



**Marine Atlantic**  
**Marine Atlantique**

**Canada**

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## Privacy Act

Marine Atlantic Inc.  
Annual Report to Parliament  
April 1, 2023 – March 31, 2024



**Marine Atlantic**  
**Marine Atlantique**

**Canada**

**Approvals**

Corporate Counsel:  
ATIP Coordinator  
(Delegate)

\_\_\_\_\_  
Jackie Penney

June 27<sup>th</sup>, 2024  
Date

Manager of Information  
Management:  
ATIP Coordinator  
(Delegate)

\_\_\_\_\_  
Ryan Kelly

June 27<sup>th</sup>, 2024  
Date

Chief Information Officer:

\_\_\_\_\_  
Colin Tibbo

June 27<sup>th</sup>, 2024  
Date

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## B-1 Introduction

The *Privacy Act* gives Canadian citizens and people present in Canada the right to have access to information about them that is held by the Federal Government. It also protects against unauthorized disclosure of that personal information. In addition, it strictly controls how the government will collect, use, store, disclose and dispose of any personal information.

Marine Atlantic Inc. is a Crown Corporation that reports to the Parliament of Canada through the Minister of Transport. The Corporation provides a constitutionally mandated passenger and commercial marine transportation service between the Island of Newfoundland and the Province of Nova Scotia.

The Corporation provides ferry services on two routes. The first is a year-round 96 nautical mile daily ferry service between Port aux Basques, Newfoundland and Labrador and North Sydney, Nova Scotia. The second is a 280 nautical mile tri-weekly ferry service between Argentia, Newfoundland and Labrador and North Sydney, Nova Scotia. This second service operates from mid-June to late September.

For the 2023-2024 legislative-timeline, the Corporation owned three vessels and chartered one additional vessel to meet the traffic demands on the ferry service routes. These vessels are the MV *Leif Ericson*, the MV *Atlantic Vision*, the MV *Blue Puttees* and the MV *Highlanders*.

Marine Atlantic Inc. operates terminals located in the ports of Port aux Basques, NL, Argentia, NL, and North Sydney, NS. The Corporation's head office is located in St. John's, NL.

Marine Atlantic Inc. is not reporting on behalf of wholly owned subsidiaries or non-operational institutions.

Additional copies of this report may be obtained from:

Access to Information and Privacy Coordinator  
Marine Atlantic Inc.  
10 Fort Williams Place, Suite 302  
Baine Johnston Centre  
St. John's, NL A1C 1K4

### *Privacy Act Statement*

In accordance with section 72 of the *Privacy Act*, the Annual Report is prepared and tabled in Parliament.

## B-2 Organizational Structure

For the purposes of the *Privacy Act*, the President/CEO of Marine Atlantic has formally delegated all responsibilities to the Corporate Counsel and Manager of Information Management (see Annex B – Delegation Order). The Corporate Counsel and Manager of Information Management hold joint responsibility as Access to Information and Privacy Coordinators. The Coordinators are responsible for oversight of the *Privacy Act* at Marine Atlantic, and to ensure compliance with legislation.

The Manager of Information Management is responsible for the day to day administration of the Access to Information and Privacy functions at Marine Atlantic. It should be noted that serving as ATIP Coordinator is one of numerous portfolios for which the Manager of Information Management is responsible, and as such, this is not a full time position.

The Corporate Counsel is responsible for management and oversight of the Access to Information and Privacy functions at Marine Atlantic. It should be noted that serving as ATIP Coordinator is one of numerous portfolios for which the Corporate Counsel is responsible, and as such, this is not a full time position.

Marine Atlantic has one ATIP officer, one regional ATIP staff and one ATIP consultant.

Each Marine Atlantic terminal as well as Head Office has an Access to Information and Privacy (ATIP) representative that acts as the local representative when retrieving records relating to ATIP requests. The Manager of Information Management receives additional support when required from regional ATIP representatives.

The activities of Marine Atlantic's ATIP Office include:

- processing requests under the *Act*;
- representing Marine Atlantic in dealings with the Treasury Board of Canada Secretariat, the Information Commissioner and other government departments and agencies regarding the application of the *Act* as it relates to Marine Atlantic;
- responding to consultations submitted by other federal institutions on Marine Atlantic documents under consideration for release;
- preparing statistical and annual reports to Parliament and other statutory reporting requirements;
- developing and maintaining Marine Atlantic's policies, procedures and guidelines to ensure the *Act* is respected by Marine Atlantic staff; and
- promoting awareness of the *Act* within the Corporation to ensure responsiveness to the obligations imposed on the government.

## **B – 3 Access to Information and Privacy Delegation Order**

The President and CEO of Marine Atlantic has delegated all powers and responsibilities bestowed upon him under the *Access to Information Act* to the Corporate Counsel and The Manager of Information Management (see Annex B – Delegation Order).

## **B-4 Performance 2023-2024**

### ***4.1 Requests Received Under the Privacy Act***

Between April 1, 2023, and March 31, 2024, Marine Atlantic received five requests for information under the *Privacy Act*. All requests were processed in the reporting period. All requests were responded to within legislative timelines.

- One request was completed within 30 days, four requests were completed within 60 days.
- There were no active requests as of the last day of reporting for the fiscal year.
- There were no active complaints as of the end of the fiscal year.
- The extensions were made due to volume of the requests.
- During the reporting period, Marine Atlantic did not receive any request for consultation from another Government of Canada institution.
- 100% of all requests were “all disclosed”.

## **B-5 Training and Awareness**

During 2023-2024 Marine Atlantic continued to provide considerable training on cyber security including privacy training for the protection of personal information throughout the organization.

Additionally, on board the vessels there were in person refreshers provided on current standards for privacy within the organisation, as well as information regarding what we see for the future – these refreshers were provided to employees of all levels of the organisation, and physical and digital documentation was provided to allow for the information to be shared with anyone unable to make the refreshers.

## **B-6 Policies, Guidelines, Procedures and Initiatives**

During 2023-2024 Marine Atlantic did not implement any new policies, guidelines, procedures and initiatives related to the Access to Information Act.

Marine Atlantic did not request or receive any authorities for new collections or new uses of social insurance numbers.

## **B-7 Initiatives and Projects to Improve Privacy**

Marine Atlantic added many technical improvements and modernized its services during the reporting period by adding more usage of two factor authentication through Duo Mobile, as well as streamlining our password process. ATIP Online was adopted as our primary service for requests, with the addition of in house software that began its implementation in this reporting period that will launch in the 2024-2025 reporting period.

## **B-8 Summary of Key Issues and Actions Taken on Complaints**

There was one complaint received concerning the administration of the *Privacy Act*, it was investigated however there was no issue.

There were also no difficulties that have been encountered in the administration of the *Privacy Act* during the reporting period.

## **B-9 Material Privacy Breaches**

There were no material privacy breaches reported by Marine Atlantic in 2023-2024.

## **B-10 Privacy Impact Assessments**

Marine Atlantic completed zero privacy impact assessments in 2023-2024.

## **B-11 Public Interest Disclosures**

Marine Atlantic did not make any disclosures under paragraph 8(2)(m) of the Privacy Act in 2023-2024.

## **B-12 Monitoring Compliance**

Marine Atlantic's *Access to Information and Privacy Act* Coordinators discuss an information request as soon as it is received by the organization. The coordinators will then analyze the projected time needed to respond to the request, based on discussions with applicable information holders throughout the Corporation.

At Marine Atlantic we review requests and make every effort to make non-exemption information available, for example, traffic reports are now available on the website.

To ensure appropriate privacy protections are included in contracts Marine Atlantic now has a standard clause included in all contracts.

## **Annex A – Statistical Report**

## **Annex B - Access to Information and Privacy Delegation Order**





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## Access to Information and Privacy Delegation Order

The President and CEO of Marine Atlantic Incorporated, pursuant to section 73 of the *Access to Information Act* and the *Privacy Act*, hereby designates the person holding the position set out in the schedule hereto, or the person occupying on an acting basis the position, to exercise the powers and functions of the President and CEO as the head of a government institution, under the section of the Act set out in the schedule opposite each position. This Designation Order supersedes all previous Designation Orders.

### Schedule

Position	Access to Information Act and Regulations	Privacy Act and Regulations
Corporate Counsel	Full Authority	Full Authority
Manager of Information Management	Full Authority	Full Authority

Dated: May 10 - 2019

  
Murray Hupman  
President and CEO

10 Fort William Place  
Suite 302  
Baine Johnston Centre  
St. John's, NL  
Canada A1C 1K4

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St. John's, T.-N.-L.  
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709.772-8957 (Tel.)  
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**Delegation of powers, duties and functions  
Delegated pursuant to Section 73 of the Privacy Act  
Marine Atlantic Incorporated**

<b>Section</b>	<b>Description</b>	<b>Corporate Counsel</b>	<b>Manager of Information Management</b>
8(2)(j)	Disclose personal information for research purposes	X	X
8(2)(m)	Disclose personal information in the public interest or in the interest of the individual	X	X
8(4)	Retain copy of 8(2)(e) requests and disclosed records	X	X
8(5)	Notify Privacy Commissioner of 8(2)(m) disclosures	X	X
9(1)	Retain record of use	X	X
9(4)	Notify Privacy Commissioner of consistent use and amend index	X	X
10	Include personal information in personal information banks	X	X
14	Notice where access is requested	X	X
15	Extension of time limits	X	X
17(2)(b)	Language of access	X	X
17(3)(b)	Access to personal information in alternative format	X	X
18(2)	Exemption – Exempt bank – disclosure may be refused	X	X
19(1)	Exemption – Information obtained in confidence from another government	X	X
19(2)	Exemption – Where disclosure of information as described in subsection 19(1) is authorized	X	X
20	Exemption – Federal-provincial affairs	X	X
21	Exemption – International affairs and defense	X	X
22	Exemption – Law enforcement and investigations	X	X
22.3	Exemption – <i>Public Servants Disclosure Protection Act</i>	X	X
22.4	National Security and Intelligence Committee	X	X
23	Exemption – Security clearances	X	X
24	Exemption – Individuals sentenced for an offence	X	X
25	Exemption – Safety of individuals	X	X
26	Exemption – Personal information about other individuals	X	X
27	Exemption – Solicitor-client privilege	X	X
27.1	Patent or Trademark Privilege	X	X
28	Exemption – Medical record	X	X
31	Notice of intention to investigate	X	X
33(2)	Right to make representations to Privacy Commissioner	X	X
35(1)	Findings and recommendations of the Privacy Commissioner (complaints)	X	X
35(4)	Give applicant access to information	X	X
36(3)	Follow-up on recommendation by the Privacy Commissioner – Exempt banks	X	X
37(3)	Follow-up on recommendation by the Privacy Commissioner – Compliance	X	X
51(2)(b)	Special rule for hearings	X	X
51(3)	Submit ex parte representations	X	X
70	Exemption – Cabinet confidences	X	X
72(1)	Report to Parliament	X	X
77	Responsibilities conferred on the head of the institution by the Regulations made under section 77 which are not included above	X	X

**Delegation of powers, duties and functions  
Delegated pursuant to Section 73 of the *Access to Information Act*  
Marine Atlantic Incorporated**

<i>Section</i>	<i>Description</i>	<i>Corporate Counsel</i>	<i>Manager of Information Management</i>
4(2.1)	Responsibility of head of government institution	X	X
7(a)	Notice where access is requested	X	X
7(b)	Giving access to record	X	X
8(1)	Transfer to and transfer from institution	X	X
9	Extension of time limits	X	X
11(2), (3), (4), (5) and (6)	Additional fees	X	X
12(2)(b)	Language of access	X	X
12(3)(b)	Access to record in alternative format	X	X
13	Exemption – Information obtained in confidence	X	X
14	Exemption – Federal-Provincial Affairs	X	X
15	Exemption – International Affairs and Defense	X	X
16	Exemption – Law enforcement and investigation	X	X
16.31	Exemption - Investigations under the Elections Act	X	X
16.5	Exemption – <i>Public Servants Disclosure Act</i>	X	X
16.6	Exemption – National Security and Intelligence Committee	X	X
17	Exemption – Safety of Individuals	X	X
18	Exemption – Economic interests of Canada	X	X
18.1	Exemption – Economic interest of the Canada Post Corporation, Export Development Canada, the Public Sector Pension Investment Board and VIA Rail Canada Inc.	X	X
19	Exemption – Personal Information	X	X
20	Exemption – Third party information	X	X
21	Exemption – Operations of government	X	X
22	Exemption – Testing procedures, tests and audits	X	X
22.1	Exemption – Audit working papers and draft audit reports	X	X
23	Exemption – Solicitor-client privilege	X	X
23.1	Exemption – Patent or Trademark privilege	X	X
24	Exemption – Statutory prohibitions	X	X
25	Severability	X	X
26	Exception – Information to be published	X	X
27(1) and (4)	Third party notification	X	X
28(1)(b), (2) and (4)	Third party notification	X	X
29(1)	Disclosure on recommendation of Information Commissioner	X	X
33	Advise Information Commissioner of third party involvement	X	X
35(2)(b)	Right to make representations	X	X
37(4)	Access to be given to complainant	X	X
43(1)	Notice to third party of application to Federal Court for review	X	X
44(2)	Notice to applicant of application to Federal Court by third party	X	X
52(2)(b) and (3)	Special rules for hearings	X	X
71(1)	Facilities for inspection of manuals	X	X
72	Annual Report to Parliament	X	X