



ONTARIO  
SECURITIES  
COMMISSION

# Tribunal Metrics

Fiscal 2019-2020



Ontario

# TABLE OF CONTENTS

EXECUTIVE SUMMARY.....	3
APPLICATIONS COMMENCED BY TYPE.....	4
APPLICATIONS CLOSED BY TYPE.....	5
ACTIVE APPLICATIONS DURING THE PERIOD.....	6
ACTIVE APPLICATIONS AT QUARTER END.....	7
ORAL HEARINGS SCHEDULED BY TYPE THAT PROCEEDED.....	8
WRITTEN HEARINGS SCHEDULED BY TYPE.....	9
CALENDAR DAYS SCHEDULED FOR ORAL HEARINGS.....	10
SETTLEMENTS.....	11
ORDERS ISSUED.....	12
REASONS ISSUED.....	13
AGING OF ACTIVE APPLICATIONS AT YEAR-END BY TYPE.....	14

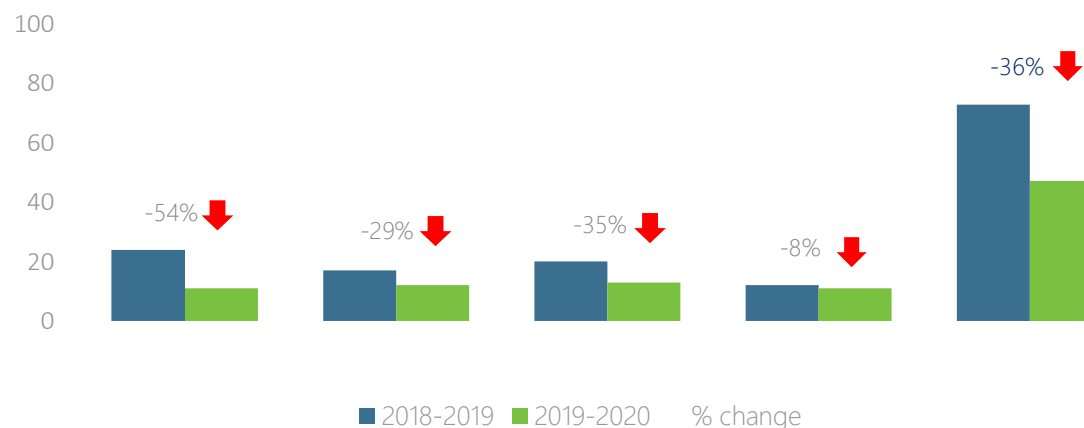
## EXECUTIVE SUMMARY

In fiscal 2019-2020, there were fewer applications commenced than in 2018-2019. The total number of applications that were commenced declined by 36%. However, the reduction in the number of applications commenced did not reduce the OSC Tribunal's activity to the same extent. For example, the number of oral hearing days scheduled declined by 17%. This was due, in part, to five enforcement proceedings that were commenced prior to fiscal 2019-2020 and remained active throughout the year.

Because these five enforcement proceedings and two related temporary order proceedings have been active for longer than 12 months, the number of proceedings that have been outstanding for longer than 12 months has increased, as has the average number of days those proceedings have been outstanding. Eight proceedings, including the five enforcement proceedings and two related temporary order proceedings, have been outstanding for an average of 668 days. One of those eight proceedings is an authorization to disclose proceeding that has not been pursued by the applicant beyond filing the application.

APPLICATIONS COMMENCED BY TYPE <sup>1</sup>	Q1	Q2	Q3	Q4	TOTAL
Enforcement Proceeding	6 (14) <sup>2</sup>	6 (8)	7 (12)	5 (5)	24 (39)
Authorization to Disclose	3 (7)	3 (6)	1 (7)	5 (3)	12 (23)
Temporary Order	0 (2)	1 (0)	0 (0)	1 (0)	2 (2)
Hearing and Review	1 (1)	0 (2)	0 (1)	0 (4)	1 (8)
Further Decision/Revocation/Variation of a Decision	0 (0)	2 (0)	4 (0)	0 (0)	6 (0)
Transactional Proceeding	1 (0)	0 (0)	1 (0)	0 (0)	2 (0)
Other	0 (0)	0 (1)	0 (0)	0 (0)	0 (1)
<b>TOTAL</b>	<b>11 (24)</b>	<b>12 (17)</b>	<b>13 (20)</b>	<b>11 (12)</b>	<b>47 (73)</b>

### YEAR OVER YEAR COMPARISON – APPLICATIONS COMMENCED

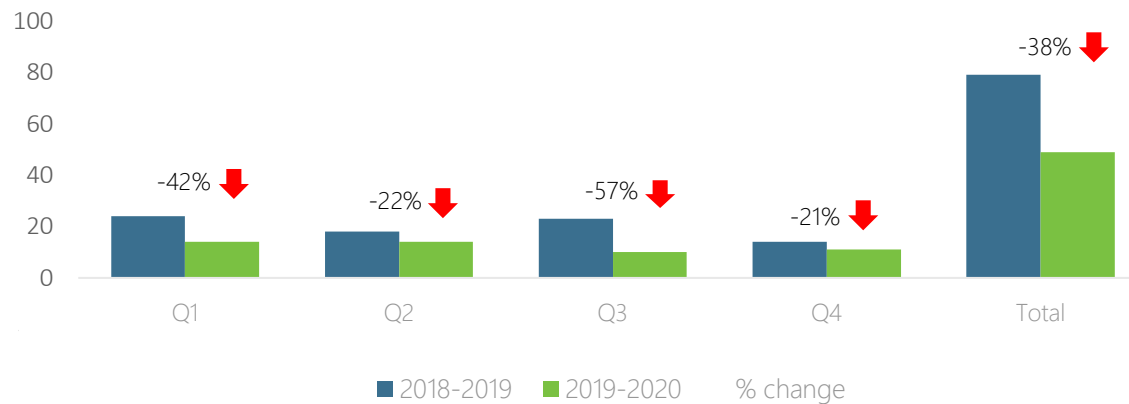


<sup>1</sup> An application is commenced when it is filed with the Registrar.

<sup>2</sup> Numbers in parentheses correspond to the same period of fiscal 2018-2019.

APPLICATIONS CLOSED BY TYPE <sup>3</sup>	Q1	Q2	Q3	Q4	TOTAL
Enforcement Proceeding	5 (15) <sup>4</sup>	7 (6)	4 (13)	5 (10)	21 (44)
Authorization to Disclose	6 (5)	3 (7)	1 (6)	5 (1)	15 (19)
Temporary Order	0 (1)	1 (1)	0 (1)	0 (2)	1 (5)
Hearing and Review	2 (3)	1 (3)	1 (3)	0 (1)	4 (10)
Further Decision/Revocation/Variation of a Decision	0 (0)	2 (0)	4 (0)	0 (0)	6 (0)
Transactional Proceeding	1 (0)	0 (0)	0 (0)	1 (0)	2 (0)
Other	0 (0)	0 (1)	0 (0)	0 (0)	0 (1)
<b>TOTAL</b>	<b>14 (24)</b>	<b>14 (18)</b>	<b>10 (23)</b>	<b>11 (14)</b>	<b>49 (79)</b>

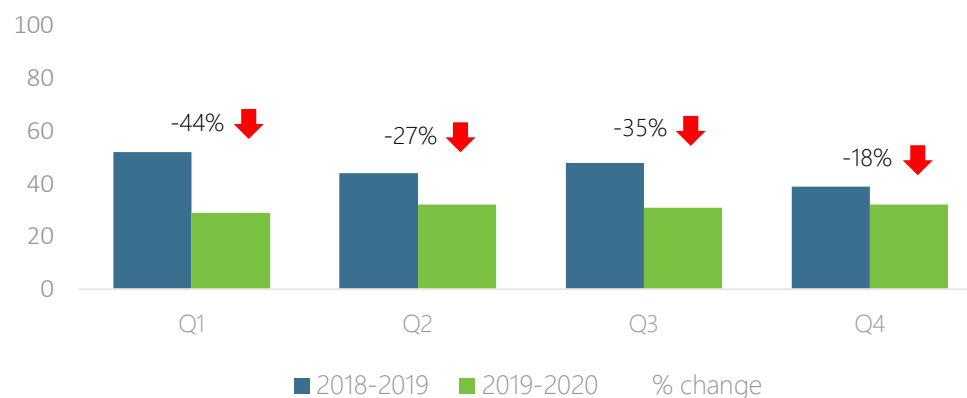
### YEAR OVER YEAR COMPARISON – APPLICATIONS CLOSED



<sup>3</sup> An application is closed when a final order or reasons, if any, are issued, or an application is abandoned or withdrawn.

ACTIVE APPLICATIONS DURING THE PERIOD <sup>5</sup>	Q1	Q2	Q3	Q4
Enforcement Proceeding	18 (31)	19 (23)	19 (30)	20 (23)
Authorization to Disclose	4 (7)	4 (8)	2 (8)	6 (7)
Extension of Temporary Order	3 (8)	4 (6)	3 (6)	4 (4)
Hearing and Review	3 (6)	3 (6)	2 (4)	1 (5)
Further Decision/Revocation/Variation of a Decision	0 (0)	2 (0)	4 (0)	0 (0)
Transactional Proceeding	0 (0)	0 (0)	1 (0)	1 (0)
Other	1 (0)	0 (1)	0 (0)	0 (0)
<b>TOTAL</b>	<b>29 (52)</b>	<b>32 (44)</b>	<b>31 (48)</b>	<b>32 (39)</b>

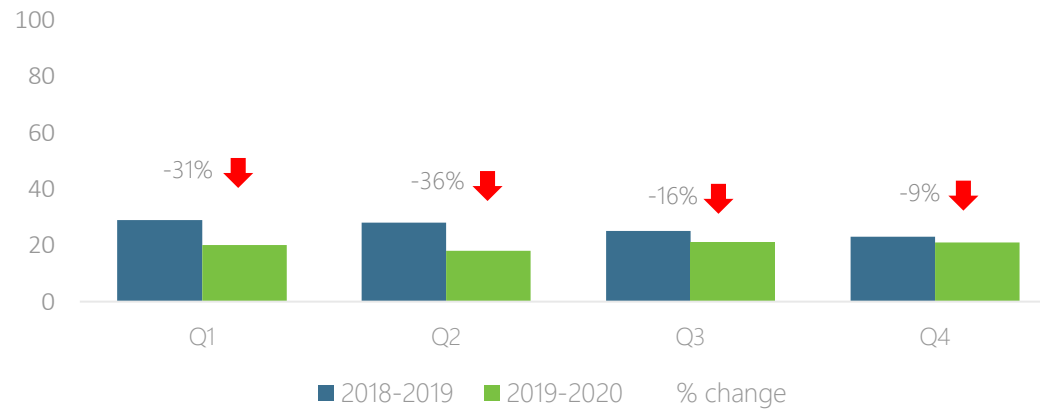
### YEAR OVER YEAR COMPARISON – ACTIVE APPLICATIONS DURING THE PERIOD



<sup>5</sup> An application that was open at any point during the period.

ACTIVE APPLICATIONS AT QUARTER END <sup>6</sup>	Q1	Q2	Q3	Q4
	20 (29)	18 (28)	21 (25)	21 (23)

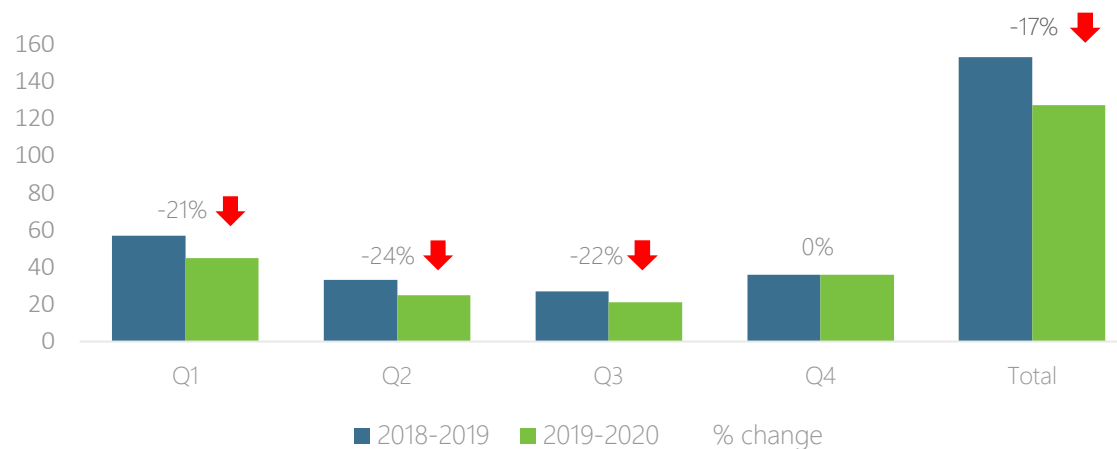
### ACTIVE APPLICATIONS AT QUARTER END



<sup>6</sup> The number of applications that are open or ongoing at quarter-end.

ORAL HEARINGS SCHEDULED BY TYPE THAT PROCEEDED <sup>7</sup>	Q1	Q2	Q3	Q4	TOTAL
Enforcement Proceeding	35 (38)	21 (30)	16 (25)	34 (34)	106 (127)
Authorization to Disclose	0 (6)	0 (1)	0 (2)	0 (0)	0 (9)
Temporary Order	2 (8)	2 (2)	1 (0)	0 (1)	5 (11)
Hearing and Review	6 (5)	2 (0)	0 (0)	2 (1)	10 (6)
Further Decision/Revocation/Variation of a Decision	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)
Transactional Proceeding	2 (0)	0 (0)	4 (0)	0 (0)	6 (0)
Other	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)
<b>TOTAL</b>	<b>45 (57)</b>	<b>25 (33)</b>	<b>21 (27)</b>	<b>36 (36)</b>	<b>127 (153)</b>

### YEAR OVER YEAR COMPARISON – ORAL HEARINGS DAYS SCHEDULED

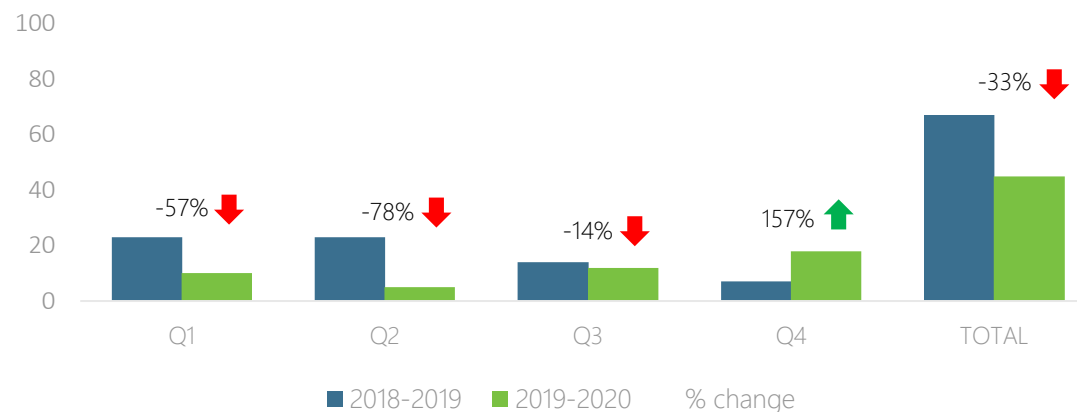


<sup>7</sup> The number of oral hearings scheduled that proceeded. Excludes written hearings.



WRITTEN HEARINGS SCHEDULED BY TYPE <sup>8</sup>	Q1	Q2	Q3	Q4	TOTAL
Enforcement Proceeding	4 (11)	0 (9)	6 (8)	10 (6)	20 (34)
Authorization to Disclose	6 (6)	3 (6)	1 (4)	5 (1)	15 (17)
Temporary Order	0 (4)	0 (4)	0 (0)	2 (0)	2 (8)
Hearing and Review	0 (2)	0 (4)	1 (2)	1 (0)	2 (8)
Further Decision/Revocation/Variation of a Decision	0 (0)	2 (0)	4 (0)	0 (0)	6 (0)
Transactional Proceeding	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)
Other	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)
<b>TOTAL</b>	<b>10 (23)</b>	<b>5 (23)</b>	<b>12 (14)</b>	<b>18 (7)</b>	<b>45 (67)</b>

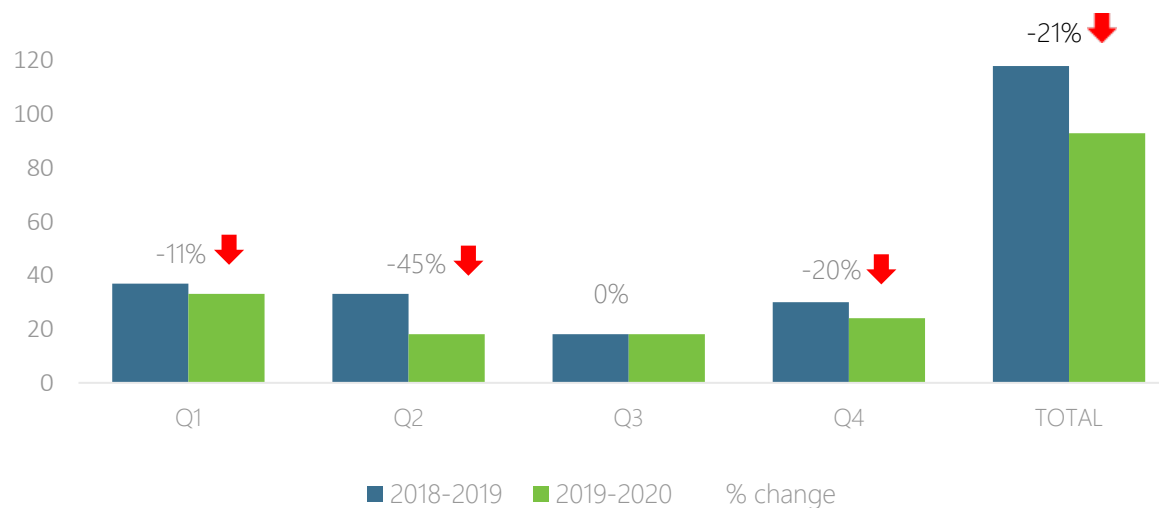
### YEAR OVER YEAR COMPARISON – WRITTEN HEARINGS SCHEDULED BY TYPE



<sup>8</sup> The number of written hearings scheduled that proceeded.

CALENDAR DAYS SCHEDULED FOR ORAL HEARINGS <sup>9</sup>	Q1	Q2	Q3	Q4	TOTAL
	33 (37)	18 (33)	18 (18)	24 (30)	93 (118)

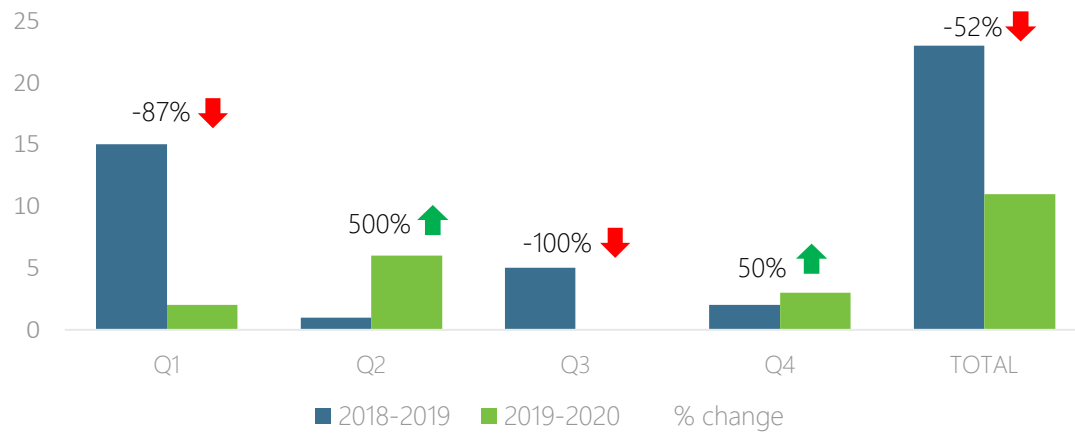
### YEAR OVER YEAR COMPARISON – CALENDAR DAYS



<sup>9</sup> A calendar day is a day on which at least one oral hearing was scheduled that proceeded. Multiple hearings may occur on the same calendar day.

SETTLEMENTS <sup>10</sup>	Q1	Q2	Q3	Q4	TOTAL
	2 (15)	6 (1)	0 (5)	3 (2)	11 (23)

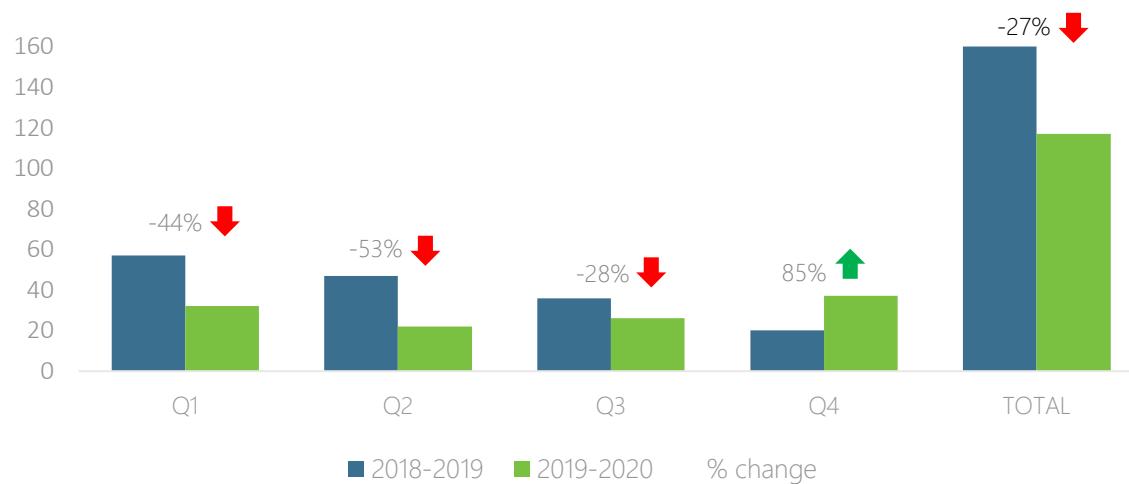
YEAR OVER YEAR COMPARISON - SETTLEMENTS



<sup>10</sup> The number of settlements that were approved.

ORDERS ISSUED <sup>11</sup>	Q1	Q2	Q3	Q4	TOTAL
	32 (57)	22 (47)	26 (36)	37 (20)	117 (160)

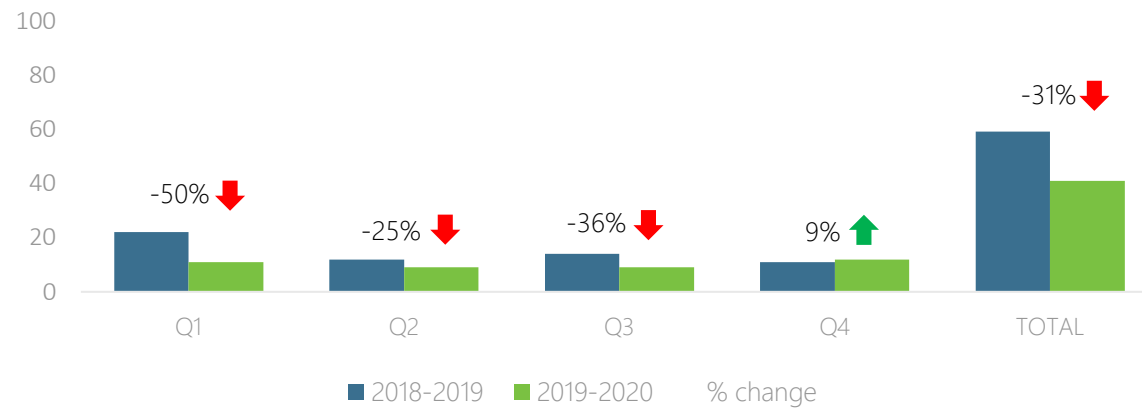
### YEAR OVER YEAR COMPARISON – ORDERS ISSUED



<sup>11</sup> The number of orders issued by the Tribunal. In Q3 2018, the Commission stopped issuing orders for changes in the date or time of a scheduled hearing. Those changes are now communicated by a Notice from the Office of the Secretary.

REASONS ISSUED <sup>12</sup>	Q1	Q2	Q3	Q4	TOTAL
	11 (22)	9 (12)	9 (14)	12 (11)	41 (59)

### YEAR OVER YEAR COMPARISON – REASONS ISSUED



<sup>12</sup> The number of reasons issued by the Tribunal.

AGING OF ACTIVE APPLICATIONS AT YEAR-END BY TYPE					
	0-3 Months	3-6 Months	6-9 Months	9-12 Months	Over 12 Months
Enforcement Proceeding	2	5	2	1	5
Authorization to Disclose	0	0	0	0	1
Temporary Order	1	0	1	0	2
Hearing and Review	0	0	0	1	0
Further Decision/Revocation/Variation of a Decision	0	0	0	0	0
Transactional Proceeding	0	0	0	0	0
Other	0	0	0	0	0
<b>TOTAL APPLICATIONS - 21</b>	14% <sup>13</sup> - 3	24% - 5	14% - 3	10% - 2	38% - 8
<b>AVERAGE DAYS OLD<sup>14</sup></b>	37	117	208	328	668

<sup>13</sup> Reflects the percentage of applications in the time range of the total applications.

<sup>14</sup> Reflects the average number of days old of the applications in the time range.



## Contact Information

Grace Knakowski, Secretary to the Commission  
20 Queen Street West  
22<sup>nd</sup> Floor  
Toronto, ON M5H 3S8

Phone Number: 416-596-4252

Email Address: [gknakowski@osc.gov.on.ca](mailto:gknakowski@osc.gov.on.ca)