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## 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 2020-21 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”<sup>1</sup> and as a result increases the transparency and accountability of these institutions.

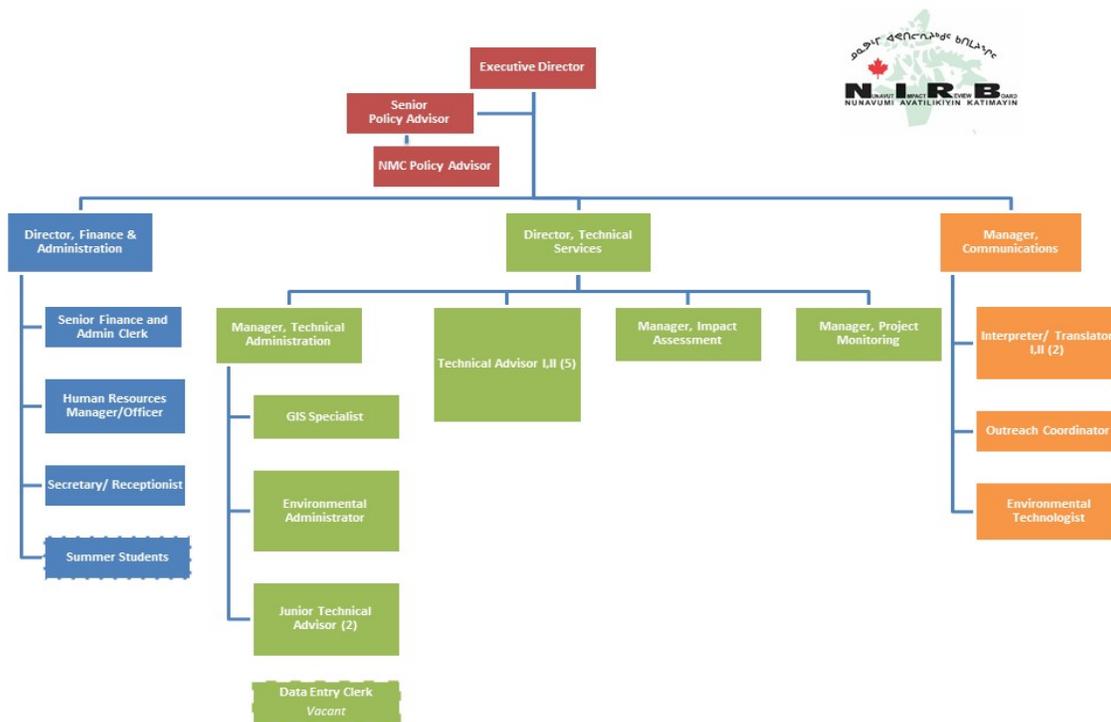
The NIRB is an institution of public government created by the *Nunavut Agreement* to assess the potential impacts of proposed development in the Nunavut Settlement Area prior to approval of the required project authorizations. Using both traditional knowledge and recognized scientific methods, the NIRB 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.<sup>1</sup>

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

## 2. Organizational 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 (<https://www.nirb.ca/information-requests>).

### **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, 2020-21**

The NIRB submitted its 2020-21 Statistical Report to the Treasury Board Secretariat (TBS) by email on June 4, 2021. As indicated in the report, the NIRB received one (1) Access to Information (ATI) requests in total during the 2020/2021 reporting period. This request was sent through encrypted emails using mykey certificates. The one (1) request that was submitted was sent by private industry.

The one (1) request that the NIRB received this reporting period was fulfilled within the legislated timeline with no extension request. Of the two (2) ATI requests that the Nunavut Impact Review Board carried over from the 2019/2020 reporting period, one (1) has been fulfilled after extensions were requested. The NIRB still has one outstanding request from the 2020/2021 reporting period that is being processed.

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 2020-21 statistical report can be found in Annex 1 of this report.

### **5. Training and Awareness**

During the 2020/2021 reporting period the Environmental Technologist participated in an online self paced course titled, "OPI Training for the Canadian Federal Access to Information and Privacy Acts (ATIP)" offered by ATIP Specialist Julia O'Grady. 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.

## **6. Policies, Guidelines, Procedures, and Initiatives**

During the 2020-21 reporting period, the NIRB completed 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 the 2019-20 reporting period. The NIRB 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 2020-21 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.

Measures implemented in response to COVID-19 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](mailto: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: 2020-04-01 to 2021-03-31

### 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	2
<b>Total</b>	<b>3</b>
Closed during reporting period	2
Carried over to next reporting period	1

#### 1.2 Sources of requests

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

#### 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	
2	0	0	0	0	0	0	2

**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
<b>Total</b>	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	0	0	0	0	0	0	0
Disclosed in part	0	0	0	0	0	0	1	1
All exempted	0	0	0	0	0	0	0	0
All excluded	0	0	0	0	0	0	0	0
No records exist	1	0	0	0	0	0	0	1
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
<b>Total</b>	1	0	0	0	0	0	1	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)	1
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
25	25	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	0	0	0	0	0	0	0	0	0	0
Disclosed in part	1	25	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
<b>Total</b>	<b>1</b>	<b>25</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>

### 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	1	0	1
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
<b>Total</b>	<b>0</b>	<b>0</b>	<b>1</b>	<b>0</b>	<b>1</b>

### 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 (%)	50

### 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
1	0	1	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	1	1
<b>Total</b>	0	1	1

### 3.8 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

## 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	1	0	0
All exempted	0	0	0	0
All excluded	0	0	0	0
No records exist	0	1	0	0
Request abandoned	0	0	0	0
Decline to act with the approval of the Information Commissioner	0	0	0	0
<b>Total</b>	0	2	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	2	0	0
<b>Total</b>	0	2	0	0

## Section 5: Fees

Fee Type	Fee Collected		Fee Waived or Refunded	
	Requests	Amount	Requests	Amount
Application	0	\$0	3	\$15
Other fees	0	\$0	0	\$0
<b>Total</b>	0	\$0	3	\$15



## 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
<b>Total</b>	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
<b>Total</b>	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		\$14,409
Overtime		\$0
Goods and Services		\$0
• Professional services contracts	\$0	
• Other	\$0	
<b>Total</b>		<b>\$14,409</b>

**10.2 Human Resources**

Resources	Person Years Dedicated to Access to Information Activities
Full-time employees	0.100
Part-time and casual employees	0.000
Regional staff	0.000
Consultants and agency personnel	0.000
Students	0.000
<b>Total</b>	<b>0.100</b>

**Note:** Enter values to three decimal places.