

September 25, 2018

Greg Orencsak
Deputy Minister, Ministry of Finance
Frost Building South, 7th Floor
7 Queen's Park Crescent
Toronto, ON M7A 1Y7

RE: FAO Information Request EC OEA-01: Quarterly Ontario Economic Accounts Data Tables

Dear Deputy Minister Orencsak:

My mandate as Financial Accountability Officer is to provide the Legislative Assembly of Ontario with the economic and financial analysis it needs to perform its constitutional functions.

As you know, my office releases bi-annual Economic and Budget Outlook (EBO) reports, pursuant to section 10(1)(a) of the *Financial Accountability Officer Act, 2013* (the FAO Act), which mandates the Officer, "on his or her own initiative, to prepare an independent analysis to the Assembly about the state of the Province's finances ... and trends in the national and provincial economies".

To support my staff's on-going analysis of the Ontario economy for the EBO reports, I request that your ministry provide me with the following information, which I consider necessary to perform my duties under the FAO Act, as required by subsection 12(1) of the FAO Act:

- Data tables from the Ontario Economic Accounts (OEA) each quarter, in advance of their public release. More specifically, I am requesting for all future OEA releases, beginning with the 2nd Quarter 2018 OEA, that pre-release OEA data tables should be provided to my office no later than:
 - 21 days¹ after Statistics Canada's release of the National Income and Expenditure Accounts; or
 - following approval of the pre-release OEA data tables by the Assistant Deputy Minister of the Office of Economic Policy,whichever occurs first.²

¹ The 21-day deadline is based on the requirement in the Fiscal Transparency and Accountability Act, 2004 (FTAA) that the Minister release the Ontario Economic Accounts "within 45 days after Statistics Canada publishes quarterly information about Canada's National Income and Expenditure Accounts..."

² Given the timing of this letter, the deadline for the 2nd Quarter 2018 OEA has already passed. Accordingly, we ask that these data be provided by October 5, 2018.

The requested information should be supplied in a table consistent with the table layout included as Attachment 1 to this letter. My staff and I are aware that the requested data are preliminary estimates and may be subject to change when eventually released publicly by the Ministry.

In addition, I request that your staff complete the spreadsheet in Attachment 2 to provide the following information:

- If you believe that some or all of the requested information falls under the Cabinet records exception under subsection 12(2) of the FAO Act and that either the current or previous Executive Council has not consented to provide that information to the FAO in the Cabinet records orders-in-council (OC 1412/2016 or OC 1002/2018, Attachment 3), please explain in the spreadsheet why you believe the Cabinet records exception prevents you from providing me with the information.
- If you believe that some or all the requested information falls under the personal information and/or personal health information exceptions under subsection 12(3) of the FAO Act, please explain why you believe that exception applies and why you have been unable to redact the information in accordance with subsection 12(4) of the FAO Act.

I also ask that you assist me in fulfilling my disclosure responsibilities under section 13 of the FAO Act, OC 1412/2016 and OC 1002/2018. Under section 13 of the FAO Act, the FAO cannot disclose the information he obtains from a ministry or public entity under section 12 of the FAO Act unless the disclosure is essential for the performance of his mandate and the information does not fall under certain categories of sensitive records. Under OC 1412/2016 and OC 1002/2018, the FAO agrees not to disclose any information obtained from a ministry or public entity protected by section 12(1) of the *Freedom of Information and Protection of Privacy Act* (Attachment 3).

In order to assist me with my disclosure obligations, please answer the following questions in the Cover spreadsheet (Attachment 2):

- If you believe that some or all of the information that you are providing in response to this request is subject to the disclosure restrictions under the Cabinet records orders-in-council (OC 1412/2016 and OC 1002/2018, Attachment 3), please clearly identify the information in question.
- If you believe that some or all of the information that you are providing in response to this request is subject to the disclosure restrictions in paragraphs 2, 3 and/or 4 of section 13 of the FAO Act, please clearly identify the information in question and identify which condition applies, citing the specific provision of the *Freedom of Information and Protection of Privacy Act*.

If the restriction is intended to protect the interests of other public institutions, governments,

third parties and/or legal privilege holders, please specifically identify any institutions, governments, third parties and/or legal privilege holders whose interests would be affected by the disclosure of the information.

I would appreciate if you could provide me with access to the 2nd Quarter 2018 OEA data tables on or before October 5 and to future releases of the quarterly OEA by the deadlines described in this letter.

I have enclosed the *Guide to Responding to Information Requests from the FAO*, including the orders-in-council concerning Cabinet records (Attachment 3) to assist you with responding to this information request.

If you fail to comply with this information request, whether by failing to respond in a timely manner or by refusing to provide information without explaining which exception applies, I may inform the Minister of Finance. If the minister is unable to resolve the matter, I may exercise my power under subsection 12(5) of the FAO Act to notify the Speaker of the Legislative Assembly and the chair of the Standing Committee on Finance and Economic Affairs of your failure to comply with this information request.

Please note that the cover letter accompanying your response to this request may be posted on the FAO website, but any attachments will not.

Should you or your staff have any questions about this request, I would ask that you contact David West dwest@fao-on.org or by phone at 416-579-1465.

I would like to thank you for your assistance in this matter. My primary objective is to provide timely and relevant economic and financial analysis to the Legislative Assembly. My ability to do so depends on your providing me with free and timely access to the information held by your ministry that is necessary for me to perform my duties. By providing me with this information, you are assisting me in better supporting all MPPs.

Sincerely,

Original signed by



Peter Weltman
Financial Accountability Officer

Enclosures: 3

Attachment 1: OEA Pre-release Data Tables Spreadsheet

Attachment 2: EC OEA-01 Cover Spreadsheet

Attachment 3: EC OEA-01 Guide to Responding to FAO Requests; OC 1412/2016; OC 1002/2018

CC:

Brian Lewis

Chief Economist and Assistant Deputy Minister

Office of Economic Policy

Ministry of Finance

Frost Building North, 5th Floor

95 Grosvenor St.

Toronto ON M7A1Y7

Tim Schuurman

Assistant Deputy Minister

Office of the Budget

Ministry of Finance

Frost Building South, 4th Floor

7 Queen's Park Crescent East

Toronto ON M7A1Y7

David West

Chief Economist,

Financial Accountability Office of Ontario

2 Bloor Street W, Suite 900

Toronto Ontario M4W 3E2