

Office des transports du Canada

Canadian Transportation
Agency
2022–23
Departmental Results Report

The Honourable Pablo Rodriguez, P.C., M.P. Minister of Transport





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Message from the Chair and Chief Executive Officer

During the 2022-2023 fiscal year, the Canadian transportation industry continued to recover from the COVID-19 pandemic's impacts and adapt to a continuously changing environment. The efficiency of the supply chain continued to be tested, and air passengers submitted complaints to the Canadian Transportation Agency (Agency) in record numbers. The Agency, along with industry, passengers and other government organizations, is part of the transportation system. As such, it had to adapt to this new environment and react to the situations affecting the system to advance efficiency, consumer protection, accessibility and trust in that system. In that context, we have taken deliberate actions using various tools, including providing information and enforcement.

Over the last year, the Agency experienced a record surge in air passenger complaints – over 42,000. This is almost six times as many as five years ago (7650 received). Let me start by acknowledging the long wait times for disputes to be processed by the Agency, and in turn commit to continue to undertake a comprehensive review of the current processes and lay the groundwork for their modernization in the near future. The Agency has started to put in place the foundation that will enable it to manage its high volume of complaints more efficiently. We have made significant investments in technology to improve our systems and start equipping the Agency to better collect and use data. We have already improved our applicant intake process and have started to decrease processing times. With the announcements made in the 2023 federal budget and the additional funding allocated to the Agency, we are well positioned to transform our dispute resolution process and ensure it meets the expectations of Canadians and protects the rights of air passengers in a timely matter. Indeed, with the passage by Parliament of changes to the Canada Transportation Act in June 2023, the Agency has already begun the process of updating the APPR regulations and transforming our processes to this end.

In the rail sector, the Agency initiated an upgraded freight rail monitoring program aimed at supporting a well performing freight rail system, particularly in meeting the demands of shippers and effectively responding to external factors like weather conditions. The Agency remains committed to diligently overseeing the supply chain, fostering collaboration among stakeholders, and leveraging data to facilitate a comprehensive understanding of the rail landscape. By doing so, it aims to promote an environment of shared knowledge and cooperation in addressing rail-related challenges.

Enhancing the accessibility of the transportation system for persons with disabilities was an important theme of the Agency's work over the last year. The initial phase of implementing accessibility plans – which are now mandatory for federal organizations and federally regulated industries – has commenced, leading to the publication of the first wave of plans. These plans will be useful tools to work with industry to advance accessibility in transportation. With an influx of new and returning staff, the transportation sector has an important opportunity to ensure that their employees are provided quality training on accessibility and that each and every individual working for a transportation service provider is working in an environment that is imbued with a culture of respect and inclusiveness.

The Agency's newly accessible office was officially inaugurated in January 2023, and since then, we have warmly welcomed employees to the premises. Within the organization, a proactive approach to promoting diversity, inclusion, and employee well-being is actively fostered. I would like to express my appreciation for the dedicated employees who actively participate in committees on Diversity, Wellness, and Official Languages. Their unwavering commitment and exceptional leadership significantly contribute to creating a supportive and enriching work environment, making the Agency an outstanding place to work.

I would also like to extend my thanks to the dedicated employees and appointed Members of the Agency who have displayed remarkable adaptability and resilience in the face of a rapidly evolving landscape. As the travel industry gradually returns to pre-pandemic levels of service, supply chain challenges were felt throughout the world, and the Agency itself was finding and implementing new ways of working to maximize efficiency. Given the foundation which we have put in place and the dedication of our employees and of our Members, I am very confident that we are well positioned to tackle the new challenges and to continue to improve how we serve Canadians.

France Pégeot

Results at a glance

In 2022-23, the Canadian Transportation Agency (Agency):

- Implemented the amendments to <u>Air Passenger Protection Regulations</u>! (APPR), which require airlines to provide passengers with either a refund or a rebooking in the case of disruptions that are either within or outside airline control;
- Advanced work on the <u>Accessible Transportation Planning and Reporting</u>
 <u>Regulations</u> (ATPRR) for small transportation service providers;
- Undertook a review of the Agency's complaint processes, identifying increased
 efficiencies and process improvements. This ongoing review will continue to yield
 opportunities for process enhancement and automation. The Agency's data-driven focus
 has allowed it to more quickly review cases both informally and formally through
 batching cases and processing such cases in groups.
- Updated its <u>Compliance and Enforcement Policy</u>, iii reflecting an evolution to a new results-based, data-driven and risk-informed approach to compliance assurance;
- Accelerated its use of tools and advanced techniques for analyzing data to detect compliance patterns, trends, and emerging issues as well as identifying potential non-compliance among transportation service providers. The information generated through these endeavors has proven to be critical in advancing targeted compliance
- Implemented an enhanced freight rail service performance monitoring program, which helps the Agency assess the transportation system's overall health and provide evidence of service timeliness. The program's implementation has contributed to enhancing the Agency's understanding of the freight rail sector's performance, facilitating informed decision-making, promoting improved communication among stakeholders and ensuring a more efficient and reliable freight transportation network.

For more information on the Agency's plans, priorities and results achieved, see the "Results: what the Agency achieved" section of this report.

Results: what the Agency achieved

Core responsibilities

Independent regulatory and dispute-resolution services for transportation providers and users

Description

Set and enforce economic, accessibility, and air passenger protection rules for the national transportation system;

Resolve disputes between transportation service providers and users through facilitation, mediation, arbitration, and adjudication; and

Provide information to stakeholders and Canadians in general on the transportation system and their transportation related rights and responsibilities.

Results

During 2022-23, the Agency undertook a comprehensive review of its air travel complaint processes to find efficiencies. Through this work, the Agency has been able to:

- simplify the intake of complaints and reduce incomplete and inaccurate applications from 50% of all applications received to 10%, which resulted in shorter wait times for applicants;
- expedite the review of cases informally and formally by batching cases: finding cases with common factors, such as flight number or travel issue, and processing these cases in groups;
- streamline the adjudication process and reduce administrative burden, substantially reducing the time to issue an adjudication decision.

To enhance transparency and provide Canadians with more comprehensive insights into the air travel sector, the Agency intends to increase pertinent data that is available to the public. This initiative began over the last year with the quarterly publication of the number of air travel complaints received by the Agency per 100 flights operated by both Canadian and foreign airlines.

The Agency also initiated a comprehensive and advanced freight rail monitoring program, leveraging both publicly available data and shippers' information to evaluate the overall health of the transportation system and gauge service timeliness. This data-driven approach enables the Agency's staff to swiftly identify significant supply chain events, facilitates prompt discussions with stakeholders and encourages more proactive communication and resolutions. By harnessing the power of data, the Agency is fostering a collaborative environment that enhances the effectiveness of the freight rail industry and ensures a more seamless and efficient transportation experience for all stakeholders involved.

The Agency created new regulations called the <u>Accessible Transportation Planning and Reporting Regulations</u> (ATPRR). The ATPRR were created under the authority of the <u>Accessible Canada Act</u> (ACA). The ACA sets out planning and reporting requirements to identify, remove and prevent new barriers in priority areas such as communications, services, and equipment.

Under the Agency's accessibility mandate, results achieved include:

- Launched consultations with a targeted group of representatives from the disability community and industry stakeholders to advance work on the <u>Accessible Transportation</u> <u>for Persons with Disabilities Regulations</u>^{vi} (ATPDR) for small transportation service providers.
- Published <u>Best Practices for Indoor Relief Areas for Service Dogs in Terminals</u>^{vii}, pursuant to the <u>Designated relief area</u>^{viii} provisions of the ATPDR.
- Published the <u>International Working Group on Special Service Request Codes Final</u>
 <u>Report</u>^{ix}, in partnership with the National Research Council Canada and the International Air Transport Association.
- Published its <u>Phase 2 report</u>^x which includes recommendations for the air industry related to functional guidelines. This report was part of the recommendations of the <u>Mobility Aids and Air Travel Final Report</u>^{xi}.

The Agency achieved other results in 2022-23 related to its mandate in areas that include the issuance of licences and other determinations; the provision of support for international negotiations of air transport agreements; dispute resolution; compliance monitoring and enforcement; and the use of data analytics tools. For example, the Agency:

- Issued 122 new air carrier licences, 850 air charter permits;
- Issued a determination (<u>LET-A-44-2022</u>)^{xii} that the proposed purchase of Sunwing Airlines Inc. by the Onex corporation and its subsidiaries would result in an undertaking that is Canadian;
- Issued a determination (<u>A-2022-63</u>)^{xiii} that Flair Airlines Ltd. is Canadian, following several changes to its governance and debt agreements as per the Agency's preliminary determination;
- Participated in negotiations resulting in expanded air transport agreements with Colombia, Ecuador and India;
- Continued to work on ratifying international air transport agreements, and completed the ratification process with Rwanda, Cameroon and the United Kingdom;
- Determined the Maximum Revenue Entitlement (MRE) for CN and CP. determined (R-2022-183) that CN and CP exceeded their maximum revenue entitlements for the 2021–2022 crop year. As stipulated in the Act, the Agency ordered CN and CP to pay the excess amount and a 5% penalty to the Western Grains Research Foundation (a farmer-funded and directed organization). These penalties amounted to \$153,404 for CN and \$118,189 for CP;
- Set the Volume-Related Composite Price Indices (VRCPIs) for the 2021–2022 crop year. The 2021–2022 VRCPI for CN and CP were set in Determination R-2022-50^{xvi} for CN and CP;

- Made its annual determination (<u>R-2022-164</u>)^{xvii} of the regulated interswitching rates for 2023. Interswitching is part of the competitive access provisions in the <u>Canada</u>
 <u>Transportation Act</u>^{xviii} (the Act). This activity gives some shippers access to the services of railway companies that don't directly serve their facilities;
- Made its annual determinations of cost of capital for CN (R-2022-137)^{xix} and CP (R-2022-138)^{xx}, which were based on an analysis of each railway's capital structure;
- Resolved 56 rail disputes;
- Answered 94 inquiries through the Rail, Shipper and Community Help Line;
- Processed 40 coasting trade applications;
- Reviewed the certificates of fitness of all railway companies that carry or host freight traffic:
- Extended its collaboration with the National Research Council Canada's Data Analytics Centre to apply data science and artificial intelligence to enhance the Agency's ability to identify potential compliance issues.

Gender-based analysis plus

The Agency continued fostering and maintaining a healthy, respectful workplace where every individual is treated with courtesy and dignity, and where harassment and discrimination are not tolerated, and different needs are accommodated. These core values are integrated in decision-making processes.

In 2022-23, GBA+ was applied and monitored in the context of Treasury Board submissions, draft regulations and memoranda to Cabinet. Data related to employment equity, diversity and inclusion was collected and tracked.

United Nations 2030 Agenda for Sustainable Development and the Sustainable Development Goals

The Agency adheres to the principles of the Federal Sustainable Development Strategy (FSDS) by complying with the Policy on Green Procurement.

The Policy on Green Procurement supports the Government of Canada's effort to promote environmental stewardship. In keeping with the objectives of the policy, the Agency supports sustainable development by integrating environmental performance considerations into the procurement decision making process through the actions described in the 2019 to 2022 FSDS "Greening Government" goal.

Innovation

The Agency continued to innovate in the ways that it connects with Canadians and conducts its activities.

Efficiency: The Agency has undertaken a comprehensive review of its complaint processes and technical solutions and has implemented improvements. As noted above, through this work, the Agency has been able to reduce incomplete and inaccurate applications from 50% of all applications received to 10%, and to streamline the adjudication process and reduce administrative burden, substantially reducing the time to issue an adjudication decision. The

Agency was also able to expedite the review of cases informally and formally by batching cases, finding cases with common factors, such as flight number or travel issue, and processing these cases in groups. The impacts of this initiative especially related to the leveraging of new technologies are expected to materialize over the next years.

Data Science: The Agency extended its collaboration with the National Research Council Canada's Data Analytics Centre to apply data science and artificial intelligence to enhance its ability to identify potential compliance issues. The analysis of data and the application of risk profiles continue to be key sources of information to more efficiently and effectively target the Agency's compliance and enforcement resources to ensure impactful outcomes.

Compliance, Monitoring and Enforcement Tools: The Agency engaged in numerous innovative approaches and is developing tools in support of its compliance monitoring and enforcement modernization programs to maximize proactive compliance by regulated entities.

The Agency has recently updated its <u>Compliance and Enforcement Policy</u>, xxi marking a significant transition to a results-based, data-driven and risk-informed approach to compliance assurance. This updated policy is outcome-focused and sets out how it targets its compliance monitoring and enforcement resources through a range of activities across four areas: promotion, verification, enforcement, and follow-up.

Key risks

Unpredictability of air travel complaint volumes: In recent years, the Agency has experienced a significant and continuous increase in air travel complaints, with peaks in the volume of complaints during major, widespread disruptions (e.g., due to unexpected passenger volumes, winter storms, IT network outages). Although the Agency has been provided with additional funding to deal with more air travel complaints, the volume of incoming complaints is difficult to predict and makes planning for case processing wait times and then providing accurate information to the public a challenge.

Hiring and Retention: During the 2022-2023 fiscal year a significant portion of the Agency's budget was temporary, making the hiring of new staff a challenge, as term and contract positions are less appealing than indeterminate positions for prospective candidates. Additionally, the Agency suffers from productivity losses as its term employees opt for indeterminate positions elsewhere. This turnover in staff necessitates increased time and resources dedicated to recruiting, training, and integrating new personnel, negatively impacting productivity and efficiency.

Industry Response to Legislative and Regulatory Amendments: The APPR came into force in 2019 with the objective of providing clear, consistent air passenger rights by imposing minimum requirements on airlines. However, the unforeseen impact of the pandemic exposed a critical gap in the APPR concerning refund regulations. To address this, in 2020, the Minister of Transport granted the Agency the authority to develop new refund regulations. In response to the challenges highlighted by the pandemic and to strengthen the air passenger protection framework, the Regulations Amending the Air Passenger Protection Regulations were enacted in 2022. Subsequently, in June 2023, Parliament amended the <u>Canada Transportation Act</u> xxii to clarify, simplify and strengthen the air passenger protection regime. Given the various changes to

the legislation and regulations, industry may struggle to make the necessary adjustments to their IT systems, training, and processes, potentially leading to temporary non-compliance with specific requirements.

Results achieved

The following table shows, for independent regulatory and dispute-resolution services for transportation providers and users, the results achieved, the performance indicators, the targets and the target dates for 2022–23, and the actual results for the three most recent fiscal years for which actual results are available.

Departmental results	Performance indicators	Target	Date to achieve target	2020–21 actual results	2021–22 actual results	2022–23 actual results
	Transportation Fluidity Index	Obtain baseline information	TBD	Not available	Not available	Not available
An efficient, competitive national transportation system	Percentage of regulatory authorities issued, and disputes and contested determination cases resolved within service standards.	At least 85%	March 2023	93%	94%	95%
Percentage of transportation service providers that comply with legislative and regulatory requirements.		At least 80%	March 2023	49%	26%	48% (note 1)
Accessible transportation services for persons with	Percentage of air, rail, marine carriers and facility operators complying with accessibility related legislative and regulatory requirements and codes of practice.	At least 80%	March 2023	0%	8%	10% (note 1)
disabilities	Percentage of accessibility disputes resolved within service standards.	At least 80%	March 2023	82%	75%	91%
Consumer protection for	Percentage of air carriers complying with consumer protection legislative and regulatory requirements.	Obtain baseline information	TBD	Not available	Not available	Not available
air travellers	Percentage of air consumer protection disputes resolved within service standards.	At least 85%	March 2023	33%	28%	Not available (note 2)

Note 1) In the past few years the Agency has not been able to collect and consequently report on the data for some of its performance indicators. This is in part a result of compliance monitoring and enforcement

activities being targeted based on risk. This results in the data collected for these indicators no longer providing a representative sample of the industry. As such, beginning in 2023-24, the Agency will amend its results indicators and framework, resulting in realistic, achievable indicators that will be consistent, measurable and will provide meaningful information to Canadians about the impacts of the organization, in line with the *Policy on Results*.

Note 2) The Agency continued to have a large backlog of complaints over the past year. Of the approximately 52,000 active complaints currently filed with the Agency, over 40,000 were received within the last year. This high demand for the Agency's dispute resolution services stems primarily from: a) air travel disruptions during the summer of 2022, which resulted in a high number of flight cancellations both globally and domestically; and b) flight disruptions over the 2022-2023 Christmas holiday season, stemming primarily from weather-related events. To address this high volume of demand for its dispute resolution services, the Agency is in the process of implementing legislative, regulatory, process and technology changes which will result in faster complaints processing.

Financial, human resources and performance information for Agency's program inventory is available in GC InfoBase.xxiv

Budgetary financial resources (dollars)

The following table shows, for independent regulatory and dispute-resolution services, budgetary spending for 2022–23, as well as actual spending for that year.

	spending	authorities	spending (authorities used)	2022–23 difference (actual spending minus planned spending)
23,503,177	23,503,177	32,219,253	29,219,423	5,716,246

Financial, human resources and performance information for the Agency's program inventory is available in GC InfoBase.xxy

Human resources (full-time equivalents)

The following table shows, in full-time equivalents, the human resources the department needed to fulfill this core responsibility for 2022–23.

	equivalents	2022–23 difference (actual full-time equivalents minus planned full-time equivalents)
186	224	38

Financial, human resources and performance information for the Agency's program inventory is

available in GC InfoBasexxvi.

Internal services

Description

Internal services are those groups of related activities and resources that the federal government considers to be services in support of programs and/or required to meet corporate obligations of an organization. Internal services refers to the activities and resources of the 10 distinct service categories that support program delivery in the organization, regardless of the internal services delivery model in a department. The 10 service categories are:

- acquisition management services
- communication services
- financial management services
- human resources management services
- information management services
- information technology services
- legal services
- material management services
- management and oversight services
- real property management services

In 2022-23, the CTA worked on creating a more inclusive, barrier-free and safe workplace for all employees through several activities:

- The CTA welcomed its employees to a newly constructed building located at 60 Laval in Gatineau. The new workplace is aligned to Government of Canada accommodation standards and meets the Rick Hansen foundation gold certification requirements making the building accessible to everyone.
- During the grand opening of 60 Laval, the Chair and CEO announced the launching of the Agency's People Management Strategy. The Strategy's goal is that each and every employee finds satisfaction in their work. With this in mind, five areas of focus were identified: attract and retain; develop and support employees; diversity, inclusion and accessibility; build up confident and inspiring leaders, and promote a culture of innovation and a gratifying workplace
- Recruitment moved forward to help address the increasing number of complaints arising from the new regulatory framework that the CTA has the responsibility to implement.
- The flexibility provided by a hybrid work model has enabled the CTA to staff outside of the National Capital Region, therefore, improving the representation of equity seeking groups within the Agency.
- A number of promotional activities throughout the year in support of diversity and inclusion were initiated by the HR team and the Diversity and Inclusion Committee.

Additional investments in information technology and information management have allowed the CTA to deliver more modern, accessible and secure digital tools and applications in 2022-23 through a number of initiatives:

- The CTA continued the modernization of its case management system by retiring former aging platforms and introducing automation and data analytics to improve dispute resolution processes and better manage the influx of air and accessibility complaints.
- Further improvements were made to IM/IT systems to meet legislative requirements and enhance the Agency's security posture.
- New audio and videoconference technologies were implemented at 60 Laval in light of employees' return to the worksite in a hybrid work model. The new equipment also includes a portable assistive listening system for the hearing impaired.

In 2022-23, in line with the federal government's intention to recover certain costs, the CTA developed its first activity-based costing model.

Contracts awarded to Indigenous businesses

The Agency is a federal agency (listed in Schedule IV of the *Financial Administration Act*)^{xxvii} and, as such, must ensure that a minimum 5% of the total value of the contracts be awarded to Indigenous businesses by the end of 2022-23. In its 2023–24 Departmental Plan, the department forecasted that, by the end of 2022–23, it would award 5% of the total value of its contracts to Indigenous businesses.

As shown in the following table, the Agency's awarded 12% of the total value of its contracts to Indigenous businesses in 2022–23.

Contracting performance indicators	2022-23 Results
Total value of contracts* awarded to Indigenous businesses† (A)	\$377,118
Total value of contracts awarded to Indigenous and non-Indigenous businesses [‡] (B)	\$3,269,777
Value of exceptions approved by deputy head (C)	\$0
Proportion of contracts awarded to Indigenous businesses [A / (B-C)×100]	12%

^{*}Includes contract amendments with Indigenous businesses and contracts that were entered into with Indigenous businesses by means of acquisition cards. May include subcontracts.

[†]For the purposes of the 5% target, Indigenous businesses include Elders, band and tribal councils; businesses registered in the <u>Indigenous Business Directory</u> **xxviii*for contracts under the <u>Procurement Strategy for Aboriginal Business</u>; **xxix* and businesses registered in a beneficiary business list for contracts with a final delivery in a modern treaty or self-government agreement area with economic measures as defined by Indigenous Services Canada.

[‡]Includes contract amendments.

A key part of the Agency's procurement strategy for the 2022-2023 fiscal year, was to utilize Voluntary Set-Asides for Indigenous Businesses, whereby federal departments/agencies may designate any procurement as being restricted exclusively to qualified Indigenous suppliers. Agency procurement officials worked with contracting officers from Public Services and Procurement Canada to meet an exceed the 5% performance objectives under the program, by identifying opportunities for voluntary Procurement Strategy for Indigenous Business (PSIB) setasides, when qualified Indigenous suppliers were known to exist in the marketplace.

The Agency also rolled-out a trimestral statistical report to track the percentage of contracting that was occurring with Indigenous Businesses.

It should be noted that the sole location for procurement product and service delivery is at 60 rue Laval, Gatineau, Quebec. This location is not one which subject to a mandatory set-aside contract for Indigenous businesses.

The Agency's Procurement Team has completed the mandatory course "Indigenous Considerations in Procurement" (COR409) from the Canada School of Public Service.

Budgetary financial resources (dollars)

The following table shows, for internal services, budgetary spending for 2022–23, as well as spending for that year.

2022–23 Main Estimates		authorities	spending	2022–23 difference (actual spending minus planned spending)
7,526,114	7,526,114	10,304,956	11,910,894	4,384,780

Human resources (full-time equivalents)

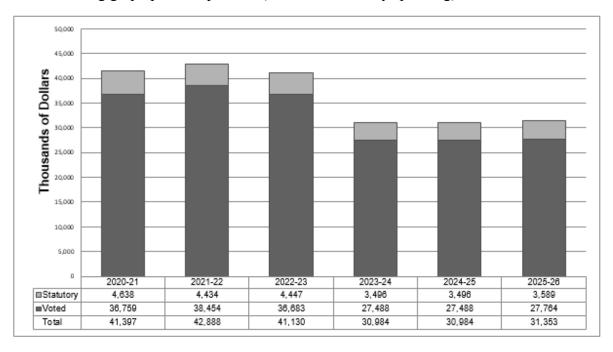
The following table shows, in full-time equivalents, the human resources the department needed to carry out its internal services for 2022–23.

	equivalents	2022–23 difference (actual full-time equivalents minus planned full-time equivalents)
54	70	16

Spending and human resources

Spending 2020–21 to 2025–26

The following graph presents planned (voted and statutory spending) over time.



For fiscal years 2020-21, 2021-22 and 2022-23, the amounts shown represent the actual expenditures as reported in the Public Accounts.

For fiscal years 2023-24, 2024-25 and 2025-26, the planned spending above reflects approved funding by Treasury Board to support the Agency's strategic outcome and programs as of March 2, 2022, when the 2022-23 Departmental Plan was tabled in Parliament. However, since the tabling of the 2022-23 Departmental Plan, it was announced, via Budget 2023, that the Agency would receive \$75.9 million over three years, starting in 2023-24, to ensure it has the resources for enforcement and compliance, and to provide dispute resolution services to Canadians and businesses when they are unable to resolve issues directly with air, rail, or marine service providers. This additional funding brings the total planned spending to \$53.9 million for 2023-2024, \$58.3 million for 2024-2025 and \$57.8 million for 2025-2026.

The planned spending does not include the reimbursement of eligible pay list expenditures and the operating budget carry-forward, since these cannot be estimated with certainty.

Budgetary performance summary for core responsibilities and internal services (dollars)

The "Budgetary performance summary for core responsibilities and internal services" table presents the budgetary financial resources allocated for the Agency's core responsibilities and for internal services.

Core responsibilities and internal services	2022–23 Main Estimates	2022–23 planned spending	2023–24 planned spending	2024–25 planned spending	2022–23 total authorities available for use	2020–21 actual spending (authorities used)	2021–22 actual spending (authorities used)	2022–23 actual spending (authorities used)
Independent regulatory and dispute-resolution services for transportation providers and users	23,503,177	23,503,177	23,468,547	23,468,547	32,219,253	30,404,751	29,722,148	29,219,423
Internal services	7,526,114	7,526,114	7,515,025	7,515,025	10,304,956	10,922,478	13,165,739	11,910,894
Total	31,029,291	31,029,291	30,983,572	30,983,572	42,524,209	41,327,229	42,887,887	41,130,317

The 2022-23 variances between Main Estimates, planned spending and total authorities available for use are largely attributable to the timing of the authorization of key elements of the fiscal cycle. The 2022-23 total authorities available for use (\$42.5 million) represent the Main Estimates (\$31.0 million) and adjustments to authorities such as: a) renewed temporary funding of \$10.5 million, as announced in Budget 2022, to address operating pressures and enable the Agency to continue to provide timely dispute resolution services to Canadians when they are unable to resolve issues directly with service providers; b) the operating budget carry-forward; and c) compensation adjustments arising from the renewal of collective agreements.

Total actual spending for 2022-23 (\$41.1 million) was less than the actual spending for 2021-22 (\$42.9 million). This variance is primarily attributable to the authorities that were used in 2021-22 to pay for the costs related to the Government of Canada Workplace 2.0 Fit-up Standards project.

Human resources

The "Human resources summary for core responsibilities and internal services" table presents the full-time equivalents (FTEs) allocated to each of the Agency's core responsibilities and to internal services.

Human resources summary for core responsibilities and internal services

Core responsibilities and internal services	2020–21 actual full-time equivalents	actual full-time	planned full-time	2022–23 actual full-time equivalents	planned full-time	2024–25 planned full-time equivalents
Independent regulatory and dispute-resolution services for transportation providers and users	253	245	186	224	182	182
Internal services	66	68	54	70	53	53
Total	319	313	240	294	235	235

The variance between the 2022-23 planned full-time equivalents and the 2022-23 actual full-time equivalents is largely attributable to the timing of the authorization of key elements of the fiscal cycle. The 2022-23 planned full-time equivalents stem from the 2022-23 Departmental Plan, which was tabled on March 2, 2022. However, on April 7, 2022, the Department of Finance released Budget 2022, which included renewed temporary funding of \$10.5 million for the Agency to address operating pressures and continue to provide timely dispute resolution services to Canadians when they are unable to resolve issues directly with service providers. As a result, the 2022-23 actual full-time equivalents were greater than planned.

Despite the renewed temporary funding, the 2022-23 actual full-time equivalents were less than the 2021-22 actual full-time equivalents. The temporary nature of the funding has resulted in high employee turnover and difficulties in recruiting, training and retaining new employees.

Expenditures by vote

For information on the Agency's organizational voted and statutory expenditures, consult the Public Accounts of Canada.xxx

Government of Canada spending and activities

Information on the alignment of the Agency's spending with Government of Canada's spending and activities is available in GC InfoBase.xxxi

Financial statements and financial statements highlights

Financial statements

The Agency's financial statements (unaudited) for the year ended March 31, 2023, are available on the department's websitexxxii.

Financial statement highlights

Condensed Statement of Operations (unaudited) for the year ended March 31, 2023 (dollars)

Financial information		2022–23 actual results	2021–22 actual results	minus	Difference (2022–23 actual results minus 2021–22 actual results)
Total expenses	33,842,949	45,753,857	46,373,605	11,910,908	(619,748)
Total revenues	0	304	80	304	224
Net cost of operations before government funding and transfers	33,842,949	45,753,553	46,373,525	11,910,604	(619,972)

The Agency's total expenses were \$45.8 million in 2022-23, a decrease of \$620,000 (-1.3%) over the previous year's total expenses. This variance is primarily attributable to the reduced cost of professional and special services incurred in 2022-23 as a result of the Government of Canada Workplace 2.0 Fit-up Standards project coming to a close in 2021-22. The majority of funds, \$38.1 million (82.1%), were spent on salaries and employee benefits, 5.4% on professional and special services, 4.6% on accommodations, 3.6% on rentals, 1.4% on machinery and equipment, and the remaining 2.9% on information, transportation and telecommunication, amortization of tangible capital assets, utilities, materials and supplies, and repair and maintenance.

The 2022-23 planned results of \$33.8 million stem from the 2022-23 Departmental Plan. However, since the tabling of the 2022-23 Departmental Plan on March 2, 2022, the Agency received approval for \$10.5 million in renewed temporary funding, via Budget 2022, to address operating pressures and enable the Agency to continue to provide timely dispute resolution services to Canadians when they are unable to resolve issues directly with service providers. As a result, the 2022-23 actual results were greater than planned.

The 2022–23 planned results information is provided in the Agency's Future-Oriented Statement of Operations and Notes 2022–23.xxxiii

Condensed Statement of Financial Position (unaudited) as of March 31, 2023 (dollars)

Financial information	2022–23	2021–22	Difference (2022–23 minus 2021–22)
Total net liabilities	7,323,793	6,668,241	655,552
Total net financial assets	4,576,366	3,655,198	921,168
Departmental net debt	2,747,427	3,013,043	(265,616)
Total non-financial assets	1,035,371	1,059,586	(24,215)
Departmental net financial position	(1,712,056)	(1,953,457)	241,401

Total net liabilities were \$7.3 million at the end of 2022-23, an increase of \$656,000 (9.8%) over the previous year's total liabilities of \$6.7 million. This increase is primarily attributable to an increase in payables recorded at year-end, namely the year-end adjustment for Employee Benefit Plan expenditures. Accounts payable and accrued liabilities as well as vacation pay and compensatory leave represented the largest portion of total liabilities at \$4.4 million and \$2.3 million, respectively.

Total net financial and non-financial assets were \$5.6 million at the end of 2022-23 which represent an increase of \$897,000 (19.0%) over the previous year's total financial and non-financial asset of \$4.7 million. This increase is mainly due to an increase in the Due from Consolidated Revenue Fund (the result of the increase in liabilities) reported under the category "Financial Assets". Financial assets represented \$4.6 million (81.5%), prepaid expenses represented \$621,000 (11.1%), while tangible capital assets and inventory represented 7.4% of total assets.

The 2022–23 planned results information is provided in the Agency's Future-Oriented Statement of Operations and Notes 2022–23.xxxiv

Corporate information

Organizational profile

Appropriate minister[s]: The Honourable Pablo Rodriguez, P.C., M.P.

Minister of Transport

Institutional head: France Pégeot, Chair and Chief Executive Officer

Ministerial portfolio: Transport

Enabling instrument[s]: Canada Transportation Act, xxxv SC 1996, c 10, as amended

Year of incorporation / commencement: 1904

Other:

The Agency shares responsibility for the following acts:

- Accessible Canada Act, 2019xxxvi
- Canada Marine Actxxxvii
- Canadian Environmental Assessment Act, 2012xxxviii
- Civil Air Navigation Services Commercialization Actxxxix
- Coasting Trade Act^{xl}
- Energy Supplies Emergency Act^{xli}
- Pilotage Actxlii
- Railway Relocation and Crossing Act^{xliii}
- Railway Safety Actxliv
- Shipping Conferences Exemption Act, 1987xlv

The Agency has sole responsibility for the following regulations:

- Accessible Transportation for Persons with Disabilities Regulations, SOR/2019-244xtvi
- Air Passenger Protection Regulations, SOR/2019-150xlvii
- *Air Transportation Regulations*, SOR/88-58xlviii
- Canadian Transportation Agency Designated Provisions Regulations, SOR/99-244xlix
- Regulations on Operational Terms for Rail Level of Services Arbitration, SOR/2014-1921
- <u>Personnel Training for the Assistance of Persons with Disabilities Regulations</u>, SOR/94-42^{ti}
- Railway Costing Regulations, SOR/80-310^{lii}
- Railway Interswitching Regulations, SOR/88-41 liii
- Railway Third Party Liability Insurance Coverage Regulations, SOR/96-337liv
- Railway Traffic and Passenger Tariffs Regulations, SOR/96-338^{tv}
- Railway Traffic Liability Regulations, SOR/91-488^{lvi}

The Agency shares responsibility for the following regulations:

- Transportation Information Regulations, SOR/96-334^{lvii}
- Railway Company Pay Out of Excess Revenue for the Movement of Grain Regulations, SOR/2001-207^[wiii]
- The Jacques-Cartier and Champlain Bridges Inc. Regulations, SOR/98-568 lix
- The Seaway International Bridge Corporation, Ltd. Regulations, SOR/98-569^{tx}

The Agency has promulgated the following Rules:

- Canadian Transportation Agency Rules (Dispute Proceedings and Certain Rules Applicable to All Proceedings), SOR/2014-104^{lxi}
- Rules of Procedure for Rail Level of Service Arbitration, SOR/2014-94^{lxii}

These acts and regulations are available on the Department of Justice website, and are accessible through the "Acts and Regulations" section of the Agency's website. Laxiv

Raison d'être, mandate and role: who we are and what we do

A description of the Agency's "Organization and mandate" is available on the <u>Agency's</u> website. https://doi.organization.

Operating context

Information on the operating context is available on the Agency's website. lxvi

Reporting framework

The Agency's departmental results framework and program inventory of record for 2022–23 are shown below.

Graphical presentation of Departmental Results Framework and Program Inventory

	Core Respo	nsibility: Independent regulatory and dispute-resolution services for transportation providers and users				
	Departmental Result	Transportation Fluidity Index.				
x	An efficient, competitive national	Percentage of regulatory authorities issued, and disputes and contested determination cases resolved within service standards.				
ramewo	transportation system	Percentage of transportation service providers that comply with legislative and regulatory requirements.				
Departmental Results Framework	Departmental Result Accessible	Percentage of air, rail, marine carriers and facility operators complying with accessibility related legislative and regulatory requirements and codes of practice.				
ental R	transportation services for persons	Percentage of accessibility disputes resolved within service standards.				
epartm	with disabilities		Internal Services			
ă	Departmental Result	Percentage of air carriers complying with consumer protection legislative and regulatory requirements.	CONTROCT			
	Consumer protection for air travellers	Percentage of air consumer protection disputes resolved within service standards.				
ntory	Program: Analysis and	Outreach				
Program Inventory	Program: Dispute Resolution					
Progr	Program: Determinatio	ns and Compliance				

Supporting information on the program inventory

Financial, human resources and performance information for the Agency's program inventory is available in GC InfoBase. **Levil **

Supplementary information tables

The following supplementary information tables are available on the Agency's website: kviii

- ▶ Reporting on Green Procurement
- ▶ Gender-based analysis plus
- ▶ Response to Parliamentary Committees

Federal tax expenditures

The tax system can be used to achieve public policy objectives through the application of special measures such as low tax rates, exemptions, deductions, deferrals and credits. The Department of Finance Canada publishes cost estimates and projections for these measures each year in the Report on Federal Tax Expenditures. Lixix This report also provides detailed background information on tax expenditures, including descriptions, objectives, historical information and references to related federal spending programs as well as evaluations and GBA Plus of tax expenditures.

Organizational contact information

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60 Laval Street Gatineau, Quebec J8X 3G9

Telephone: 1-888-222-2592

Fax: 819-997-6727

Email: info@otc-cta.gc.ca^{lxx}

Website(s): https://www.otc-cta.gc.ca/bxxi

Appendix: definitions

appropriation (crédit)

Any authority of Parliament to pay money out of the Consolidated Revenue Fund.

budgetary expenditures (dépenses budgétaires)

Operating and capital expenditures; transfer payments to other levels of government, organizations or individuals; and payments to Crown corporations.

core responsibility (responsabilité essentielle)

An enduring function or role performed by a department. The intentions of the department with respect to a core responsibility are reflected in one or more related departmental results that the department seeks to contribute to or influence.

Departmental Plan (plan ministériel)

A report on the plans and expected performance of an appropriated department over a 3-year period. Departmental Plans are usually tabled in Parliament each spring.

departmental priority (priorité)

A plan or project that a department has chosen to focus and report on during the planning period. Priorities represent the things that are most important or what must be done first to support the achievement of the desired departmental results.

departmental result (résultat ministériel)

A consequence or outcome that a department seeks to achieve. A departmental result is often outside departments' immediate control, but it should be influenced by program-level outcomes.

departmental result indicator (indicateur de résultat ministériel)

A quantitative measure of progress on a departmental result.

departmental results framework (cadre ministériel des résultats)

A framework that connects the department's core responsibilities to its departmental results and departmental result indicators.

Departmental Results Report (rapport sur les résultats ministériels)

A report on a department's actual accomplishments against the plans, priorities and expected results set out in the corresponding Departmental Plan.

full-time equivalent (équivalent temps plein)

A measure of the extent to which an employee represents a full person-year charge against a departmental budget. For a particular position, the full-time equivalent figure is the ratio of number of hours the person actually works divided by the standard number of hours set out in the person's collective agreement.

gender-based analysis plus (GBA Plus) (analyse comparative entre les sexes plus [ACS Plus])

An analytical tool used to support the development of responsive and inclusive policies, programs and other initiatives; and understand how factors such as sex, race, national and ethnic origin, Indigenous origin or identity, age, sexual orientation, socio-economic conditions, geography, culture and disability, impact experiences and outcomes, and can affect access to and experience of government programs.

government-wide priorities (priorités pangouvernementales)

For the purpose of the 2022–23 Departmental Results Report, government-wide priorities are the high-level themes outlining the government's agenda in the <u>November 23, 2021, Speech from the Throne lexii</u>: building a healthier today and tomorrow; growing a more resilient economy; bolder climate action; fighter harder for safer communities; standing up for diversity and inclusion; moving faster on the path to reconciliation; and fighting for a secure, just and equitable world.

horizontal initiative (initiative horizontale)

An initiative where two or more federal organizations are given funding to pursue a shared outcome, often linked to a government priority.

non-budgetary expenditures (dépenses non budgétaires)

Net outlays and receipts related to loans, investments and advances, which change the composition of the financial assets of the Government of Canada.

performance (rendement)

What an organization did with its resources to achieve its results, how well those results compare to what the organization intended to achieve, and how well lessons learned have been identified.

performance indicator (indicateur de rendement)

A qualitative or quantitative means of measuring an output or outcome, with the intention of gauging the performance of an organization, program, policy or initiative respecting expected results.

performance reporting (production de rapports sur le rendement)

The process of communicating evidence-based performance information. Performance reporting supports decision making, accountability and transparency.

plan (plan)

The articulation of strategic choices, which provides information on how an organization intends to achieve its priorities and associated results. Generally, a plan will explain the logic behind the strategies chosen and tend to focus on actions that lead to the expected result.

planned spending (dépenses prévues)

For Departmental Plans and Departmental Results Reports, planned spending refers to those amounts presented in Main Estimates.

A department is expected to be aware of the authorities that it has sought and received. The determination of planned spending is a departmental responsibility, and departments must be able to defend the expenditure and accrual numbers presented in their Departmental Plans and Departmental Results Reports.

program (programme)

Individual or groups of services, activities or combinations thereof that are managed together within the department and focus on a specific set of outputs, outcomes or service levels.

program inventory (répertoire des programmes)

Identifies all the department's programs and describes how resources are organized to contribute to the department's core responsibilities and results.

result (résultat)

A consequence attributed, in part, to an organization, policy, program or initiative. Results are not within the control of a single organization, policy, program or initiative; instead they are within the area of the organization's influence.

Indigenous business (enterprise autochtone)

For the purpose of the *Directive on the Management of Procurement Appendix E: Mandatory Procedures for Contracts Awarded to Indigenous Businesses* and the Government of Canada's commitment that a mandatory minimum target of 5% of the total value of contracts is awarded to Indigenous businesses, an organization that meets the definition and requirements as defined by the Indigenous Business Directory. https://doi.org/10.1007/j.htmli/j.com/procedures/10.1007/j.htmli/

statutory expenditures (dépenses législatives)

Expenditures that Parliament has approved through legislation other than appropriation acts. The legislation sets out the purpose of the expenditures and the terms and conditions under which they may be made.

target (cible)

A measurable performance or success level that an organization, program or initiative plans to achieve within a specified time period. Targets can be either quantitative or qualitative.

voted expenditures (dépenses votées)

Expenditures that Parliament approves annually through an appropriation act. The vote wording becomes the governing conditions under which these expenditures may be made.

Endnotes

- ¹ Air Passenger Protection Regulation, https://laws-lois.justice.gc.ca/eng/regulations/SOR-2019-150/index.html
- ⁱⁱ Accessible Transportation Planning and Reporting Regulations, https://canadagazette.gc.ca/rp-pr/p2/2021/2021-12-22/html/sor-dors243-eng.html
- iii Compliance and Enforcement Policy, https://otc-cta.gc.ca/eng/compliance-and-enforcement-policy
- iv Accessible Transportation Planning and Reporting Regulations, https://canadagazette.gc.ca/rp-pr/p2/2021/2021-12-22/html/sor-dors243-eng.html
- ^v Accessible Canada Act, https://laws-lois.justice.gc.ca/eng/acts/A-0.6/
- vi Accessible Transportation for Persons with Disabilities Regulations, https://laws-lois.justice.gc.ca/eng/regulations/SOR-2019-244/index.html
- vii Best Practices for Indoor Relief Areas for Service Dogs in Terminals, https://otc-cta.gc.ca/eng/best-practices-indoor-relief-areas-service-dogs-terminals
- viii Accessible Transportation for Persons with Disabilities Regulations, https://laws-lois.justice.gc.ca/eng/regulations/SOR-2019-244/index.html
- ix International Working Group on Special Service Request Code, https://otc-cta.gc.ca/eng/publication/international-working-group-special-service-request-codes
- ^x Phase 2 Report, https://otc-cta.gc.ca/eng/publication/safe-securement-and-containment-mobility-aids-cargo-compartment-phase-2
- xi Mobility Aids and Air Travel Final Report, https://otc-cta.gc.ca/eng/publication/mobility-aids-and-air-travel-final-report
- xii Letter Decision No. LET-A-44-2022, https://otc-cta.gc.ca/eng/ruling/let-a-44-2022
- xiii Determination No. A-2022-63, https://otc-cta.gc.ca/eng/ruling/a-2022-63
- xiv Determination No. R-2022-183, https://otc-cta.gc.ca/eng/ruling/r-2022-183
- xv Western Grain Research Foundation, https://wgrf.ca/
- xvi Determination No. R-2022-50, https://otc-cta.gc.ca/eng/ruling/r-2022-50
- xvii Determination No. R-2022-164, https://otc-cta.gc.ca/eng/ruling/r-2022-164
- xviii Canada Transportation Act, https://laws-lois.justice.gc.ca/eng/acts/c-10.4/
- xix Determination No. R-2022-137, https://otc-cta.gc.ca/eng/ruling/r-2022-137
- xx Determination No. R-2022-138, https://otc-cta.gc.ca/eng/ruling/r-2022-138
- xxi Compliance and Enforcement Policy, https://otc-cta.gc.ca/eng/compliance-and-enforcement-policy
- xxii Canada Transportation Act, https://laws-lois.justice.gc.ca/eng/acts/c-10.4/
- xxiii Policy on Results, https://www.tbs-sct.canada.ca/pol/doc-eng.aspx?id=31300
- xxiv GC InfoBase, https://www.tbs-sct.canada.ca/ems-sgd/edb-bdd/index-eng.html#start
- xxv GC InfoBase, https://www.tbs-sct.gc.ca/ems-sgd/edb-bdd/index-eng.html#start
- xxvi GC InfoBase, https://www.tbs-sct.gc.ca/ems-sgd/edb-bdd/index-eng.html#start
- xxvii Financial Administration Act, https://laws-lois.justice.gc.ca/eng/acts/f-11/
- xxviii Indigenous Business Directory, https://www.sac-isc.gc.ca/eng/1100100033057/1610797769658
- xxix Procurement Strategy for Aboriginal Business, https://www.sac-isc.gc.ca/eng/1354798736570/1610985991318
- xxx Public Accounts of Canada, http://www.tpsgc-pwgsc.gc.ca/recgen/cpc-pac/index-eng.html
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- xxxvii Canada Marine Act (S.C. 1998, c. 10), https://laws-lois.justice.gc.ca/eng/acts/C-6.7/index.html
- xxxviii Canadian Environmental Assessment Act, 2012 (S.C. 2012, c. 19,s. 52), https://lawslois.justice.gc.ca/eng/acts/c-15.21/index.html
- xxxix Civil Air Navigation Services Commercialization Act (S.C. 1996, c. 20), https://laws-lois.justice.gc.ca/eng/acts/C-29.7/index.html

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xli Energy Supplies Emergency Act (R.S.C., 1985, c. E-9), https://laws.justice.gc.ca/eng/acts/E-9/index.html
xlii Pilotage Act (R.S.C., 1985, c. P-14), https://laws.justice.gc.ca/eng/acts/P-14/index.html
xliii Railway Relocation and Crossing Act (R.S. C., 1985, c. R-4), https://laws.justice.gc.ca/eng/acts/R-4/index.html
xliv Railway Safety Act (R.S.C., 1985, c.32 (4th Supp.), https://laws.justice.gc.ca/eng/acts/R-4.2/index.html
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xivii Air Passenger Protection Regulations (SOR/2019-150), https://laws.justice.gc.ca/eng/regulations/SOR-2019-
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xhviii Air Transportation Regulations (SOR/88-58), https://laws-lois.justice.gc.ca/eng/regulations/SOR-88-
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xlix Canadian Transportation Agency Designated Provisions Regulations (SOR/99-244), https://laws-
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<sup>li</sup> Personnel Training for the Assistance of Persons with Disabilities Regulations (SOR/94-42),
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Iviti Railway Company Pay Out of Excess for the Movement of Grain Regulations (SOR/2001-207), https://laws-
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<sup>lx</sup> The Seaway International Bridge Corporation, Ltd. Regulations (SOR/98-569),
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bexiii Indigenous Business Directory, https://www.sac-isc.gc.ca/eng/1100100033057/1610797769658

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