



Nunavut Impact Review Board Annual Report on the Administration of the *Access to Information Act*



April 1 2018 -
March 31, 2019

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1. Introduction

The following Annual Report outlines the Nunavut Impact Review Board's (the NIRB) organizational structure, procedural updates and activities as they related to administration of the *Access to Information Act* (the Act) during the 2018-19 reporting period. This report has been prepared and tabled in Parliament in accordance with section 72 of the Act.

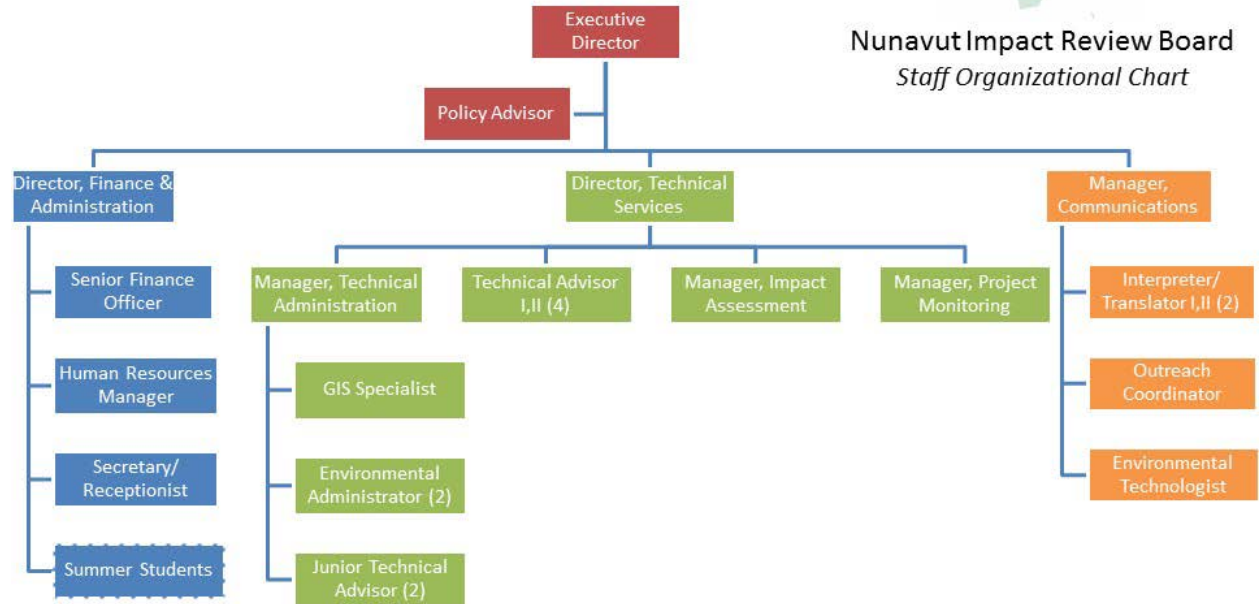
The purpose of the *Access to Information Act* is to ensure transparency in Canadian government institutions. The Act “gives Canadian citizens, permanent residents, and any person or corporation present in Canada a right to access records of government institutions that are subject to the Act”¹ and as 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. The 2018-19 reporting period remained true to this trend, with all requests resulting in informal treatment and the release public documents only.

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

2. Organizational Structure



The NIRB is a relatively small organization with 24 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.

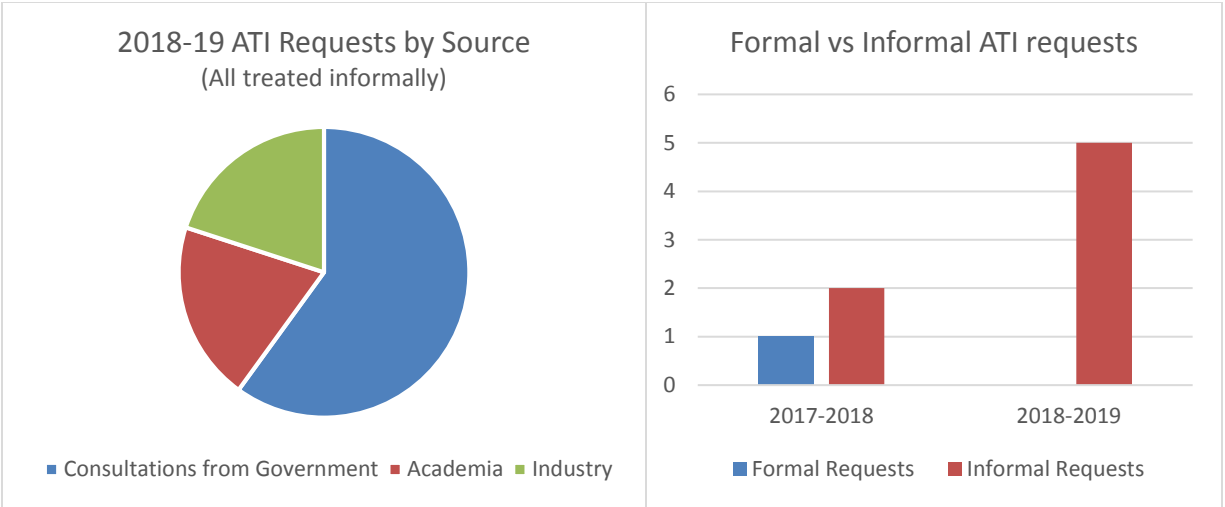
3. Delegation Order

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, 2018-19

The NIRB submitted its 2018-19 Statistical Report to the Treasury Board Secretariat (TBS) by email on May 7, 2019. As indicated in the report, the NIRB received five (5) Access to Information (ATI) requests in total during the reporting period. Of these requests, three (3) were submitted by physical mail and two (2) were sent through the NIRB's online ATIP request tool. The three (3) requests that were submitted by mail were all consultations from other government institutions and organizations while the other two (2) were sent by academia and private industry respectively.

Every ATI request received by the NIRB during this reporting period resulted in informal responses as the documents requested were already publicly available on the NIRB's online Public Registry. This result is typical of the NIRB's ATI activities due to the highly public nature of the NIRB's operations.



Because all ATI requests were made for publicly available documents, no exemptions or exclusions were required in any of the NIRB’s responses to ATI requests in the reporting period. Again, this is consistent with previous years: the NIRB has never had to use an exemption or exclusion in its ATI responses.

Despite the fact that each ATI request was treated informally, the NIRB responded to all requests within the 30-day time limit required by the Act for formal requests. The sole exception to this was a request from private industry that was initially unclear in its scope. In this case the NIRB reached out to the company repeatedly to request clarification, but after three (3) months received no response from the company. At this time the NIRB provided its response to the best of its ability, directed the company to the relevant section of the Public Registry and closed the request. The company has not made any further comments regarding this request.

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 2018-19 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 inform them of the policies and procedures of the NIRB, including those relating to

compliance with the *Access to Information Act*. Periodic reminders are also provided to all NIRB staff and board members.

6. Policies, Guidelines, Procedures and Initiatives

During the 2018-19 reporting period, the NIRB began 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. The NIRB is supportive of the AORS initiative as it promises to provide an efficient system for users and increase transparency across a wide range of institutions.

To ensure the system remains streamlined, the NIRB will be phasing out its online ATIP tool in 2019-20. The NIRB, however, will maintain its current Information Requests page on its website for reporting purposes and will provide a link to the AORS website for users. Additionally, the NIRB plans to use this page to outline alternative methods of accessing information held by the NIRB in an effort to reduce the number of ATIP requests that pertain to documents that are already publicly available.

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 2018-19 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 2018-19 reporting period, these practices were

followed to maintain accountability between the Communications and Executive departments and between NIRB and the public.

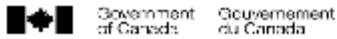
Should you have any questions or require clarification on specific points within this report, please contact the undersigned directly at (867) 983-4608 or via email at rbarry@nirb.ca.

Sincerely,

<original signed by:>

Ryan Barry
Executive Director
Nunavut Impact Review Board

Annex 1: 2018-19 Statistical Report on the *Access to Information Act*



Statistical Report on the *Access to Information Act*

Name of institution: Nunavut Impact Review Board

Reporting period: 2018-04-01 to 2019-03-31

Part 1: Requests Under the *Access to Information Act*

1.1 Number of requests

	Number of Requests
Received during reporting period	0
Outstanding from previous reporting period	0
Total	0
Closed during reporting period	0
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	0
Decline to Identify	0
Total	0

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	
3	1	0	1	0	0	0	5

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	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	18(2)	0	18(a)	0	20.1	0
13(1)(b)	0	18(2)(a)	0	18(b)	0	20.2	0
13(1)(c)	0	18(2)(b)	0	18(c)	0	20.4	0
13(1)(d)	0	18(2)(c)	0	18(d)	0	21(1)(a)	0
13(1)(e)	0	18(3)	0	18.1(1)(a)	0	21(1)(b)	0
14	0	18.1(1)(a)	0	18.1(1)(b)	0	21(1)(c)	0
14(a)	0	18.1(1)(b)	0	18.1(1)(c)	0	21(1)(d)	0
14(b)	0	18.1(1)(c)	0	18.1(1)(d)	0	22	0
15(1)	0	18.1(1)(d)	0	19(1)	0	22.1(1)	0
15(1) - I.A.*	0	18.2(1)	0	20(1)(a)	0	23	0
15(1) - Def.*	0	18.3	0	20(1)(b)	0	24(1)	0
15(1) - S.A.*	0	18.4(1)(a)	0	20(1)(b.1)	0	26	0
16(1)(a)(i)	0	18.4(1)(b)	0	20(1)(c)	0		
16(1)(a)(ii)	0	18.5	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
88(a)	0	88(1)	0	88(1)(g) re (a)	0
88(b)	0	88(1)(a)	0	88(1)(g) re (b)	0
88(c)	0	88(1)(b)	0	88(1)(g) re (c)	0
88.1	0	88(1)(c)	0	88(1)(g) re (d)	0
88.2(a)	0	88(1)(d)	0	88(1)(g) re (e)	0
88.2(b)	0	88(1)(e)	0	88(1)(g) re (f)	0
		88(1)(f)	0	88.1(1)	0

2.4 Format of information released

Disposition	Paper	Electronic	Other Formats
All disclosed	0	0	0
Disclosed in part	0	0	0
Total	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

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	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	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	0	0
More than 365 days	0	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

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	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	0	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	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

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

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	0	0	0	0
Outstanding from the previous reporting period	0	0	0	0
Total	0	0	0	0
Closed during the reporting period	0	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

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

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
0	0	0	0

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		\$14,409
Overtime		\$0
Goods and Services		\$0
- Professional services contracts	\$0	
- Other	\$0	
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.