



CANADA-NOVA SCOTIA
OFFSHORE PETROLEUM BOARD

The Canada-Nova Scotia Offshore Petroleum Board

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

April 1, 2020 to March 31, 2021

ACCESS TO INFORMATION ACT 2020-2021 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 (CNSOPB) during the Board's financial year, which ended March 31, 2021, 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 one request.

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 and Mines 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 21 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 21 full time people, five directors and 16 staff. Of these 18 reside in our Halifax offices and three 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, no new policies or procedures were implemented or updated this year. Formal requests for information are referred to the CNSOPB'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 we have no new staff and a drastic reduction in staff due to budget cuts, therefore no staff has been 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

One request was received and processed this reporting year. This is down by one compared to 2019-2020 when we received two requests. We experienced a decrease 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. 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. One informal request was received, and responded to within 15 days. Covid-19 has not impacted our ability to process requests during the 2019-2020 reporting year. 100% of requests were closed during this period.

Source	2016-2017	2017-2018	2018-2019	2019-2020	2020-2021
Media	3	6	1	0	0
Academia	0	0	0	0	0
Business (private sector)	11	2	0	1	0
Organization	3	1	0	1	0
Public	2	0	0	0	1
Decline to ID	0	0	0	0	0
Total	19	9	1	2	1

Issues Raised as a Result of Access to Information

No new complaints for this reported year were received. This is consistent with 2016/17, 2017/18 and 2019/2020 where no new complaints were received. This is down from 2018-2019 when we received three new complaints.

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, 2021. 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 one new request in 2020-2021. The request was completed during this period. We have no requests carried over from this reporting period.

II: Disposition of Requests Completed

The requests completed during 2020-2021, the Board granted access in full.

III and IV: Exemptions Invoked and Exclusions Cited

Exemptions invoked: none

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 2020-2021 to respond to requests.

VIII: Method of Access

Response to access request was provided electronically by email.

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 \$0 in application fees for one requests during 2020-2021 as the requester asked for the fee to be waived and as the request wasn't time consuming the request was granted.

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: 4/1/2020 to 3/31/2021

Section 1: Requests Under the Access to Information Act

1.1 Number of requests

	Number of Requests
Received during reporting period	1
Outstanding from previous reporting period	0
Total	1
Closed during reporting period	1
Carried over to next reporting period	0

1.2 Sources of requests

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

1.3 Informal requests

Completion Time							
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	Total
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 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	1	0	0	0	0	0	0	1
Disclosed in part	0	0	0	0	0	0	0	0
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	1	0	0	0	0	0	0	1

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)	0	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
0	1	0

3.5 Complexity

3.5.1 Relevant pages processed and disclosed

Number of Pages Processed	Number of Pages Disclosed	Number of Requests
2	2	1

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	2	0	0	0	0	0	0	0	0
Disclosed in part	0	0	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
Declined to act with the approval of the Information Commissioner	0	0	0	0	0	0	0	0	0	0
Total	1	2	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
Declined to act with the approval of the Information Commissioner	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	1
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
Decline to act with the approval of the Information Commissioner	0	0	0	0
Total	0	0	0	0

4.2 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	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	0	\$0	1	\$5
Other fees	0	\$0	0	\$0
Total	0	\$0	1	\$5

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
More than 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
More than 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		\$390
Overtime		\$0
Goods and Services		\$0
• Professional services contracts	\$0	
• Other	\$0	
Total		\$390

10.2 Human Resources

Resources	Person Years Dedicated to Access to Information Activities
Full-time employees	0.001
Part-time and casual employees	0.000
Regional staff	0.000
Consultants and agency personnel	0.000
Students	0.000
Total	0.001

Note: Enter values to three decimal places.

2019-2020 Supplemental Statistical Report – Requests affected by COVID-19 measures

In addition to completing the forms for the Statistical Reports on the ATIA and Privacy Act for 2019-20, institutions are asked to complete this Supplemental Report to help identify the impact of COVID-19 measures on institutional performance for 2019-20 and going forward. The data requirements are set out in the tables below.

Supplemental Statistical Report on the *Access to Information Act*

The following table reports the total number of formal requests received during two periods; 2019-04-01 to 2020-03-13 and 2020-03-14 to 2020-03-31.

Table 1 – Requests Received

		Column (Col.) 1
		Number of requests
Row 1	Received from 2019-04-01 to 2020-03-13	2
Row 2	Received from 2020-03-14 to 2020-03-31	0
Row 3	Total¹	2

¹ – Total for Row 3 should equal the total in the ATI Statistical Report section 1.1 Row 1

The following table reports the total number of requests closed within the legislated timelines and the number of closed requests that were deemed refusals during two periods 2019-04-01 to 2020-03-13 and 2020-03-14 to 2020-03-31.

Table 2 – Requests Closed

		Col. 1	Col. 2
		Number of requests closed within the legislated timelines	Number of requests closed past the legislated timelines
Row 1	Received from 2019-04-01 to 2020-03-13 and outstanding from previous reporting periods	2	0
Row 2	Received from 2020-03-14 to 2020-03-31	0	0
Row 3	Total²	2	0

² – Total for Row 3 Col. 1 should equal the total in the ATI Statistical Report section 3.6.1

Row 1 -- Total for Row 3 Col. 2 should equal the total in the ATI Statistical Report section 3.7.1. Col. 1 Row 1

The following table reports the total number of requests carried over during two periods; 2019-04-01 to 2020-03-13 and 2020-03-14 to 2020-03-31.

Table 3 – Requests Carried Over

		Col. 1
		Number of requests
Row 1	Requests received from 2019-04-01 to 2020-03-13 and outstanding from previous reporting period that were carried over to the 2020-2021 reporting period	0
Row 2	Requests received from 2020-03-14 to 2020-03-31 that were carried over to the 2020-2021 reporting period	0
Row 3	Total³	0

³ – Total for Row 3 should equal the total in the ATI Statistical Report section 1.1 Row 5

Supplemental Statistical Report on the *Privacy Act*

The following table reports the total number of formal requests received during two periods; 2019-04-01 to 2020-03-13 and 2020-03-14 to 2020-03-31.

Table 4 – Requests Received

		Column (Col.) 1
		Number of requests
Row 1	Received from 2019-04-01 to 2020-03-13	1
Row 2	Received from 2020-03-14 to 2020-03-31	0
Row 3	Total¹	1

¹ – Total for Row 3 should equal the total in the Privacy Statistical Report Section 1.1 Row 1

The following table reports the total number of requests closed within the legislated timelines and the number of closed requests that were deemed refusals during two periods 2019-04-01 to 2020-03-13 and 2020-03-14 to 2020-03-31.

Table 5 – Requests Closed

	Col. 1	Col. 2	
	Number of requests closed within the legislated timelines	Number of requests closed past the legislated timelines	
Row 1	Received from 2019-04-01 to 2020-03-13 and outstanding from previous reporting periods	1	0
Row 2	Received from 2020-03-14 to 2020-03-31	0	0
Row 3	Total²	1	0

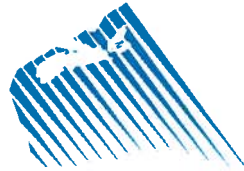
² – Total for Row 3 Col. 1 should equal the total in the Privacy Statistical Report Section 2.6.1 Row 1 -- Total for Row 3 Col. 2 should equal the total in the Privacy Statistical Report Section 2.7.1. Col. 1 Row 1

The following table reports the total number of requests carried over during two periods; 2019-04-01 to 2020-03-13 and 2020-03-14 to 2020-03-31.

Table 6– Requests Carried Over

	Col. 1	
	Number of requests	
Row 1	Requests from 2019-04-01 to 2020-03-13 and outstanding from previous reporting period that were carried over to the 2020-2021 reporting period	0
Row 2	Requests from 2020-03-14 to 2020-03-31 that were carried over to the 2020-2021 reporting period	0
Row 3	Total³	0

³ – Total for Row 3 should equal the total in the Privacy Statistical Report Section 1.1 Row 5



CANADA-NOVA SCOTIA
OFFSHORE PETROLEUM BOARD

Delegation Under the Access to Information Act & Privacy Act

The Chairperson, Canada-Nova Scotia Offshore Petroleum Board (CNSOPB) pursuant to section 73 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 Chairperson as the head of CNSOPB under the provisions of the Act and related regulations set out in the schedule opposite each position. This designation replaces all previous delegation orders.

Position	Schedule	
	<i>Access to Information Act</i> and Regulations	<i>Privacy Act</i> and Regulations
Chief Executive Officer	Full authority	Full authority
General Counsel	Full authority	Full authority
Director, Information Services	Full authority	Full authority
Access to Information & Privacy Coordinator	Full authority	Full authority
Assistant, Access to Information & Privacy Coordinator	Full authority	Full authority



Keith MacLeod, Chairperson
Canada-Nova Scotia Offshore Petroleum Board



Date