Office of the Information Commissioner of Canada
Commissariat à l'information du Canada

30 Victoria Street
Gatineau, Quebec K1A 1H3

Information Commissioner's final report

Institution: Privy Council Office
Date: November 4, 2026
OIC file number: 5826-00399
Access request number: A-2025-00516

Complaint

The complainant alleged that the Privy Council Office (PCO) did not respond within the extended period under subsection 9(1) of the *Access to Information Act* to an access request. The request was for the following:

> [CLARIFICATION]:
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> -one record per each piece of information being requested.
>
> -Timeframe: the date that the PM's ethics screen was approved to present
>
> 1. At least one record that contains the date that Prime Minister Mark Carney's ethics screen was approved by the Ethics Commissioner ("that ethics screen").
>
> 2. If that is not the same date that ethics screen came into force, at least one record that contains the date that the ethics screen came into force.
>
> 3. At least one record that contains information concerning whether the PM's Chief of Staff and/or the PCO Clerk delegated the task of flagging discussions, decisions and/or votes for review to ensure compliance with that ethics screen.
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> 4. If the PM's Chief of Staff and/or the PCO Clerk have delegated the task of flagging discussions, decisions and/or votes for review to ensure compliance with that ethics screen, at least one record containing the identities of the people who have been delegated this task and what are their job titles.
>
> 5. Since the date on which that ethics screen came into force, up to the date this ATIA request is considered filed by the Privy Council office (the "time period") at least one record that contains information concerning:

(i) how many discussions;

(ii) separately how many decision-making processes, and;

(iii) separately how many votes,

took place that involved or could have involved Mr. Carney.

6. During the time period, at least one record that contains information concerning the number of times that a discussion was flagged for review to ensure compliance with that ethics screen.

7. During the time period, at least one record that contains information concerning the number of times that a decision-making process was flagged for review to ensure compliance with that ethics screen.

8. During the time period, at least one record that contains information concerning the number of times that a vote was flagged for review to ensure compliance with that ethics screen.

9. During the time period, at least one record that contains information concerning the number of times that Mr. Carney was prevented from participating in a discussion because the terms of the screen prohibited from participating in the discussion.

10. During the time period, at least one record that contains information concerning the number of times that Mr. Carney was prevented from participating in a decision-making process because the terms of the screen prohibited from participating in the decision.

11. During the time period, at least one record that contains information concerning the number of times that Mr. Carney was prevented from participating in a vote because the terms of the screen prohibited from participating in the vote.

The allegation falls under paragraph 30(1)(a) of the Act.

Investigation

Time limits for responding to access requests

Section 7 requires institutions to respond to access requests within 30 days unless they have transferred a request to another institution or validly extended the 30-day period for responding by meeting the requirements of section 9. When an institution does not

respond to a request within the 30-day or extended period, it is deemed to have refused access to the requested records under subsection 10(3).

Nevertheless, the institution is still required to provide a response to the access request.

What is a response?

The response must be in writing and indicate whether the institution is giving access to any or part of the requested records.

- When the response indicates that the institution has **given access** to the records or part of them, the institution must provide access to those records.
- When the response indicates that the institution has **denied access** to the records or part of them, the institution must explain that the records do not exist or that the institution has exempted them, or part of them, under a specific provision, which the institution must name.

In specific circumstances, the institution may refuse to confirm or deny in its response whether records exist under subsection 10(2).

Did the institution respond within the time limits?

PCO received the request on September 29, 2025, making the time limit to respond October 29, 2025. The request was on hold for 15 days while PCO sought clarification from the requester regarding the request text. On November 13, 2025, PCO extended the period it had to respond by 120 days under paragraph 9(1)(b), making the time limit to respond March 13, 2026.

PCO did not respond to the access request by that date. I conclude, therefore, that PCO did not meet its obligation to respond to the request within the extended period. PCO is deemed to have refused access to the requested records under subsection 10(3).

Based on information provided by PCO, four Offices of Primary Interest (OPIs) were tasked with the search for records on October 16, 2025 – namely, the Office of the Clerk of the Privy Council and Secretary to the Cabinet, Priorities and Planning & Results and Delivery, Operations and Cabinet Affairs, and Machinery of Government. The first three OPIs provided a combined total of 115 pages of responsive electronic records by October 24, 2025. Machinery of Government provided a “nil” response.

PCO confirmed that the review of all the records has been completed.

A consultation with the Department of Justice Canada (Justice) was sent on August 19, 2026, with an expected response date of September 28, 2026. PCO plans to consult internally with the following OPIs upon completion of the consultation with Justice:

- Office of the Clerk of the Privy Council and Secretary to the Cabinet
- Deputy Secretary to the Cabinet (Governance)
- Economic and Regional Development Policy
- Legislation and House Planning
- Machinery of Government
- Operations and Cabinet Affairs
- Senior Personnel Secretariat

The internal consultations were to be sent on October 5, 2026, with an expected response date of October 27, 2026. PCO stated that “15 business days will be required to apply recommendations (or seek justification or clarification if needed) from internal consultations, complete ATIP management approval, inform PCO Communications of the upcoming release, and prepare the final response”.

Based on the remaining work, PCO provided November 18, 2026, as a planned response date for a complete response to the request.

PCO must respond to the request within the shortest amount of time possible. Any response must necessarily be compliant with PCO’s other obligations under the Act, including the obligation to respond to the request accurately, completely and in a timely manner. Taking into account the work that remains outstanding, including completion of the outstanding consultation with Justice and the internal consultations, as well as timelines for any final review and approval processes, I conclude that November 18, 2026, is an appropriate amount of time for PCO to provide a response to the request, and that PCO cannot complete this work in a materially lesser amount of time.

However, in the event that PCO does not respond by its planned date of November 18, 2026, PCO must respond no later than the date on which my order to respond comes into effect.

Outcome

The complaint is well founded.

Order

I order the Clerk of the Privy Council to provide a complete response to the access request no later than 36 business days following the date of the final report.

Initial report and notice from institution

On October 9, 2026, I issued my initial report to the Clerk of the Privy Council setting out my order.

On October 22, 2026, the Assistant Secretary to the Cabinet, Ministerial Services and Corporate Affairs, gave me notice that PCO would be implementing my order.

Review by Federal Court

When an allegation in a complaint falls under paragraph 30(1)(a), (b), (c), (d), (d.1) or (e) of the Act, the complainant has the right to apply to the Federal Court for a review. When the Information Commissioner makes an order(s), the institution also has the right to apply for a review. Whoever applies for a review must do so within 35 business days after the date of this report and serve a copy of the application for review to the relevant parties, as per section 43. If no one applies for a review by this deadline, this order takes effect on the 36th business day after the date of this report.



Caroline Maynard
Information Commissioner of Canada