Ship and Rail Compensation Canada
Ship Fund

Indemnisation Navire et Rail Canada
Fonds Navire

Office of the Administrator of the
Ship-source Oil Pollution Fund

(operating under the name)

Ship and Rail Compensation Canada

Annual Report to Parliament
on the *Access to Information Act*

2025-2026

Canada

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1. Introduction

The Office of the Administrator of the Ship-source Oil Pollution Fund, operating under the name Ship and Rail Compensation Canada – Ship Fund, is pleased to submit to Parliament its annual report on the administration of the *Access to Information Act* (ATIA) for the fiscal year commencing on April 1, 2025, and ending March 31, 2026. This report is submitted in accordance with section 94 of the ATIA. The report is tabled in Parliament through the Minister of Transport. The Ship Fund does not have any non-operational subsidiaries.

The purpose of the ATIA is to enhance the accountability and transparency of federal institutions in order to promote an open and democratic society and to enable public debate on the conduct of those institutions. In furtherance of that purpose:

- Part 1 extends 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
- Part 2 sets out requirements for the proactive publication of information

1.1 Our mandate

Ship and Rail Compensation Canada is an independent federal office, financed by industry, managing two compensation funds: the Ship Fund and the Rail Fund. Ship and Rail Compensation Canada is the joint operating name for the two Funds. The Ship Fund is also known by the legal name, Ship-source Oil Pollution Fund in the *Marine Liability Act*. The Rail Fund is also known by the legal name, Fund for Railway Accidents Involving Designated Goods in the *Canada Transportation Act*.

The Ship Fund is a specified purpose account established in the accounts of Canada. The Ship Fund compensates anyone affected by oil spills from ships and boats in Canadian waters, and strives to enforce the polluter pays principle by recovering costs from responsible parties.

The Ship Fund is governed by Part 7 of the *Marine Liability Act* (MLA). Canada is also a contracting State in the international regime, thereby aligning the Canadian regime to international conventions.

The amount held in the Ship Fund comes from the accumulated balance of the Maritime Pollution Claims Fund (MPCF), which was transferred to the Ship Fund in 1989, and subsequent interest

generated on that balance. The MPCF was funded by a levy paid by oil receivers and shippers to and from Canada between 1972 and 1976.

Ship and Rail Compensation Canada is managed by the Chief Executive Officer and Administrator of both the Ship Fund and the Rail Fund, with each Fund also having a Deputy Administrator. The Administrator of the Ship Fund, appointed by the Governor-in-Council:

- Acts as an independent authority to investigate and assess all claims submitted to the Ship Fund, subject to appeal to the Federal Court of Canada;
- Has the powers of a Commissioner under Part 1 of the *Inquiries Act*;
- Offers compensation to claimants for whatever portion of the claim the Administrator finds to be established and, where a claimant accepts an offer, the Administrator directs payment to the claimant out of the Ship Fund;
- Must take recourse action against third parties to recover the amount paid out of the Ship Fund to a claimant and may also take action to obtain security, either prior to or after receiving a claim;
- Becomes a party by statute to any proceedings commenced by a claimant against the owner of a ship, its insurer, or the International Oil Pollution Compensation (IOPC) Funds, as the case may be after having been served with the document commencing the proceedings;
- Directs payments out of the Ship Fund for all Canadian contributions to the IOPC Funds (such contributions are based on oil receipts in Canada reported by the Administrator to the Director of the IOPC Funds);
- Participates with the Canadian delegation at meetings of the Executive Committee and the Assembly of the IOPC Funds;
- Is consulted by the Minister of Transport with regard to the release of necessary emergency funding of up to $10 million per fiscal year (or additional funds to a maximum of $50 million per fiscal year, if required) to the Canadian Coast Guard (CCG), to respond to a significant incident involving the discharge of oil from a ship;
- Has inspection and inquiry powers with respect to oil shippers' data reporting obligations, infringement of which may cause Administrative Monetary Penalties (AMPs);
- Prepares an annual report on the operations of the Ship Fund, which is laid before Parliament by the Minister of Transport.

2. Organizational Structure

The Research and Policy Analyst is the designated Access to Information and Privacy (ATIP) Coordinator of our institution. He is responsible for ensuring that the institution meets its responsibilities under the ATIA by administering the Act and overseeing all related activities.

The ATIP Coordinator is supported by the Information Management Officer, who has up to 10% of her time dedicated to ATIP activities. For a breakdown of the positions responsible for meeting the applicable proactive publication requirements, see the section “Proactive Publication under Part 2 of the ATIA” below.

There are no regional ATIP staff.

A consultant provides expert assistance in the area of ATIP on an as-required basis. The Ship Fund has expressed an interest in, but is not currently a party to any service agreements under section 96 of the ATIA.

3. Delegation Order

Under the ATIA, the Administrator is the designated head of our institution for the purpose of administering the legislation. Section 95(1) of the ATIA authorizes the head of the institution to designate, by order, one or more officers or employees of the institution to exercise or perform any powers, duties or functions of the head of the institution that are specified in the order. The Research and Policy Analyst fulfills the role of Access to Information and Privacy (ATIP) Coordinator and has been delegated all authorities in relation to the ATIA.

The Delegation Order was signed by the new Administrator on August 11, 2025, and a copy is included in Appendix A.

4. Performance under Part 1 of the *Access to Information Act*, 2025-2026

We did not receive any new requests under the ATIA during the reporting year. Our compliance rate is 100% for the reporting year.

The following sections provide highlights and interpretations of the 2025-2026 statistical report as well as the 2025-2026 supplemental statistical report submitted to TBS.

4.1 Section 1 – Requests under the ATIA

Subsection 1.1 – Number of requests
We did not receive any new requests under the ATIA during the reporting year.

Subsection 1.2 – Sources of requests
We did not receive any new requests under the ATIA during the reporting year.

Subsection 1.3 – Channels of requests
We did not receive any new requests under the ATIA during the reporting year.

4.2 Section 2 – Informal requests

Subsection 2.1 – Number of informal requests
We received seven new informal requests during the reporting year, one of which was a duplicate.

Subsection 2.2 – Completion time of informal requests
All seven requests received during the reporting year were completed within 0 to 15 days of receipt.

Subsection 2.3 – Pages released and re-released informally
A total of 11,706 pages were re-released informally during the reporting year.

4.3 Section 3 – Applications to the Information Commissioner on declining to act on requests

We did not submit to the Information Commissioner any applications on declining to act on vexatious, made in bad faith or abuse or right requests

4.4 Section 4 – Requests closed during the reporting period

Subsection 4.1 – Disposition and completion time
We did not close any requests during the reporting year.

Subsection 4.2 – Exemptions
We did not close any requests during the reporting year.

Subsection 4.3 – Exclusions
We did not close any requests during the reporting year.

Subsection 4.4 – Format of information released
We did not close any requests during the reporting year.

Subsection 4.5 – Complexity

4.5.1 - Relevant pages processed and disclosed
We did not close any requests during the reporting year.

4.5.2 – Relevant pages processed and disclosed by size of requests
We did not close any requests during the reporting year.

4.5.3 to 4.5.6 – Relevant minutes processed for audio and video files
No audio or video files were processed during the reporting year.

4.5.7 – Other complexities
We did not close any requests during the reporting year.

Subsection 4.6 – Closed requests

4.6.1 – Requests closed within legislated timelines
We did not close any requests during the reporting year.

Subsection 4.7 – Deemed refusals

4.7.1 – Reasons for not meeting legislated timelines
We did not close any requests during the reporting year.

4.7.2 – Requests closed beyond legislated timelines (including any extension taken)
We did not close any requests during the reporting year.

Subsection 4.8 – Requests for translation
No translations were prepared during the reporting year.

4.5 Section 5 – Extensions

Subsection 5.1 – Reasons for extensions and disposition of requests
No extension was required during the reporting year.

Subsection 5.2 – Length of extensions
No extension was required during the reporting year.

4.6 Section 6 – Fees

No fees were collected during this reporting year.

4.7 Section 7 – Consultations received from other institutions and organizations

No consultations were received from other federal institutions or other organizations during the reporting year.

4.8 Section 8 – Completion time of consultations on Cabinet confidences

We did not process any Cabinet confidences in relation to requests under the ATIA during the reporting year.

4.9 Section 9 – Complaints and investigations

We made no representations to the Information Commissioner of Canada pursuant to section 35 of the ATIA during the reporting year. We have no active complaints outstanding from previous reporting years.

4.10 Section 10 – Court action

There was no new or outstanding court action underway during the reporting year.

4.11 Section 11 – Resources related to the ATIA

Subsection 11.1 – Costs
For 2025-2026, the costs directly associated with the administration of the ATIA were $5,722, representing the salary costs of individuals working on access to information and reporting activities.

Subsection 11.2 – Human Resources
The full-time equivalency (FTE) for human resources administering the ATIA during 2025-2026 was 0.058 person years.

5. Training and Awareness

All new staff are provided with a one-on-one introduction to ATIP when they start their position at our institution.

ATIP employees attended many training sessions offered by TBS' Access to Information and Privacy Community Development Office (APCDO) and completed additional courses suggested in its "Access to Information and Privacy Learning Booklet." One employee completed Module A: "Integration to the ATIP Analyst function" of the training program "ATIP – Federal Institutions (ATIPTP-FI)," offered by the Faculty of Continuing Education of the University of Montreal and the Association of Access to Information and Privacy Professionals.

6. Policies, Guidelines, and Procedures

Internal Proactive Disclosure Procedures were approved during the reporting year, defining our responsibilities under Part 2 of the ATIA and clarifying the process, to ensure proactive publication in an effective and timely manner.

7. Initiatives and Projects to Improve Access to Information

The ATIP Online Management Tool (AOMT) allows us to retrieve ATIP requests submitted to our institution and to provide responses to requesters. In order to remove financial barriers to access to information (ATI), the head of our institution waived the $5 application fee for ATI requests a few years ago, under subsection 11(2) of the ATIA. This year, we officially requested that the fee payment requirement also be removed from the ATIP Online Request System for ATI requests

submitted to our institution, an initiative that was already implemented. Furthermore, our ATIP Coordinator participated in a User Experience Focus Group organized by the TBS ATIP Digital Services for the upcoming release of ATIP Online version 9.0.0. Its purpose was to help ensure that the introduction of the new features and functionalities meets the needs of real users.

For the annual reports tabled in Parliament, under Part 2 of the ATIA, we started to publish the metadata records on the Open Government page.

Information security training continued to be completed by all staff, thereby improving information protection practices. Additionally, optional training sessions are offered throughout the year to promote and facilitate adoption of information management practices. This ensures the appropriate capture of corporate records and improves efficiency and ease of retrieval of the information. This in turn assists the processing of requests under the ATIA. Overall, these sessions were attended by an average of eleven staff members (about a third of the complement) per month.

We continue to improve our information management and information technology practices, which are expected to significantly improve ATIP processes and activities, notably the response to requests. New equipment continued to be provided to staff, and additional IT security measures have been adopted, thereby increasing the protection of personal and sensitive information held by our institution.

8. Summary of Key Issues and Actions Taken on Complaints

Applicants have the right to file a complaint pursuant to the ATIA and may exercise this right at any time during the processing of their request. No complaints or requests for investigation were received during the reporting year.

9. Proactive Publication under Part 2 of the ATIA

For the purposes of Part 2 of the ATIA, we are a government institution. Our ATIP employees are responsible for the publication on the Open Government page. Additionally, the Payroll and Finance Officer and the Executive Assistant to the Administrators, as well as the Director of Finance and Corporate Servies are responsible for preparing and verifying the travel and hospitality expenses as per our proactive publication requirements.

The following table lists all the proactive publication requirements to which we are subject.

Legislative Requirement	Section of ATIA	Publication Timeline	Does requirement apply to your institution? (Y/N)	Internal group(s) or positions(s) responsible for fulfilling requirement	% of proactive publication requirements published within legislated timelines*	Link to web page where published**
Apply to all Government Institutions as defined in section 3 of the *Access to Information Act*						
Travel Expenses	82	Within 30 days after the end of the month of reimbursement	Y	Corporate Services	100%	Link
Hospitality Expenses	83	Within 30 days after the end of the month of reimbursement	Y	Corporate Services	100%	Link
Reports tabled in Parliament	84	Within 30 days after tabling	Y	Corporate Services	100%	Link 1 Link 2 Link 3
Apply to government entities or Departments, agencies, and other bodies subject to the Act and listed in Schedules I, I.1, or II of the *Financial Administration Act*						
Contracts over $10,000	86	Q1-3: Within 30 days after the quarter Q4: Within 60 days after the quarter	N	N/A	N/A	N/A
Grants & Contributions over $25,000	87	Within 30 days after the quarter	N	N/A	N/A	N/A
Packages of briefing materials prepared for new or incoming	88(a)	Within 120 days after appointment	N	N/A	N/A	N/A

deputy heads or equivalent						
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	N	N/A	N/A	N/A
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	N	N/A	N/A	N/A
Applies to government institutions that are departments named in Schedule I to the *Financial Administration Act* 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	N	N/A	N/A	N/A
Apply to Ministers' Offices (therefore apply to any institution that performs proactive publication on behalf of a Minister's Office)						
Packages of briefing materials prepared by a government institution for new or incoming ministers	74(a)	Within 120 days after appointment	N	N/A	N/A	N/A
Titles and reference	74(b)	Within 30 days after the end of	N	N/A	N/A	N/A

numbers of memoranda prepared by a government institution for the minister, that is received by their office		the month received				
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	N	N/A	N/A	N/A
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	N	N/A	N/A	N/A
Travel Expenses	75	Within 30 days after the end of the month of reimbursement	N	N/A	N/A	N/A
Hospitality Expenses	76	Within 30 days after the end of the month of reimbursement	N	N/A	N/A	N/A

Contracts over $10,000	77	Q1-3: Within 30 days after the quarter Q4: Within 60 days after the quarter	N	N/A	N/A	N/A
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	N	N/A	N/A	N/A

*When counting proactive publication requirements count monthly or quarterly reports as a single publication.

**i.e., specific page where that information is located on open.canada.ca or the institution's website

10. Monitoring Compliance

There were no activities conducted during the reporting year to monitor compliance of formal requests.

We implemented a tracking system used for monitoring compliance with the timeliness, accuracy and completeness of proactively published information under Part 2 of the ATIA. This monitoring occurs monthly (for travel and hospitality expenses) and annually (for the reports tabled in Parliament). The head of the institution and senior management are advised about the compliance results.

Appendix A: Delegation Order

Ship and Rail Compensation Canada

***Access to Information Act* and *Privacy Act* Delegation Order**

The Administrator of the Ship-source Oil Pollution Fund and the Fund for Railway Accidents Involving Designated Goods, operating under the name Ship and Rail Compensation Canada, pursuant to section 95 of the *Access to Information Act* and section 73 of the *Privacy Act*, hereby designates the persons holding the positions set out in the schedule hereto, or the persons occupying on an acting basis those positions, to exercise the powers, duties and functions of the Administrator as the head of Ship and Rail Compensation Canada, under the provisions of the Act and related regulations set out in the schedule opposite each position.

This designation replaces all previous delegation orders.

Schedule

Position	***Access to Information Act* and Regulations**	***Privacy Act* and Regulations**
ATIP Coordinator	Full authority	Full authority

Dated, at the City of Ottawa, this 11th day of August, 2025

Caroline Healey, Administrator