

**Response to Applicant - Partial Access Granted
Form 4B**

August 7, 2017

Dear Applicant:

Re: Your request for access to information under Part II of the *Access to Information and Protection of Privacy Act* [Our File #: OCIO/009/2017]

On Monday, July 24, 2017, Office of the Chief Information Officer (OCIO) received your request for access to the following records:

"Please provide a list of all provincial government IP addresses that have accessed the website "harrytucker.blogspot.ca" since December 31, 2016. For each instance, please provide the time and date of access as well as the name of the government department from which the website was accessed."

I am pleased to inform you that a decision has been made by the Chief Information Officer for OCIO to provide access to some of the requested information. In particular, access is granted to the following records:

The time and date of access as well as the name of the government department from which the website "harrytucker.blogspot.ca" was accessed.

Access to the remaining records, and/or information contained within the records, has been refused in accordance with the following exceptions to disclosure, as specified in the *Access to Information and Protection of Privacy Act* (the Act):

31(1)(L) – The head of a public body may refuse to disclose information to an applicant where disclosure could reasonably be expected to reveal the arrangements for the security of property or a system, including a building, a vehicle, a computer system or a communications system;

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.

The *Access to Information and Protection of Privacy Act* requires us to provide an advisory response within 10 days of receiving the request. As this request has been completed prior to day 10, this letter also serves as our Advisory Response.

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).

If you have any further questions, please contact me by telephone at 709-729-3543 or by email at kimberlyporter@gov.nl.ca.

Sincerely,


Kimberly Porter
ATIPP Coordinator

Enclosures

Access or correction complaint

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

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 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).

ATIPP Request - OCIO/009/2017

IP Address	Department	Date/Time
Redacted as per Section 31(1)(L)	Natural Resources	7/24/2017 8:45
Redacted as per Section 31(1)(L)	Advanced Education, Skills and Labour	7/24/2017 8:07
Redacted as per Section 31(1)(L)	Government Members Office	7/21/2017 16:34
Redacted as per Section 31(1)(L)	Justice and Public Safety	7/21/17 4:34PM
Redacted as per Section 31(1)(L)	Office of the Child and Youth Advocate	7/21/2017 14:59
Redacted as per Section 31(1)(L)	Office of the Child and Youth Advocate	7/21/2017 14:48
Redacted as per Section 31(1)(L)	Justice and Public Safety	7/21/2017 14:42
Redacted as per Section 31(1)(L)	Natural Resources	7/21/2017 14:42
Redacted as per Section 31(1)(L)	Office of the Citizens' Representative	7/21/2017 14:35
Redacted as per Section 31(1)(L)	Natural Resources	7/21/2017 8:36
Redacted as per Section 31(1)(L)	Children, Seniors and Social Development	7/20/2017 14:42
Redacted as per Section 31(1)(L)	Government Members Office	7/20/2017 13:05
Redacted as per Section 31(1)(L)	Natural Resources	7/20/2017 12:12
Redacted as per Section 31(1)(L)	Finance	7/20/2017 12:04
Redacted as per Section 31(1)(L)	Business, Tourism, Culture and Rural Development	7/20/2017 9:09
Redacted as per Section 31(1)(L)	Environment and Climate Change	7/20/2017 8:09
Redacted as per Section 31(1)(L)	Service NL	7/19/2017 15:36
Redacted as per Section 31(1)(L)	Office of the Citizen's Representative	7/19/2017 13:43
Redacted as per Section 31(1)(L)	Office of the Auditor General	7/19/2017 13:26
Redacted as per Section 31(1)(L)	Service NL	7/19/2017 13:11
Redacted as per Section 31(1)(L)	Justice and Public Safety	7/19/2017 12:48
Redacted as per Section 31(1)(L)	Advanced Education, Skills and Labour	6/7/2017 14:26