

Hamilton-Oshawa Port Authority



Annual Report to Parliament

on the Administration
of the Access to Information Act

for the Reporting Period
April 1, 2023 – March 31, 2024

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, 2023 to March 31, 2024.

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.

The Hamilton-Oshawa Port Authority was not party to any service agreements under section 96 of the Access to Information Act.

The ATIP Coordinator is responsible for ensuring that all proactive publication requirements are met.

DELEGATION

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

PERFORMANCE 2023-2024

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. Two previously released Access to Information packages were informally released during the reporting period.

In the 2023-2024 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 16 to 30 days

Of the requests received:

- 100% were "All Disclosed"

Outstanding Requests

No requests were carried over from the previous reporting period.

There are no active requests as of the last day of the 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, 2 consultations were completed. Completion time for these consultations were 14 days and 28 days.

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.

PROACTIVE PUBLICATION UNDER PART 2 OF THE ATIA

Legislative Requirement	Section	Publication Timeline	Institutional Requirement
All Government Institutions as defined in section 3 of the <i>Access to Information Act</i>			
Travel Expenses	82	Within 30 days after the end of the month of reimbursement	Not Reported
Hospitality Expenses	83	Within 30 days after the end of the month of reimbursement	Not Reported
Reports tabled in Parliament	84	Within 30 days after tabling	Posted within timelines.
Government entities or Departments, agencies, and other bodies subject to the Act and listed in Schedules I, I.1, or II of the <i>Financial Administration Act</i>			
Contracts over \$10,000	86	Q1-3: Within 30 days after the quarter Q4: Within 60 days after the quarter	Not Applicable
Grants & Contributions over \$25,000	87	Within 30 days after the quarter	Not Applicable
Packages of briefing materials prepared for new or incoming deputy heads or equivalent	88(a)	Within 120 days after appointment	Not Applicable
Titles and reference numbers of memoranda prepared for a deputy head or equivalent, that is received by their office	88(b)	Within 30 days after the end of the month received	Not Applicable
Packages of briefing materials prepared for a deputy head or equivalent's appearance before a committee of Parliament	88(c)	Within 120 days after appearance	Not Applicable

Government institutions that are departments named in Schedule I to the <i>Financial Administration Act</i> or portions of the core public administration named in Schedule IV to that Act (i.e. government institutions for which Treasury Board is the employer)			
Reclassification of positions	85	Within 30 days after the quarter	Not Applicable
Ministers			
Packages of briefing materials prepared by a government institution for new or incoming ministers	74(a)	Within 120 days after appointment	Not Applicable
Titles and reference numbers of memoranda prepared by a government institution for the minister, that is received by their office	74(b)	Within 30 days after the end of the month received	Not Applicable
Package of question period notes prepared by a government institution for the minister and in use on the last sitting day of the House of Commons in June and December	74(c)	Within 30 days after last sitting day of the House of Common in June and December	Not Applicable
Packages of briefing materials prepared by a government institution for a minister's appearance before a committee of Parliament	74(d)	Within 120 days after appearance	Not Applicable
Travel Expenses	75	Within 30 days after the end of the month of reimbursement	Not Applicable
Hospitality Expenses	76	Within 30 days after the end of the month of reimbursement	Not Applicable
Contracts over \$10,000	77	Q1-3: Within 30 days after the quarter Q4: Within 60 days after the quarter	Not Applicable
Ministers' Offices Expenses *Note: This consolidated report is currently published by TBS on behalf of all institutions.	78	Within 120 days after the fiscal year	Not Applicable

* All published reports are available on our website at:
<https://www.hopaports.ca/about-hopa/access-to-information-requests/>

INITIATIVES AND PROJECTS TO IMPROVE ACCESS TO INFORMATION

No initiatives or projects were implemented during the reporting period.

SUMMARY OF KEY ISSUES AND ACTIONS TAKEN ON COMPLAINTS

One complaint was lodged with the Information Commissioner during the reporting period. This complaint was resolved by releasing additional information.

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.

No monitoring was conducted during the reporting period.

Appendix 'A'

**Statistical Report on the Access to Information Act**Name of institution: Hamilton-Oshawa Port AuthorityReporting period: 4/1/2023 to 3/31/2024**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	
Total		1
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	0
Academia	0
Business (private sector)	0
Organization	0
Public	1
Decline to Identify	0
Total	1

1.3 Channels of requests

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

Section 2: Informal Requests**2.1 Number of informal requests**

		Number of Requests
Received during reporting period		2
Outstanding from previous reporting periods		0
• Outstanding from previous reporting period	0	
• Outstanding from more than one reporting period	0	
Total		2
Closed during reporting period		2

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
2	56	0	0	0	0	0	0	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
Total	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
	0 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	1	0	0	0	0	0	1
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
Declined to act with the approval of the Information Commissioner	0	0	0	0	0	0	0	0
Total	0	1	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	1	0	0	0	0

4.5 Complexity

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

Number of Pages Processed	Number of Pages Disclosed	Number of Requests
49	49	1

4.5.2 Relevant pages processed per request disposition for paper, e-record and dataset 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	1	49	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
Total	1	49	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
Total	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
Total	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
Total	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
Total	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
Total	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
Total	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
Total	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	0	\$0.00	1	\$5.00	0	\$0.00
Other fees	0	\$0.00	0	\$0.00	0	\$0.00
Total	0	\$0.00	1	\$5.00	0	\$0.00

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
Total	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
Total	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
1	1	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 an intent to issue an order 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	
Total		\$0

11.2 Human Resources

Resources	Person Years Dedicated to Access to Information Activities
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
Total	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., 7th Floor
Gatineau, Quebec K1A 1H3
Email: 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

Pursuant to the legislation noted above, and in my capacity as President & CEO of the HOPA, I wish to confirm that, effective November 1st, 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

