



CANADA-NOVA SCOTIA  
OFFSHORE PETROLEUM BOARD

**The Canada-Nova Scotia Offshore Petroleum Board**

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

**April 1, 2013 to March 31, 2014**

## **ACCESS TO INFORMATION ACT 2013 - 2014 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, 2014, 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 28 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 39 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; however, 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.

Five of the Board's employees are employed full time at the Board's GRC, and among their other duties they handle requests for technical information and access to samples. In addition, 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, 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 to the procedures provided for in the *Access to Information Act*. The Board also receives many requests from the public and media for general information related to offshore petroleum activities. These requests are made informally and the Board is usually able to provide such information.

## 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 attended the Canadian Access and Privacy Association Conference and one training session offered through the TBS-Information and Privacy Policy Division. The CNSOPB is now self-publishing their Info Source Chapter on the board website.

## Delegation of Authority

The Chair of the Board was designated as the "head" of the Board within the meaning of Section 3 of the Access to Information Act by an amendment dated April 8, 1992 (*SI/92-54*) of the *Access to Information Act Heads of Government Institutions Designation Order*, P.C. 1983-1835. The Chair has designated the Board's Chief Executive Officer and the Access to Information and Privacy Coordinator to exercise or perform any of the powers, duties or functions of the Chair under the *Act* in accordance with Section 73 of the *Act*.

## **Issues Raised as a Result of Access to Information**

There were 11 complaints were received during this reporting period ending March 31, 2014. One complaint from a previous reporting period 2010/2011 was closed in this reporting period. One complaint from 2011/12 reporting period was received in October 2013.

At the end of this reporting period, we had five closed complaints and eight remain open. We have supplied the Office of the Information Commissioner with all our representations for these open files. The CNSOPB hopes to have a conclusion to these remaining files in the near future.

## **Statistical Report**

The statistical report for the year ended March 31, 2014. 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 25 new requests in 2013-2014. 28 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 2013-2014, 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), 20(1)(b), 23, 24(1)

### **V and VI: Completion Time and Extensions**

During 2013--2014, we had three requests closed past statutory deadline due to internal consultation and external consultation.

### **VII: Translations**

No translation was required in 2013-2014 to respond to requests.

### **VIII: Method of Access**

Access was provided via paper 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 \$100 during 2013-2014.

**X: Costs**

In 2013-2014 the direct cost of administering the *Access to Information Act* totaled \$41,500 in salary costs.

**Access to Information Related Education**

The ATIP Coordinator participated in a conference and a one-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: 4/1/2013 to 31-Mar-14

### PART 1 – Requests under the Access to Information Act

#### 1.1 Number of Requests

	Number of Requests
Received during reporting period	25
Outstanding from previous reporting period	3
<b>Total</b>	<b>28</b>
Closed during reporting period	28
Carried over to next reporting period	0

#### 1.2 Sources of requests

Source	Number of Requests
Media	1
Academia	0
Business (Private Sector)	18
Organization	6
Public	0
<b>Total</b>	<b>25</b>

### 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	4	4	0	0	0	1	0	9
Disclosed in part	0	3	4	6	0	1	0	14
All exempted	0	0	0	0	0	0	0	0
All excluded	0	0	0	0	0	0	0	0
No records exist	1	1	3	0	0	0	0	5
Request transferred	0	0	0	0	0	0	0	0
Request abandoned	0	0	0	0	0	0	0	0
Treated informally	0	0	0	0	0	0	0	0
<b>Total</b>	<b>5</b>	<b>8</b>	<b>7</b>	<b>6</b>	<b>0</b>	<b>2</b>	<b>0</b>	<b>28</b>

## 2.2 Exemptions

Section	Number of requests	Section	Number of requests	Section	Number of requests	Section	Number of requests
13(1)(a)	1	16(2)(a)	0	18(a)	0	20.1	0
13(1)(b)	0	16(2)(b)	0	18(b)	0	20.2	0
13(1)(c)	0	16(2)(c)	0	18(c)	0	20.4	0
13(1)(d)	0	16(3)	0	18(d)	0	21(1)(a)	1
13(1)(e)	0	16.1(1)(a)	0	18.1(1)(a)	0	21(1)(b)	1
14(a)	0	16.1(1)(b)	0	18.1(1)(b)	0	21(1)(c)	0
14(b)	0	16.1(1)(c)	0	18.1(1)(c)	0	21(1)(d)	0
15(1) - I.A.*	0	16.1(1)(d)	0	18.1(1)(d)	0	22	0
15(1) - Def.*	0	16.2(1)	0	19(1)	10	22.1(1)	0
15(1) - S.A.*	0	16.3	0	20(1)(a)	0	23	1
16(1)(a)(i)	0	16.4(1)(a)	0	20(1)(b)	0	24(1)	1
16(1)(a)(ii)	0	16.4(1)(b)	0	20(1)(b.1)	0	26	0
16(1)(a)(iii)	0	16.5	0	20(1)(c)	0		
16(1)(b)	0	17	0	20(1)(d)	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)(a)	0	69(1)(g) re (a)	0
68(b)	0	69(1)(b)	0	69(1)(g) re (b)	0
68(c)	0	69(1)(c)	0	69(1)(g) re (c)	0
68.1	0	69(1)(d)	0	69(1)(g) re (d)	0
68.2(a)	0	69(1)(e)	0	69(1)(g) re (e)	0
68.2(b)	0	69(1)(f)	0	69(1)(g) re (f)	0
				69.1(1)	0

## 2.4 Format of information released

Disposition	Paper	Electronic	Other formats
All disclosed	8	0	0
Disclosed in part	15	0	0
<b>Total</b>	<b>23</b>	<b>0</b>	<b>0</b>

## 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	77	77	9
Disclosed in part	6261	1419	14
All exempted	0	0	0
All excluded	0	0	0
Request abandoned	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	9	77	0	0	0	0	0	0	0	0
Disclosed in part	10	376	4	1029	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
Abandoned	0	0	0	0	0	0	0	0	0	0
<b>Total</b>	19	453	4	1029	0	0	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
Abandoned	0	0	0	0	0
<b>Total</b>	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
3	0	0	2	1

### 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	0	1	1
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	1	1	2
More than 365 days	0	0	0
<b>Total</b>	1	2	3

## 2.7 Requests for translation

Translation Requests	Accepted	Refused	Total
English to French	0	0	0
French to English	0	0	0
<b>Total</b>	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	8	0	0	4
All exempted	0	0	0	0
All excluded	0	0	0	0
No records exist	3	0	0	0
Request abandoned	0	0	0	0
<b>Total</b>	11	0	0	4

### 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	3	0	0	0
31 to 60 days	9	0	0	0
61 to 120 days	2	0	0	0
121 to 180 days	1	0	0	0
181 to 365 days	0	0	0	0
365 days or more	0	0	0	0
<b>Total</b>	15	0	0	0

## PART 4 – Fees

Fee Type	Fee Collected		Fee Waived or Refunded	
	Number of requests	Amount	Number of requests	Amount
Application	20	\$100	0	\$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
<b>Total</b>	20	\$100	0	\$0

## PART 5 – Consultations received from other institutions and organizations

### 5.1 Consultations received from other government institutions and organizations

Consultations	Other government institutions	Number of pages to review	Other organizations	Number of pages to review
Received during reporting period	6	390	0	0
Outstanding from the previous reporting period	0	0	0	0
<b>Total</b>	6	390	0	0
Closed during the reporting period	6	390	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 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	than 365 days	
Disclose entirely	3	1	0	0	0	0	0	4
Disclose in part	0	1	0	0	0	0	0	1
Exempt entirely	0	0	1	0	0	0	0	1
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
<b>Total</b>	3	2	1	0	0	0	0	6

### 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	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
<b>Total</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>

### PART 6 – Completion time of consultations on Cabinet confidences

Number of days	Number of responses received	Number of responses received past deadline
1 to 15	0	0
16 to 30	0	0
31 to 60	0	0
61 to 120	0	0
121 to 180	0	0
181 to 365	0	0
More than 365	0	0
<b>Total</b>	<b>0</b>	<b>0</b>

### PART 7 – Resources related to the Access to Information Act

#### 7.1 Costs

Expenditures	Amount
Salaries	\$41,500
Overtime	\$0
Goods and Services	\$1,734
• Professional services contracts	\$0
• Other	\$1,734
<b>Total</b>	<b>\$43,234</b>

## 7.2 Human Resources

<b>Resources</b>	<b>Dedicated full-time to ATI activities</b>	<b>Dedicated part-time to ATI activities</b>	<b>Total</b>
Full-time employees	0.00	1.00	1.00
Part-time and casual employees	0.00	0.00	0.00
Regional staff	0.00	0.00	0.00
Consultants and agency personnel	0.00	0.00	0.00
Students	0.00	0.00	0.00
<b>Total</b>	0.00	1.00	1.00