

March 31, 2020

Table of Contents

Contents

1.Introduction..... 3

2.Organizational Structure 4

3.Delegation Order..... 5

4.Highlights of the Statistical Report, 2019-20..... 5

5.Training and Awareness..... 5

6.Policies, Guidelines, Procedures, and Initiatives 6

7.Summary of Key Issues and Actions Taken on Complaints or Audits..... 6

8.Monitoring Compliance 6

Annex 1: Statistical Report on the *Access to Information Act*.....7

1. Introduction

The following Annual Report outlines the Nunavut Impact Review Board's (the NIRB or Board) organizational structure, procedural updates, and activities as they related to administration of the *Access to Information Act* (the Act) during the 2019-20 reporting period. This report has been prepared and tabled in Parliament in accordance with section 72 of the Act.

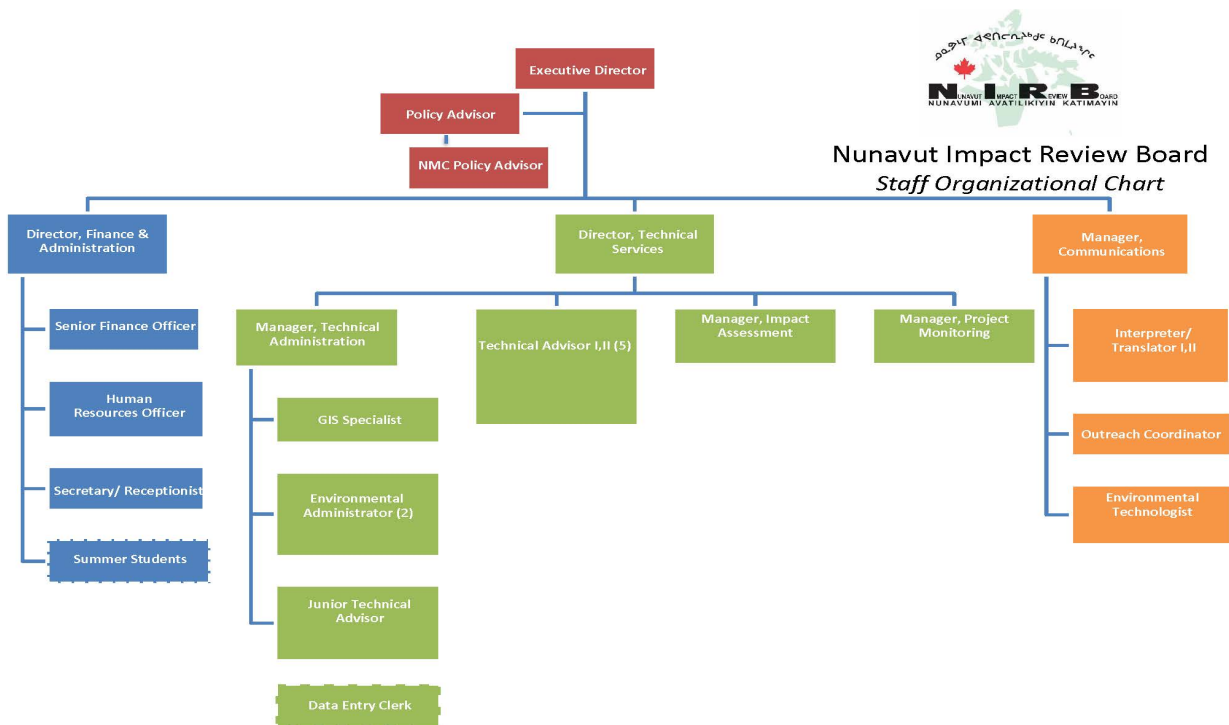
The purpose of the *Access to Information Act* is to ensure transparency in Canadian government institutions. The Act “gives Canadian citizens, permanent residents, and any person or corporation present in Canada a right to access records of government institutions that are subject to the Act”¹ and as a result increases the transparency and accountability of these institutions.

The NIRB is an institution of public government created by the *Nunavut Agreement* to assess the potential impacts of proposed development in the Nunavut Settlement Area prior to approval of the required project authorizations. Using both traditional knowledge and recognized scientific methods, the NIRB assesses the potential biophysical and socio-economic impact of proposals and will make recommendations and decisions about which projects may proceed. The Board may also establish monitoring programs for projects that have been assessed and approved to proceed. The NIRB's mandate and authority comes from Article 12 of the *Nunavut Agreement* and the *Nunavut Planning and Project Assessment Act*.

As indicated in the report that follows, the majority of the NIRB's Access to Information (ATI) requests are treated informally. This is due to the fact that a significant portion of the NIRB's documents are made publicly available on its online public registry as well as to the low volume of ATI requests that the NIRB receives.¹

^{1 1 1} <https://www.canada.ca/en/treasury-board-secretariat/services/access-information-privacy.html>

2. ²Organizational Structure



The NIRB is a relatively small organization with 26 staff members reporting to a Board of Directors. It is organized into four (4) departments with the Executive Department overseeing the Finance and Administration, Technical, and Communications Departments. There are two (2) staff members directly responsible for ensuring adherence to the *Access to Information Act* (the Act); the Executive Director and the Environmental Technologist.

The role of the Executive Director, as it pertains to the Act, is to provide final approval of all responses to Access to Information (ATI) requests and disclosures of documents. The Executive Director also receives and responds to all ATI consultations received from other governmental institutions and organizations.

The Environmental Technologist's responsibilities relating to the Act include coordinating responses to requests received under the Act, ensuring that the NIRB's ATI processes and procedures are up to date, monitoring the NIRB's online Access to Information and Privacy (ATIP) request system, and preparing annual and statistical reports.

There are two (2) principle ways in which the NIRB receives ATI requests. The first is through correspondence in the form of an official letter delivered to the NIRB. The majority of the requests received in this manner are consultations received from other governmental institutions and organizations. The second is through the online ATIP request system found on the NIRB's website

(<http://www.nirb.ca/information-requests>). This tool provides a simple way for members of the public to both submit ATIP requests to the NIRB and to review what other requests have been made in the past.

It should be noted, however, that this online tool for submitting ATIP requests is in the process of being phased out due to the NIRB's recent onboarding to the new ATIP Online Request Service (the AORS). More information about this development can be found in section 6 of this report.

3. Delegation Order

The powers and responsibilities of the NIRB's Executive Director under the *Access to Information Act* (the Act) have not been formally delegated using a delegation order. However, as stated above, the Environmental Technologist's job description includes duties related to the Act.

4. Highlights of the Statistical Report, 2019-20

The NIRB submitted its 2019-20 Statistical Report to the Treasury Board Secretariat (TBS) by email on September 2, 2020. As indicated in the report, the NIRB received two (2) Access to Information (ATI) requests in total during the reporting period. Of these requests, two (2) were sent through encrypted emails using mykey certificates. The two (2) requests that were submitted were sent by academia and private industry respectively.

Every ATI request received by the NIRB during this reporting period resulted in an extension being granted due to the volume of documents that need to be looked at, with COVID-19 measures in place this year it has made it difficult to respond in the given time frames. The two (2) ATI requests that the Nunavut Impact Review Board received in this reporting period are still waiting to be fulfilled.

The NIRB responded to all requests within the 30-day time limit required by the Act for formal requests.

The cost indicated in the statistical report (\$14,409) expresses one tenth (0.10) of the salary of the Environmental Technologist. This cost relates to this position's duties relating to both the *Access to Information Act* and the *Privacy Act*. This figure does not include the salaries of staff members who may be involved in internal consultations relating to ATIP requests.

A copy of the NIRB's 2019-20 statistical report can be found in Annex 1 of this report.

5. Training and Awareness

During this reporting period several one-on-one meetings were held with newly recruited staff members to assist in the on boarding of the AORS. Periodic reminders are also provided to all NIRB staff and board members.

Board members received training as part of the workshop held in partnership with the February 2020 Regular Board Meeting.

6. Policies, Guidelines, Procedures, and Initiatives

During the 2019-20 reporting period, the NIRB continues the process of onboarding to the ATIP Online Request Service (AORS). The AORS is an online platform that the public can use to submit ATIP requests to a wide range of Federal Government institutions with the purpose of streamlining the ATIP submission process.

To ensure the system remains streamlined, the NIRB has phased out its online ATIP tool in 2019-20. The NIRB, however, maintains its current Information Requests page on its website for reporting purposes and is providing a link to the AORS website for users.

No other changes were made to the NIRB's policies, guidelines, procedures, and initiatives as they relate to the *Access to Information Act* during the 2019-20 reporting period.

7. Summary of Key Issues and Actions Taken on Complaints or Audits

The NIRB received no complaints, audits, or investigations during the reporting period.

8. Monitoring Compliance

The NIRB ensures its adherence to the timelines required by the *Access to Information Act* by maintaining regular communication between the Environmental Technologist and the Executive Director when an ATIP request is being processed as well as by using the tracking system that is built into the NIRB's online ATIP tool. This tracking system allows both internal and external users of the website to see when a request was filed, what the status of the request is and, when complete, how long it took for a request to be closed. Despite the fact that the NIRB received no requests that required formal treatment during the 2019-20 reporting period, these practices were followed to maintain accountability between the Communications and Executive departments and between NIRB and the public.

Measures implemented in response to Covid-19 and staff turnover in the position of Executive Director impacted the NIRB's ability to respond in a timely manner.

Should you have any questions or require clarification on specific points within this report, please contact the undersigned directly at (867) 983-4608 or via email at kcostello@nirb.ca

Sincerely,



Karen D. Costello
Executive Director
Nunavut Impact Review Board



Statistical Report on the *Access to Information Act*

Name of institution: NUNAVUT IMPACT REVIEW BOARD

Reporting period: 4/1/2019 to 3/31/2020

Part 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 | 0 |
| Carried over to next reporting period | 2 |

1.2 Sources of requests

| Source | Number of Requests |
|---------------------------|--------------------|
| Media | 0 |
| Academia | 0 |
| Business (private sector) | 1 |
| Organization | 0 |
| Public | 1 |
| 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 | |
| 0 | 2 | 0 | 0 | 0 | 2 | 0 | 2 |

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 | | | | | | | |
|------------------------------|-----------------|---------------|---------------|----------------|-----------------|-----------------|--------------------|-------|
| | 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 |
| All disclosed | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| 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 |
| Total | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |

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) | 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 | 24(1) | 0 |
| 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(d) | 0 |

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

2

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 |
|-------------|-------|------------|---------------|
| 0 | 0 | 0 | 0 |
| 0 | 0 | 0 | 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 | 0 | 0 | 0 |
| Disclosed in part | 0 | 0 | 0 |
| 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 | 0 | 0 | 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 |
| Total | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |

3

2.5.3 Other complexities

| Disposition | Consultation Required | | Assessment of Fees | | Legal Advice Sought | | Other | | Total | |
|-----------------------|-----------------------|---|--------------------|---|---------------------|---|-------|---|-------|---|
| All disclosed | 0 | 0 | 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 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Total | 0 | | 0 | | 0 | | 0 | | 0 | |

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 |
| 0 | 0 | 0 | 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 | 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 | 2 | 0 |
| More than 365 days | 0 | | 0 |
| Total | 0 | 0 | 0 |

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 |

4

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 | 2 | 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 | 2 | 0 | 0 |

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 | 2 | 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 | 2 | 0 | 0 |

Part 4: Fees

| Fee Type | Fee Collected | | Fee Waived or Refunded | |
|--------------------|--------------------|--------|------------------------|--------|
| | Number of Requests | Amount | Number of Requests | Amount |
| Application | 0 | \$0 | 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 |
| Total | 0 | \$0 | 0 | \$0 |

5

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 | 2 | 158 | 0 | 0 |
| Outstanding from the previous reporting period | 0 | 0 | 0 | 0 |
| Total | 2 | 158 | 0 | 0 |
| Closed during the reporting period | 2 | 0 | 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

| | | | | | | | | | | |
|-------|---|---|---|---|---|---|---|---|---|---|
| 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 |
|------------|------------|------------|-------|
| 0 | 0 | 0 | 0 |

Part 8: Court Action

| Section 41 | Section 42 | Section 44 | Total |
|------------|------------|------------|-------|
| 0 | 0 | 0 | 0 |

7

Part 9: Resources Related to the Access to Information Act

9.1 Costs

| Expenditures | | Amount |
|-----------------------------------|--|-----------------|
| Salaries | | \$14,409 |
| Overtime | | \$0 |
| Goods and Services | | \$0 |
| • Professional services contracts | | |
| • Other | | |
| Total | | \$14,409 |

9.2 Human Resources

| Resources | Person Years Dedicated to Access to Information Activities |
|----------------------------------|---|
| Full-time employees | 0.10 |
| Part-time and casual employees | 0.00 |
| Regional staff | 0.00 |
| Consultants and agency personnel | 0.00 |
| Students | 0.00 |
| Total | 0.10 |

Note: Enter values to two decimal places.