

Hazardous Materials Information Review Commission

1999-2000 Estimates

A Report on Plans and Priorities

Approved

Allan Rock
Minister of Health

Table of Contents

Section I: Messages	1
Minister's Message	1
President's Message	2
Management Representation	3
Section II: Departmental Overview	4
A. Mandate, Roles, and Responsibilities	4
HMIRC's Role - A Model Partnership	5
B. Objective	5
C. Operating Environment	6
Key Stakeholders	6
Council's Report to the Minister	6
Resource Transfer	7
Workload	8
WHMIS Exclusions	8
D. Financial Spending Plan	9
Section III: Plans, Priorities, Strategies and Expected Results	10
A. Summary of Priorities and Expected Results	10
B. Program and Business Line Plan	10
Planned Spending	11
Objective	11
Key Plans and Strategies	12
Planning Assumptions	12
Program Reform and Renewal	12
1. MSDS Compliance	12
2. Client Services	13
3. Dispute Resolution	13
Cost Recovery	14
Cost Reduction	14
Expected Results	15
Claims Registered	15
Decisions Issued	15
Orders Issued	15
Appeals Filed	15
Enquiries Service	15
C. Consolidated Reporting	16
Regulatory and Legislative Initiatives	16
Departmental Regulatory Coordinator and Contact	17
Year 2000 Initiatives	17

Section IV: Supplementary Information	18
Table 1: Spending Authorities -Part II of the Estimates	18
Table 2.1: Organization Structure	18
Table 2.2: Planned Full Time Equivalentents (FTEs) by Program and Business Line	19
Table 4: Departmental Summary of Standard Objects of Expenditure	20
Table 5: Program Resources by Program and Business Line for the Estimates Year	21
Table 7: Details of Revenue by Program	21
Table 8: Net Cost of Program for 1999-2000	22
Table 12: Listing of Statutes and Regulations	23
Table 13: References	23

Section I: Messages

Minister's Message

I am pleased to present to the Parliament and the people of Canada, the Report on Plans and Priorities for the Hazardous Materials Information Review Commission.

The Hazardous Materials Information Review Commission (HMIRC) was created as an independent agency in 1987 by proclamation of the *Hazardous Materials Information Review Act*. The Commission is an important public sector institution charged with providing the trade secret mechanism within the Workplace Hazardous Materials Information System (WHMIS). As a direct result of the Commission's work, national and international chemical companies have been afforded the ability to protect their industrial intellectual property assets. At the same time, the Commission's efforts to review material safety data sheets (MSDSs) and labels and to disclose accurate health and safety information about hazardous chemicals, have directly contributed to a reduction in the risk of workplace related illness and injury.

Over the past year, HMIRC has been setting the stage for implementing changes that will make it more open, participatory and transparent in how it develops and delivers its policies and programs. During this time of reform and renewal, the Commission is developing a process to establish and monitor a performance standard so that both industry and workers will know what level of service they can expect. It is the Commission's objective to improve effectiveness and efficiency while ensuring that the impact of renewal will maintain the standards of workplace safety.

There is no better time than now to move forward in a manner that sustains and enhances HMIRC's commitment to meeting the needs and interests of both industry and workers.

The Honourable Allan Rock, P.C., M.P.,
Minister of Health

President's Message

I am pleased to present to the people of Canada, our program partners, and stakeholders, the Report on Plans and Priorities for fiscal year 1999-2000 for the Hazardous Materials Information Review Commission (HMIRC).

Since accepting the position of President of the Hazardous Materials Information Review Commission, sustaining the renewal process of the Commission has been my top priority. The Commission has embarked on a strategic planning exercise which will enable all our stakeholders to review, reaffirm and enhance the services offered by the Commission. This involves sharpening the focus on results, increasing the transparency of our operations and modernizing our program delivery.

Strategic planning has made the past year a challenging one for HMIRC. We have identified and analysed a number of critical and complex choices which must be faced by the Commission and its stakeholders. In our efforts to modernize the Commission, we have gone through an internal process of revisiting and updating our mission, vision and operating principles. These elements form the framework for our renewal efforts. While acknowledging the discontent of some members of industry clients and the growing need for a more client-oriented approach to service delivery, the ultimate challenge continues to lie in our organization's commitment to meeting the needs and interests of both industry and workers, equally and without bias. This complementary dual role is the hallmark of HMIRC services.

Foreign based industries, which represent 40% of our clients, produce a substantial amount of chemicals that are used in Canadian workplaces. While there is a general willingness on the part of industry to comply with the Workplace Hazardous Materials Information System (WHMIS) legislation, we find that many foreign clients possess little or no knowledge of the Canadian rules and requirements surrounding trade secrets and hazardous materials. Here, we have the unique opportunity to educate foreign companies on Canadian legislation. At the same time, our role in bringing them into compliance ensures better protection for worker safety. This is a prime example of how the Commission implements its complementary dual-role responsibility. By helping foreign clients understand Canadian rules, we demonstrate our commitment to better client service while ensuring that Canadian workers know about the chemicals to which they're exposed in the workplace.

Our strategic planning process is now at the consultation stage. As a long-standing model of industry, labour and government consultation, we are again calling on all stakeholders to come together, as partners, in this renewal effort. By moving forward together, we can maximize the Commission's ability to create an environment that achieves the proper balance between the right of industry to protect their trade secrets and the right of workers to know about the hazardous materials they encounter in the workplace.

Weldon Newton

B. Management Representation - Report on Plans and Priorities 1999-2000

I submit, for tabling in Parliament, the 1999-2000 Report on Plans and Priorities (RFP) for the **Hazardous Materials Information Review Commission**.

To the best of my knowledge the information :

- Accurately portrays the department's mandate, priorities, strategies and expected key results of the organization.
- Is consistent with the disclosure principles contained in the Guidelines for Preparing a Report on Plans and Priorities.
- Is comprehensive and accurate.
- Is based on sound underlying departmental information and management systems.

I am satisfied as to the quality assurance processes and procedures used for the RPP's production.

The Operational Plan Framework on which this document is based has been approved by Treasury Ministers and is the basis for accountability for the results achieved with the resources and authorities provided.

Weldon Newton
President & CEO

Date: _____

Section II: Departmental Overview

**WHMIS:
What
is
it?**

The Workplace Hazardous Materials Information System (WHMIS) was established in the fall of 1988 to provide information on hazardous materials used in the workplace. The goal of WHMIS is to reduce the incidence of illnesses and injuries resulting from the use of hazardous materials in the workplace.

WHMIS is a nation-wide information system requiring that prescribed information on the hazards of materials produced, sold or used in Canadian workplaces be provided by suppliers to employers and in turn to employees. It is based on product labels, material safety data sheets, and worker education programs.

A unique consultative process was employed to develop the WHMIS requirements, involving stakeholders with a self-interest in workplace safety and health, namely representatives of industry, labour, and the 13 governments (federal, provincial and territorial). WHMIS recognizes the need to accommodate two important interests. Workers have a right to know about the hazardous materials they encounter in the workplace, as well as their potential dangers, and suppliers have a right to safeguard certain confidential business information about their hazardous products. The *Hazardous Materials Information Review Act*, which established the Commission and set out its mandate, represents the legislative means of balancing these interests.

**Right to
protect...
Right to
know**

A. Mandate, Roles, and Responsibilities

Under the authority of the *Hazardous Materials Information Review Act* and the provincial and territorial *Occupational Safety and Health Acts*, the Hazardous Materials Information Review Commission is an arm's length administrative law tribunal charged with carrying out a multi-faceted mandate:

**Our
Role
In
WHMIS**

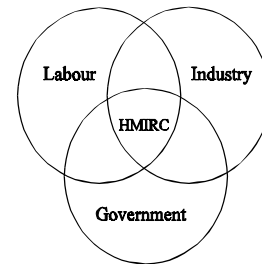
- to formally register claims for trade secret exemptions and issue Registry Numbers;
- to issue decisions on the validity of claims for exemption using a prescribed regulatory criteria;
- to make decisions on the compliance of material safety data sheets (MSDSs) and labels within the Workplace Hazardous Materials Information System (WHMIS) requirements as set out in the *Hazardous Products Act and Controlled Products Regulations* and various provincial and territorial Occupational Safety and Health Acts; and

- to convene independent, tripartite boards to hear appeals from claimants or affected parties on decisions and orders issued by the Commission.

The Commission's clientele consists of a number of WHMIS stakeholders: suppliers and employers in the chemical industry who wish to protect their trade secrets from being disclosed on MSDSs or labels; employers who rely on supplier MSDS information to prepare their own workplace MSDSs and training programs; and labour representing all workers who are exposed to these products.

HMIRC's Role - A Model Partnership

As a vital independent agency committed to workplace safety, HMIRC plays a pivotal role in providing a mechanism whereby trade secret formulations can be maintained by industry while ensuring that full hazard disclosure can be afforded to workers in the workplace. To achieve the Commission's mandate, our adjudicative efforts must result in a fair balance between the right of workers to be informed about the hazards of the chemicals to which they are exposed and the right of suppliers and employers to protect bonafide trade secret information. *Success in this dual-role framework requires that we balance the tension inherent in being a strategic partner with industry on the one hand, and an advocate for worker health & safety on the other.*



Created as an independent agency in 1987, HMIRC is a model of industry, labour and government consultation, consensus and co-operation. Our uniqueness is exemplified by the fact that we derive our mandate and program accountability from federal, provincial and territorial legislation.

B. Objective

To allow suppliers or employers involved with hazardous industrial materials to protect confidential business information concerning their products and at the same time to ensure that workers are provided with accurate safety and health information for these products.

C. Operating Environment

Key Stakeholders: Over the last year, we have been searching for ways to change in order to best fulfill the HMIRC mandate, serve our clients and participate in partnerships with governments, industry and labour. We are seeking creative and innovative ways to serve: the Canadian worker, the chemical industry, federal/provincial/territorial occupational safety and health programs.

In carrying out our fundamental commitment to the workers' right to know about the hazardous materials they encounter and the industry's right to protect trade secrets, it is the Commission's responsibility to ensure that the MSDSs and labels we review disclose accurate health and safety information concerning hazardous chemicals. HMIRC is committed to continuing and enhancing this service. We want to ensure that Canadian workers remain informed of and protected from all hazardous materials encountered in the workplace, and that employers have the supplier MSDS information they require to prepare accurate workplace MSDSs. Simply put, Canadian workers' right to know about safety in the workplace can only be achieved if the data on the MSDSs and labels is accurately conveyed.

HMIRC is valued by the Canadian and international chemical industry for the key role it plays in protecting the claimed trade secrets of chemical companies. The Commission has handled almost 3,000 claims in our first 10 years of existence: 66% of those claims came from Canadian manufacturers, 34% from American manufacturers and only a few from European companies. Preliminary market research suggests there are substantial opportunities to identify additional claims and to provide other value added services to industry.

Federal, provincial and territorial governments support the Commission's efforts to respond to the interests of both labour and industry. WHMIS coordinators in each province and territory represent the front line for administration of both WHMIS and HMIRC programs, and their expertise and knowledge are clearly linked to the work of the Commission. The Commission has continued to work with Health Canada's WHMIS Development, Interpretation and Compliance Section to remain current on issues affecting the consistent application and interpretation of WHMIS legislation.

Council's Report to the Minister: In 1997, to address the increasing industry discontent, the HMIRC Council of Governors commissioned a consultant to perform an independent review of the Commission in consultation with stakeholders. The consultant's report entitled: *A Review of the Hazardous Materials Information Review Commission (HMIRC) Operations* contained 13 recommendations and was provided to Council for consideration. The HMIRC Council of Governors unanimously accepted 11 of the 13 recommendations presented in the consultant's report but did not reach consensus on two Recommendations (4 and 5). The Commission intends to utilize the Report's consensus recommendations, including the Annex

which contains the industry/labour agreement, as a platform for further consultation over the next several months. This process will be conducted under the aegis of a Strategic Planning effort and represents an opportunity to strengthen and build on the spirit and intent of the Report's consensus recommendations. This consultation will also provide HMIRC with an opportunity to solicit comments on other initiatives that support the Commission's on-going modernization of its services delivery, regulatory and adjudicative functions.

In May 1998, a report entitled *Report to the Minister of Health* was sent to the Honourable Allan Rock, for his review, and in October of 1998, Minister Rock responded to the Chair of Council, requesting that the newly appointed President and CEO of HMIRC conduct a more widespread consultation with all interested parties on each of the Report's consensus recommendations, and on Recommendation 4. The Minister also requested that the Commission undertake an assessment of the potential impact of the implementation of the Council's Report recommendations on the operations of the Commission. In response to Recommendation 5, the Minister requested that Health Canada officials examine WHMIS inspection and enforcement, in consultation with the Canadian Association of Administrators of Labour Legislation (CAALL).

Resource Transfer: Since 1988, Health Canada has been responsible for the management of resources dedicated to the provision of WHMIS-related health and safety advice to Screening Officers in support of HMIRC's statutory mandate to undertake compliance reviews of MSDSs filed with trade secret claims. During this period, resources have been managed by the Environmental Health Directorate (EHD) of the department's Health Protection Branch. Although HMIRC has statutory accountability for decisions on WHMIS/MSDS compliance, it did not control the resources necessary to support those decisions. For reasons of vulnerability and accountability and in-line with the Health Protection Program Review of 1994, Health Canada has agreed to transfer the mandate, associated staff and operating resources to HMIRC.

As of December 7, 1998, management authority and responsibilities for the mandate, operations and resources associated with program delivery for the WHMIS Evaluation Section were transferred from the Product Safety Bureau of EHD, Health Canada to the Operations Branch, HMIRC. To facilitate program management to fiscal year-end, it is understood that the financial management of the resources will remain under the existing EHD management structure. A submission will be forwarded to Treasury Board to request a formal transfer of the program effective April 1, 1999 and future years.

Workload: At the time the Commission was created, various estimates were received as the initial baseline and forecast for its workload. A study conducted by Young & Wiltshire estimated that there were as many as 10,000 claims for existing products in the marketplace, with 1,500 new claims filed per year with an 80% re-filing rate at the end of a three year period and a 20% withdrawal rate.

To date there have been 3,091 claims filed, of those 2,019 claims have been withdrawn or have expired. This represents a 49% withdrawal rate and a 30% re-filing rate. Overall, on average, about 200 claims are filed per year.

These statistics represent a sharp contrast between the original assumptions of 1988 and the actual number of claims filed. Clearly, we need to re-evaluate the Commission's position in the context of the changing times and changing markets. The time is right for us to take a fresh look at ourselves, to examine where we are and chart our course for the future.

WHMIS Exclusions: A decision with respect to the handling of WHMIS II Exclusions has yet to be made by the government. If WHMIS requirements are established for products currently excluded, there could be an associated increase in the number of claims for exemption filed with the Commission. Although the organization has the required infrastructure and institutional expertise to respond to the program requirements of WHMIS II, the resulting additional resources for the Commission would have to be assessed when the government's final decision is made known.

D. Financial Spending Plan

	Forecast Spending 1998-99	Planned Spending 1999-2000	Planned Spending 2000-2001	Planned Spending 2001-2002
(\$ thousands)				
Gross Program Spending:				
H.M.I.R.C.	1,203	1,169	1,169	1,169
<i>Less:</i> Revenue Credited to the Vote	0	0	0	0
Net Program Spending	1,203	1,169	1,169	1,169
<i>Less:</i> Revenue Credited to the Consolidated Revenue Fund	475	477	477	477
<i>Plus:</i> Non-budgetary	0	0	0	0
<i>Plus:</i> Cost of Services Provided by other Departments	797	797	797	797
Net Cost of the Commission	1,525	1,489	1,489	1,489

Note: The totals for the "Net Cost of the Commission" do not reflect the transfer of resources for the WHMIS Evaluation Section from Health Canada to HMIRC. However, the required Treasury Board Submission to formally transfer the resources to HMIRC is currently being prepared and will be submitted to Treasury Board for approval in March 1999.

A portion of the resources for the WHMIS Evaluation Section are reflected in the above Financial Spending Plan under "Cost of Services Provided by Other Departments".

Section III: Plans, Priorities, Strategies and Expected Results

A. Summary of Priorities and Expected Results

HAZARDOUS MATERIALS INFORMATION REVIEW COMMISSION	
to provide Canadians with:	to be demonstrated by:
<p>An independent, adjudicative means by which the Workplace Hazardous Materials Information System (WHMIS) balances the right of a supplier or employer to withhold trade secret information with the right of a worker to know about the health and safety hazards of chemicals.</p>	<ul style="list-style-type: none"> • Exemptions from the full disclosure requirements of WHMIS granted when industry claims are valid. • Consistent application of the prescribed regulatory criteria agreed to by governments, industry and labour. • Compliance of claim-related labels and material safety data sheets with the WHMIS disclosure requirements. • Changes to related labels and material safety data sheets made as a result of orders issued to correct deficiencies. • Independent tripartite quasi-judicial boards to hear appeals from claimants or affected parties on decisions and orders issued by the Commission.

B. Program and Business Line Plan

The **Hazardous Materials Information Review Commission** is the agency charged with providing the trade secret mechanism within the Workplace Hazardous Materials Information System. WHMIS is a national system whose aim is to reduce the incidence of illness and injury caused by using hazardous materials in the workplace. The Commission is an independent agency that is accountable to Parliament through the Minister of Health:

- *to ensure a balance between industry's right to protect confidential business information and workers' right to know about the hazardous materials to which they are exposed and the corresponding preventive health and safety measures.*

Planned Spending

(\$ thousands)	Forecast Spending 1998-1999	Planned Spending 1999-2000	Planned Spending 2000-2001	Planned Spending 2001-2002
Gross Expenditures	1,203	1,169	1,169	1,169
Less: Revenue Credited to the Vote	0	0	0	0
Total Net Expenditures	1,203	1,169	1,169	1,169

Objective

As an independent administrative law tribunal, it pursues a multifaceted mandate under the authority of its enabling statute the *Hazardous Materials Information Review Act*, adopted in 1987 and the federal/provincial/territorial Occupational Safety and Health Acts:

- to formally register claims for exemption and issue Registry Numbers;
- to issue decisions on the validity of claims for exemption from full disclosure requirements of WHMIS, filed by suppliers of, or employers using hazardous industrial materials, on the basis that full disclosure would reveal confidential business information;
- to make decisions on the compliance of material safety data sheets (MSDS) and labels, accompanying the claims, with the provisions of the *Hazardous Products Act, Canada Labour Code* and various provincial and territorial legislation concerning occupational health and safety, and where non-compliance is found, to issue formal orders to bring about corrections; and
- to convene independent, tripartite boards to hear appeals from claimants or affected parties on Commission decisions and orders.

Key Plans and Strategies

Planning Assumptions: We have developed this plan based on the following key elements: industry, unions and governments support and continue to actively participate in the renewal agenda. With the recent transfer of the WHMIS Evaluation Section from Health Canada, the Commission's operations are supported by a strong in-house science core. We can rely on our Health Canada portfolio partners for assistance. HMIRC employees see the need for renewal and are willing participants. Most changes can be made administratively versus legislatively.

Program Reform and Renewal: The Hazardous Materials Information Review Commission is taking a leadership role in program improvement. With the Council's consensus recommendations in hand, we are moving beyond organizational assessment to turn our program objectives, Council's Report recommendations and client interests into a plan for action. We are adopting a business attitude that focuses on performance and strategic partnerships, while maintaining and preserving our key values and operating principles related to the preservation of worker health and safety.

As an organization embracing change, we aim to deliver our mandate and achieve our mission through the establishment of three core program areas. To accomplish this, we are acting to re-define the organization into: MSDS Compliance, Client Services and Dispute Resolution.

1. MSDS Compliance: MSDS Compliance activities regulate in the public interest to ensure maximum health and safety benefits in the workplace. It is the responsibility of Screening Officers within this Program to decide on the compliance of material safety data sheets (MSDSs) and labels with the WHMIS requirements pursuant to the *Hazardous Products Act*, the *Canada Labour Code* and provincial and territorial occupational health and safety legislation. Where non-compliance is found, Screening Officers issue a formal order for revision and follow-up to ensure compliance.

The Commission intends to refocus MSDS compliance resources more on the basis of health and safety benefits to workers. This will be accomplished by developing a prioritization system which includes a preliminary hazard analysis, thereby ensuring that MSDS review efforts are accelerated for those chemicals posing the highest hazard potential, and thus the greatest threat to worker health and safety. Partnerships and links will be strengthened with federal and provincial OSH jurisdictions representing front line inspection and enforcement of WHMIS requirements across the country.

As an example of measures already underway, the Commission's expansion of the current pilot project offers an opportunity for claimants and affected parties to review or comment on health and safety information and advice provided to the Screening Officer. This initiative

has significantly enhanced the transparency of the MSDS compliance decision-making process, and has been well received by a number of claimants.

2. Client Services: Client Services is the component which registers claims and issues decisions on claim validity using prescribed regulatory criteria and is designed to assist industry in protecting confidential business information while meeting their health and safety information disclosure obligations under WHMIS.

This is an area in which the Commission proposes to become more proactive in communicating with its clientele and the public and generally become more accessible, visible, transparent and helpful in keeping with the issues highlighted in Council's Report. This will include a commitment to professional, cost-effective and responsive claim registration services. Day to day contacts with claimants will reflect an understanding of the business perspective in dealing with government. The Commission will develop a mechanism for client feedback, conduct annual workshops for clients, and undertake a regular review and evaluation of services provided.

3. Dispute Resolution: Dispute Resolution provides all parties with a range of options offering an informal forum for discussion on issues arising from decisions and orders of the Commission. All processes should be accessible, open, impartial and strive to guide and assist both claimants and affected parties through disputes, thus clarifying the rights available to them. The earlier disputes are resolved, the sooner MSDSs will meet compliance standards which will translate into improved health and safety in the workplace.

The appeals process requires streamlining to ensure appeals are heard expediently and in a cost-effective manner. Consistency of decisions is a fundamental Commission objective and will be enhanced through a systemic analysis of decisions and orders which have been successfully appealed. A more active participation by the Screening Officer in the appeals process will also be explored. The Commission will involve all interested parties in the renewal of the Dispute Resolution Process.

In order to enhance its relevancy to beneficiaries, the Commission will develop a complaint management system to provide an open forum for questions and problems arising as a result of the Commission's services thereby resolving complaints and preventing recurring issues - all of which is focussed on assuring a continued high level and quality of service.

These changes, and the initiatives within each core area, are designed to provide our clients with better and faster service. Unique in nature, the three program areas utilize individual processes and approaches in response to the different roles they are mandated to carry out. The creation of these new core programs represents a positive and pragmatic step towards modernizing our services and meeting our clients' changing needs.

Cost Recovery: The Commission was established on the basis that it would be financially self-supporting through revenues generated by a system of user fees. Although the organization does not fully recover its cost of operations, it strives to improve upon its recovery of annual costs.

A review of the Commission's cost recovery policy is an important part of the on-going strategic planning exercise. The original cost recovery planning assumptions have been reviewed, and program activities currently included as cost-recoverable have been examined in the context of the 1996 TBS Cost Recovery Policy. The Commission's claimants are sophisticated and knowledgeable regarding matters of government policy. It follows that the Commission must be able to maintain its program integrity by demonstrating that activities considered cost recoverable are supported by government policy and accordingly its clients are being charged fairly for the work performed by Commission personnel. Negotiations will be undertaken with Treasury Board, and in consultation with the Commission's stakeholders, in an attempt to restructure the Commission's cost recovery formula in a way that would eliminate the recovery of costs associated with the MSDS compliance work done in the public interest.

Cost Reduction: The Commission's strategic planning exercise will dramatically change the way the Commission does business. This renewal and re-engineering of the Commission is aimed at providing value added services to all its program beneficiaries. Initiatives already taken to reduce costs include collocating with another small agency with similar accommodation requirements, where hearing room, meeting facilities and postal and library services can be shared. The Commission has recently entered into a Health Portfolio Partnership Agreement for Corporate Services with Health Canada for the provision of services such as: human resources, finance, information technology and facilities/assets management.

The Commission has also very recently entered into an arrangement with the Department of Justice for the provision of legal services. This will be a pilot project. The Commission will provide space and support and the goal is for the Department of Justice to provide shared services on a cost recovery basis to a number of small agencies which, like the Commission, do not require full-time legal counsel.

The Commission is an active member of the Small Agency Administrators Network and the Federal Agencies Forum, both of which offer its members the opportunity to discuss ways and means of cost containment, for example sharing of common services, and of minimizing the time and expense of responding to the requirements of the central agencies of government. In addition, membership offers the opportunity to add to the collective voice of small agencies in their efforts to make known the special resource circumstances, and to highlight other significant fundamental differences from more conventional departments.

Expected Results

The Commission is responsible for the following outputs/products/services for which some have published service standards.

Claims Registered: The Commission registers claims for exemption submitted by suppliers, producers, distributors and employers (claimants). Following a pre-registration check, claims are registered within seven (7) days after receipt of filing if the supporting documentation is complete. When there is an expressed request from a claimant, even if the costs may be higher, the Commission can and has registered claims within 48 hours of receipt. Claim registration allows the company to sell their product while the decision-making process is carried out at the Commission. Registration of some 200 claims per year is anticipated over the planning period.

Decisions Issued: The Commission's Screening Officers adjudicate claim submissions received and issue decisions related to 1) the validity of the claim that information is confidential business information and must be protected and 2) the compliance of the MSDS with the relevant WHMIS safety legislation. For the planning period, the Commission has set a target of approximately 240 claims per year for which a review will be completed, including the issuance of a decision and any necessary order.

Orders Issued: In relation to the total number of MSDSs reviewed since the Commission first began this activity in 1990-91, 95% have been found to be in non-compliance to some degree with the WHMIS requirements. In such cases, orders have been issued by the Commission to bring about necessary corrections.

Appeals Filed: The Commission is responsible for convening independent tripartite, quasi-judicial boards to hear appeals arising from the decisions and orders of its Screening Officers. To date, 16 appeals have been filed on the decisions and orders rendered by Screening Officers. Two appeals were subsequently withdrawn by the Appellant prior to the Appeal Board's final determination of the matters. Eight appeals have now been completed with six remaining in the process. Based on a 1% appeal rate, the Commission expects to receive 3 appeals per year over the planning period.

Enquiries Service: Response to telephone enquiries is normally within 48 hours, and written replies within a week. The Commission expects to receive some 100 enquiries per year over the planning period.

C. Consolidated Reporting

Regulatory and Legislative Initiatives

Future initiatives during the planning cycle include a proposal to amend the *Hazardous Materials Information Review Act* in order to address a number of deficiencies and items of a technical nature which require correction. As well, in the event that the WHMIS II Exclusions Review results in products, which are currently excluded, being subject to WHMIS disclosure requirements, there is a potential for suppliers of such products to submit claims to the Commission for trade secret protection. This would likely require amendments to the Commission's enabling statute. In addition, and as mentioned in the previous section, pending the outcome of the Strategic Planning Process and Council's Report Recommendations, both legislative and regulatory changes could be necessary in order to implement the resulting recommendations. Such changes, if required, would be actioned during this planning cycle. A summary of future initiatives is shown in the following table.

1. Hazardous Materials Information Review Regulations	a) Housekeeping changes to be initiated in 1999/2000 in response to Standing Committee on Scrutiny of Regulations b) Current Strategic Planning Process & Council Report Recommendations may result in regulatory changes
2. Appeal Board Procedures Regulations	a) Modernize and streamline appeals process
3. Hazardous Materials Information Review Act	a) Housekeeping amendments to Act through the Miscellaneous Statute Law Amendment Bill b) Several Council Report Recommendations may result in proposals to amend the Act c) Potential for claims to Commission for products currently excluded and subject to the WHMIS II review

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Year 2000 Initiatives

The Commission is in a good position in regards to the Y2K issue. It has recently upgraded all of its work stations with Y2K compliant PC's. With the exception of one application, all of the day to day software is "off the shelf" which have been regularly updated. A project is presently underway to have the sole Y2K non-compliant program re-engineered. This project is expected to be completed before the end of 1999/00. Through a Health Canada portfolio partnership agreement, Health Canada personnel have been reviewing the Y2K status of the Commission and are prepared to ensure the Commission is fully compliant. The Commission is also a member of the HC Y2K Information Technology sub-committee.

Section IV: Supplementary Information

Table 1: Spending Authorities -Part II of the Estimates

Vote (thousands of dollars)	1999-2000 Main Estimates	1998-99 Main Estimates
Hazardous Materials Information Review Commission		
10 Program Expenditures	1,009	995
S Contributions to employee benefit plans	160	165
Total Agency	1,169	1,160

Table 2.1: Organization Structure

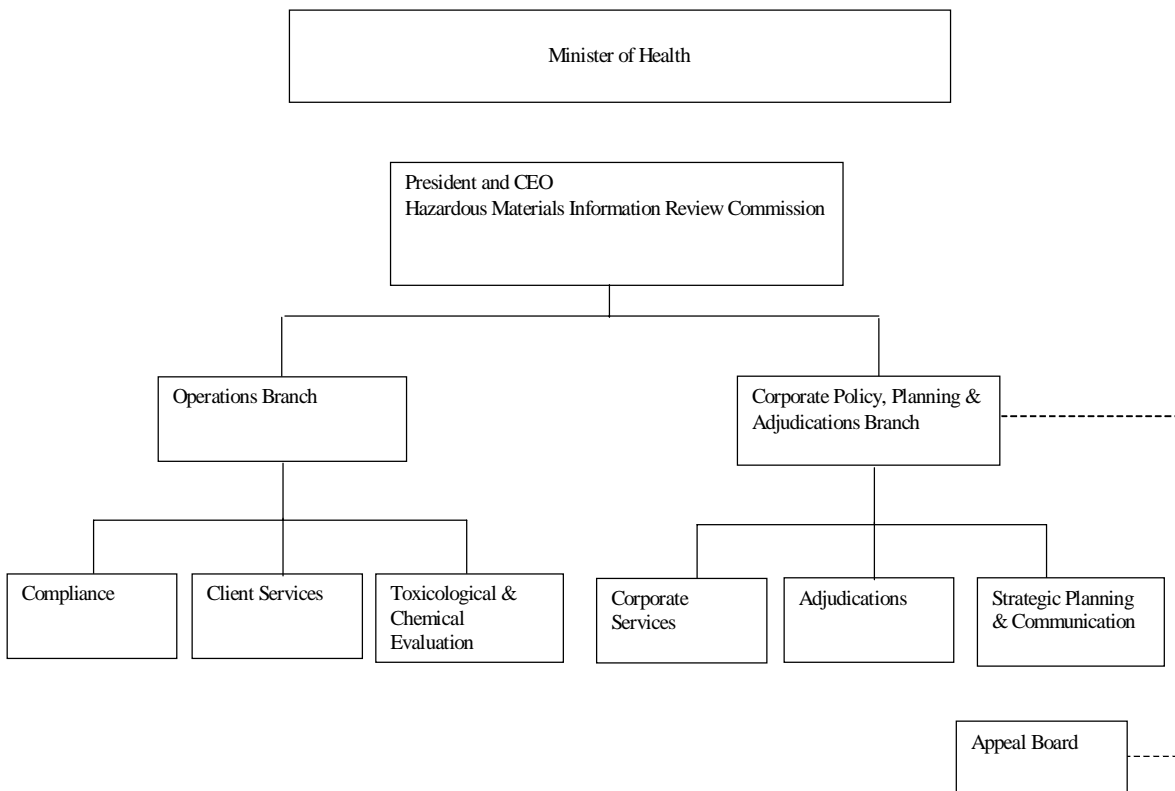


Table 2.2: Planned Full Time Equivalents (FTEs) by Program and Business Line

	Forecast 1998-99	Planned 1999-2000	Planned 2000-2001	Planned 2001-2002
Hazardous Materials Information Review Commission	15	12	15	15
Departmental Total	15	12	15	15

Capital Project Information

Please Note: Tables 3.1, 3.2 and 3.3 do not apply to the Hazardous Materials Information Review Commission.

Table 4: Departmental Summary of Standard Objects of Expenditure

(\$ thousands)	Forecast Spending 1998- 1999	Planned Spending 1999- 2000	Planned Spending 2000- 2001	Planned Spending 2001- 2002
Personnel				
Salaries and Wages	811	798	798	798
Contributions to employee benefit plans	165	160	160	160
	976	958	958	958
Goods and Services				
Transportation and communications	73	50	50	50
Information	39	35	35	35
Professional and special services	76	90	90	90
Rentals	4	6	6	6
Purchased repair and upkeep	12	5	5	5
Utilities materials and supplies	13	20	20	20
Capital -minor	10	5	5	5
	227	211	211	211
Total Operating	1203	1169	1169	1169
Gross budgetary expenditures	1203	1169	1169	1169
Net budgetary expenditures	1203	1169	1169	1169
Total	1203	1169	1169	1169

Table 5: Program Resources by Program and Business Line for the Estimates Year

(\$ thousands)	Budgetary						Non- budgetary Loans In- vestments and Ad- vances	Less: Revenue Credited to the Vote	Net Planned Spending
	FTE	Operating	Capital	Grants And Contri- butions	Gross Voted	Statutory Items			
Hazardous Materials Information Review Commission	12	1169			1169			0	1169

Please note: Financial Table 6 does not apply to the Hazardous Materials Information Review Commission

Table 7: Details of Revenue by Program

Revenue Credited to the Consolidated Revenue Fund (CRF) (\$ Thousands)	Forecast Revenue 1998- 1999	Planned Revenue 1999- 2000	Planned Revenue 2000- 2001	Planned Revenue 2001- 2002
Hazardous Materials Information Review Commission	475	477	477	477

Table 8: Net Cost of Program for 1999-2000

(\$ thousands)	Hazardous Materials Information Review Commission
Gross Planned Spending	1169
Plus:	
Services Received without Charge	
Accommodation provided by Public Works and Government Services (PWGSC)	275
Contributions covering employees' share of insurance premiums and costs paid by TBS	64
Professional Services provided by Health Canada	448
Goods and Services Tax	10
	797
Total Cost of Program	1966
Less:	
Revenue Credited to the CRF	477
	1489
Net Cost of Program	1489
1998-99 Estimated Net Program Cost	1525

Please Note: Financial Tables 9.1 to 11 do not apply to the Hazardous Materials Information Review Commission

Table 12: Listing of Statutes and Regulations

<u>Acts</u>	
<i>Hazardous Materials Information Review Act</i>	[R.S.C. 1985, c. 24 (3 rd Supp.)]
<u>Orders</u>	
Order Designating the National Capital Region as the Place of the Head Office of the Hazardous Materials Information Review Commission	SOR/88-137
<u>Regulations</u>	
Hazardous Materials Information Review Regulations	SOR/88-456
Hazardous Materials Information Review Act Appeal Board Procedures Regulations	SOR/91-86

Table 13. References

Hazardous Materials Information Review Commission 200 Kent Street, Suite 9000 Ottawa, Ontario K1A 0M1 telephone (613) 993-4331 facsimile (613) 993-4686	Annual Report (statutory) Pamphlet on the Commission Information Bulletins (Issues 1 to 6) Claim for Exemption Form (also available on diskette) A Guide to Completing a Claim for Exemption Form Guidelines for Toxicological Summary Requirements Statement of Appeal Form
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