

## Privacy Act

Annual Report to Parliament

April 1, 2013 – March 31, 2014

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## **1. INTRODUCTION**

This annual report is intended to describe how the Canada-Newfoundland and Labrador Offshore Petroleum Board administered its responsibilities in the operation of the *Privacy Act*.

The *Privacy Act* (*revised Statutes of Canada, Chapter A-1 985*) was proclaimed on July 1, 1983.

*2. The purpose of this Act is to extend the present laws of Canada that protect the privacy of individuals with respect to personal information about themselves held by a government institution and that provide individuals with a right of access to that information.*

This report has been prepared pursuant to section 72 of the *Privacy Act*.

*72. (1) The head of every government institution shall prepare for submission to Parliament an annual report on the administration of this Act within the institution during each financial year.*

### **a. C-NLOPB OVERVIEW**

The Canada-Newfoundland and Labrador Offshore Petroleum Board (C-NLOPB) was established by the Federal and Provincial Atlantic Accord Implementation Acts as an independent arms-length regulator for the exploration for, and development and production of, the oil and gas resources in the Newfoundland and Labrador Offshore Area. It reports to the Government of Newfoundland and Labrador and the Government of Canada through the Province's Minister for Natural Resources and the Federal Minister for Natural Resources Canada.

### **b. C-NLOPB MANDATE**

To interpret and apply the provisions of the Atlantic Accord and the Atlantic Accord Implementation Acts to all activities of operators in the Newfoundland and Labrador Offshore Area; and, to oversee operator compliance with those statutory provisions.

### **c. C-NLOPB ROLE**

In the implementation of its mandate, the role of the C-NLOPB is to facilitate the exploration for and development of the hydrocarbon resources in the Newfoundland and Labrador Offshore Area in a manner that conforms to the statutory provisions for:

- worker safety;
- environmental protection and safety;
- effective management of land tenure;
- maximum hydrocarbon recovery and value; and,
- Canada/Newfoundland & Labrador benefits.

While the legislation does not prioritize these mandates, worker safety and environmental protection will be paramount in all Board decisions.

**d. C-NLOPB OBJECTIVES**

**i. SAFETY**

- To verify that operators have appropriate safety plans in place.
- To verify, through audits and inspections, that operators follow their safety plans and applicable statutory requirements.
- To verify, through compliance actions, that deviations from approved plans and applicable statutory requirements are corrected.

**ii. ENVIRONMENT**

- To verify that operators assess and provide for effects of the environment on the safety of their operations.
- To verify that operators perform an environmental assessment pursuant to Canadian regulations, of the effects of their operations on the environment, and prepare a plan and provide for mitigation where appropriate.
- To verify, through compliance actions, that operators comply with their environmental plans.

**iii. RESOURCE MANAGEMENT**

- Effective and efficient administration of land tenure.
- Oversight of production activities for consistency with maximum recovery, good oilfield practice, production accounting and approved plans.
- To build a knowledge base for the Newfoundland & Labrador Offshore Area through the acquisition and curation of data from exploration and production activity.

**iv. BENEFITS**

- To verify operators have an approved Canada/Newfoundland & Labrador Benefits Plan that addresses their statutory obligations.

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## **2. ORGANIZATION AND IMPLEMENTATION OF THE ACT**

The C-NLOPB's *Access to Information and Privacy* responsibilities fall within the Information Resources Group, a division within the Support Services Department. The Information Resources Manager, Information Resources staff and when required Legal Counsel have been tasked with the responsibility of reviewing and processing requests received under the *Privacy Act*, other staff of the C-NLOPB are consulted as required when completing requests.

The C-NLOPB's enabling legislation contains a provision (s. 119) which prohibits the C-NLOPB from releasing confidential information obtained from companies operating in the Newfoundland and Labrador Offshore Area without the consent of the party which provided it. The Access to Information Coordinator must be diligent in dealing with requests to ensure that the C-NLOPB's s.119 obligations are not compromised and must undertake appropriate notification or consultation with interested parties before disclosing these records.

The Coordinator is responsible for providing updates of the C-NLOPB's information holdings to the Treasury Board Secretariat for inclusion in the Info Source publication.

### **a. PROCESSING OF FORMAL REQUESTS**

To ensure effective and consistent administration of the legislation, the C-NLOPB maintains a system for processing requests aimed at disclosing the maximum information possible to the requestor which is not injurious to the public and private interest. The process also ensures that all representations from mandatory consultations, deliberations, and decisions expressed concerning each request are respected and responded to in the most timely and consistent manner given the nature and scope of the request.

### **b. PUBLIC ACCESS FACILITIES**

The C-NLOPB maintains a public resource centre at its offices in TD Place in St. John's which is available as an Access Reading Room for the purpose of examining records that can be disclosed.

**3. DELEGATION ORDER**

The C-NLOPB's Information Resources Manager has been designated Access to Information and Privacy Coordinator and exercises the powers delegated pursuant to the legislation.

**MEMO TO:** Max Ruelokke  
Chairman & CEO


**FROM:** Susan Gover  
Legal Counsel

**DATE:** August 10, 2011

**SUBJECT:** Designation of Privacy and Information Officer

Pursuant to the Board's By-Law No.1, as amended (Schedule I - subparagraph 2(a)(xxx)), the Chairman may resolve, perform, or authorize on behalf of the Board any other matter or action required of the Board pursuant to any other Act of Parliament or the Legislature of Newfoundland and Labrador.

Please indicate your approval to have Trevor Bennett, Information Resources Manager, designated the Privacy and Information Officer on behalf of the Board by signing the attached form and returning same to me or Mike Baker for further handling.

  
\_\_\_\_\_  
Susan Gover  
Legal Counsel  
Attachment

*2 concurs  
- 2/2/11  
- 1/2/11  
- 1/2/11  
- 1/2/11*

**4. SUMMARY OF PRIVACY REQUESTS**

The C-NLOPB did not receive any requests under the *Privacy Act* during the reporting period.

**a. STATISTICAL REPORT**

The following pages detail the C-NLOPB's statistical report on the Access to Information Act.



### Statistical Report on the *Privacy Act*

**Name of institution:** Canada-Newfoundland and Labrador Offshore Petroleum Bo

**Reporting period:** 04/01/2013 to 03/31/2014

#### PART 1 – Requests under the *Privacy Act*

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

#### 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 abandoned	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>

##### 2.2 Exemptions

Section	Number of requests	Section	Number of requests	Section	Number of requests
18(2)	0	22(1)(a)(i)	0	23(a)	0
19(1)(a)	0	22(1)(a)(ii)	0	23(b)	0
19(1)(b)	0	22(1)(a)(iii)	0	24(a)	0
19(1)(c)	0	22(1)(b)	0	24(b)	0
19(1)(d)	0	22(1)(c)	0	25	0
19(1)(e)	0	22(2)	0	26	0
19(1)(f)	0	22.1	0	27	0
20	0	22.2	0	28	0
21	0	22.3	0		



### 2.3 Exclusions

Section	Number of requests	Section	Number of requests	Section	Number of requests
69(1)(a)	0	70(1)(a)	0	70(1)(d)	0
69(1)(b)	0	70(1)(b)	0	70(1)(e)	0
69.1	0	70(1)(c)	0	70(1)(f)	0
				70.1	0

### 2.4 Format of information released

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

**2.5.3 Other complexities**

Disposition	Consultation required	Legal Advice Sought	Interwoven Information	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
Abandoned	0	0	0	0	0
<b>Total</b>	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
<b>Total</b>	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
<b>Total</b>	0	0	0

**PART 3 – Disclosures under subsection 8(2)**

Paragraph 8(2)(e)	Paragraph 8(2)(m)	Total
0	0	0

**PART 4 – Requests for correction of personal information and notations**

	Number
Requests for correction received	0
Requests for correction accepted	0
Requests for correction refused	0
Notations attached	0

**PART 5 – Extensions**

**5.1 Reasons for extensions and disposition of requests**

Disposition of requests where an extension was taken	15(a)(i) Interference with operations	15(a)(ii) Consultation		15(b) Translation or conversion
		Section 70	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
<b>Total</b>	0	0	0	0

**5.2 Length of extensions**

Length of extensions	15(a)(i) Interference with operations	15(a)(ii) Consultation		15(b) Translation purposes
		Section 70	Other	
1 to 15 days	0	0	0	0
16 to 30 days	0	0	0	0
<b>Total</b>	0	0	0	0

**PART 6 – Consultations received from other institutions and organizations**

**6.1 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 the reporting period	0	0	0	0
Outstanding from the previous reporting period	0	0	0	0
<b>Total</b>	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

**6.2 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	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>	0	0	0	0	0	0	0	0

**6.3 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>	0	0	0	0	0	0	0	0

**PART 7 – 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 8 – Resources related to the Privacy Act**

**8.1 Costs**

Expenditures		Amount
Salaries		\$0
Overtime		\$0
Goods and Services		\$0
• Contracts for privacy impact assessments	\$0	
• Professional services contracts	\$0	
• Other	\$0	
<b>Total</b>		<b>\$0</b>

**8.2 Human Resources**

Resources	Dedicated full-time	Dedicated part-time	Total
Full-time employees	0.00	2.00	2.00
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>	<b>0.00</b>	<b>2.00</b>	<b>2.00</b>

## EDUCATION ACTIVITIES

There were no *Privacy* related activities undertaken during the reporting period.

### **5. POLICY PROCEDURES IMPLEMENTED**

The C-NLOPB did not implement any *Privacy* related policies, procedures or guidelines during the reporting period.

### **6. COMPLAINTS AND INVESTIGATIONS**

There were no complaints made to the Privacy Commissioner regarding the C-NLOPB interpretation of the *Privacy Act* during the reporting period.

### **7. PRIVACY IMPACT ASSESSMENTS**

The C-NLOPB complete and *Privacy* impact Assessments during the reporting period.

### **8. PARAGRAPH 8(2)(m)**

The C-NLOPB did not make any disclosures under paragraph 8(2)(m) during the reporting during the reporting period.