

August 3, 2010

Honourable Kevin O'Brien  
Minister of Government Services  
Second Floor, West Block  
Confederation Building  
St. John's, NL  
A1B 4J6

Dear Minister O'Brien:

**Re: 2009-10 Annual Activity Report**  
**Public Safety Appeal Board**

In compliance with the Accountability Framework for Boards and Agencies, I am pleased to provide you with the 2009-10 Annual Activity Report for the Public Safety Appeal Board.

Yours truly,



Kenneth Jewer  
Chairperson  
Public Safety Appeal Board



Government Services

# Public Safety Appeal Board

Annual Activity Report  
2009-10

FOR MORE INFORMATION:

ONLINE

Website: [www.gs.gov.nl.ca](http://www.gs.gov.nl.ca)

PAPER

Department of Government Services  
P. O. Box 8700, Confederation Building  
St. John's, NL A1B 4J6  
Telephone: 709.729.4834 Fax: 709.729.4754  
E-mail: [gsinfo@gov.nl.ca](mailto:gsinfo@gov.nl.ca)

REFERENCE PERIOD

This report covers the period April 1, 2009 through March 31, 2010,  
the fiscal year of the Public Safety Appeal Board.

## Chairperson's Message

As Chair of the Public Safety Appeal Board of Newfoundland and Labrador, I am pleased to submit this annual report for the activities of the Board for 2009-10. This report is prepared in compliance with the Transparency and Accountability Act, which categorizes the Board as a Category 3 government entity and requires the Board to prepare an annual report. The Board is accountable for the preparation of this report and for the results reported. In developing this report, the Board has considered the strategic directions of the Minister of Government Services.

The Public Safety Appeal Board's primary objectives are the fair and efficient processing of appeals and the rendering of decisions which are clear, consistent and in accordance with the legislation.

Sincerely,

A handwritten signature in black ink that reads "Ken Jewer". The signature is written in a cursive style with a small dot at the end.

Kenneth Jewer  
Chairperson

## Government Entity Overview

### Mandate

The Public Safety Appeal Board is established under Section 25(1) of the *Public Safety Act* to hear appeals from people who believe they have been wrongly treated regarding an order, notice, decision or action of the Chief Inspector of Amusement Rides and Elevating Devices, Boiler and Pressure Vessel Systems or Electrical systems. The Board is an independent, quasi-judicial body which has the function of hearing and adjudicating an appeal, and may confirm, revoke or vary the notice, order, decision or action of the Chief Inspector. The Board meets only when an appeal has been filed pursuant to Section 26 of the *Act*. The Board makes its decisions based on review of the written and oral submissions and documents, and its decision is final and binding. Section 25(2) of the *Act* allows the Lieutenant-Governor in Council to appoint members who have specific qualifications as prescribed by the regulations. The Board currently comprises Professional Engineers and electricians and has five members.

### Vision

The vision of the Department of Government Services is “Newfoundlanders and Labradorians living and working in a healthy and safe environment with access to an open, fair, and responsive regulatory system.”

The Public Safety Appeal Board supports the Department’s vision by ensuring the fair and equitable application of its mandate as outlined in the legislation.

### Values

In order for the Public Safety Appeal Board to fairly administer its mandate, it is important that a high level of trust and confidence in the independence of the Board be maintained. The action statements below speak to how the values are reflected in the conduct of the Board.

*Independence:* It is important that the Board maintain and be perceived by its clients to have complete independence from the Chief Inspectors of Government Services in making its decisions.

*Objectivity:* The Board will provide services to the public with integrity and fairness. The Board commits to dealing with all clients in an equitable and unbiased manner.

### Mission

By 2011, the Department of Government Services will have improved citizen protection in the areas of public health and safety, worker health and safety and consumer interests. *For more information, see the Department’s Strategic Plan for 2008-2011, at <http://www.gs.gov.nl.ca/publications>.*

The Public Safety Appeal Board contributes to the Department’s mission by helping to ensure public safety pursuant to its mandate.

### **Membership**

In 2009-10, the members included: Kenneth Jewer, Harry Bartlett, John Dunne, John Hiscock, Ron Shelley, and Alberta Marche. This Board has no permanent chairperson. Instead, three-member panels based on areas of expertise are convened to hear individual appeals, with the members selecting a chair from among them. Ken Jewer represents the Board for reporting purposes.

### **Primary Clients**

The Public Safety Appeal Board's clients are the manufacturers, operators, and/or installers of various systems, such as electrical, boilers/pressure vessels and compressed gas systems, elevating devices, and amusement rides, who believe they have been aggrieved by a decision of the Chief Inspector.

### **Revenues and Expenditures**

In fiscal year 2009-10, the Public Safety Appeal Board had no revenues. Its expenditures totaled \$1,410.19 for remuneration of Board members. These expenditures are funded through the Departmental operating budget. The Public Safety Appeal Board is not required to submit audited financial statements.

## **Outcomes of Objectives**

The Public Safety Appeal Board meets only when an appeal has been filed pursuant to Section 26 of the *Public Safety Act*. One such appeal was filed in fiscal year 2009-10.

### **Objective:**

By 2009, 2010, and 2011, the Public Safety Appeal Board will have processed all appeals it has received.

**Measure:** All appeals processed.

### **Indicators:**

- Appeals received
- Appeal Board convened
- Appeals considered and decided
- Decision of Appeal Board communicated to relevant parties

In 2009-10, the Board received one appeal. The Appeal Board convened in January 2010 to hear the claim in which a decision was rendered in favour of the appellant. The decision of the Appeal Board was communicated to the relevant parties in a timely manner.

## **Opportunities and Challenges Ahead**

The Public Safety Appeal Board is prepared to process any appeals it receives in the future. However, maintaining an active membership when the Board does not meet may prove to be a challenge.