Confidential Disclosure Form

**Message from the Canada Energy Regulator (CER):**

Thank you for using the Canada Energy Regulator’s Confidential Disclosure (Whistleblower) Process. The information provided in this form is collected to review potential non-compliances of the *Canadian Energy Regulator Act* and its associated Regulations.

Please provide as much information as you can; a detailed disclosure will assist the CER in making accurate assessments and well-informed decisions moving forward.

**For a pipeline emergency, please call the Transportation Safety Board's 24-hour hotline at (819) 997-7887. For all other emergencies related to a CER-regulated company's operations, facility or activity, please call the CER at (403) 807-9473.**

Prior to making a disclosure, it is recommended you review the CER’s Confidential Disclosure Procedure Guide and Frequently Asked Questions (FAQ’s).

**Confidentiality:**

The CER is committed to handling all disclosures of alleged non-compliance in a confidential manner. The Confidential Disclosure (Whistleblower) Process has been designed to protect the confidentiality of the tipster and the information they provide.

There may be exceptional circumstances where the CER is required under law to release information about a disclosure. As a result, the CER cannot guarantee absolute confidentiality.

There are measures that you can take to enhance your anonymity and confidentiality, such as:

* do not disclose to others you have reported, or have considered reporting, an alleged non-compliance to the CER; and
* do not use company-owned communication devices to submit your disclosure and correspond with the CER.

**Reprisals:**

[Paragraph 6.3(1)(a) of the CER’s Onshore Pipeline Regulations (OPR)](https://laws-lois.justice.gc.ca/eng/regulations/SOR-99-294/page-1.html#docCont) requires regulated companies to have a policy for the internal reporting (Whistleblower Policy) of hazards, potential hazards and near misses that includes the conditions under which a person who makes a report will be granted immunity from disciplinary action. The CER has a mandate to review such policies pursuant to this regulation.

The CER has no authority to require a regulated company to rehire a person the regulated company has terminated.

**Compensation:**

The CER does not offer, and will not provide, any compensation to a tipster who provides the CER with a disclosure of alleged non-compliance. Compensation in this context means a reward, bounty, financial payment, consideration, indemnification, offer of employment, actual employment or any other benefit.

**Elements of a disclosure:**

There are several factors that can affect how your disclosure is assessed:

* Good Faith: A tipster should provide a disclosure in good faith based on ethics, fairness and in the best interest of the public. Disclosures that are frivolous, extortive or malicious are not considered to have been made in good faith.
* Act of Non-Compliance: The event(s) reported by the tipster must meet the definition of non-compliance (refer to the CER’s Confidential Disclosure (Whistleblower) Process Guide).
* Timeliness of the Alleged Act of Non-Compliance: An act of non-compliance that is alleged to have occurred months or years ago may be more difficult to investigate and prove. Many types of evidence including records, witness recollection and property or environmental damage can fade and deteriorate over time.
* Quality of Disclosure: A disclosure that is based on hearsay, vague accounts and generalities lacks the specific type of information required by the CER to trigger an investigative response. Disclosures should provide facts and specific details.
* Within the CER’s Jurisdiction: The CER assesses whether the alleged non-compliance is within its jurisdiction. The CER does not generally follow up on alleged non-compliances that are not within its jurisdiction, although it may refer information to other regulators or lawful authorities.
* Public Interest: The CER shall assess whether it is in the public interest to follow-up on the disclosure of alleged non-compliance.

**Other information:**

Please consider providing any additional information you think may be important to the CER regarding this disclosure of alleged non-compliance. You may include photos, documents, emails or other materials. The decision to provide disclosure information of any type to the CER rests solely with you.

Once your disclosure has been received, it will be assigned an identification number. If you have consented to be contacted, you will receive this number and should reference it if you submit more information at a later date. If you submit a report without contact information, or do not give the CER consent to contact you, the CER will not be able to contact you for additional information or to provide you with the identification number.

Decisions regarding CER compliance verification activities, courses of action and dispositions rest with the CER alone.

**To submit a confidential disclosure, please complete this form.**

See **Part B** below for instructions on how to submit your completed form. You can attach additional pages as necessary.

**The form starts on the next page.**

**Part A – Report**

**Providing as much detail as possible will help the CER in following up on the disclosure.**

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| 1. **The CER accepts anonymous disclosures. If you prefer anonymity, any information you provide that could potentially identify you will be redacted from the disclosure prior to it being assigned to CER staff following up on the disclosure. As discussed above, regardless of redaction, there may be exceptional circumstances where the CER is required under law to release full information about a disclosure. Please declare if you wish to remain anonymous.** |
| I wish to remain anonymous.  The CER may use my name or other identifying information. If you select this option, please provide your name: Click or tap here to enter text.  *(Optional)* Please indicate which of the following reporter categories you best match:  Current Employee/Contractor  Former Employee/Contractor  General Public  Landowner/Leaseholder/Tenant |
| 1. **You are not required to provide your contact information in order for the CER to review your complaint. However, providing your contact information will ensure the following:**    1. **You will receive** **confirmation that your disclosure was received.**    2. **The CER can contact you should it require additional information.**    3. **You will receive updates on the status of your report.** |
| The CER may contact me:  Yes  No  If you answered ‘Yes’, please provide your preferred method of contact and contact information: Click or tap here to enter text. |
| 1. **Please provide the name of the CER-regulated company(s) involved in the alleged non-compliance, if known.** |
| Click or tap here to enter text. |
| 1. **Please provide the name of the CER-regulated pipeline, facility and/or project involved in the alleged non-compliance, if known.** |
| Click or tap here to enter text. |
| 1. **If you believe you have information on an alleged non-compliance relating to CER-regulated pipelines and/or facilities, please provide it below. Be as specific as possible.** |
| Click or tap here to enter text. |
| 1. **Please provide the names (and job title, department etc., if possible) of those present at the event(s) or those who may have knowledge of the alleged non-compliance. Please tell us how they may be involved in the event(s) and what additional evidence they could provide.** |
| Click or tap here to enter text. |
| 1. **Please enter the GPS coordinates (e.g., through using Google Maps on your mobile device) or other location description where the alleged non-compliance occurred, if known.** |
| Click or tap here to enter text. |
| 1. **Please provide specific dates or date ranges of the alleged non-compliance, if known. Identify if it occurred in the past, is currently ongoing, and/or may occur in the future.** |
| Click or tap here to enter text. |
| 1. **If you are or were an employee/contractor of the company, did you report the event(s) to your employer?** |
| Yes  No  If yes, whom specifically did you tell (name and title) and when did you tell them (date)?  Click or tap here to enter text.  If yes, what was the person or company’s response to your report?  Click or tap here to enter text.  If no, please provide a reason for your decision:  Click or tap here to enter text. |
| 1. **Have you reported the alleged non-compliance to another government agency (including municipal or provincial) or law enforcement?** |
| Yes  No  If your answer is yes, please provide details of this report including the name of the agency, contact person, dates, etc.  Click or tap here to enter text. |
| 1. **Please identify and provide any evidence that could support this disclosure (e.g., emails, incident reports, photographs, company policies, etc.). Refer to Part B for methods of submitting any of this information within your possession to the CER.**   **You should maintain a copy of all documents and materials that you submit in connection with your disclosure.** |
| Click or tap here to enter text. |
| **Whistleblower Declaration:**  By clicking on this box, I certify that all of the information submitted through this form is true and accurate to the best of my knowledge. |

**Part B – Submission**

Below are the options for submitting your completed Confidential Disclosure Form.

1. **Email (preferred method)**

You can email a copy of this form, along with any supporting evidence, to [ConfDisc-DivConf@cer-rec.gc.ca](mailto:DIU-UAD@cer-rec.gc.ca).

1. **Mail or courier**

You can print this form and mail or courier it to the following address (please mark as ‘Confidential’):

Disclosure Intake Unit

Canada Energy Regulator

210 – 517 10 Ave SW

Calgary, AB T2R 0A8

**After you submit a report:**

You should maintain a copy of all documents and materials that you submit in connection with your disclosure.