

April 4, 2017

[REDACTED]

s.40(1)

Dear [REDACTED]

s.40(1)

**Re: Your request for access to information under Part II of the *Access to Information and Protection of Privacy Act* [Our File #: SNL-023-2017]**

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On March 7, 2017, Service NL received your request for access to the following records/information:

*"Any and All correspondence since January 1, 2017 in any medium concerning the \$400-\$600 mandatory fine for illegal parking in blue zones and the other recommendations as referenced by Minister Joyce on the radio."*

Further to your request, please be advised that a decision has been made by Service NL that access the records you have requested cannot be provided as the documents contain t would reveal the deliberations of Cabinet. Specifically, this means that pages 1-181 of the documents cannot be provided. These exemptions are in accordance with the following exceptions to disclosure, as specified in the *Access to Information and Protection of Privacy Act* (the Act):

Section 27(1)(h): "In this section, "cabinet record" means (h) a record created during the process of developing or preparing a submission for the Cabinet;"

Section 27(2)(a) "The head of a public body shall refuse to disclose to an applicant a cabinet record"

In addition, specific lines of text found on page 183 and pages 186-187 also cannot be released in accordance with the following sections of the Act:

Section 27(1)(i): In this section, "cabinet record" means (i) that portion of a record which contains information about the contents of a record within a class of information referred to in paragraphs (a) to (h)."

Section 27(2)(a) "The head of a public body shall refuse to disclose to an applicant a cabinet record"

Section 27(2)(b): "The head of a public body shall refuse to disclose to an applicant (b) information in a record other than a cabinet record that would reveal the substance of deliberations of Cabinet."

Section 29(1)(a): "The head of a public body may refuse to disclose to an applicant information that would reveal (a) advice, proposals, recommendations, analyses or policy options developed by or for a public body or minister."

As required by 8(2) of the Act, we have severed information that is unable to be disclosed and have provided you with as much information as possible. In accordance with your request for a copy of the records, the appropriate copies have been enclosed.

Please be advised that you may appeal this decision and ask the Information and Privacy Commissioner to review the decision to provide partial access to the requested information, as set out in section 42 of the Act (a copy of this section of the Act has been enclosed for your reference). A request to the Commissioner must be made in writing within 15 business days of the date of this letter or within a longer period that may be allowed by the Commissioner. Your appeal should identify your concerns with the request and why you are submitting the appeal.

The appeal may be addressed to the Information and Privacy Commissioner is as follows:

Office of the Information and Privacy Commissioner  
2 Canada Drive  
P. O. Box 13004, Stn. A  
St. John's, NL. A1B 3V8

Telephone: (709) 729-6309  
Toll-Free: 1-877-729-6309  
Facsimile: (709) 729-6500

You may also appeal directly to the Supreme Court Trial Division within 15 business days after you receive the decision of the public body, pursuant to section 52 of the Act (a copy of this section of the Act has been enclosed for your reference).

Please be advised that responsive records will be published following a 72 hour period after the response is sent electronically to you or five business days in the case where records are mailed to you. It is the goal to have the responsive records posted to the Completed Access to Information Requests website within one business day following the applicable period of time. Please note that requests for personal information will not be posted online.

If you have any further questions, please contact me by telephone at 709-729-7437 or by email at [ellenhaskell@gov.nl.ca](mailto:ellenhaskell@gov.nl.ca).

Sincerely,



ELLEN HASKELL  
ATIPP Coordinator

Enclosures

**Access or correction complaint (Section 42)**

42. (1) A person who makes a request under this Act for access to a record or for correction of personal information may file a complaint with the commissioner respecting a decision, act or failure to act of the head of the public body that relates to the request.

(2) A complaint under subsection (1) shall be filed in writing not later than 15 business days

- a) after the applicant is notified of the decision of the head of the public body, or the date of the act or failure to act; or
- b) after the date the head of the public body is considered to have refused the request under subsection 16 (2).

(3) A third party informed under section 19 of a decision of the head of a public body to grant access to a record or part of a record in response to a request may file a complaint with the commissioner respecting that decision.

(4) A complaint under subsection (3) shall be filed in writing not later than 15 business days after the third party is informed of the decision of the head of the public body.

(5) The commissioner may allow a longer time period for the filing of a complaint under this section.

(6) A person or third party who has appealed directly to the Trial Division under subsection 52 (1) or 53 (1) shall not file a complaint with the commissioner.

(7) The commissioner shall refuse to investigate a complaint where an appeal has been commenced in the Trial Division.

(8) A complaint shall not be filed under this section with respect to

- a) a request that is disregarded under section 21;
- b) a decision respecting an extension of time under section 23 ;
- c) a variation of a procedure under section 24; or
- d) an estimate of costs or a decision not to waive a cost under section 26.

(9) The commissioner shall provide a copy of the complaint to the head of the public body concerned.

**Direct appeal to Trial Division by an applicant (Section 52)**

52. (1) Where an applicant has made a request to a public body for access to a record or correction of personal information and has not filed a complaint with the commissioner under section 42, the applicant may appeal the decision, act or failure to act of the head of the public body that relates to the request directly to the Trial Division.

(2) An appeal shall be commenced under subsection (1) not later than 15 business days

- a) after the applicant is notified of the decision of the head of the public body, or the date of the act or failure to act; or
- b) after the date the head of the public body is considered to have refused the request under subsection 16 (2).

(3) Where an applicant has filed a complaint with the commissioner under section 42 and the commissioner has

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refused to investigate the complaint, the applicant may commence an appeal in the Trial Division of the decision, act or failure to act of the head of the public body that relates to the request for access to a record or for correction of personal information.

(4) An appeal shall be commenced under subsection (3) not later than 15 business days after the applicant is notified of the commissioner's refusal under subsection 45 (2).

Potential copyright material

If you wish to obtain a copy please contact the ATIPP Office at (709) 729-7072 or [atippoffice@gov.nl.ca](mailto:atippoffice@gov.nl.ca).

## Haskell, Ellen

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**From:** Collins, Megan  
**Sent:** Tuesday, January 17, 2017 4:10 PM  
**To:** Cowan, John  
**Cc:** Dutton, Sean; McCarthy, Julian; Wheaton, Roxie T  
**Subject:** RE: Speech from the Throne

Hi John,

Service NL proposes the following initiatives for inclusion in the Speech from the Throne:

1. Automobile Insurance - To conduct a comprehensive review of the automobile insurance legislation with the goal of modernizing the Act to reflect current best practices.
  - a. Requires policy approval Section 29(1)(a)  
[REDACTED]
  
2. Buildings Accessibility – [REDACTED]  
[REDACTED] Section 27(1)(i); Section 27(2)(a)  
[REDACTED] Section 27(2)(b)
  
3. Impaired Driving/Highway Safety - To amend the Highway Traffic Act and associated regulations to strengthen impaired driving provisions and respond to some of MADD's proposals for reform.
  - a. Requires policy approval Section 29(1)(a)  
[REDACTED]

Thanks,  
Megan

Megan Collins, B.A., M.A.  
Director, Policy and Strategic Planning

Service NL  
2nd Floor, West Block  
Confederation Building  
709.729.6470  
[megancollins@gov.nl.ca](mailto:megancollins@gov.nl.ca)

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**From:** Cowan, John  
**Sent:** Friday, January 6, 2017 3:39 PM  
**To:** Dooling, Genevieve (AES); Abbott, John; Lomond, Ted; MacDonald, Ellen; Vivian-Walsh, Janet; Chippett, Jamie; Dutton, Sean; Brewer, Donna; Cooper, Bruce; Williams, Geoff; Gover, Aubrey; Ballard, Donna M; Janes, Colleen G; Bown, Charles; Companion, Lori Anne; 'msamson@mmsb.nl.ca'; Jacobs, Heather; Ploughman, Mark B; Lewis, David B. (Deputy

Minister); Hearn, Patricia A. (Deputy Minister); 'jmmullaley@nlhc.nl.ca'; McIntosh, Gordon; Foote, Carla  
**Cc:** Coffey, Bernard (Clerk of the Executive Council); Day, Elizabeth  
**Subject:** Speech from the Throne  
**Importance:** High

Hi everyone, as in previous years, we are seeking input from Departments/Agencies regarding potential initiatives to be profiled in the 2017 Speech from the Throne. Would you please assess key initiatives that you are planning to pursue in the upcoming fiscal year that you feel appropriate for inclusion. Please include a short comment (sentence of two) describing each initiative and identify those that are budget dependent or require policy approval. With respect to Cabinet papers, please indicate when you would anticipate that they will be submitted.

Your feedback by **January 16, 2017** would be appreciated.

Thanks  
John

John Cowan  
Executive Director, Planning and Coordination  
Office of the Executive Council  
Government of Newfoundland and Labrador  
Phone: (709) 729-4340  
Cell: (709) 699-0269  
Email: [jcowan@gov.nl.ca](mailto:jcowan@gov.nl.ca)

## Haskell, Ellen

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**From:** Wheaton, Roxie T  
**Sent:** Thursday, January 26, 2017 9:05 AM  
**To:** Haskell, Ellen; Collins, Megan  
**Subject:** FW: Accessible Built Environment - Province of British Columbia

Check this out

-----Original Message-----

**From:** Wheaton, Roxie T  
**Sent:** Wednesday, January 25, 2017 6:07 PM  
**To:** Wheaton, Roxie T <[RoxieWheaton@gov.nl.ca](mailto:RoxieWheaton@gov.nl.ca)>  
**Subject:** Accessible Built Environment - Province of British Columbia

<http://www2.gov.bc.ca/gov/content/governments/about-the-bc-government/accessibility/building-blocks/accessible-built-environment>

Sent from my iPad



## Haskell, Ellen

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**From:** MacArthur, Gina  
**Sent:** Friday, February 17, 2017 3:24 PM  
**To:** Wheaton, Roxie T; Collins, Megan  
**Cc:** Budgell, Marc  
**Subject:** RE: Key Messages Update

Done! Thanks folks – as you were ... ;)

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**From:** Wheaton, Roxie T  
**Sent:** Friday, February 17, 2017 3:24 PM  
**To:** Collins, Megan; MacArthur, Gina  
**Cc:** Budgell, Marc  
**Subject:** RE: Key Messages Update

I like it.

**From:** Collins, Megan  
**Sent:** Friday, February 17, 2017 3:23 PM  
**To:** MacArthur, Gina <[GinaMacArthur@gov.nl.ca](mailto:GinaMacArthur@gov.nl.ca)>  
**Cc:** Wheaton, Roxie T <[RoxieWheaton@gov.nl.ca](mailto:RoxieWheaton@gov.nl.ca)>; Budgell, Marc <[MarcBudgell@gov.nl.ca](mailto:MarcBudgell@gov.nl.ca)>  
**Subject:** RE: Key Messages Update

I like it. Innovative. Excellent.

Megan Collins, B.A., M.A.  
Director, Policy and Strategic Planning

Service NL  
2nd Floor, West Block  
Confederation Building  
709.729.6470  
[megancollins@gov.nl.ca](mailto:megancollins@gov.nl.ca)

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**From:** MacArthur, Gina  
**Sent:** Friday, February 17, 2017 3:22 PM  
**To:** Collins, Megan  
**Cc:** Wheaton, Roxie T; Budgell, Marc  
**Subject:** RE: Key Messages Update

Section 29(1)

How about this?



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**From:** Collins, Megan  
**Sent:** Friday, February 17, 2017 3:11 PM  
**To:** MacArthur, Gina

**Cc:** Wheaton, Roxie T; Budgell, Marc  
**Subject:** RE: Key Messages Update

Hi Gina,

Overall, looks pretty good. Is there anything else we can say as an example of how we are developing an approach that addresses the issues around buildings accessibility in a thorough and complete way? I wonder whether the two examples on blue zone provided demonstrate the thoroughness and completeness (recognizing it is difficult to comment on what is being proposed [REDACTED] but noting as well that the blue zone piece doesn't fall under the Buildings Accessibility Act and Regs, but rather the Regs under the HTA). How about something like "the approach under development includes exploring changes that are very progressive with regards to improving accessibility in the built environment to align with national buildings standards and the practices across the country".

Megan

Section 29(1)

Megan Collins, B.A., M.A.  
Director, Policy and Strategic Planning

Service NL  
2nd Floor, West Block  
Confederation Building  
709.729.6470  
[megan.collins@gov.nl.ca](mailto:megan.collins@gov.nl.ca)

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**From:** MacArthur, Gina  
**Sent:** Friday, February 17, 2017 2:50 PM  
**To:** Collins, Megan  
**Cc:** Wheaton, Roxie T; Budgell, Marc  
**Subject:** FW: Key Messages Update

Hi Megan,

I'm in the process of updating our top messages for the Premier's office. Here's our most recent version on buildings accessibility. Is there anything we should add or change? I need this by Monday morning.

Gina

**Service NL**  
**Buildings Accessibility Act**  
*February 2017*

**Summary:**

Accessibility is an important issue for people with disabilities and those who advocate on their behalf. Service NL continues to emphasize enforcement, education and partnerships with organizations representing people with disabilities. From time to time advocates raise concerns about accessibility, which prompts questions from critics and media about what government is doing.

**Key Messages:**

- We are committed to ensuring inclusion and access for people with disabilities.

- Government is developing an approach that addresses the issues around building accessibility in a thorough and complete way.
- For example, we're looking at ways to deter people from abusing accessible parking spaces by making changes to the fines structure. We're also looking at ways to streamline and improve the process for renewing Blue Zone parking permits.
- The Minister of Service NL is committed to making the necessary changes to the Buildings Accessibility Regulations, and reviewing the Act, as quickly as possible, recognizing that these actions require the approval of cabinet and that will impact the length of time required.
- As part of government's efforts to ensure inclusion and access, we work with the experts – people who have disabilities – to promote education and enforcement regarding accessibility regulations.
- A key partner in this is the Buildings Accessibility Advisory Board, which provides advice to the Minister of Service NL on these issues.
- Also, all government departments work with the Disability Policy Office to ensure persons with disabilities are considered in all government decisions.
- Individuals with concerns about buildings accessibility are encouraged to approach the Advisory Board, as this feedback will help inform their work. The Board can be contacted through Service NL's Minister's office.

Gina MacArthur  
Media Relations Manager  
Service NL  
Government of Newfoundland and Labrador  
709-729-4748  
[ginamacarthur@gov.nl.ca](mailto:ginamacarthur@gov.nl.ca)

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