

# Hamilton-Oshawa Port Authority



## Annual Report to Parliament

on the Administration  
of the Access to Information Act

for the Reporting Period  
April 1, 2022 – March 31, 2023

## **INTRODUCTION**

The Access to Information Act (R.S.C. 1985, c. A-1) came into force on July 1, 1983. The Act grants Canadian citizens, permanent residents, and persons residing in Canada the right to access information in records held by the federal government, except for types of information falling under the exemptions or exclusions. Section 94 of the Act requires the Hamilton-Oshawa Port Authority to submit a report to Parliament on the administration of the Act within their institution during the fiscal year.

This report is submitted in accordance with section 94 of the Access to Information Act. It presents an overview of Access to Information Act activities carried out within the Hamilton-Oshawa Port Authority during the reporting period of April 1, 2022 to March 31, 2023.

The Hamilton-Oshawa Port Authority (HOPA) was identified in Part 1 of the Schedule to the Canada Marine Act as the corporation responsible for the governance of the Ports of Hamilton and Oshawa. HOPA is the successor corporation to the Hamilton Port Authority and the Oshawa Port Authority, coming into effect on June 19, 2019.

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.

The Hamilton-Oshawa Port Authority also reports on behalf of following wholly owned subsidiaries:

- Great Lakes Port Management Inc.

## **ORGANIZATIONAL STRUCTURE**

The Access to Information and Privacy (ATIP) Office consists of a single ATIP Coordinator who reports directly to the Executive Vice President.

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.

## **DELEGATION**

The Access to Information Coordinator is Mr. Peter Hammerl, Information Technology Manager. A copy of the delegation order is attached as Appendix B

## **PERFORMANCE 2022-2023**

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

In the 2022-2023 reporting period, the Hamilton-Oshawa Port Authority received 1 access to information request.

All requests received were responded to within legislated timelines.

Time timelines for processing these requests were as follows:

- 1 request completed within 1 to 15 days

Of the requests received:

- 100% were “no records exist”

### **Outstanding Requests**

No requests were carried over from the previous reporting period.

### **Complaints**

There are no active complaints outstanding from this or previous reporting periods.

### **Extensions**

No extensions were invoked.

### **Consultations**

During the previous reporting period, 1 consultation was completed. Completion time for this consultation was 14 days.

### **COVID-19 Impact**

There was no impact from COVID-19 to the ability of the Hamilton-Oshawa Port Authority to process Access to Information Requests.

## **TRAINING AND AWARENESS**

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

## **POLICIES, GUIDELINES, PROCEDURES AND INITIATIVES**

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

## **SUMMARY OF KEY ISSUES AND ACTIONS TAKEN ON COMPLAINTS**

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

## **MONITORING COMPLIANCE**

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-Oshawa Port Authority

Reporting period: 4/1/2022 to 3/31/2023

### 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 periods		0
• Outstanding from previous reporting period	0	
• Outstanding from more than one reporting period	0	
<b>Total</b>		<b>1</b>
Closed during reporting period		1
Carried over to next reporting period		0
• Carried over within legislated timeline	0	
• Carried over beyond legislated timeline	0	

#### 1.2 Sources of requests

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

#### 1.3 Channels of requests

Source	Number of Requests
Online	1
E-mail	0
Mail	0

In person	0
Phone	0
Fax	0
<b>Total</b>	<b>1</b>

## Section 2: Informal Requests

### 2.1 Number of informal requests

		Number of Requests
Received during reporting period		1
Outstanding from previous reporting periods		0
• Outstanding from previous reporting period	0	
• Outstanding from more than one reporting period	0	
<b>Total</b>		<b>1</b>
Closed during reporting period		1
Carried over to next reporting period		0

### 2.2 Channels of informal requests

Source	Number of Requests
Online	0
E-mail	1
Mail	0
In person	0
Phone	0
Fax	0
<b>Total</b>	<b>1</b>

### 2.3 Completion time of informal 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
0	0	0	0	1	0	0	1

### 2.4 Pages released informally

Less Than 100 Pages Released	100-500 Pages Released	501-1000 Pages Released	1001-5000 Pages Released	More Than 5000 Pages Released





## 2.5 Pages re-released informally

Less Than 100 Pages Re-released		100-500 Pages Re-released		501-1000 Pages Re-released		1001-5000 Pages Re-released		More Than 5000 Pages Re-released	
Number of Requests	Pages Re-released	Number of Requests	Pages Re-released	Number of Requests	Pages Re-released	Number of Requests	Pages Re-released	Number of Requests	Pages Re-released
0	0	0	0	0	0	1	1208	0	0

### Section 3: Applications to the Information Commissioner on Declining to Act on 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
Withdrawn during reporting period	0
Carried over to next reporting period	0

### Section 4: Requests Closed During the Reporting Period

#### 4.1 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	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
Declined 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	0	1

## 4.2 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	23.1	0
15(1) - S.A.*	0	16.4(1)(a)	0	20(1)(b.1)	0	24(1)	0
16(1)(a)(i)	0	16.4(1)(b)	0	20(1)(c)	0	26	0
16(1)(a)(ii)	0	16.5	0	20(1)(d)	0		
16(1)(a)(iii)	0	16.6	0				
16(1)(b)	0	17	0				
16(1)(c)	0						
16(1)(d)	0						

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

## 4.3 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

## 4.4 Format of information released

Paper	Electronic				Other
	E-record	Data set	Video	Audio	
0	0	0	0	0	0

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#### 4.5 Complexity

##### 4.5.1 Relevant pages processed and disclosed for paper and e-record formats

Number of Pages Processed	Number of Pages Disclosed	Number of Requests
0	0	0

**4.5.2 Relevant pages processed per request disposition for paper and e-record formats by size of requests**

Disposition	Less Than 100 Pages Processed		100-500 Pages Processed		501-1000 Pages Processed		1001-5000 Pages Processed		More Than 5000 Pages Processed	
	Number of Requests	Pages Processed	Number of Requests	Pages Processed	Number of Requests	Pages Processed	Number of Requests	Pages Processed	Number of Requests	Pages Processed
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
Declined to act with the approval of the Information Commissioner	0	0	0	0	0	0	0	0	0	0
<b>Total</b>	0	0	0	0	0	0	0	0	0	0

**4.5.3 Relevant minutes processed and disclosed for audio formats**

Number of Minutes Processed	Number of Minutes Disclosed	Number of Requests
0	0	0

**4.5.4 Relevant minutes processed per request disposition for audio formats by size of requests**

Disposition	Less Than 60 Minutes Processed		60 - 120 Minutes Processed		More than 120 Minutes Processed	
	Number of Requests	Minutes Processed	Number of Requests	Minutes Processed	Number of Requests	Minutes Processed
All disclosed	0	0	0	0	0	0
Disclosed in part	0	0	0	0	0	0
All exempted	0	0	0	0	0	0
All excluded	0	0	0	0	0	0
Request abandoned	0	0	0	0	0	0

Neither confirmed nor denied	0	0	0	0	0	0
Declined to act with the approval of the Information Commissioner	0	0	0	0	0	0
<b>Total</b>	0	0	0	0	0	0

**4.5.5 Relevant minutes processed and disclosed for video formats**

Number of Minutes Processed	Number of Minutes Disclosed	Number of Requests
0	0	0

**4.5.6 Relevant minutes processed per request disposition for video formats by size of requests**

Disposition	Less Than 60 Minutes Processed		60 - 120 Minutes Processed		More than 120 Minutes Processed	
	Number of Requests	Minutes Processed	Number of Requests	Minutes Processed	Number of Requests	Minutes Processed
All disclosed	0	0	0	0	0	0
Disclosed in part	0	0	0	0	0	0
All exempted	0	0	0	0	0	0
All excluded	0	0	0	0	0	0
Request abandoned	0	0	0	0	0	0
Neither confirmed nor denied	0	0	0	0	0	0
Declined to act with the approval of the Information Commissioner	0	0	0	0	0	0
<b>Total</b>	0	0	0	0	0	0

**4.5.7 Other complexities**

Disposition	Consultation Required	Legal Advice Sought	Other	Total
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

Request abandoned	0	0	0	0
Neither confirmed nor denied	0	0	0	0
Declined to act with the approval of the Information Commissioner	0	0	0	0
<b>Total</b>	0	0	0	0

#### 4.6 Closed requests

##### 4.6.1 Requests closed within legislated timelines

Number of requests closed within legislated timelines	1
Percentage of requests closed within legislated timelines (%)	100

#### 4.7 Deemed refusals

##### 4.7.1 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
0	0	0	0	0

##### 4.7.2 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	0	0
<b>Total</b>	0	0	0

#### 4.8 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 5: Extensions

### 5.1 Reasons for extensions and disposition of requests

Disposition of Requests Where an Extension Was Taken	9(1)(a) Interference With Operations/ Workload	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
Request abandoned	0	0	0	0
No records exist	0	0	0	0
Declined to act with the approval of the Information Commissioner	0	0	0	0
<b>Total</b>	0	0	0	0

### 5.2 Length of extensions

Length of Extensions	9(1)(a) Interference With Operations/ Workload	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

## Section 6: Fees

Fee Type	Fee Collected		Fee Waived		Fee Refunded	
	Number of Requests	Amount	Number of Requests	Amount	Number of Requests	Amount
Application	1	\$5.00	0	\$0.00	0	\$0.00

Other fees	0	\$0.00	0	\$0.00	0	\$0.00
<b>Total</b>	1	\$5.00	0	\$0.00	0	\$0.00

## Section 7: Consultations Received From Other Institutions and Organizations

### 7.1 Consultations received from other Government of Canada institutions and other organizations

Consultations	Other Government of Canada Institutions	Number of Pages to Review	Other Organizations	Number of Pages to Review
Received during the reporting period	1	463	0	0
Outstanding from the previous reporting period	0	0	0	0
<b>Total</b>	1	463	0	0
Closed during the reporting period	1	463	0	0
Carried over within negotiated timelines	0	0	0	0
Carried over beyond negotiated timelines	0	0	0	0

### 7.2 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	1	0	0	0	0	0	0	1
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>	1	0	0	0	0	0	0	1

### 7.3 Recommendations and completion time for consultations received from other organizations outside the Government of Canada

	Number of Days Required to Complete Consultation Requests



## Section 8: Completion Time of Consultations on Cabinet Confidences

### 8.1 Requests with Legal Services

Number of Days	Fewer Than 100 Pages Processed		100-500 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

### 8.2 Requests with Privy Council Office

Number of Days	Fewer Than 100 Pages Processed		100-500 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

## Section 9: Investigations and Reports of finding

### 9.1 Investigations

Section 32 Notice of intention to investigate	Subsection 30(5) Ceased to investigate	Section 35 Formal Representations
0	0	0

**9.2 Investigations and Reports of finding**

Section 37(1) Initial Reports			Section 37(2) Final Reports		
Received	Containing recommendations issued by the Information Commissioner	Containing orders issued by the Information Commissioner	Received	Containing recommendations issued by the Information Commissioner	Containing orders issued by the Information Commissioner
0	0	0	0	0	0

**Section 10: Court Action**

**10.1 Court actions on complaints**

Section 41				
Complainant (1)	Institution (2)	Third Party (3)	Privacy Commissioner (4)	Total
0	0	0	0	0

**10.2 Court actions on third party notifications under paragraph 28(1)(b)**

Section 44 - under paragraph 28(1)(b)
0

**Section 11: Resources Related to the Access to Information Act**

**11.1 Allocated Costs**

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

**11.2 Human Resources**

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

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

## Appendix 'B'



November 15, 2021

Ms. Allison Knight  
Senior Director, Investigations  
Complaints Resolution Team  
Office of the Information Commissioner  
30 Victoria St., 7<sup>th</sup> Floor  
Gatineau, Quebec K1A 1H3  
Email: [general@oic-ci.gc.ca](mailto:general@oic-ci.gc.ca)

Dear Ms. Knight

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

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Pursuant to the legislation noted above, and in my capacity as President & CEO of the HOPA, I wish to confirm that, effective November 1<sup>st</sup>, 2021, authority for the administration of the Access to Information Act and Privacy Act for the HOPA has been delegated to Peter Hammerl, Information Technology Manager.

These powers, duties, responsibilities, and functions include:  
Conduct the functions of the Access to Information Coordinator  
Respond to requests for access  
Extend time limits for responding to requests  
Issue notice and administer collection fees  
Complete the Annual Report to Access and Privacy Commissioners

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

Yours truly,



Ian Hamilton  
**President & CEO**

