



Hazardous Materials Information  
Review Commission

Conseil de contrôle des renseignements  
relatifs aux matières dangereuses

# **Hazardous Materials Information Review Commission**

**2006–2007**

**Report on Plans and Priorities**

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Tony Clement  
Minister of Health

**Canada**

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## Section I Overview

### President's Message

The Hazardous Materials Information Review Commission is an independent, quasi-judicial agency that is positioned within the health portfolio. Our clients and stakeholders represent industry manufacturers, employers, workers, and governments at the federal, provincial and territorial levels. The Commission's mandate is threefold. First we protect *bona fide* trade secrets on behalf of the chemical industry. Secondly, we perform health and safety reviews of the documentation associated with the hazardous product which is the subject of the trade secret claim. Thirdly, we provide a tribunal review process where Commission staff decisions are contested. Simply stated the mandate of the Commission is to balance the rights of industry to protect their trade secrets and the rights of those using their products to know the health and safety impacts. In performing our duties and functions, we strive to build a relationship of trust and respect with our clients and stakeholders. It is therefore essential that we perform our mandate with objectivity, neutrality and transparency. The environment in which we operate is complex, international and multi-jurisdictional involving federal, provincial and territorial legislation.

For suppliers and employers in the chemical industry who cite trade secret information as a critical success factor in their business, the economic value of the confidential business information associated with the claims for exemptions they file is significant. This includes cases where the trade secret formulation may be the result of an expensive research and development effort. For those claims processed by the Commission in 2004–2005, and based on information provided by claimants, the collective economic benefit resulting from the protection of claimed trade secret information was estimated to be in the order of \$400 million.

While innovation and competitiveness are crucial to a successful industry, it is equally important that the right to withhold trade secret information is balanced with the right of workers to be fully and properly informed on how to safely handle and use claim related controlled products. The Commission's findings of non-compliance (published annually) respecting its statutory review of safety documentation further demonstrate the need for this balance as the Commission issues formal orders, outlining corrective measures to be taken by claimants, for virtually all claims. In 2004–2005, a total of 2,103 violations were ordered to be corrected.

In the coming fiscal year, our goal is to seek support to reintroduce *An Act to amend the Hazardous Materials Information Review Act* (formerly Bill S-40) which died on the Order Paper upon the dissolution of Parliament. The proposed amendments are important to the Commission, its clients and stakeholders, and will bring to fruition our renewal commitments to improve service delivery while making our program activities more transparent and accountable. These amendments will reduce the time required to review trade secret claims, speed up the correction of the information that workers need to handle hazardous materials safely and expedite the processing of appeals when Commission decisions are challenged. They will reduce the administrative burden for

both industry and the Commission. The net result will be earlier access by workers to complete and accurate information on the safe handling of hazardous materials. This can only be positive for workplace safety.

The Commission will also act on its priorities outlined in this plan. In accordance with our multi-year workload estimates, the claims backlog has been reduced. However, our capacity to keep pace with the continued high volume of incoming claims is being challenged. Education, guidance and direction to claimants will remain a focal point of our efforts especially amongst individuals and companies unfamiliar with Canada's regulatory requirements. Outreach activities will continue to ensure public and stakeholder understanding of the Commission's mandate and its relationship and impact on workplace health and safety.

We recognize the importance and necessity of adopting an effective approach to working collaboratively with the federal, provincial and territorial occupational health and safety programs. Indeed we have and will continue to pursue a strong working relationship with our health portfolio partners including other federal departments and agencies.

The Commission will continue to adopt the principles of the Management Accountability Framework (MAF) into our management culture and day-to-day operations. This will ensure a continued focus on effective management of resources and decision making as well as a reinforcement of the importance of public service values, ethics, learning and innovation which are essential in the delivery of results to Canadians and to the development of our program and policies.

As in past years, this fiscal year promises to be an exciting one and I look forward to working with my Council of Governors who collectively represent all clients and stakeholders. Their ongoing support is essential to the successful discharge of our threefold mandate.

Weldon Newton  
President and Chief Executive Officer

## **Management Representation Statement**

I submit for tabling in Parliament, the 2006–2007 *Report on Plans and Priorities* (RPP) for the Hazardous Materials Information Review Commission.

This document has been prepared based on the reporting principles contained in the *Guide for the Preparation of Part III of the 2006–2007 Estimates: Reports on Plans and Priorities and Departmental Performance Reports*.

- ▶ It adheres to the specific reporting requirements outlined in the Treasury Board Secretariat guidance;
- ▶ It is based on the department's approval Program Activity Architecture as reflected in its Management Resources and Results Structure (MRRS);
- ▶ It presents consistent, comprehensive, balanced and reliable information;
- ▶ It provides a basis of accountability for the results achieved with the resources and authorities entrusted to it; and
- ▶ It reports finances based on approved planned spending numbers from the Treasury Board Secretariat in the RPP.

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Weldon Newton  
President and Chief Executive Officer

## Program Activity Architecture (PAA) Crosswalk

In June 2005, the Commission submitted an amendment to Treasury Board Secretariat to change the title of its strategic outcome to better reflect the Commission's legislated mandate: the protection of confidential business information and the protection of employers and workers through material safety data sheet (MSDS) accuracy.

	Old title 2005–2006	New title 2006–2007
<b>Strategic Outcome 2006–2007</b>	Trade secret exemptions within the Workplace Hazardous Materials Information System to protect confidential business information. <sup>1</sup>	Trade secret exemptions within WHMIS that balance the right of industry to withhold <i>bona fide</i> confidential business information with the right of employers and workers to be provided with complete and accurate information on the health and safety hazards posed by workplace chemicals.

<sup>1</sup>WHMIS

## Context

Labour, industry and government agree on the importance of reducing illnesses and injuries from hazardous materials in Canadian workplaces. The Workplace Hazardous Materials Information System (WHMIS), a combination of laws, regulations and procedures, was created in 1987 to help achieve this goal.

WHMIS requires suppliers—including manufacturers, importers and distributors—to provide information on the hazards of chemicals produced or used in Canadian workplaces. It requires cautionary labelling for containers of certain products that are designated under federal regulations and requires their suppliers to provide MSDSs.

Among the required information, each MSDS lists all hazardous ingredients in the product, any toxicological properties, the safety precautions workers need to take when using the product and first aid treatment in case of exposure. Employers must provide this MSDS information, worker training and education programs to employees.

When labour, industry and government agreed to create WHMIS, they recognized the need to balance the rights of:

- ▶ workers and employers to have health and safety information; and
- ▶ chemical suppliers to protect confidential business information, such as trade secrets.

The *Hazardous Materials Information Review Act* and its Regulations provide the mechanism to create that balance through the Hazardous Materials Information Review Commission (HMIRC). Our Commission is an independent agency with a quasi-judicial role that supports the WHMIS responsibilities and interests of the federal, provincial and territorial governments, workers, employers and the chemical industry.

## Mandate

The *Hazardous Materials Information Review Act* mandates our Commission to:

- ▶ register claims for trade secret exemptions and issue registry numbers;
- ▶ adjudicate and issue decisions on the validity of claims for exemption using prescribed regulatory criteria;
- ▶ make decisions on the compliance of MSDSs and labels with WHMIS requirements; and
- ▶ convene independent boards with representatives drawn from labour, suppliers or employers to hear appeals from claimants or affected parties on our decisions and orders.

## **Mission**

The HMIRC mission is to:

- ▶ ensure a balance between industry's right to protect confidential business information and the right of employers and workers to know about the hazardous materials they deal with in the workplace;
- ▶ provide a trade secret mechanism within WHMIS; and
- ▶ resolve complaints and disputes impartially, fairly and promptly through statutory or alternate means.

## **What the Commission Does**

If a supplier or employer wants to withhold information that it believes to be a trade secret, it must file a claim with the Commission for exemption from its WHMIS obligations to disclose this information. Our screening officers review these claims against requirements that are set out in:

- ▶ federal regulations relating to chemical suppliers, and employers under federal jurisdiction; or
- ▶ provincial or territorial regulations relating to employers under their jurisdiction;

and then rule on their validity. This process involves communication to avoid or resolve disputes.

As part of this claim review process, our scientific evaluators play a key health and safety role. They review for completeness and accuracy all the health and safety information for each hazardous ingredient provided on the MSDSs and labels associated with a claim for exemption. When our scientific evaluators identify missing or incorrect information, they provide advice to screening officers who then issue formal orders requiring the necessary changes.

Upon requests, we also respond to the information needs from federal, provincial and territorial government health and safety officials respecting claims for exemption to administer and enforce their WHMIS obligations.

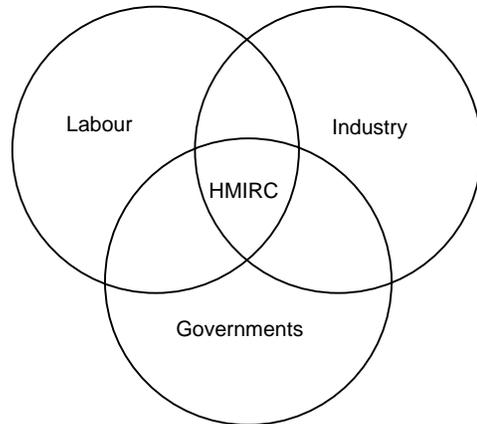
## **A Model Partnership of Key Stakeholders Across All Jurisdictions**

HMIRC deals with many WHMIS stakeholders:

- ▶ labour organizations and workers;
- ▶ suppliers in the chemical industry;
- ▶ employers with workplace WHMIS programs; and
- ▶ federal, provincial and territorial government agencies with WHMIS responsibilities.

As an independent agency, the Commission is a model of industry, labour and government consultation, consensus and cooperation. Our adjudicative efforts must result

in a fair balance between the right of workers to know and the right of suppliers and employers to safeguard confidential business information. We make a tangible contribution to worker health and safety and are a strategic partner to industry and employers. Our work also supports the federal, provincial and territorial governments in the delivery of their occupational safety and health regulatory activities, making HMIRC one of very few adjudicative bodies that represent multiple levels of government in Canada.



## **Governance Structure**

The HMIRC governance structure is a model of collaboration. Our Council of Governors provides strategic advice and guidance to the Commission and makes recommendations to the Minister of Health. It consists of up to 18 members: two representing workers, one each representing suppliers and employers, one representing the federal department of Labour, and between four and thirteen representing the provincial and territorial governments responsible for occupational safety and health.

The HMIRC President and Chief Executive Officer supervises and directs the work of the Commission. He is accountable to Parliament through the Minister of Health.

## **Vision**

HMIRC has defined its vision as:

- ▶ making decisions based on both sound scientific principles and on regulations, and taking pride in being a professional quasi-judicial organization seeking creative and progressive approaches to enhancing workplace safety; and
- ▶ resolving complaints and disputes, whether under statutory mandate or not, in a manner that is impartial, fair and prompt.

## **Objectives**

The HMIRC objectives are to:

- ▶ pursue activities that achieve maximum worker health and safety benefits while minimizing impact and cost to industry standards and practices;
- ▶ improve its processes and programs by using feedback from our clients and stakeholders;
- ▶ achieve established service standards consistently;
- ▶ establish a climate of effective communication to prevent disputes from occurring;
- ▶ utilize a range of mechanisms to resolve effectively the disputes that do occur;
- ▶ guide the operations of its core programs through a comprehensive policy framework, driven by input from stakeholders;

- ▶ recover costs for processing claims for trade secret exemptions according to the applicable policy;
- ▶ gain high visibility and wide recognition for the work performed; and
- ▶ ensure that its employees exhibit a client-oriented approach.

## **Values and Operating Principles**

HMIRC recognizes that continuous improvement is critical in order to remain relevant and to provide effective and efficient performance and service quality. We have identified the values and operating principles that foster continuous improvement in our operations.

**FAIRNESS**—in our ability to provide services and to perform statutory functions.

**TIMELINESS**—in our ability to provide services within established and reasonable time frames.

**ACCESSIBILITY and TRANSPARENCY**—in our ability to provide information and services simply and clearly and with policies and procedures that are understandable to everyone.

**ACCOUNTABILITY**—in our ability to propose legislative approaches only when they meet rigorous cost-benefit analysis and to be accountable for programs and the impact of decisions, while providing services in a manner that is cost-effective for everyone involved.

**QUALITY and CONSISTENCY**—in our ability to render accurate, relevant, dependable, understandable, predictable and error-free decisions, while ensuring consistent, firm enforcement of the regulations.

**COMPETENCY and RESPECT**—in our ability to provide services based on a high level of skill, knowledge, scientific and technical competence, and to demonstrate respect and professionalism to everyone who comes into contact with the Commission.

**SECURITY and CONFIDENTIALITY**—in our ability to store and handle the trade secrets of our claimants.

## **Summary Information**

Our mandate is to provide a mechanism for protecting the trade secrets of those companies which manufacture and/or supply hazardous materials and to accurately inform Canadian employees who work with such materials about the intrinsic health and safety hazards.

### **Financial Resources (\$ thousands)**

<b>2006–2007</b>	<b>2007–2008</b>	<b>2008–2009</b>
3,512	3,518	3,518

### **Human Resources (Full-Time Equivalent)**

<b>2006–2007</b>	<b>2007–2008</b>	<b>2008–2009</b>
35	35	35

### **Agency Activity (\$ thousands)**

	<b>Type</b>	<b>Planned Spending</b>		
		<b>2006–2007</b>	<b>2007–2008</b>	<b>2008–2009</b>
<b>Activity #1</b> Claims exemption process	ongoing	3,512	3,518	3,518

## **Commission Plans and Priorities**

As a small organization with a very specific mandate within Canada's Workplace Hazardous Materials Information System, and taking into account our clear links to stakeholders and limited budget, the Hazardous Materials Information Review Commission is constantly alert to issues that may affect our operations. We know that some factors are unpredictable. For example, we cannot forecast with great accuracy the number of claims for exemption that chemical manufacturers, importers and suppliers will file for our review and decision making. Our resources are also stretched by requirements to meet increased management reporting requirements as part of the commitment to enhanced accountability across the government. Nonetheless, we have been proactive in identifying problems on which we can and do take action.

Between 1998 and 2002, we undertook and implemented a renewal exercise to improve our operations and our relationships with stakeholders. We reduced the paper burden for claimants, introduced dispute prevention and outreach activities and also expanded stakeholder services. As a result, we became a more service-oriented agency that improved the quality, timeliness and cost effectiveness of our activities and outputs. For example, we have been successfully reducing our backlog of claims awaiting processing from 956 in March 2002 to 645 claims, as of January 31, 2006. Continued high volumes of new claims, however, are beginning to pose serious challenges to our ability to keep the number of claims awaiting processing at a reasonable level.

The Commission performs its work based on five priorities:

- ▶ improve services to our clients and stakeholders;
- ▶ manage the workload;
- ▶ monitor implementation initiatives under the Globally Harmonized System
- ▶ improve the focus of outreach activities and stakeholder liaison; and
- ▶ enhance management excellence.

These priorities support the Commission's key activity, the Claims Exemption Process, which in turn supports our strategic outcome.

Under this activity, we register, process and adjudicate trade secret claims within WHMIS, resulting in a balance between the right of industry to protect confidential business information and the right of workers to know about the hazards posed by workplace chemicals.

To support this key activity, we have developed a corporate action plan to help us better identify, integrate and address the challenges that we face. It includes the five priorities described in more detail in Section II of this Report.

In recent years, the Commission's Council of Governors has provided valuable advice and guidance to the President, particularly during our renewal exercise. We will continue to work with the Council as full partners in this tripartite governance structure and to ensure that we remain relevant to the concerns of our stakeholders.

Human resource needs are another focus of our action plan. For example, we depend on highly skilled staff in scientific fields such as toxicology to review the claims and the MSDSs that workers and employers rely on for the proper use of hazardous chemicals in the workplace and to respond to possible cases of exposure to those chemicals. In a small agency such as ours, any staffing gaps have a notable impact on performance.

## Section II Analysis by Program Activity

The Hazardous Materials Information Review Commission has a single activity. The Commission's corporate action plan includes five specific plans that address the five priorities, described later in this section.

**Strategic Outcome** Trade secret exemptions within WHMIS that balance the right of industry to withhold *bona fide* confidential business information with the right of employers and workers to be provided with complete and accurate information on the health and safety hazards posed by workplace chemicals.

**Program Activity** Claims Exemption Process

### *Financial Resources (\$ thousands)*

2006–2007	2007–2008	2008–2009
3,512	3,518	3,518

### *Human Resources (Full-Time Equivalents)*

2006–2007	2007–2008	2008–2009
35	35	35

Under this activity, HMIRC registers claims for exemption received from a supplier or employer who wishes to withhold critical proprietary information, decides on the validity of the claim, adjudicates and issues decisions on the compliance of material safety data sheet or label to which the claim relates, and administers an appeal process to these decisions.

**Expected results**

- ▶ Protection of valid confidential business information about suppliers' and employers' hazardous products.
- ▶ A mechanism for workers to be informed about the health and safety hazards of exposure to chemicals found in products associated with claims for exemption.
- ▶ A system that resolves disputes in a fair, efficient and cost effective manner.

**Key Program** Claims Processing

### *Financial Resources (\$ thousands)*

2006–2007	2007–2008	2008–2009
3,336	3,342	3,342

Under this activity, HMIRC registers claims, thereby enabling companies to sell and/or distribute their product while the claim is being processed. Then the validity of the claim for exemption is determined based on the *Hazardous Materials Information Review Regulations* criteria and the material safety data sheet is evaluated to ensure compliance with WHMIS requirements. Decisions are issued and published in the *Canada Gazette*.

Expected Results/Outputs	Indicators
<ul style="list-style-type: none"> <li>▶ Manufacturers can import, distribute and sell products               <ul style="list-style-type: none"> <li>▶ Registry number assigned</li> <li>▶ Published decisions</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>▶ number of claims registered</li> <li>▶ number of complaints from suppliers/claimants about delays</li> <li>▶ number of published decisions</li> <li>▶ elapsed time between receipt of claim and registration</li> </ul>
<ul style="list-style-type: none"> <li>▶ MSDSs comply with legislation               <ul style="list-style-type: none"> <li>▶ Advice documents</li> <li>▶ Compliance with orders</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>▶ number of advice documents produced</li> <li>▶ extent to which claimants have complied with orders within the 75 calendar days allowed</li> </ul>

**Key Program**                      Dispute Prevention/Appeals

***Financial Resources (\$ thousands)***

2006–2007	2007–2008	2008–2009
176	176	176

Under this activity, HMIRC administers an appeal process. Claimants have 45 days to launch an appeal once the decision on a claim exemption is published in the *Canada Gazette*. An independent tripartite board is then convened to hear the appeal and render a decision. We also administer a dispute prevention process that works in conjunction with the appeals process by identifying and resolving problems and complaints, where possible, before an appeal becomes necessary.

Expected Results/Outputs	Indicators
▶ Resolution of issues raised during the information exchange phase of claims processing (i.e. dispute prevention)	▶ number of issues raised and resolved
▶ Appeal decisions	▶ number of appeals/decisions

To achieve continually improved results throughout our operations, we have identified five specific priorities.

## Priorities

### 1. Improve services to our clients and stakeholders

We have drawn on our experience and that of companies submitting claims to us to identify focal points for our efforts to enhance service and in the spirit of continuous improvement we will continue this in 2006–2007. Of particular importance is our practice of providing more extensive guidance and direction to claimants, with an emphasis on individuals and companies that are new to Canada’s regulatory requirements and WHMIS framework. We will continue to monitor the results of our efforts to determine how well they help to improve the quality and completeness of incoming submissions and therefore, our processing efficiencies.

We will maintain the more extensive mentoring system that was introduced last year for new evaluation and screening staff, which will include training exercises. This will give trainees a more complete understanding of the regulatory requirements, earlier in their careers with us. We will also bring about more efficient and consistent decision making on the part of our staff by revising the screening manual.

A longer-term initiative is our work directed to reintroducing amendments to the *Hazardous Materials Information Review Act* and its Regulations. These changes will enable the Commission to modernize and streamline existing processes, accelerate decision making and speed up the process of getting complete and accurate information on hazardous materials to employers and workers. In June 2005, Bill S-40, *An Act to amend the Hazardous Materials Information Review Act* was introduced in the Senate. After hearings by the Standing Senate Committee on Social Affairs, Science and Technology, the Bill was given third reading without opposition and with no amendments. Indeed, Senators attending the hearings were impressed with the unprecedented stakeholder support and described the consultation process as a ‘shining example of what can be achieved when stakeholders and government work together for the good of all Canadians’. The Bill died on the Order Paper awaiting second reading in the House of Commons upon the dissolution of Parliament last November.

## 2. Manage the workload

At the beginning of 2003–2004, detailed claim workload estimates were established, covering a six-year period ending in March 2009. These estimates, when tracked against actual figures, will generally demonstrate the degree to which the resourced capacity of the Commission, as currently funded, is able to keep pace with incoming claim-related workload demands.

The claim workload estimates include certain elements over which the Commission has little or no control, such as the numbers of new claims registered, refilings, withdrawals, etc. By contrast, we must be vigilant in regard to the achievement of output estimates, to ensure that our ability to process claims is managed in an effort to match or surpass our estimated workload capacity. With respect to all these elements, we will undertake a comprehensive variance analysis at the conclusion of each fiscal year, and report on the results.

CLAIM WORKLOAD ESTIMATES – 2003–2004 to 2008–2009								
	2003–2004		2004–2005		2005– 2006	2006– 2007	2007– 2008	2008– 2009
Carry forward	836		789		691	556	441	386
PLUS								
	<b>Estimate</b>	<b>Actual</b>	<b>Estimate</b>	<b>Actual</b>	<b>Estimate</b>			
New claims	235	283	245	196	245	245	245	245
Refilings	75	56	35	53	90	100	150	200
Subtotal	310	339	280	249	335	345	395	445
MINUS								
Withdrawals	100	161	75	102	70	60	50	50
Claims processed	200	225	300	245	400	400	400	400
Subtotal	300	386	375	347	470	460	450	450
EQUALS								
Balance *	846	789	694	691	556	441	386	381

\* Indicates the number of claims remaining to be adjudicated.

March 31, 2005

## 3. Monitor implementation initiatives under the Globally Harmonized System

Through the new Globally Harmonized System for the Classification and Labelling of Chemicals (GHS), the international community expects to:

- ▶ enhance the protection of humans and the environment by providing an internationally comprehensive system for hazard communication;
- ▶ reduce the need for duplicative testing and evaluation of hazardous chemicals;

- ▶ eliminate the barriers to international trade in chemicals whose hazards have been properly assessed and identified on an international basis;
- ▶ provide a recognized framework for those countries not having an existing system; and
- ▶ promote regulatory efficiency, facilitate compliance, provide better and more consistent information.

The international community has agreed that countries should make the necessary changes to their own legislation and processes to complement the international efforts to make the system operational by 2008. Canada is working toward this goal. While many international GHS issues are being addressed, trade secret protection mechanisms are not intended to be standardized. At present, the means by which trade secret protection and workplace health and safety priorities are balanced differ amongst countries.

The GHS introduction is expected to have a number of impacts on our Commission. These may prove to be relatively minimal or could be fundamental. Therefore, we will continue to work with other government agencies in Canada and with international agencies, to communicate the benefits of the Canadian model that provides trade secret protection while addressing worker health and safety needs. More generally, we will monitor the situation and explore the impact of emerging issues to ensure we understand their implications.

#### **4. Improve the focus on outreach activities and stakeholder liaison**

As an organization with a broad stakeholder base and an important mandate, HMIRC is aware of the value of communicating our role to people who deal with workplace health and safety issues. We have developed a communications plan that is directed at people and organizations with a strong interest in WHMIS in workplaces, at the government level and among international agencies. We will continue to act upon this plan in 2006–2007 and respond to any identified gaps by updating the plan and revising our actions. We will continue to attend trade shows and to improve our Web site which is a key communication tool.

As part of our strategy, we will uphold and promote stronger relationships with our health portfolio partners, as well as with other federal departments and agencies. We will also build stronger links to organizations that have WHMIS-related mandates, and we will maintain stakeholder liaison efforts with industry, labour and provincial/territorial OHS agencies and with our industry partners. As a result, we expect to increase awareness of the Commission's role.

#### **5. Enhance management excellence**

As a small organization with a limited budget the Commission is highly focused on service delivery and has, over the past number of years, worked hard to develop a coherent, integrated approach to strategic and business planning. This includes working collaboratively with its health portfolio partners, particularly Health Canada, on portfolio and government management issues. As part of its ongoing focus on the effective

management of resources to achieve results, the Commission will continue to adopt the principles of the government's Management Accountability Framework in its day to day operations, including the identification of the data necessary to support effective planning.

## **Section III      Supplementary Information**

### **Organizational Information**

#### **Accountability**

The President and CEO is appointed by the Governor in Council and has the authority and responsibility to supervise and direct the organization's work on a day-to-day basis. The President is accountable to Parliament through the Minister of Health.

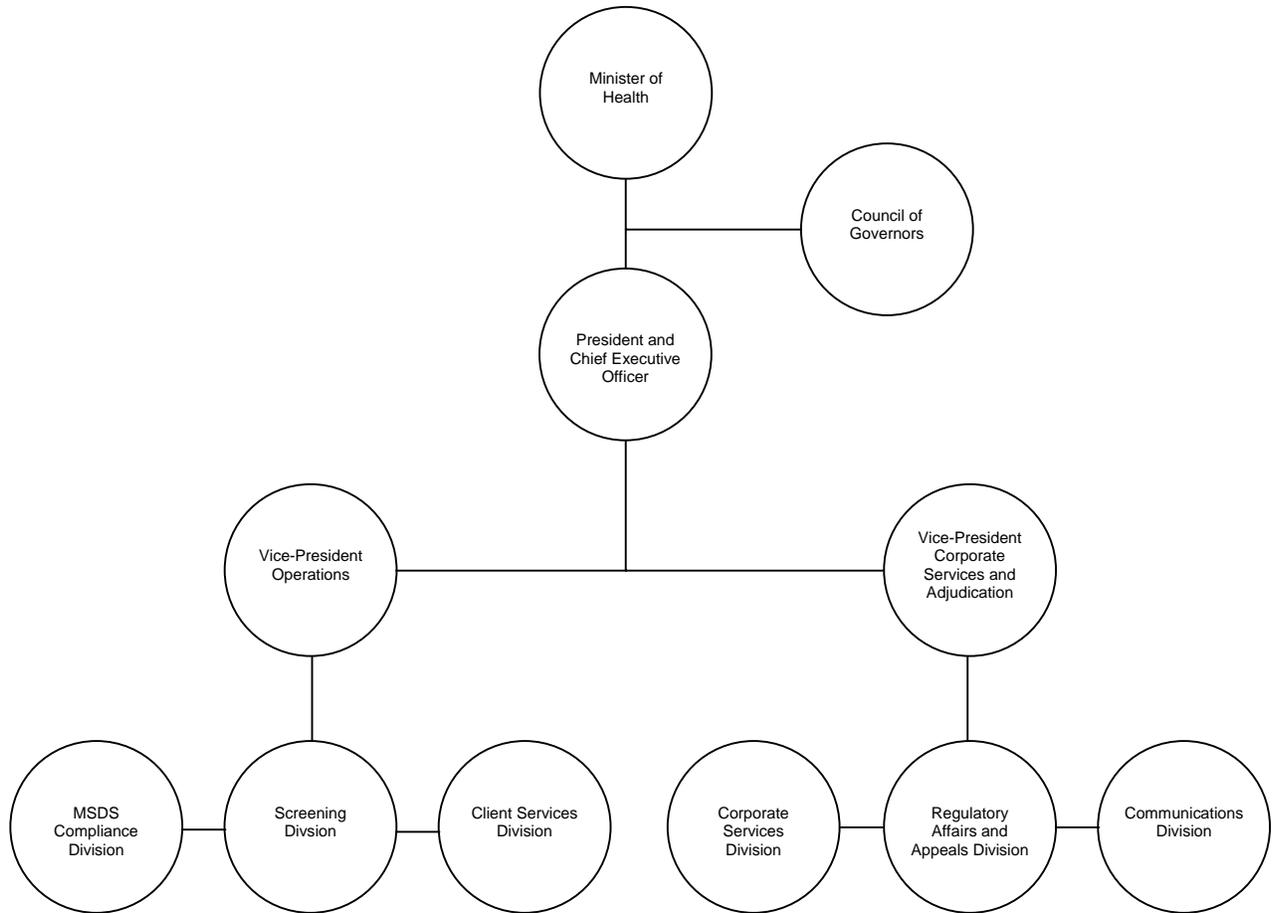
The Council of Governors constitutes the key element of the Commission's governance structure, acts as an advisory body and provides strategic advice and guidance to the Commission. The Council consists of 18 members: two representing workers, one representing suppliers and one representing employers, one representing the federal department of Labour, and not fewer than four and not more than 13 governors to represent the governments of the 10 provinces and the three territories as specified in subsection 28(2) of the *Hazardous Materials Information Review Act*. Each governor is appointed by the Governor in Council to hold office for up to a three-year term. The Council is headed by a chairperson chosen by the governors for a term of one year. The Council is responsible for making various recommendations to the Minister of Health, including changes to the regulations respecting the Commission's fee structure, the procedures for reviewing claims for exemption and the appeal procedures.

Most Council members concurrently represent other occupational and safety organizations, and thus are part of the existing multi-jurisdictional occupational health and safety network.

The Vice-President of Operations directs the work of the MSDS Compliance, Screening and Client Services divisions.

The Vice-President of Corporate Services and Adjudication directs the work of the Corporate Services, Regulatory Affairs and Appeals, and Communications divisions.

# HMIRC's Organizational Chart



**Table 1: Planned Spending and Full-Time Equivalents**

<i>(\$ thousands)</i>	Forecast Spending 2005–2006	<b>Planned Spending 2006–2007</b>	Planned Spending 2007–2008	Planned Spending 2008–2009
Claims Exemption Process	3,391	<b>3,512</b>	3,518	3,518
Budgetary Main Estimates (gross)	3,391	<b>3,512</b>	3,518	3,518
Non-Budgetary Main Estimates (gross)	–	–	–	–
Less: Respendable revenue	–	–	–	–
<b>Total Main Estimates</b>	3,391	<b>3,512</b>	3,518	3,518
<i>Adjustments:</i>				
Governor General Special Warrant 3 <sup>rd</sup> period:				
Refund of fees <sup>1</sup>	84	–	–	–
Collective Agreements	94	–	–	–
<i>Total Adjustments</i>	178	–	–	–
<b>Total Planned Spending</b>	3,569	<b>3,512</b>	3,518	3,518
<b>Total Planned Spending</b>				
Total Planned Spending	3,569	<b>3,512</b>	3,518	3,518
Less: Non-respendable revenue <sup>2</sup>	(570)	<b>(570)</b>	(570)	(570)
Plus: Cost of services received without charge	895	<b>1,215</b>	875	875
<b>Net cost of Program</b>	3,894	<b>4,157</b>	3,823	3,823
<b>Full-Time Equivalents</b>	35	<b>35</b>	35	35

<sup>1</sup> These are refunds of fees collected in prior years from Canadian and international chemical manufacturers and distributors that have since withdrawn their claims for exemption to regulatory requirements of the Workplace Hazardous Materials Information System (WHMIS).

<sup>2</sup> These are estimated revenues for fees paid by Canadian and international chemical manufacturers and distributors for the registration and review of claims for exemption under WHMIS and its related legislation.

**Table 2: Program by Activity**

2006–2007						
(\$ thousands)	Budgetary					
Program Activity	Operating	Gross	Net	Total Main Estimates	Adjustments (planned spending not in Main Estimates)	Total Planned Spending
Claims Exemption Process	3,512	3,512	3,512	3,512	–	3,512
<b>Total</b>	<b>3,512</b>	<b>3,512</b>	<b>3,512</b>	<b>3,512</b>	<b>–</b>	<b>3,512</b>

**Table 3: Voted and Statutory Items Listed in Main Estimates**

2006–2007			
(\$ thousands)	Truncated Vote or Statutory Wording	Current Main Estimates	Previous Main Estimates
Vote or Statutory Item			
25	Program expenditures	3,019	2,897
(S)	Contributions to employee benefit plans	493	494
<b>Total Agency</b>		<b>3,512</b>	<b>3,391</b>

Note: The difference between current and previous estimates results from the collective agreement funding.

**Table 4: Net Cost of the Program for the Estimates Year**

<i>(\$ thousands)</i>	<b>2006–2007</b>
<b>Total Planned Spending</b>	3,512
<i>Plus: Cost of Services Received without Charge</i>	
Accommodation provided by Public Works and Government Services Canada (PWGSC)	1,020
Contributions covering employers' share of employees' insurance premiums and expenditures paid by TBS (excluding revolving funds)	195
Worker's compensation coverage provided by Social Development Canada	0
Salary and associated expenditures of legal services provided by Justice Canada	0
	4,727
<i>Less: Non-responsible Revenue</i>	(570)
<b>2006–2007 Net cost of the Program</b>	<b>4,157</b>

**Table 5: Sources of Non-Responsible Revenue**

<i>(\$ thousands)</i>	Forecast Revenue 2005–2006	<b>Planned Revenue 2006–2007</b>	Planned Revenue 2007–2008	Planned Revenue 2008–2009
<b>Hazardous Materials Information Review Commission</b>				
Claim Registration Fees	570	<b>570</b>	570	570
<b>Total Non-responsible Revenue</b>	570	<b>570</b>	570	570

*Note:* These are estimated revenues for fees paid by Canadian and international chemical manufacturers and distributors for the registration and review of claims for exemption under WHMIS and its related legislation.

**Table 6: Resource Requirement by Branch or Sector**

<b>2006–2007</b>		
<i>(\$ thousands)</i>	<b>Program Activity Title</b>	<b>Total Planned Spending</b>
Claims Processing	Claims Exemption Process	3,336
Dispute Prevention/Appeals	Claims Exemption Process	176
<b>Total</b>		<b>3,512</b>

## **Section IV      Other Information**

### **For further information:**

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