



## FAQs – Integrating the Work of the Environmental Commissioner into the Auditor General’s Office

### 1. What is changing?

On December 6, 2018, the Legislative Assembly passed Bill 57, the *Restoring Trust, Transparency and Accountability Act*. The new law transfers some of the responsibilities of the Environmental Commissioner of Ontario (ECO) to the Office of the Auditor General of Ontario (OAGO) by May 1, 2019. OAGO’s new responsibilities under the Act include reporting annually on the operation of the *Environmental Bill of Rights*, and this Act gives the OAGO authority to review the government’s progress on activities to promote energy conservation, reduce greenhouse gas emissions and any other matters our Office considers appropriate.

### 2. How will OAGO be able to handle its current responsibilities for government finances while taking on substantial new responsibilities?

OAGO has launched internal reviews to determine how best to accommodate its new responsibilities while continuing to carry out its existing mandates. In its 133-year history, OAGO has taken on several new challenges, including a new mandate to conduct value-for-money audits in 1978, the responsibility to perform value-for-money audits in the broader public sector in 2004, and reviews of government advertising and the government’s Pre-Election Report starting in 2005.

### 3. Will OAGO retain its independence from the government in this new arrangement?

OAGO will remain an independent office of the Legislative Assembly, and answerable only to it—not to the government of the day.

### 4. Have any other jurisdictions assigned responsibility for the environment to their auditor general?

Yes. In 1995, the federal government created the position of Commissioner of the Environment and Sustainable Development. The Commissioner reports to the federal Auditor General, and his/her reports are also provided to Parliament. In 2006, Quebec created the position of a Sustainable Development Commissioner. The Commissioner also reports to the Auditor General of Quebec, and his/her reports are also provided to the Quebec National Assembly. We have been examining how both offices undertake these responsibilities.

### 5. What internal expertise/experience does OAGO have with respect to the environment?

OAGO has a long history of performing audits on environmental issues. Our *1994 Annual Report* (the same year the ECO was established) included a report on water and sewage treatment facilities. Since then, 19 of our 24 subsequent annual reports have included at least one environmental audit, plus follow-up reports two years later. Staff from the ECO will bring further expertise on environmental issues.

### 6. What is happening with the staff currently employed at the Environmental Commissioner’s Office?

We are working on a transition plan to determine the appropriate staffing levels needed to fulfil our expanded responsibilities. We look forward to staff from the ECO joining our Office.

**7. Will there be a Commissioner of the Environment within OAGO?**

Yes. The *Restoring Trust, Transparency and Accountability Act* calls for the appointment of a Commissioner of the Environment to head the environmental portfolio in the OAGO and report to the Auditor General. We are planning to have that position filled by June 1, 2019.

**8. Will Ontario's *Environmental Bill of Rights* and Environmental Registry still exist?**

Yes, the public consultation tools provided to Ontarians under the *Environmental Bill of Rights* will continue to exist. The new law makes no changes to ministries' responsibilities to post notices on the Environmental Registry, and Ontarians will continue to have the right to know about—and comment on—environmentally significant proposals. After the changes take effect, however, Ontarians will submit applications for reviews and/or investigations directly to the ministry that they wish to conduct the review or undertake the investigation. Responsibility for educating the public about the *Environmental Bill of Rights* and posting notices of appeals on the Environmental Registry will be transferred to the Ministry of the Environment, Conservation and Parks.

**9. Will I have the right to submit an application for a review or an investigation to the OAGO, as I did when there was an ECO?**

After the Act is proclaimed, Ontarians will need to submit applications for reviews and investigations directly to the government ministry responsible for carrying out the requested review or investigation. However, people will still be able to copy OAGO on their concerns, and our Office, in conducting its audit compliance work, will assess whether ministries are conducting their work in compliance with the *Environmental Bill of Rights*. As well, OAGO will assess the letters it receives to determine whether specific environmental audits should be conducted on issues or areas where citizens report concerns.

**10. Will I still have access to the reports and other documents produced by the Environmental Commissioner's Office over the past 25 years?**

Yes. An updated OAGO website will launch once the Act is proclaimed and will include information about our expanded role and responsibilities. Users will be able to access the former ECO's website, but it will no longer be updated or maintained. All future environmental reports produced by the OAGO will be posted to our website at [auditor.on.ca](http://auditor.on.ca).