

July 31, 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* (File # NR-49-2017)

On June 12, 2017, the Department of Natural Resources received your request for access to the following records/information:

Please see Page 199 of the following report on Oil Royalties which was released by the AG <http://www.ag.gov.nl.ca/ag/annualReports/2013AnnualReport/3.6%20%20Oil%20Royalty%20Monitoring.pdf> I am asking for information to update this table to the end of the 2016 fiscal year.

On July 7, 2017 I informed you that a decision had been made by the department, confirmed by the Deputy Minister, to provide access to the requested information. I further advised that the records you have requested may contain information that, if disclosed, might affect the business interests of a third party as described in section 39(1) and 39(2) of the *Access to Information and Protection of Privacy Act* (the Act) (see below).

Disclosure harmful to business interests of a third party

39. (1) The head of a public body shall refuse to disclose to an applicant information
- (a) that would reveal
 - (i) trade secrets of a third party, or
 - (ii) commercial, financial, labour relations, scientific or technical information of a third party;

- (b) that is supplied, implicitly or explicitly, in confidence; and
- (c) the disclosure of which could reasonably be expected to
 - (i) harm significantly the competitive position or interfere significantly with the negotiating position of the third party,
 - (ii) result in similar information no longer being supplied to the public body when it is in the public interest that similar information continue to be supplied,
 - (iii) result in undue financial loss or gain to any person, or
 - (iv) reveal information supplied to, or the report of, an arbitrator, mediator, labour relations officer or other person or body appointed to resolve or inquire into a labour relations dispute.

(2) The head of a public body shall refuse to disclose to an applicant information that was obtained on a tax return, gathered for the purpose of determining tax liability or collecting a tax, or royalty information submitted on royalty returns, except where that information is non-identifying aggregate royalty information.

(3) Subsections (1) and (2) do not apply where

- (a) the third party consents to the disclosure; or
- (b) the information is in a record that is in the custody or control of the Provincial Archives of Newfoundland and Labrador or the archives of a public body and that has been in existence for 50 years or more.

As required by section 19(5) of the *Act*, we gave written notice to the third parties that we intended to provide access to these records. The notice to the third parties were dated and sent on July 7, 2017. This notice gave the third party 15 business days to file a complaint with the Office of the Information and Privacy Commissioner (section 42 of the *Act*) or appeal the decision to the Supreme Court, Trial Division (section 53 of the *Act*).

I advised that if the third parties did not file a complaint or appeal this decision, the records relating to your request will be provided to you on July 31, 2017. Please see attached the requested information.

Please be advised that you may ask the Information and Privacy Commissioner to review the processing of your access request, as set out in section 42 of the *Access to Information and Protection of Privacy Act* (the *Act*). 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.

The address and contact information of 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*.

Please be advised that this letter will be published following a 72 hour period after it 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 letter posted to the Office of Public Engagement's website within one business day following the applicable period of time.

If you have any questions about the processing of your request, please feel free to contact me by telephone at 729-0463 or by e-mail at RHynes@gov.nl.ca.

Sincerely,

A handwritten signature in cursive script that reads "Rod Hynes".

Rod Hynes
ATIPP Coordinator

Department of Natural Resources
Oil Royalties
For the Years Ending March 31
(\$ Millions)

Year	Hibernia	Hibernia Southern Extension	Terra Nova	White Rose	White Rose Expansion	Total
2014	\$ 1,474.60	\$ 2.20	\$ 320.10	\$ 223.50	\$ 46.30	\$ 2,066.70
2015	\$ 1,057.70	\$ 3.20	\$ 373.80	\$ 183.60	\$ 169.30	\$ 1,787.60
2016	\$ 336.10	\$ 2.70	\$ 157.90	\$ 57.20	\$ 19.30	\$ 573.20
Total	\$ 2,868.40	\$ 8.10	\$ 851.80	\$ 464.30	\$ 234.90	\$ 4,427.50