



CANADA-NOVA SCOTIA
OFFSHORE PETROLEUM BOARD

The Canada-Nova Scotia Offshore Petroleum Board

**Access to Information Act
Annual Report to Parliament**

April 1, 2019 to March 31, 2020

ACCESS TO INFORMATION ACT 2019-2020 ANNUAL REPORT TO PARLIAMENT

Introduction

The *Access to Information Act* gives citizens, permanent residents, or any person or corporation present in Canada a right to access information contained in government records. Ministers and heads of agencies are responsible to ensure that their organizations comply with access to information legislation.

This is the annual report to Parliament on the administration of the *Access to Information Act* within the Canada-Nova Scotia Offshore Petroleum Board during the Board's financial year, which ended March 31, 2020, required by Section 94 of the *Act*. This report is tabled in Parliament as required by Section 94 of the *Act*. During the reporting period, the Board received two requests.

The Board

The Canada-Nova Scotia Offshore Petroleum Board was constituted in 1990 under the federal *Canada-Nova Scotia Offshore Petroleum Resources Accord Implementation Act*, S.C. 1988, c.28 (*the "Accord Act"*), and the provincial *Canada-Nova Scotia Offshore Petroleum Resources Accord Implementation (Nova Scotia) Act*, S.N.S. 1987, c.3, to regulate oil and gas exploration, development and production in the Nova Scotia offshore area. The Board's mandate is the:

- health and safety of offshore workers;
- protection of the environment;
- management and conservation of offshore petroleum resources;
- compliance with the provisions of the Accord Acts that deal with Canada-Nova Scotia employment, industrial benefits;
- issuance of licences for offshore exploration and development, and
- Resource evaluation, data collection, curation and distribution.

The Board reports to the federal Minister of Natural Resources in Ottawa, Ontario, and the Minister of Energy in Halifax, Nova Scotia. The Board is composed of five members and one alternate member; the Chair appointed jointly by the federal and provincial governments, two members appointed by the federal government and two members and one alternate member appointed by the government of Nova Scotia. The Board has, at present, a staff of 34 employees, located in the Board's head office in Halifax, Nova Scotia, and the Geoscience Research Centre (GRC) in Dartmouth, Nova Scotia. The Board is designated as a "government institution" in Schedule I of the *Access to Information Act*.

Disclosure of Information

Operators conducting exploratory or development activities are required to file reports, and provide specified information and samples to the Board, as a condition of receiving approval for proposed activities. Section 122 of the *Accord Act* provides that, in general, information or documentation provided for purpose of Part II or Part III of the *Accord Act* is privileged and may not be disclosed without the written consent of the person who provided it. This does not apply to the disclosure of particular classes of information after the expiry of specified confidentiality periods. It is the Board's policy to make such information available to the public in accordance with established administrative practice. The Board has published a listing of all such information available for release, which is updated monthly.

The Board offices are staffed by 34 full time people, five directors and 29 staff. Of these 30 reside in our Halifax offices and four are located at our archive facility in Dartmouth at the Geoscience Research Centre (GRC). Our staff is comprised of health & safety, environment and conservation specialists that provide direction and regulation to oil and gas exploration companies in the offshore of Nova Scotia. The remainder of staff provide technical and administration support. The GRC staff handles archived data submitted by offshore operators as required by the authorization process and samples submitted from offshore exploration.

The Board maintains a statutory registry of licences, referred to in the *Accord Act* as "interests", and instruments affecting them. The registry system is maintained by an employee designated as the Registrar, who prepares abstracts of interests and registered instruments, and responds to requests for copies of registered documents and provides other derivative information. Requests for registry information and requests to the GRC for technical information and access to samples constitute the majority of requests for information, and these are routinely handled without recourse as informal requests.

The Board also receives requests from the public and media for general information related to offshore petroleum activities. Many of these requests are made informally and the Board is usually able to provide such information. The remainder of the requests received are handled formally according the *Access to Information Act*. One Access to Information coordinator handles all ATI requests, with assistance from general counsel.

Policies, Procedures and Training

The Board has developed a formal policy and procedure for responding to requests for access to information. In this reporting period, this policy was updated due to finding from an external audit on our policy and procedures. This update includes a tracking sheet for every request that comes into the board. Formal requests for information are referred to the Board's Access to Information and Privacy Coordinator (coordinator). The coordinator has delegated authority by the Chairperson of the board of directors. During this period, the delegation order was updated to reflect the position of Access to Information & Privacy Coordinator rather than an employee and a new coordinator was

appointed by the board.

Informal, on-going training is completed regularly for all staff as needed. Each new hire is given a Records and Information Management orientation, as part of this orientation they are given training regarding Access to Information. Throughout the year during staff meetings, the ATIP coordinator will update the stats of requests, complaints and changes or challenges to processing ATI. The ATIP coordinator also works with subject specialists to help them understand the exemptions and exceptions and the Access to Information Act in general. During this reporting period, one new staff member was oriented to the Access to Information Act and Privacy Act and our internal policies. This is up compared to last year, as there has been one new staff member hired this year. During this reporting period the ATIP coordinator did not provide any formal or informal training to staff. An update regarding amendments to the Access to Information Act under Bill C-58 were provided to four management level employees.

Statistical Reporting

Two requests were received and processed this reporting year. This is up by one compared to 2018-2019 when we received one request. We experienced an increase by one in the overall number of requests received this reporting period. The number of pages reviewed has decreased from the previous year due to less requests, however more pages were released this year compared to the previous year 2017/18. The continued decrease in requests could be attributed to a decrease in offshore activity and incidents, and the end of litigation cases against the board. One extension was required; however, the request was closed within the first 30 days of receipt, and the extension was not required. Covid-19 has not impacted our ability to process requests during the 2019-2020 reporting year.

Source	2015-2016	2016-2017	2017-2018	2018-2019	2019-2020
Media	1	3	6	1	0
Academia	0	0	0	0	0
Business (private sector)	4	11	2	0	1
Organization	2	3	1	0	1
Public	0	2	0	0	0
Decline to ID	0	0	0	0	0
Total	7	19	9	1	2

Issues Raised as a Result of Access to Information

No new complaints for this reported year were received. This is down from 2018-2019 when we received three new complaints. This reporting year is consistent with 2016/17 and 2017/18 where no new complaints were received.

Monitoring

No formal monitoring is conducted as the ATIP coordinator is responsible for tracking ATI requests, time extensions and consulting with subject specialists as well as clarifying as needed with requestors. A tracking sheet is used for this purpose.

Statistical Report

The statistical report is attached for the year ending March 31, 2020. This report reflects the formal requests received or handled during the reporting period.

STATISTICAL REPORT – INTERPRETATION AND EXPLANATION

The following is an interpretation and explanation of the information contained in the Annual Statistical Report shown on the previous pages.

I: Requests under the *Access to Information Act*

The CNSOPB received two new requests in 2019-2020. Both requests were completed during this period. We have no requests carried over from this reporting period.

II: Disposition of Requests Completed

Of the requests completed during 2019-2020, the Board granted access in full, except personal information in one request was exempt.

III and IV: Exemptions Invoked and Exclusions Cited

Exemptions invoked: Sections 19 (1)

V and VI: Completion Time and Extensions

During 2019-2020, we requested one time extension of 30 days, however the request was processed and responded to within the first 30 days and the extension was not required.

VII: Translations

No translation was required in 2019-2020 to respond to requests.

VIII: Method of Access

Response to access requests was provided via paper for one request, and electronically by email for the second request.

IX: Fees

The *Access to Information Act* authorizes fees activities related to the processing of formal requests under the *Act*. A 5\$ fee per request under the *Access to Information Act* is to be submitted with the request application. The current fee structure is specified in the *Access to Information Regulations*. No fees are imposed for reviewing records, overhead or shipping costs.

The *Access to Information Act* permits the waiving of fees when deemed to be in the public interest.

The Board collected a total of \$10 in application fees for two requests during 2019-2020.

X: Costs

In 2019-2020, the direct cost of administering the *Access to Information Act* totaled \$1,102.00 in salary costs. \$66 was allocated to other processing costs such as copying and scanning or courier costs.

Access to Information Related Education

No formal training for the coordinator was undertaken in this reporting period. The Access to Information Coordinator attended the Canadian Access and Privacy Association Conference in November, 2019. An orientation and training session to Access to Information was provided to one new employee.



Statistical Report on the Access to Information Act

Name of institution: Canada Nova Scotia Offshore Petroleum Board

Reporting period: 2019-04-01 to 2020-03-31

Section 1: Requests Under the Access to Information Act

1.1 Number of requests

	Number of Requests
Received during reporting period	2
Outstanding from previous reporting period	0
Total	2
Closed during reporting period	2
Carried over to next reporting period	0

1.2 Sources of requests

Source	Number of Requests
Media	0
Academia	0
Business (private sector)	1
Organization	1
Public	0
Decline to Identify	0
Total	2

1.3 Informal requests

Completion Time							Total
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	
1	0	0	0	0	0	0	1

Note: All requests previously recorded as “treated informally” will now be accounted for in this section only.

Section 2: Decline to act on vexatious, made in bad faith or abuse of right requests

	Number of Requests
Outstanding from previous reporting period	0
Sent during reporting period	0
Total	0
Approved by the Information Commissioner during reporting period	0
Declined by the Information Commissioner during reporting period	0
Carried over to next reporting period	0

Section 3: Requests Closed During the Reporting Period

3.1 Disposition and completion time

Disposition of Requests	Completion Time							Total
	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	
All disclosed	0	1	0	0	0	0	0	1
Disclosed in part	0	1	0	0	0	0	0	1
All exempted	0	0	0	0	0	0	0	0
All excluded	0	0	0	0	0	0	0	0
No records exist	0	0	0	0	0	0	0	0
Request transferred	0	0	0	0	0	0	0	0
Request abandoned	0	0	0	0	0	0	0	0
Neither confirmed nor denied	0	0	0	0	0	0	0	0
Decline to act with the approval of the Information Commissioner	0	0	0	0	0	0	0	0
Total	0	2	0	0	0	0	0	2

3.2 Exemptions

Section	Number of Requests	Section	Number of Requests	Section	Number of Requests	Section	Number of Requests
13(1)(a)	0	16(2)	0	18(a)	0	20.1	0
13(1)(b)	0	16(2)(a)	0	18(b)	0	20.2	0
13(1)(c)	0	16(2)(b)	0	18(c)	0	20.4	0
13(1)(d)	0	16(2)(c)	0	18(d)	0	21(1)(a)	0
13(1)(e)	0	16(3)	0	18.1(1)(a)	0	21(1)(b)	0
14	0	16.1(1)(a)	0	18.1(1)(b)	0	21(1)(c)	0
14(a)	0	16.1(1)(b)	0	18.1(1)(c)	0	21(1)(d)	0
14(b)	0	16.1(1)(c)	0	18.1(1)(d)	0	22	0
15(1)	0	16.1(1)(d)	0	19(1)	1	22.1(1)	0
15(1) - I.A.*	0	16.2(1)	0	20(1)(a)	0	23	0
15(1) - Def.*	0	16.3	0	20(1)(b)	0	23.1	0
15(1) - S.A.*	0	16.31	0	20(1)(b.1)	0	24(1)	0
16(1)(a)(i)	0	16.4(1)(a)	0	20(1)(c)	0	26	0
16(1)(a)(ii)	0	16.4(1)(b)	0	20(1)(d)	0		
16(1)(a)(iii)	0	16.5	0				
16(1)(b)	0	16.6	0				
16(1)(c)	0	17	0				
16(1)(d)	0						

* I.A.: International Affairs Def.: Defence of Canada S.A.: Subversive Activities

3.3 Exclusions

Section	Number of Requests	Section	Number of Requests	Section	Number of Requests
68(a)	0	69(1)	0	69(1)(g) re (a)	0
68(b)	0	69(1)(a)	0	69(1)(g) re (b)	0
68(c)	0	69(1)(b)	0	69(1)(g) re (c)	0
68.1	0	69(1)(c)	0	69(1)(g) re (d)	0
68.2(a)	0	69(1)(d)	0	69(1)(g) re (e)	0
68.2(b)	0	69(1)(e)	0	69(1)(g) re (f)	0
		69(1)(f)	0	69.1(1)	0

3.4 Format of information released

Paper	Electronic	Other
1	1	0

3.5 Complexity

3.5.1 Relevant pages processed and disclosed

Number of Pages Processed	Number of Pages Disclosed	Number of Requests
8	8	2

3.5.2 Relevant pages processed and disclosed by size of requests

Disposition	Less Than 100 Pages Processed		101-500 Pages Processed		501-1000 Pages Processed		1001-5000 Pages Processed		More Than 5000 Pages Processed	
	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	1	6	0	0	0	0	0	0	0	0
Disclosed in part	1	2	0	0	0	0	0	0	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	2	8	0	0	0	0	0	0	0	0

3.5.3 Other complexities

Disposition	Consultation Required	Assessment of Fees	Legal Advice Sought	Other	Total
All disclosed	0	0	0	0	0
Disclosed in part	0	0	0	0	0
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	0	0	0	0

3.6 Closed requests

3.6.1 Number of requests closed within legislated timelines

	Requests closed within legislated timelines
Number of requests closed within legislated timelines	2
Percentage of requests closed within legislated timelines (%)	100

3.7 Deemed refusals

3.7.1 Reasons for not meeting legislated timelines

Number of Requests Closed Past the Legislated Timelines	Principal Reason			
	Interference with Operations / Workload	External Consultation	Internal Consultation	Other
0	0	0	0	0

3.7.2 Requests closed beyond legislated timelines (including any extension taken)

Number of Days Past Legislated Timelines	Number of Requests Past Legislated Timeline Where No Extension Was Taken	Number of Requests Past Legislated Timeline Where an Extension Was Taken	Total
1 to 15 days	0	0	0
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	0	0	0

3.8 Requests for translation

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

Section 4: Extensions

4.1 Reasons for extensions and disposition of requests

Disposition of Requests Where an Extension Was Taken	9(1)(a) Interference With Operations	9(1)(b) Consultation		9(1)(c) Third-Party Notice
		Section 69	Other	
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

4.2 Length of extensions

	9(1)(a)	9(1)(b) Consultation	9(1)(c)
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Length of Extensions	Interference With Operations	Section 69	Other	Third-Party Notice
30 days or less	0	0	0	0
31 to 60 days	0	0	0	0
61 to 120 days	0	0	0	0
121 to 180 days	0	0	0	0
181 to 365 days	0	0	0	0
365 days or more	0	0	0	0
Total	0	0	0	0

Section 5: Fees

Fee Type	Fee Collected		Fee Waived or Refunded	
	Requests	Amount	Requests	Amount
Application	2	\$10	0	\$0
Other fees	0	\$0	0	\$0
Total	2	\$10	0	\$0

Section 6: Consultations Received From Other Institutions and Organizations

6.1 Consultations received from other Government of Canada institutions and organizations

Consultations	Other Government of Canada Institutions	Number of Pages to Review	Other Organizations	Number of Pages to Review
Received during reporting period	1	39	0	0
Outstanding from the previous reporting period	0	0	0	0
Total	1	39	0	0
Closed during the reporting period	1	39	0	0
Carried over to next reporting period	0	0	0	0

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

Number of Days Required to Complete Consultation Requests

Recommendation	1 to 15	16 to 30	31 to 60	61 to 120	121 to 180	181 to 365	More Than 365	Total
	Days	Days	Days	Days	Days	Days	Days	
Disclose entirely	0	0	0	0	0	0	0	0
Disclose in part	1	0	0	0	0	0	0	1
Exempt entirely	0	0	0	0	0	0	0	0
Exclude entirely	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	1	0	0	0	0	0	0	1

6.3 Recommendations and completion time for consultations received from other organizations

Recommendation	Number of Days Required to Complete Consultation Requests							
	1 to 15	16 to 30	31 to 60	61 to 120	121 to 180	181 to 365	More Than 365	Total
	Days	Days	Days	Days	Days	Days	Days	
Disclose entirely	0	0	0	0	0	0	0	0
Disclose in part	0	0	0	0	0	0	0	0
Exempt entirely	0	0	0	0	0	0	0	0
Exclude entirely	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

Section 7: Completion Time of Consultations on Cabinet Confidences

7.1 Requests with Legal Services

Number of Days	Fewer Than 100 Pages Processed		101-500 Pages Processed		501-1000 Pages Processed		1001-5000 Pages Processed		More Than 5000 Pages Processed	
	Number of Requests	Pages Disclosed	Number of Request	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
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

Number of Days	Fewer Than 100 Pages Processed		101–500 Pages Processed		501-1000 Pages Processed		1001-5000 Pages Processed		More Than 5000 Pages Processed	
	Number of Requests	Pages Disclosed	Number of Request	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
365	0	0	0	0	0	0	0	0	0	0
Total	0	0	0	0	0	0	0	0	0	0

Section 8: Complaints and investigations

Section 32 Notice of intention to investigate	Subsection 30(5) Ceased to investigate	Section 35 Formal representations	Section 37 Reports of finding received	Section 37 Reports of finding containing recommendations issued by the Information Commissioner	Section 37 Reports of finding containing orders issued by the Information Commissioner
0	0	0	0	0	0

Section 9: Court Action

9.1 Court actions on complaints received before June 21, 2019 and on-going

Section 41 (before June 21, 2019)	Section 42	Section 44
0	0	0

9.2 Court actions on complaints received after June 21, 2019

Section 41 (after June 21, 2019)				
Complainant (1)	Institution (2)	Third Party (3)	Privacy Commissioner (4)	Total
0	0	0	0	0

Section 10: Resources Related to the *Access to Information Act*

10.1 Costs

Expenditures		Amount
Salaries		\$1,102
Overtime		\$0
Goods and Services		\$66
• Professional services contracts	\$0	
• Other	\$66	
Total		\$1,168

10.2 Human Resources

Resources	Person Years Dedicated to Access to Information Activities
Full-time employees	0.01
Part-time and casual employees	0.00
Regional staff	0.00
Consultants and agency personnel	0.00
Students	0.00
Total	0.01

Note: Enter values to two decimal places.