

January 15, 2018



Dear :

**Re: *Your request for access to information under Part II of the Access to Information and Protection of Privacy Act [JPS/176/2017]***

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On December 20, 2017, the Department of Justice and Public Safety received your request for access to the following records:

*"I am requesting data on Highway Traffic Act tickets. Specifically, my request is as follows: The number of Highway Traffic Act tickets issued by law enforcement in Newfoundland and Labrador for the month of August in 2017, 2016, 2015, 2014, and 2013. Furthermore, please provide a breakdown of which law enforcement issued these tickets."*

I am pleased to inform you that a decision has been made by the Deputy Minister for the Department of Justice and Public Safety to provide access to the requested information it has.

Please note that the department is only able to provide you with data regarding tickets issued by the Royal Newfoundland Constabulary (RNC) and Royal Canadian Mounted Police (RCMP) for the following reason:

- Current tickets are stored in the active ticket system, which includes a description field indicating which legislation the ticket is issued under (e.g. Highway Traffic Act, etc.).
- Older tickets are removed from the active ticket system and archived. The archived records do not include the description field which indicates which legislation the ticket is issued under.
- While other jurisdictions, such as municipalities issue tickets under multiple legislations, all tickets issued by the RNC and RCMP are issued under the Highway Traffic Act.

As requested, the table below outlines the number of tickets issued for the month of August from 2013-2017:

Tickets issued in August			
Year	RCMP	RNC	Total
2013	801	1728	2529
2014	1322	1778	3100
2015	1441	1435	2876
2016	1158 <sup>1</sup>	2000	3158 <sup>2</sup>
2017	702	1248	1950 <sup>3</sup>

The appeal may be addressed to the Information and Privacy Commissioner 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.

If you have any questions, please contact me by telephone at 709-729-7128, or by email at [sonjaelgohary@gov.nl.ca](mailto:sonjaelgohary@gov.nl.ca).

Sincerely,



Sonja El-Gohary  
 ATIPP Coordinator

<sup>1</sup> The total listed here is less than the total that was provided in a previous request from JPS (JPS/139/2017). This is the result of tickets that were terminated or voided after JPS/139/2017 was processed.

<sup>2</sup> The total listed here is less than the total that was provided in a previous request from JPS (JPS/139/2017). The cause of this variance is: (1) the previous request included tickets from entities other than the RNC and RCMP and (2) at the time of the previous request it is possible that some tickets had not been entered in the system yet.

<sup>3</sup> The total listed here is less than the total that was provided in a previous request from JPS (JPS/139/2017). The cause for this variance is the same as that listed in footnote 2.

**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).