

# Tribunal Metrics

Fiscal 2020-2021



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## EXECUTIVE SUMMARY

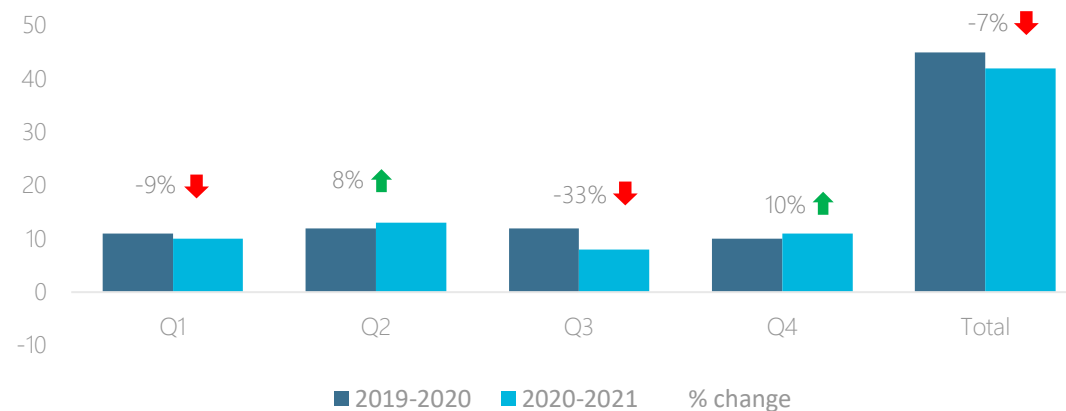
Hearing activity increased significantly in fiscal 2020-21 as compared to the prior year despite the Tribunal transitioning to virtual hearings because of the pandemic. There were 126 calendar days on which at least one oral hearing was scheduled, which represents an increase of 35% from the prior year, and 190 oral hearings scheduled that proceeded, which represents an increase of 50% from the prior year. The number of oral hearings scheduled is greater than the number of calendar days because multiple hearings may occur on the same calendar day.

In addition to oral hearings, the Tribunal considered 47 written hearings, compared to 45 written hearings the prior year.

Although the total number of applications commenced in fiscal 2020-21 declined, the number of active applications increased in every quarter. As at the end of the fourth quarter, there were 28 active applications, which represents a 47% increase from the same quarter of the prior year. Of these 28 active applications, 15 or 53% were over 12 months old with an average age of 716 days.

APPLICATIONS COMMENCED BY TYPE <sup>1</sup>	Q1	Q2	Q3	Q4	TOTAL
Enforcement Proceeding	4 (6) <sup>2</sup>	4 (6)	5 (6)	3 (4)	16 (22)
Authorization to Disclose	3 (3)	5 (3)	0 (1)	5 (5)	13 (12)
Temporary Order	1 (0)	0 (1)	0 (0)	0 (1)	1 (2)
Hearing and Review	0 (1)	1 (0)	2 (0)	3 (0)	6 (1)
Further Decision/Revocation/Variation of a Decision	2 (0)	0 (2)	1 (4)	0 (0)	3 (6)
Transactional Proceeding	0 (1)	2 (0)	0 (1)	0 (0)	2 (2)
Other	0 (0)	1 (0)	0 (0)	0 (0)	1 (0)
<b>TOTAL</b>	<b>10 (11)</b>	<b>13 (12)</b>	<b>8 (12)</b>	<b>11 (10)</b>	<b>42 (45)</b>

### YEAR OVER YEAR COMPARISON – APPLICATIONS COMMENCED

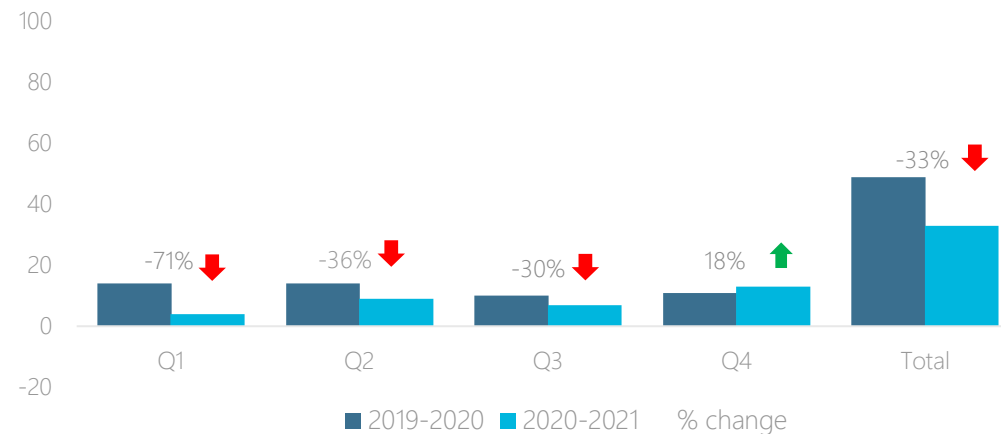


<sup>1</sup> An application is commenced when it is filed with the Registrar. Prior quarters have been revised to correct an error in tracking the date of commencement of three enforcement proceedings and the misallocation of one transactional proceeding.

<sup>2</sup> Numbers in parentheses correspond to the same period of fiscal 2019-2020.

APPLICATIONS CLOSED BY TYPE <sup>3</sup>	Q1	Q2	Q3	Q4	TOTAL
Enforcement Proceeding	2 (5)	3 (7)	5 (4)	4 (5)	14 (21)
Authorization to Disclose	2 (6)	4 (3)	1 (1)	6 (5)	13 (15)
Temporary Order	0 (0)	0 (1)	0 (0)	1 (0)	1 (1)
Hearing and Review	0 (2)	0 (1)	0 (1)	1 (0)	1 (4)
Further Decision/Revocation/Variation of a Decision	0 (0)	1 (2)	0 (4)	0 (0)	1 (6)
Transactional Proceeding	0 (1)	0 (0)	1 (0)	1 (1)	2 (2)
Other	0 (0)	1 (0)	0 (0)	0 (0)	1 (0)
<b>TOTAL</b>	<b>4 (14)</b>	<b>9 (14)</b>	<b>7 (10)</b>	<b>13 (11)</b>	<b>33 (49)</b>

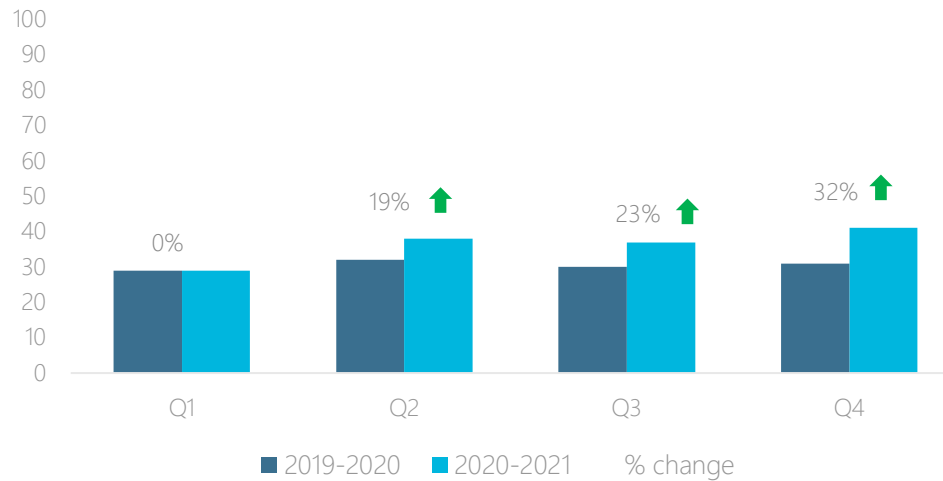
### YEAR OVER YEAR COMPARISON – APPLICATIONS CLOSED



<sup>3</sup> An application is closed when a final order or reasons, if any, are issued, or an application is abandoned or withdrawn. Q3 has been revised to correct an error in tracking the closing date of one enforcement proceeding.

ACTIVE APPLICATIONS DURING THE PERIOD <sup>4</sup>	Q1	Q2	Q3	Q4
Enforcement Proceeding	17 (18)	19 (19)	21 (18)	19 (19)
Authorization to Disclose	4 (4)	7 (4)	3 (2)	7 (6)
Temporary Order	5 (3)	5 (4)	5 (3)	5 (4)
Hearing and Review	1 (3)	2 (3)	4 (2)	7 (1)
Further Decision/Revocation/Variation of a Decision	2 (0)	2 (2)	2 (4)	2 (0)
Transactional Proceeding	0 (0)	2 (0)	2 (1)	1 (1)
Other	0 (1)	1 (0)	0 (0)	0 (0)
<b>TOTAL</b>	<b>29 (29)</b>	<b>38 (32)</b>	<b>37 (30)</b>	<b>41 (31)</b>

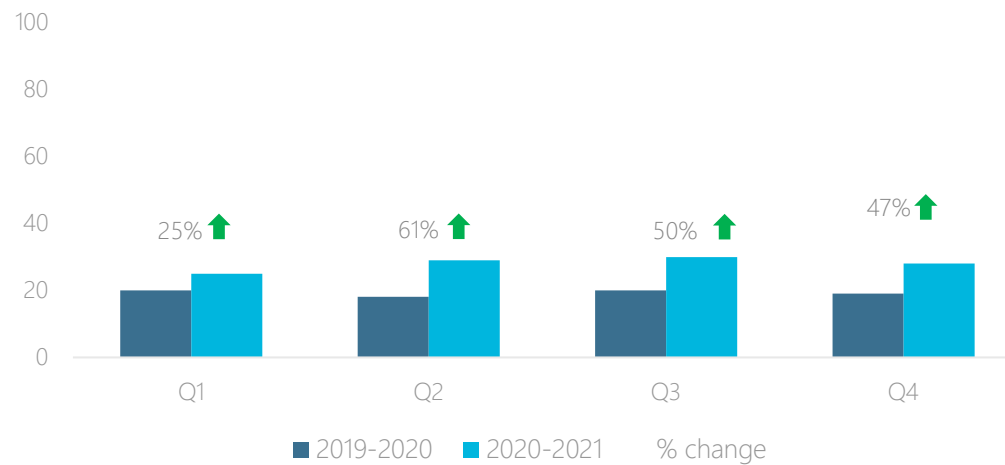
### YEAR OVER YEAR COMPARISON – ACTIVE APPLICATIONS DURING THE PERIOD



<sup>4</sup> An application that was open at any point during the period.

ACTIVE APPLICATIONS AT QUARTER-END <sup>5</sup>	Q1	Q2	Q3	Q4
	25 (20)	29 (18)	30 (20)	28 (19)

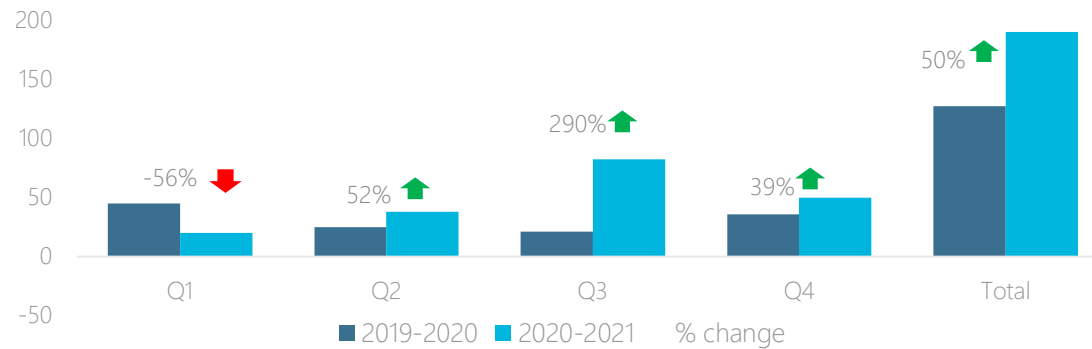
### ACTIVE APPLICATIONS AT QUARTER END



<sup>5</sup> The number of applications that are open or ongoing at quarter-end. Prior quarters have been revised to correct an error in tracking the date of commencement of three enforcement proceedings and the misallocation of one transactional proceeding.

ORAL HEARINGS SCHEDULED BY TYPE THAT PROCEEDED <sup>6</sup>	Q1	Q2	Q3	Q4	TOTAL
Enforcement Proceeding	16 (35)	26 (21)	76 (16)	40 (34)	158 (106)
Authorization to Disclose	0 (0)	1 (0)	0 (0)	0 (0)	1 (0)
Temporary Order	2 (2)	2 (2)	0 (1)	0 (0)	4 (5)
Hearing and Review	0 (6)	1 (2)	4 (0)	9 (2)	14 (10)
Further Decision/Revocation/Variation of a Decision	2 (0)	4 (0)	1 (0)	1 (0)	8 (0)
Transactional Proceeding	0 (2)	4 (0)	1 (4)	0 (0)	5 (6)
Other	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)
<b>TOTAL</b>	<b>20 (45)</b>	<b>38 (25)</b>	<b>82 (21)</b>	<b>50 (36)</b>	<b>190 (127)</b>

### YEAR OVER YEAR COMPARISON – ORAL HEARINGS SCHEDULED

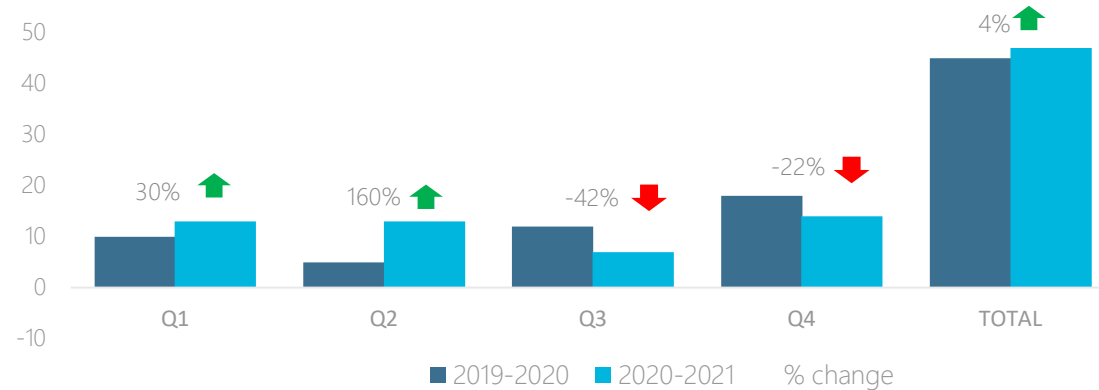


<sup>6</sup> The number of oral hearings scheduled that proceeded. Q2 and Q3 have been revised to correct an error in allocating oral hearing days by type for four proceedings: one hearing and review; one further decision/revocation/variation of decision; and two transactional proceedings.



WRITTEN HEARINGS SCHEDULED BY TYPE <sup>7</sup>	Q1	Q2	Q3	Q4	TOTAL
Enforcement Proceeding	9 (4)	7 (0)	2 (6)	8 (10)	26 (20)
Authorization to Disclose	2 (6)	3 (3)	1 (1)	3 (5)	9 (15)
Temporary Order	1 (0)	1 (0)	1 (0)	1 (2)	4 (2)
Hearing and Review	1 (0)	1 (0)	2 (1)	0 (1)	4 (2)
Further Decision/Revocation/Variation of a Decision	0 (0)	0 (2)	1 (4)	2 (0)	3 (6)
Transactional Proceeding	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)
Other	0 (0)	1 (0)	0 (0)	0 (0)	1 (0)
<b>TOTAL</b>	<b>13 (10)</b>	<b>13 (5)</b>	<b>7 (12)</b>	<b>14 (18)</b>	<b>47 (45)</b>

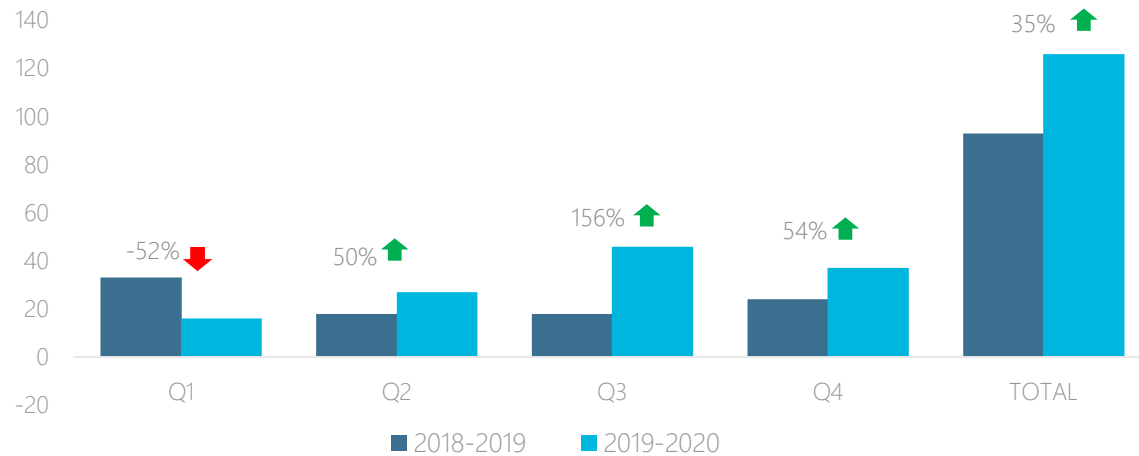
### YEAR OVER YEAR COMPARISON – WRITTEN HEARINGS SCHEDULED BY TYPE



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

CALENDAR DAYS SCHEDULED FOR ORAL HEARINGS <sup>8</sup>	Q1	Q2	Q3	Q4	TOTAL
	16 (33)	27 (18)	46 (18)	37 (24)	126 (93)

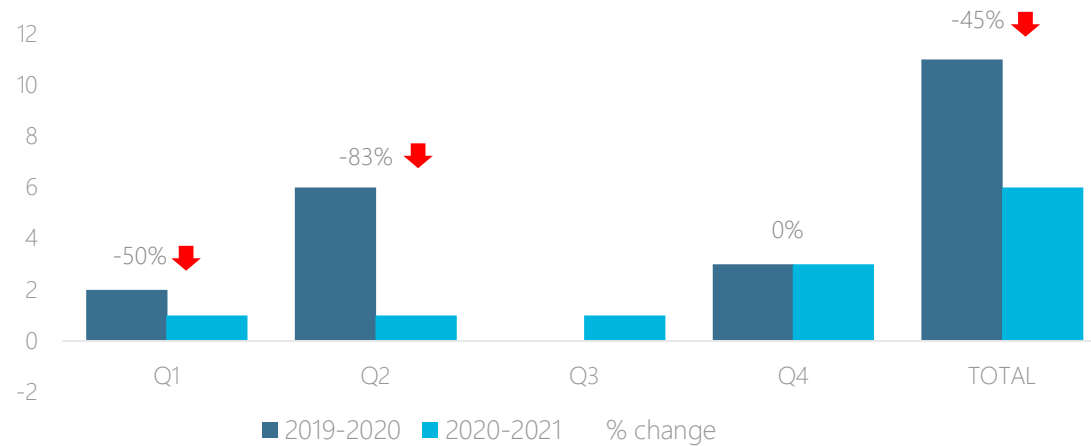
### YEAR OVER YEAR COMPARISON – CALENDAR DAYS



<sup>8</sup> A calendar day is a day on which at least one oral hearing was scheduled that proceeded by videoconference or teleconference. Multiple hearings may occur on the same calendar day.

SETTLEMENTS <sup>9</sup>	Q1	Q2	Q3	Q4	TOTAL
	1 (2)	1 (6)	1 (0)	3 (3)	6 (11)

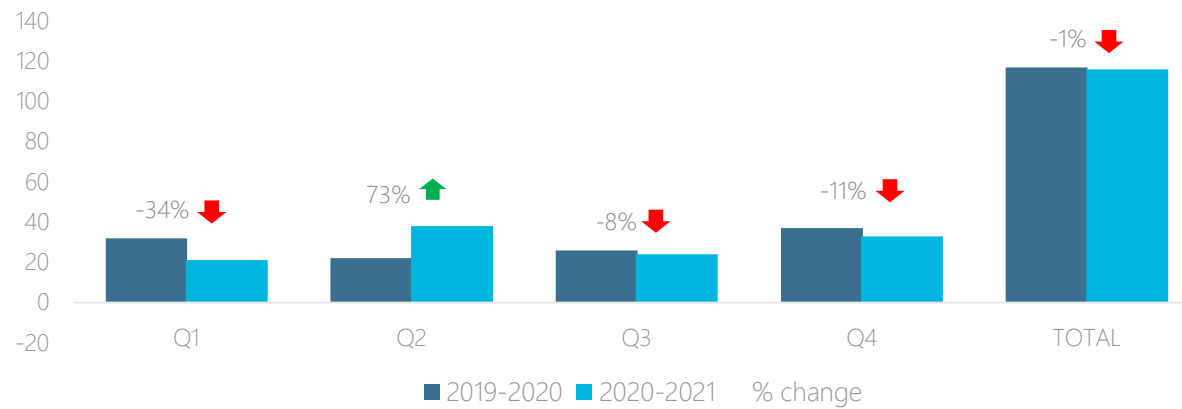
### YEAR OVER YEAR COMPARISON - SETTLEMENTS



<sup>9</sup> The number of settlements that were approved.

ORDERS ISSUED <sup>10</sup>	Q1	Q2	Q3	Q4	TOTAL
	21 (32)	38 (22)	24 (26)	33 (37)	116 (117)

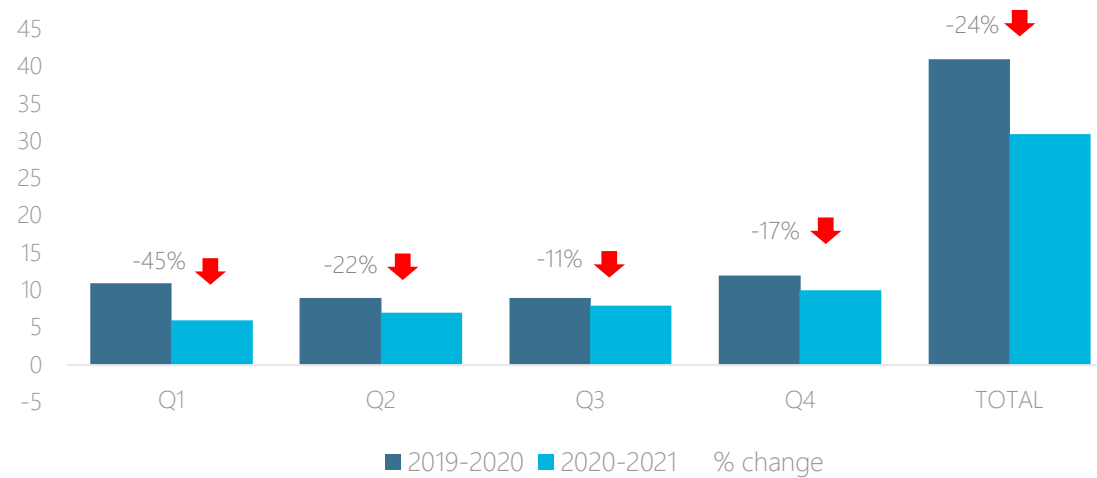
### YEAR OVER YEAR COMPARISON – ORDERS ISSUED



<sup>10</sup> The number of orders issued by the Tribunal.

REASONS ISSUED <sup>11</sup>	Q1	Q2	Q3	Q4	TOTAL
	6 (11)	7 (9)	8 (9)	10 (12)	31 (41)

### YEAR OVER YEAR COMPARISON – REASONS ISSUED



<sup>11</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	0	2	1	2	10
Authorization to Disclose	0	0	1	0	0
Temporary Order	0	0	0	0	4
Hearing and Review	3	2	0	0	1
Further Decision/Revocation/Variation of a Decision	0	1	0	1	0
Transactional Proceeding	0	0	0	0	0
Other	0	0	0	0	0
<b>TOTAL APPLICATIONS - 28</b>	11% <sup>12</sup> - 3	18% - 5	7% - 2	11% - 3	53% - 15
<b>AVERAGE DAYS OLD<sup>13</sup></b>	45	133	205	326	716

<sup>12</sup> Reflects the percentage of applications in the time range of the total applications.

<sup>13</sup> Reflects the average number of days old of the applications in the time range.

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