Ship and Rail Compensation Canada
Ship Fund

Indemnisation Navire et Rail Canada
Fonds Navire

Office of the Administrator of the
Ship-source Oil Pollution Fund

(operating under the name)

Ship and Rail Compensation Canada

Annual Report to Parliament
on the *Privacy Act*

2025-2026

Canada

Published by Ship and Rail Compensation Canada – Ship Fund
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1. Introduction

The Office of the Administrator of the Ship-source Oil Pollution Fund, operating under the name Ship and Rail Compensation Canada – Ship Fund, is pleased to submit to Parliament its annual report on the administration of the *Privacy Act* (PA) for the fiscal year commencing on April 1, 2025, and ending March 31, 2026. This report is submitted in accordance with section 72 of the PA. The report is tabled in Parliament through the Minister of Transport. The Ship Fund does not have any non-operational subsidiaries.

The PA provides Canadian citizens and permanent residents with the right of access to and correction of personal information about themselves that is under the control of a government institution. It also provides the legal framework for the collection, retention, use, disclosure, disposition and accuracy of personal information in the administration of programs and activities by government institutions subject to the act.

1.1 Our mandate

Ship and Rail Compensation Canada is an independent federal office, financed by industry, managing two compensation funds: the Ship Fund and the Rail Fund. Ship and Rail Compensation Canada is the joint operating name for the two Funds. The Ship Fund is also known by the legal name, Ship-source Oil Pollution Fund in the *Marine Liability Act*. The Rail Fund is also known by the legal name, Fund for Railway Accidents Involving Designated Goods in the *Canada Transportation Act*.

The Ship Fund is a specified purpose account established in the accounts of Canada. The Ship Fund compensates anyone affected by oil spills from ships and boats in Canadian waters, and strives to enforce the polluter pays principle by recovering costs from responsible parties.

The Ship Fund is governed by Part 7 of the *Marine Liability Act* (MLA). Canada is also a contracting State in the international regime, thereby aligning the Canadian regime to international conventions.

The amount held in the Ship Fund comes from the accumulated balance of the Maritime Pollution Claims Fund (MPCF), which was transferred to the Ship Fund in 1989, and subsequent interest generated on that balance. The MPCF was funded by a levy paid by oil receivers and shippers to and from Canada between 1972 and 1976.

Ship and Rail Compensation Canada is managed by the Chief Executive Officer and Administrator of both the Ship Fund and the Rail Fund, with each Fund also having a Deputy Administrator. The Administrator of the Ship Fund, appointed by the Governor-in-Council:

- Acts as an independent authority to investigate and assess all claims submitted to the Ship Fund, subject to appeal to the Federal Court of Canada;
- Has the powers of a Commissioner under Part 1 of the *Inquiries Act*;
- Offers compensation to claimants for whatever portion of the claim the Administrator finds to be established and, where a claimant accepts an offer, the Administrator directs payment to the claimant out of the Ship Fund;
- Must take recourse action against third parties to recover the amount paid out of the Ship Fund to a claimant and may also take action to obtain security, either prior to or after receiving a claim;
- Becomes a party by statute to any proceedings commenced by a claimant against the owner of a ship, its insurer, or the International Oil Pollution Compensation (IOPC) Funds, as the case may be after having been served with the document commencing the proceedings;
- Directs payments out of the Ship Fund for all Canadian contributions to the IOPC Funds (such contributions are based on oil receipts in Canada reported by the Ship Fund Administrator to the Director of the IOPC Funds);
- Participates with the Canadian delegation at meetings of the Executive Committee and the Assembly of the IOPC Funds;
- Is consulted by the Minister of Transport with regard to the release of necessary emergency funding of up to $10 million per fiscal year (or additional funds to a maximum of $50 million per fiscal year, if required) to the Canadian Coast Guard (CCG), to respond to a significant incident involving the discharge of oil from a ship;
- Has inspection and inquiry powers with respect to oil shippers' data reporting obligations, infringement of which may cause Administrative Monetary Penalties (AMPs);
- Prepares an annual report on the operations of the Ship Fund, which is laid before Parliament by the Minister of Transport.

2. Organizational Structure

The Research and Policy Analyst is the designated Access to Information and Privacy (ATIP) coordinator of our institution. He is responsible for ensuring that the institution meets its responsibilities under ATIP by administering the Act and overseeing all related activities. The ATIP Coordinator is supported by the Information Management Officer, who has up to 10% of her time dedicated to ATIP activities.

There are no regional ATIP staff.

A consultant provides expert assistance in the area of ATIP on an as-required basis. The Ship Fund has expressed an interest in, but is not currently a party to any service agreements under section 73.1 of the PA.

3. Delegation Order

Under the PA, the Administrator is the designated head of our institution for the purpose of administering the legislation. Section 73(1) of the PA authorizes the head of the institution to designate, by order, one or more employees of the institution to exercise or perform any powers, duties or functions of the head of the institution that are specified in the order. The Research and Policy Analyst fulfills the role of Access to Information and Privacy (ATIP) Coordinator and has been delegated all authorities in relation to the PA.

The Delegation Order was signed by the new Administrator on August 11, 2025, and a copy is included in Appendix A.

4. Performance 2025-2026

No requests were received during the reporting year, and none were outstanding from the previous period. Therefore, our compliance rate is of 100% for the reporting year.

The following sections provide highlights and interpretations of the 2025-2026 statistical report as well as the 2025-2026 supplemental statistical report submitted to TBS.

4.1 Section 1 – Requests under the PA

We did not receive any new requests for personal information under the PA during the reporting year.

4.2 Section 2 – Informal requests

We did not receive or process any informal requests for personal information under the PA during the reporting year.

4.3 Section 3 – Number of requests closed during the reporting period

As there were no new or outstanding requests for personal information during the reporting year, no requests were closed.

4.4 Section 4 – Disclosures under subsections 8(2) and 8(5)

No disclosures under subsections 8(2) and 8(5) were made during the reporting year.

4.5 Section 5 – Requests for correction of personal information and notations

Neither corrections nor notations were requested during the reporting year.

4.6 Section 6 – Extensions

No extension was required during the reporting year.

4.7 Section 7 – Consultations received from other institutions and organizations

No consultations were received from other federal institutions or other organizations during the reporting year.

4.8 Section 8 – Completion time of consultations on Cabinet confidences

We did not process any Cabinet confidences in relation to requests under the PA during the reporting year.

4.9 Section 9 – Complaints and investigations notices received

No complaints or requests for investigation were received, and no appeals have been made to the Federal Court during the reporting year.

4.10 Section 10 – Privacy Impact Assessments and Personal Information Banks

We did not complete any Privacy Impact Assessments during the reporting year.

We have one active specific Personal Information Bank (PIB), to which we have applied minor modifications, and 26 standard PIBs. We did not create or terminate any PIB during the reporting year.

4.11 Section 11 – Social Insurance Number

No new programs or activities collected or used Social Insurance Numbers.

4.12 Section 12 – Privacy breaches

No material or non-material privacy breaches were reported during the reporting year.

4.13 Section 13 – Privacy training

Nine of our employees completed privacy training during the reporting period.

4.14 Section 14 – Resources related to the PA

For 2025-2026, the costs directly associated with the administration of the PA were $3,380, representing salary costs of individuals working on PA information and reporting activities.

The full-time equivalency (FTE) for human resources administering the PA during 2025-2026 was 0.035 person years.

5. Training and Awareness

All new staff are provided with a one-on-one introduction to ATIP when they start their position at our institution.

Information security training continued to be completed by all staff, improving information protection practices and promoting greater awareness of privacy.

ATIP employees attended many training sessions offered by TBS' Access to Information and Privacy Community Development Office (APCDO) and completed additional courses suggested in its "Access to Information and Privacy Learning Booklet." One employee completed Module A: "Integration to the ATIP Analyst function" of the training program "ATIP – Federal Institutions (ATIPTP-FI)," offered by the Faculty of Continuing Education of the University of Montreal and the Association of Access to Information and Privacy Professionals.

Furthermore, many of our employees attended the 2026 Data Privacy Day Webinar ("Navigating Privacy Breaches: Prevention, Response, and Building Trust") hosted by TBS with the participation of the Office of the Privacy Commissioner and the Canadian Centre for Cyber Security during the Data Privacy Week.

6. Policies, Guidelines, and Procedures

No formal policies, guidelines, procedures, or initiatives were newly adopted or revised during the reporting year.

The Administrator requires contractors to comply with all applicable laws, maintain the confidentiality of documents and be prepared to comply with the obligations of the *Privacy Act*.

7. Initiatives and Projects to Improve Privacy

The ATIP Online Management Tool allows us to retrieve ATIP requests submitted to our institution and to provide responses to requesters. Our ATIP Coordinator participated in a User Experience Focus Group organized by the TBS ATIP Digital Services for the upcoming release of ATIP Online version 9.0.0. Its purpose was to help ensure that the introduction of the new features and functionalities meets the needs of real users.

Optional training sessions are also offered throughout the year to promote and facilitate adoption of information management practices. This ensures the appropriate capture of corporate records and improves efficiency and ease of retrieval of the information. This in turn assists the processing of requests under the PA. Overall, these sessions were attended by an average of eleven staff members (about a third of the complement) per month.

We continue to improve our information management and information technology practices, which are expected to significantly improve ATIP processes and activities, notably the response to requests. New equipment continued to be provided to staff, and additional IT security measures have been adopted, thereby increasing the protection of personal and sensitive information held by our institution.

8. Summary of Key Issues and Actions Taken on Complaints

Applicants have the right to file a complaint pursuant to the PA and may exercise this right at any time during the processing of their request. No complaints or requests for investigation were received, and no appeals have been made to the Federal Court during the reporting year.

9. Material Privacy Breaches

To our knowledge, no material privacy breaches occurred during the reporting year.

10. Privacy Impact Assessments

We did not complete any Privacy Impact Assessments during the reporting year.

11. Public Interest Disclosures

No disclosures were made under paragraph 8(2)(m) of the PA during the reporting period.

12. Monitoring Compliance

There were no activities conducted during the reporting year to monitor compliance.

Appendix A: Delegation Order

Ship and Rail Compensation Canada

***Access to Information Act* and *Privacy Act* Delegation Order**

The Administrator of the Ship-source Oil Pollution Fund and the Fund for Railway Accidents Involving Designated Goods, operating under the name Ship and Rail Compensation Canada, pursuant to section 95 of the *Access to Information Act* and section 73 of the *Privacy Act*, hereby designates the persons holding the positions set out in the schedule hereto, or the persons occupying on an acting basis those positions, to exercise the powers, duties and functions of the Administrator as the head of Ship and Rail Compensation Canada, under the provisions of the Act and related regulations set out in the schedule opposite each position.

This designation replaces all previous delegation orders.

Schedule

Position	***Access to Information Act* and Regulations**	***Privacy Act* and Regulations**
ATIP Coordinator	Full authority	Full authority

Dated, at the City of Ottawa, this 11th day of August, 2025

Caroline Healey, Administrator