

Hamilton Port Authority

Annual Report to Parliament

on the Administration  
of the Access to Information Act

for the Reporting Period  
April 1, 2016 - March 31, 2017

## **1. INTRODUCTION**

The purpose of the Act is to extend the present laws of Canada to provide a right of access to information in records under the control of a government institution in accordance with the principles that government information should be available to the public, that necessary exceptions to the right of access should be limited and specific and that decisions on the disclosure of government information should be reviewed independently of government.

This report is prepared and tabled in Parliament in accordance with section 72 of the Act.

The Hamilton Port Authority (HPA) was identified in Part 1 of the Schedule to the Canada Marine Act as the corporation responsible for the governance of the Port of Hamilton. The HPA is the successor corporation to the Hamilton Harbour Commissioners, coming into effect on May 1, 2001.

The Port Authority is responsible for providing the marine infrastructure necessary for achieving local, regional and national social and economic objectives; ensuring that marine transportation services satisfy the needs of users and are available at a reasonable cost; providing a high level of safety and environmental protection; is responsive to local needs and priorities and coordinates with other modes of transportation; and manages the marine infrastructure and services in a commercial manner that encourages input from users and the harbour community.

## **2. PROCEDURES FOR COMPLIANCE**

Procedures are in place for directing all formal access requests to the Access to Information Coordinator who ensures that they are processed in accordance with the provisions of the Act.

## **3. DELEGATION**

The Access to Information Coordinator is Mr. Bob Hart, Chief Administrative Officer/Corporate Secretary. A copy of the delegation order is attached as Appendix B

## **4. EXPLANATION OF THE STATISTICAL SUMMARY REPORT**

Attached as Appendix A is the form TBS/SCT 350-62 "*Statistical Report on Report on the Access to Information Act*" which provides statistical data on formal access requests received by the Hamilton Port Authority. No Cabinet Confidences were processed nor were any previously released Access to Information packages informally released during the reporting period.

Three (3) requests were received during the reporting period. All of the requests received and closed during the reporting period originated from the public.

For two (2) requests all the records relevant to the request were disclosed to the applicants. For one (1) request the request was exempted in its entirety.

### **Exemptions invoked**

For one (1) request exemption provisions 20(1)(c) and 20(1)(d) were invoked.

### **Exclusions invoked**

No exclusions were invoked.

### **Completion times**

One (1) request was completed within 15 days. Two (2) requests were completed within 30 days.

### **Fees**

Application fees of \$5, per request, were waived for all requests.

### **Consultations**

There were no requests for consultation received during the reporting period.

### **Personal and operational costs**

The total cost associated with administering the Act was estimated at \$4,125. The methodology used for calculating the personnel cost was the hourly rate of pay for the staff involved, multiplied by the number of hours worked on the Access to Information activities in accordance with the regulations (provisions) as set out in the Act. These costs include the cost of processing requests, producing the annual and statistical reports and updating the *Info Source* publications.

### **Multi-Year Trends**

For the past five (5) years, an average of three (3) requests are received per year. Of the requests received, on average, one half are provided full disclosure and one half are either exempted or no records exist. Completion times for requests received during the past five (5) years have been within the prescribed time for all but one request; which required one thirty day extension. The number of requests received during this reporting period is on par with previous reporting periods.

## **5. TRAINING**

Access to Information related education or training activities were not undertaken during this period.

## **6. REVISED/NEW INSTITUTIONAL POLICIES**

No new policies or procedures have been implemented during the reporting period.

## **7. INVESTIGATIONS**

There were no complaints lodged with the Information Commissioner and no audits or investigations undertaken during the reporting period.

## **8. MONITORING**

Access to information requests are stamped with the date and time received in order to monitor the time taken to process the request. Requests received are brought to the attention of the head of the institution i.e. the President & CEO.

# Appendix 'A'



## Statistical Report on the Access to Information Act

Name of institution: Hamilton Port Authority

Reporting period: 2016-04-01 to 2017-03-31

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

#### 1.1 Number of requests

	Number of Requests
Received during reporting period	3
Outstanding from previous reporting period	0
<b>Total</b>	<b>3</b>
Closed during reporting period	3
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	3
Decline to Identify	0
<b>Total</b>	<b>3</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	
0	0	0	0	0	0	0	0

**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	1	1	0	0	0	0	0	2
Disclosed in part	0	0	0	0	0	0	0	0
All exempted	0	1	0	0	0	0	0	1
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
<b>Total</b>	<b>1</b>	<b>2</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>3</b>

### 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)	1		
16(1)(a)(ii)	0	16.5	0	20(1)(d)	1		
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
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
All disclosed	0	2	0
Disclosed in part	0	0	0
<b>Total</b>	0	2	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	3	3	2
Disclosed in part	0	0	0
All exempted	1	0	1
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	2	3	0	0	0	0	0	0	0	0
Disclosed in part	0	0	0	0	0	0	0	0	0	0
All exempted	1	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
<b>Total</b>	3	3	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
<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: 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
<b>Total</b>	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
<b>Total</b>	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	3	\$15
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
<b>Total</b>	0	\$0	3	\$15

## 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
<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

### 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
<b>Total</b>	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
<b>Total</b>	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
<b>Total</b>	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
<b>Total</b>	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**

<b>Expenditures</b>		<b>Amount</b>
Salaries		\$4,125
Overtime		\$0
Goods and Services		\$0
• Professional services contracts	\$0	
• Other	\$0	
<b>Total</b>		<b>\$4,125</b>

**9.2 Human Resources**

<b>Resources</b>	<b>Person Years Dedicated to Access to Information Activities</b>
Full-time employees	0.03
Part-time and casual employees	0.00
Regional staff	0.00
Consultants and agency personnel	0.00
Students	0.00
<b>Total</b>	<b>0.03</b>

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

## Appendix 'B'



March 27, 2017

Ms. Allison Knight  
A/Director, Complaints Resolution  
Complaints Resolution Team  
Office of the Information Commissioner  
30 Victoria Street, 7th Floor  
Gatineau, Quebec K1A 1H3

Dear Ms. Knight,

Re: Delegation Order for the Hamilton Port Authority (HPA)  
Access to Information and Privacy Act Administration

Pursuant to the legislation noted above, and in my capacity as President & CEO of the HPA, I wish to confirm that, effective January 1, 2017, authority for the administration of the Access to Information Act and Privacy Act for the HPA has been delegated to Bob Hart, Chief Administrative Officer and Corporate Secretary.

These powers, duties, responsibilities, and functions include:

1. Conduct the functions of the Access to Information Coordinator.
2. Respond to requests for access.
3. Extend time limits for responding to requests.
4. Issue notice and administer the collection fees.
5. Complete the Annual Report to Access and Privacy Commissioners.

Should you require anything further, please feel free to contact me at your convenience.

Yours truly,

A handwritten signature in blue ink, appearing to read "Ian Hamilton", is written over a light blue horizontal line.

Ian Hamilton  
President & CEO  
Hamilton Port Authority