among other responsibilities, primary responsibility for administering the *Privacy Act* and the *Access to Information Act* and is responsible for responding to requests submitted to EDC under these Acts. Throughout the reporting period, the team was comprised of 6 full-time employees, with 2 employees dedicated to Privacy. The team was overseen by the Director, Ethics, Privacy and Information Risk, who reported to the Chief Compliance and Ethics Officer, who in turn reported to EDC’s Senior Vice-President, Global Risk Management and Chief Risk Officer.

EDC has agreements in place, entered into pursuant to section 73.1 of the Act, for the provision of privacy services to the Development Finance Institute Canada Inc. and Exinvest Inc.

## DELEGATION ORDER

A copy of the delegation order that was made pursuant to section 73.1 of the Act and was in effect at the end of the reporting period is attached at Appendix A.

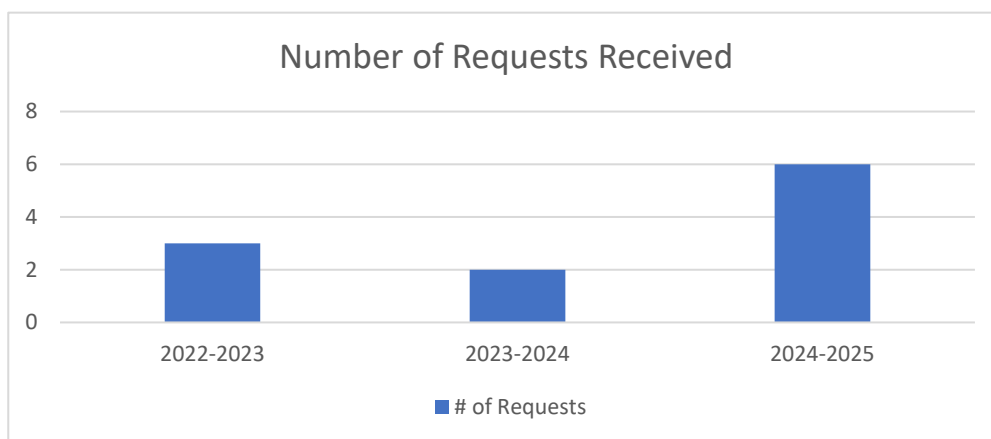
## PERFORMANCE 2024-2025

Below is an overview of key data on EDC’s performance during the reporting period.

- EDC received six new requests during the reporting period.
- Three requests were completed during the reporting period; 100% of these were completed within legislated timelines.
- Of the three requests that were completed during the reporting period:
  - One was completed within 1 - 15 days, and
  - Two were completed within 16 – 30 days.

- Three requests remained active at the end of the reporting and were carried over to the next reporting period. All three were received during the 2024-2025 reporting period and were still within the legislative timelines when carried over.
- None of the requests required an extension.
- One of the requests completed involved records that were “disclosed in part” (as compared to “all disclosed”). Two completed requests were abandoned by the applicants.
- As of the last day of the reporting period, there were no active complaints.
- No requests for consultation from other government institutions were received.

EDC had an increase in the number of personal information requests received during the reporting period compared to the previous reporting period. The chart below shows the trend for the past 3 reporting periods.



## TRAINING AND AWARENESS PROGRAM

EDC implemented various training and awareness initiatives during the reporting period to ensure compliance with the Act.

### Mandatory Privacy Training for All Employees

During the reporting period, EDC maintained its commitment to mandatory privacy and access training for all new employees. This was delivered through a structured e-learning module, which includes narrated content, interactive slides, and assessment questions to reinforce learning outcomes.

New employees must complete this training upon commencement of their employment. Completion is tracked automatically in the learning management system. Leaders are responsible for ensuring that employees fulfill the mandatory privacy and access training requirements and promote privacy and access awareness initiatives.

During the reporting period, the P&IR Team has also incorporated privacy considerations into the mandatory AI training for employees utilizing EDC-sanctioned Generative AI tools. Furthermore, in 2025, the P&IR Team developed privacy and access refresher training that will be delivered enterprise-wide to all employees during the 2025-2026 reporting period.

### **Specialized Training**

Members of the P&IR Team, who hold functional responsibility for the administration of the Act, regularly received in-depth training required to uphold their duties under the Act.

During the reporting period, members of the participated in several events organized by Treasury Board Secretariat (e.g., ATIP Communities meetings, Deep Dive Series, Info Blitz, Ask me Anything Sessions). Some of the members also attended conferences organized by leading information privacy associations.

### **Awareness Initiatives and Informal Learning**

EDC promoted privacy awareness through various informal and organization-wide efforts. These included:

- Several privacy-related stories were published on EDC's internal communications platform to highlight real-world scenarios and reinforce best practices.
- As part of broader digital transformation efforts, the P&IR Team delivered two live training sessions—one remote and one in person during the annual employee conference—open to all employees. These sessions focused on privacy considerations related to AI-assisted tools and emphasized responsible data handling in line with the Treasury Board guidance. Each session drew around 400 participants.
- The Compliance & Ethics group hosted a gallery walk at EDC's head office. This interactive event allowed employees to meet the team, explore informative displays, and better understand their obligations under the Act, helping to foster a culture of compliance.

## **INSTITUTION-SPECIFIC POLICIES, GUIDELINES AND PROCEDURES**

During the reporting period, EDC implemented a significant update to its Singapore Privacy Guideline to ensure compliance with both the Privacy Act and Singaporean privacy laws. This dual-compliance approach aims to enhance privacy protections while facilitating adherence to the requirements of both jurisdictions.

No other institution-specific policies, guidelines, or procedures related to privacy were introduced or revised during this period.

EDC did not initiate any new collections or consistent uses of Social Insurance Numbers during the reporting period.

## **INITIATIVES AND PROJECTS TO IMPROVE PRIVACY**

During the reporting period, EDC did not undertake any significant initiatives or projects to improve access to personal information or privacy, apart from those mentioned above.

## COMPLAINTS

No complaints under the Act were received or concluded during the reporting period.

## MATERIAL PRIVACY BREACHES

No material privacy breaches occurred or were reported to the Office of the Privacy Commissioner or Treasury Board Secretariat during the reporting period.

## PRIVACY IMPACT ASSESSMENTS

No privacy impact assessments were completed during the reporting period on new or substantially modified programs or activities, as defined in the Standard on Privacy Impact Assessments.

## PUBLIC INTEREST DISCLOSURES

During the reporting period, no disclosures of personal information pursuant to section 8(2)(m) of the Act (disclosures considered to be in the public interest) were made.

## MONITORING COMPLIANCE

EDC uses AccessPro Suite by CSDC Systems Inc. to manage all requests for personal information received under the Act. The software has a dashboard function that enables monitoring of the status and time taken to process access to information requests. In addition to weekly team meetings, access compliance metrics, including response times, were a standing item in EDC Board reporting.

To ensure that EDC addresses privacy in contracts and information sharing agreements, our standard contractual templates, particularly for vendors and service providers, clearly outline the obligations of these parties regarding the handling of personal information. Vendors, service providers, and other third parties must manage any personal information received from EDC or collected on our behalf in a manner consistent with EDC's requirements under the Act. This includes, but is not limited to, responsibilities for collecting, using, disclosing, retaining, and safeguarding personal information strictly in accordance with the contractual requirements, as well as notifying EDC of any incidents or requests for access to personal information.

## APPENDIX A – DELEGATION OF AUTHORITY

### Delegation Order for the *Access to Information Act* and *Privacy Act*

#### Export Development Canada

The President & Chief Executive Officer of Export Development Canada, in accordance with section 95 of the *Access to Information Act* and section 73 of the *Privacy Act*, hereby delegates the powers, duties and functions of the head of the institution under those Acts to the persons holding the positions set out in the table below (or equivalent positions under future designations), including those occupying these positions on an acting basis. A description of the powers, duties and functions is set out in Schedule A. This delegation supersedes all previous delegations.

#### Delegation of Authority Table: Powers, Duties, and Functions

Position	<i>Access to Information Act</i> & Regulations	<i>Privacy Act</i> & Regulations
Senior Vice President (Global Risk Management) & Chief Risk Officer	Full authority, except: Sections 41(2), 52(2)(b), 94(4)	Full authority, except: Section 72(4)
Chief Compliance & Ethics Officer	Full authority, except: Sections 41(2), 52(2)(b), 52(3), 94(4)	Full authority, except: Section 72(4)
Director, Ethics, Privacy & Information Risk	Full authority, except: Sections 41(2), 52(2)(b), 52(3), 94(4)	Full authority, except: Section 72(4)
CEBA Call Centre Management	N/A	Authority limited to section 8(2)(m) only <sup>1</sup>

President & Chief Executive Officer

Name: Alison Nankivell

Signature: Alison Nankivell

Date: 25 March 2025

<sup>1</sup> This delegation is for the purposes of enabling timely and informed decision-making in emergency situations. It is specific and limited to authority to making the determination disclosure is authorized in accordance with criteria defined for this purpose by the Director, Ethics, Privacy & Information Risk.

## Schedule A – Description of Powers, Duties, and Functions

### Access to Information Act

4(2.1)	Responsibility of government institutions
6.1(1)	Reasons for declining to act on request
6.1(1.3)	Notice of suspension
6.1(1.4)	Notice of end of suspension
6.1(2)	Notice of decision to decline to act on request
7	Notice where access requested
8(1)	Transfer of request
9(1)	Extension of time limits
9(2)	Notice of extension to Information Commissioner
10(1)	Where access is refused
10(2)	Existence of a record not required to be disclosed
11(2)	Waiver of fee
12(3)(b)	Access to record in alternative format
13	Exemption - Information obtained in confidence
14	Exemption - Federal-provincial affairs
15	Exemption - International affairs and defense
16	Exemption - Law enforcement and investigations
16.5	Exemption - Public Servants Disclosure Protection Act
17	Exemption - Safety of individuals
18	Exemption - Economic interests of Canada
18.1	Exemption - Economic interests of certain government institutions
19	Exemption - Personal information
20	Exemption - Third party information
21	Exemption - Operations of government
22	Exemption - Testing procedures, tests and audits
22.1	Exemption - Internal audits
23	Exemption - Protected information - solicitors, advocates and notaries
23.1	Exemption - Protected information - patents and trademarks
24(1)	Exemption - Statutory prohibitions against disclosure
25	Severability
26	Refusal of access if information is to be published
27	Notice to third parties
28(1)(b)	Representation of third party and decision
28(4)	Disclosure of record
35(2)(b)	Right to make representations
37(4)	Access to be given
41(2)	Review by Federal Court - government institution
43(2)	Service or notice
44(2)	Notice to person who requested record
52(2)(b)	Special rules for hearings
52(3)	<i>Ex parte</i> representations
94(1)	Prepare a report on the administration of the Act



<b>94(4)</b>	Provide a copy of the report to the designated Minister
--------------	---

#### Access to Information Regulations

<b>5</b>	Procedures
<b>6(1)</b>	Transfer of request
<b>7(2)</b>	Fees
<b>7(3)</b>	Fees
<b>8</b>	Access
<b>8.1</b>	Limitation in Respect of Format

#### Privacy Act

<b>8(2)(j)</b>	Disclosure for research purposes
<b>8(2)(m)</b>	Disclosure in public interest or in interest of the individual
<b>8(4)</b>	Copies of requests under paragraph 8(2)(e) to be retained
<b>8(5)</b>	Notice of disclosure under paragraph 8(2)(m)
<b>9(1)</b>	Record of disclosures to be retained
<b>9(4)</b>	Consistent uses
<b>10</b>	Personal information to be included in personal information banks
<b>14</b>	Notice where access requested
<b>15</b>	Extension of time limits
<b>16(1)</b>	Notice where access is refused
<b>16(2)</b>	Notice where personal information does not exist
<b>17(2)(b)</b>	Language of access
<b>17(3)(b)</b>	Access to personal information in alternative format
<b>18(2)</b>	Exemption (exempt bank) – Disclosure may be refused
<b>19(1)</b>	Exemption - Personal information obtained in confidence
<b>19(2)</b>	Exemption – Where authorized to disclose
<b>20</b>	Exemption - Federal-provincial affairs
<b>21</b>	Exemption - International affairs and defence
<b>22</b>	Exemption - Law enforcement and investigation
<b>22.3</b>	Exemption – <i>Public Servants Disclosure Protection Act</i>
<b>23</b>	Exemption - Security clearances
<b>24</b>	Exemption - Individuals sentenced for an offence
<b>25</b>	Exemption - Safety of individuals
<b>26</b>	Exemption - Information about another individual
<b>27</b>	Exemption - Solicitor-client privilege
<b>27.1</b>	Exemption – Patents and trademarks
<b>28</b>	Exemption - Medical record
<b>31</b>	Notice of intention to investigate
<b>33(2)</b>	Right to make representation
<b>35(1)</b>	Findings and recommendations of the Privacy Commissioner (complaints)
<b>35(4)</b>	Access to be given

<b>36(3)</b>	Report of findings and recommendations (exempt banks)
<b>37(3)</b>	Report of findings and recommendations (compliance review)
<b>51(2)(b)</b>	Special rules for hearings
<b>51(3)</b>	<i>Ex parte</i> representations
<b>72(1)</b>	Prepare report on administration of the Act
<b>72(4)</b>	Provide a copy of the report to the designated Minister

### Privacy Regulations

<b>7</b>	Retention for two years
<b>9</b>	Reasonable facilities and time provided to examine personal information
<b>11(2)</b>	Notification that correction to personal information has been made
<b>11(4)</b>	Notification that correction to personal information has been refused
<b>13(1)</b>	Disclosure of personal information relating to physical or mental health may be made to a qualified medical practitioner or psychologist for an opinion on whether to release information to the requestor
<b>14</b>	Disclosure of personal information relating to physical or mental health may be made to requestor in the presence of a qualified medical practitioner or psychologist