

Public Safety Appeal Board

Annual Activity Report
2011-12

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PAPER

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REFERENCE PERIOD

This report covers the period April 1, 2011 through March 31, 2012,
the fiscal year of the Public Safety Appeal Board.

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Chair's Message

In compliance with the *Transparency and Accountability Act* I am pleased to provide you with the 2011-12 Annual Activity Report for the Public Safety Appeal Board. The Act categorizes the board as a category three government entity and requires the submission of an annual report. The board is accountable for the preparation of this report and for the achievement of its objectives.

The Public Safety Appeal Board was vacant until September 30, 2011. Further, there were no appeals made during this period. Thus, there is no progress to report for this fiscal year. The fact that the board was not constituted until September did not present an issue given there were no appeals.

Yours truly,

A handwritten signature in blue ink, appearing to read "Robert Forbes", is written over a horizontal line.

Robert G. Forbes, P. Eng.
Chair

Overview

The board is established under subsection 25(1) of the *Public Safety Act* (the “Act”) to hear appeals from persons who may be aggrieved by a decision of one of the Chief Inspectors related to the operations of various technical safety systems (e.g. electrical; boilers/pressure vessels; elevating devices). The board, after hearing an appeal, may confirm, revoke or vary the notice, order, decision or action of the Chief Inspector. The board comprises five members appointed by the Lieutenant-Governor in Council, upon recommendation by the minister, and meets only when an appeal has been filed pursuant to section 26 of the Act.

Mandate

The board is an independent, quasi-judicial body which has the function of hearing and adjudicating an appeal. It meets when it has received an appeal pursuant to section 26 of the Act and is empowered to uphold, revise and/or revoke an order or action by the Chief Inspector. Decisions by the board are based on review of the written and oral submissions and documents. The board’s decisions may be appealed to the courts.

Vision

The board has adopted Service NL’s vision for this planning cycle, which is as follows: People in Newfoundland and Labrador living and working in healthy and safe environments with access to efficient and responsive programs and services.

Mission

The board has adopted Service NL’s mission for this planning cycle, which is as follows: By March 31, 2014, Service NL will have enhanced program and service delivery through improved standards and regulatory processes that promote living and working in a healthy, fair and safe environment.

For the full mission statement, including measures and indicators please refer to Service NL’s 2011-14 strategic plan available online at:
<http://www.servicenl.gov.nl.ca/publications>

The board contributes to Service NL’s mission by ensuring that the regulation of public safety is carried out in a fair and consistent manner, through the provision of an appeal mechanism in relation to decisions of the Chief Inspectors under the *Public Safety Act*, pursuant to its mandate.

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 the department 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.

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 2011-12, the Public Safety Appeal Board had no revenues or expenditures. The Public Safety Appeal Board is not required to submit audited financial statements.

Outcome of Objectives

The Public Safety Appeal Board meets only when an appeal has been filed pursuant to section 26 of the *Public Safety Act*. No appeals were filed in fiscal year 2011-12.

Objective One: By 2012, 2013, and 2014, the Public Safety Appeal Board will have processed all appeals it has received in accordance with the requirements of the Act.

Measure: All appeals processed.

Indicators:

- Notice of appeal forwarded from chief inspector to chairperson within 30 days of receipt of appeal.
- Appellant given at least 10 days notice regarding hearing of appeal.
- Appeals commenced not more than 90 days after notice in writing has been received by the chairperson under subsection 26(2).
- Appeal considered and decided in a timely manner.
- Decision of appeal communicated to relevant parties in a timely manner.

No appeals were filed in fiscal year 2011-12. Thus, there is no progress to report for this fiscal year.