



CANADA-NOVA SCOTIA
OFFSHORE PETROLEUM BOARD

The Canada-Nova Scotia Offshore Petroleum Board

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

April 1, 2014 to March 31, 2015

ACCESS TO INFORMATION ACT 2014 - 2015 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 ended March 31, 2015, required by Section 72 of the *Act*. This report is tabled in Parliament as required by Section 72 of the *Act*. During the reporting period the Board received 11 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 Canada in Ottawa, Ontario, and the Minister of Energy in Halifax, Nova Scotia. The Board is composed of five members and two alternate members; the Chair appointed jointly by the federal and provincial governments, two members and one alternate member 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 40 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 annually.

The Board offices are staffed by 40 full time people, four directors and 36 staff. Of these 35 reside in our Halifax offices and five are located at our archive facility in Dartmouth at the GRC/DMC. Our staff is comprised of health, safety and environment and conservation specialists that provide direction and regulation to oil and gas exploration company's offshore Nova Scotia the remainder of staff provide technical and administration support to staff. 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 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*

Policies, Procedures and Training

The Board has developed a formal policy and procedure for responding to requests for access to information. 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.

Informal, on-going training is completed regularly for all staff. 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 lunch and learns

are held to continue and update any changes or challenges that may be occurring with the requests we receive. The ATIP coordinator also works with subject specialists to help them understand the exemptions and exceptions and the Access to Information Act in general.

No new policies or procedures have been implemented in this reporting period. Changes have been planned for April 1, 2015 to begin providing better ATI summaries on our website. As of this report, we are unable to self-publish to the Open Government Portal. We are working a solution with TBS to find a work around for this challenge.

Issues Raised as a Result of Access to Information

There were 6 complaints received during this reporting period ending March 31, 2015. Six complaints from 2013/14 are still open. One complaint from 2011/12 reporting period which was received in October 2013 and reported in the 2013/14 statistical report is still open.

At the end of this reporting period, five complaints remain open. We have supplied the Office of the Information Commissioner with all our representations for these open complaint files. It is worthy to note that all complaints are from one requestor respecting multiple requests. The Board anticipates a conclusion to these open files in the near future.

Monitoring

The coordinator is responsible for tracking ATI requests, time extensions and consulting with subject specialists as well as clarifying request with the requestor. Due to this being the responsibility of one person the CNSOPB is able to continuously monitor the state of any given request at any time.

No other formal monitoring is conducted.

Statistical Report

The statistical report is attached for the year ended March 31, 2015. 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 11 new requests in 2014-2015. 11 requests were completed during the period. We have no requests carried over from this reporting period.

II: Disposition of Requests Completed

Of the requests completed during 2014-2015, the Board granted access in whole or in part, in some cases, records did not exist.

III and IV: Exemptions Invoked and Exclusions Cited

Exemptions invoked: Sections 19 (1), 20(1)(a), 24(1)

V and VI: Completion Time and Extensions

During 2014-2015, we had two requests closed past statutory deadline due to internal consultation and external consultation.

VII: Translations

No translation was required in 2014-2015 to respond to requests.

VIII: Method of Access

Access was provided via paper and electronic copies.

IX: Fees

The *Access to Information Act* authorizes fees for certain activities related to the processing of formal requests under the *Act*. In addition to a \$5 application fee, search, preparation and reproduction charges may also apply. The current fee structure is specified in the *Access to Information Regulations*. No fees are imposed for reviewing records, overhead or shipping costs. In accordance with Section 11 of the *Act*, no fees are charged for the first five hours required to search for a record or prepare any part of it for disclosure.

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

The Board collected application fees in the amount of \$35 during 2014-2015.

X: Costs

In 2014-2015, the direct cost of administering the *Access to Information Act* totaled \$31,902 in salary costs.

Access to Information Related Education

The ATIP Coordinator participated in a conference and a three-day training session in this reporting period.



Statistical Report on the Access to Information Act

Name of institution: Canada-Nova Scotia Offshore Petroleum Board

Reporting period: 2014-04-01 to 2015-03-31

Part 1: Requests Under the Access to Information Act

1.1 Number of requests

	Number of Requests
Received during reporting period	11
Outstanding from previous reporting period	0
Total	11
Closed during reporting period	11
Carried over to next reporting period	0

1.2 Sources of requests

Source	Number of Requests
Media	1
Academia	0
Business (private sector)	9
Organization	1
Public	0
Decline to Identify	0
Total	11

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	
0	0	0	0	0	0	0	0

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

Part 2: Requests Closed During the Reporting Period

2.1 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	5	0	0	2	0	0	0	7
All exempted	0	0	0	0	0	0	0	0
All excluded	0	0	0	0	0	0	0	0
No records exist	3	0	0	0	0	0	0	3
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
Total	8	1	0	2	0	0	0	11

2.2 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)	7	22.1(1)	0
15(1) - I.A.*	0	16.2(1)	0	20(1)(a)	1	23	0
15(1) - Def.*	0	16.3	0	20(1)(b)	0	24(1)	4
15(1) - S.A.*	0	16.4(1)(a)	0	20(1)(b.1)	0	26	0
16(1)(a)(i)	0	16.4(1)(b)	0	20(1)(c)	0		
16(1)(a)(ii)	0	16.5	0	20(1)(d)	0		
16(1)(a)(iii)	0	17	0				
16(1)(b)	0						
16(1)(c)	0						
16(1)(d)	0						

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

2.3 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

2.4 Format of information released

Disposition	Paper	Electronic	Other Formats
All disclosed	1	0	0
Disclosed in part	4	3	0
Total	5	3	0

2.5 Complexity

2.5.1 Relevant pages processed and disclosed

Disposition of Requests	Number of Pages Processed	Number of Pages Disclosed	Number of Requests
All disclosed	6	6	1
Disclosed in part	3278	797	7
All exempted	0	0	0
All excluded	0	0	0
Request abandoned	0	0	0
Neither confirmed nor denied	0	0	0

2.5.2 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	1	4	314	2	482	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	7	4	314	2	482	0	0	0	0

2.5.3 Other complexities

Disposition	Consultation Required	Assessment of Fees	Legal Advice Sought	Other	Total
All disclosed	0	0	0	0	0
Disclosed in part	2	0	0	0	2
All exempted	0	0	0	0	0
All excluded	0	0	0	0	0
Request abandoned	0	0	0	0	0
Neither confirmed nor	0	0	0	0	0
Total	2	0	0	0	2

2.6 Deemed refusals

2.6.1 Reasons for not meeting statutory deadline

Number of Requests Closed Past the Statutory Deadline	Principal Reason			
	Workload	External Consultation	Internal Consultation	Other
2	1	1	0	0

2.6.2 Number of days past deadline

Number of Days Past Deadline	Number of Requests Past Deadline Where No Extension Was Taken	Number of Requests Past Deadline Where An Extension Was Taken	Total
1 to 15 days	1	0	1
16 to 30 days	0	0	0
31 to 60 days	0	0	0
61 to 120 days	0	1	1
121 to 180 days	0	0	0
181 to 365 days	0	0	0
More than 365 days	0	0	0
Total	1	1	2

2.7 Requests for translation

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

Part 3: Extensions

3.1 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	2
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	2

3.2 Length of extensions

Length of Extensions	9(1)(a) Interference With Operations	9(1)(b) Consultation		9(1)(c) Third-Party Notice
		Section 69	Other	
30 days or less	0	0	0	0
31 to 60 days	0	0	0	1
61 to 120 days	0	0	0	1
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	2

Part 4: Fees

Fee Type	Fee Collected		Fee Waived or Refunded	
	Number of Requests	Amount	Number of Requests	Amount
Application	7	\$35	3	\$0
Search	0	\$0	0	\$0
Production	0	\$0	0	\$0
Programming	0	\$0	0	\$0
Preparation	0	\$0	0	\$0
Alternative format	0	\$0	0	\$0
Reproduction	0	\$0	0	\$0
Total	7	\$35	3	\$0

Part 5: Consultations Received From Other Institutions and Organizations

5.1 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	10	241	0	0
Outstanding from the previous reporting period	0	0	0	0
Total	10	241	0	0
Closed during the reporting period	10	241	0	0
Pending at the end of the reporting period	0	0	0	0

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

Recommendation	Number of Days Required to Complete Consultation Requests							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	
Disclose entirely	9	0	0	0	0	0	0	9
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	10	0	0	0	0	0	0	10

5.3 Recommendations and completion time for consultations received from other organizations

Recommendation	Number of Days Required to Complete Consultation Requests							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	
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

Part 6: Completion Time of Consultations on Cabinet Confidences

6.1 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 Requests	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
More than 365	0	0	0	0	0	0	0	0	0	0
Total	0	0	0	0	0	0	0	0	0	0

6.2 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 Requests	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
More than 365	0	0	0	0	0	0	0	0	0	0
Total	0	0	0	0	0	0	0	0	0	0

Part 7: Complaints and Investigations

Section 32	Section 35	Section 37	Total
6	6	1	13

Part 8: Court Action

Section 41	Section 42	Section 44	Total
0	0	0	0

Part 9: Resources Related to the Access to Information Act

9.1 Costs

Expenditures		Amount
Salaries		\$31,902
Overtime		\$0
Goods and Services		\$800
• Professional services contracts	\$0	
• Other	\$800	
Total		\$32,702

9.2 Human Resources

Resources	Person Years Dedicated to Access to Information Activities
Full-time employees	0.80
Part-time and casual employees	0.00
Regional staff	0.00
Consultants and agency personnel	0.00
Students	0.00
Total	0.80

Note: Enter values to two decimal places.