Re:  Your request for access to information under Part II of the Access to Information and Protection of Privacy Act, 2015 (TCII/50/2019)

Dear [Redacted],

On June 5, 2019, The Department of Tourism, Culture, Industry and Innovation received your request for access to the following records/information:

April 2019 briefing materials for the deputy minister and/or minister titled: - Overview of the Innovation and Business Investment Corporation; - Overview of the Business Innovation Agenda; - Overview on Cannabis.

I am pleased to inform you that a decision has been made by the Deputy Minister for the Department of Tourism, Culture, Industry and Innovation to provide access to some of the requested information.

Access to the remaining records, and/or information contained within the records, has been refused in accordance with the following exception to disclosure, as specified in the Access to Information and Protection of Privacy Act (the Act): Section 29(1)(a), and Section 35(1)(d).

Please be advised that I have inserted a note on page/slide 10 of the Overview of the Innovation and Business Investment Corporation presentation. There was incorrect information on the slide so I have added the correction.

Policy advice or recommendations

29. (1) 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;

Disclosure harmful to the financial or economic interests of a public body

35. (1) The head of a public body may refuse to disclose to an applicant information which could reasonably be expected to disclose

(d) information, the disclosure of which could reasonably be expected to result in the premature disclosure of a proposal or project or in significant loss or gain to a third party.
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.

If you have any further questions, please contact me by telephone at 709-729-3356 or by email at heatherbrown@gov.nl.ca.

Sincerely,

Heather Brown  
ATIPP Coordinator
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).
Innovation and Business Investment Corporation
BACKGROUND

July 2017:
- InnovateNL launched - single-window for the delivery of provincial innovation programs and services
- Research and Development Corporation was renamed NL Innovation Council
- All new members appointed to NL Innovation Council Board of Directors
- CEO responsibilities assumed by TCII Deputy Minister
- RDC’s programs were integrated into TCII
- 40 staff with RDC were reduced to 12 positions in TCII
- Operational savings of approximately $3.12 million
November 2017:

- Business Innovation Agenda (BIA) launched with four priority areas:
  1. Product development and commercialization
  2. Productivity
  3. Growth and internationalization
  4. Workforce skills and talent

- BIA *What We Heard* consultation document noted stakeholders identified a need for:

  *Better linkages to various sources of capital required – one-stop-shop advice and integrated service delivery across the Provincial Government*
ADDRESSING GAPS:
Business Funding Continuum

- Business development is not a single stage process
- Firm can operate in multiple stages at the same time
- Government has a vital part to play in facilitating and encouraging business development
- Government incentive programs need to address current gaps: early-stage financing
- ‘Clear connection between early-stage funding and the creation of fast-growing innovative companies’ – Conference Board of Canada report
LEGISLATION

- Bill entitled, the *Innovation and Business Investment Corporation Act*
- Corporation will make strategic funding investments in innovation and business growth opportunities to advance economic development in Newfoundland and Labrador
- Funding support for commercial and non-commercial clients including innovation ecosystem activity and commercial projects at each stage of the business funding continuum.
- Repeal of the:
  - *Business Investment Corporation Act*; and
  - *Research and Development Council Act*
- Result in the elimination of the Business Investment Corporation and the NL Innovation Council
LEGISLATION cont’d

• Board of Directors:
  o 2 to 9 members selected through Independent Appointment Committee (IAC) process
  o 3 government members – DM and 2 ADMs with TCII

• Transition Board of Directors (until IAC process is completed):
  o Members from current NL Innovation Council Board of Directions and BIC Board of Directors

• Corporation will be supported by TCII – will not have its own officers or staff
WHY THIS APPROACH?

- Supports stakeholder input at the Business Innovation Agenda (BIA) consultations
- Consistent with The Way Forward commitments
- Reduces operational duplication in government
- Supports improved client service standards
- Consistent with the InnovateNL approach
IBIC BOARD

Responsible for:

- making strategic funding investments in innovation and business growth in NL to advance economic development in accordance with the priorities of the government of the province.

- making funding decisions on projects for commercial and non-commercial clients for innovation and business development and growth related projects.
CURRENT IBIC MEMBERSHIP

1. Mark Dobbin – Chair
2. Dr. Jacqui Walsh – Vice-Chair
3. Charles Bown
4. Gillian Skinner*
5. Judith Hearn*
6. Fred Drover *
7. Ron Taylor*
8. Josh Quinton
9. Peggy Bartlett
10. Charlene Brophy
11. Carey Bonnell
12. Lynn Morrisey
13. Mandy Woodland
14. Andy Turnbull

*Management Committee Members
IBIC Financial Supports
Delegated Authority - Commercial and Non-Commercial Programming

- Directors/Regional Managers:
  Accounts up to $150K

- Business Investment MC:
  Accounts $150K - $1M

- Full Board Approval:
  Accounts > $1M

Management Committee
- 2 IBIC Board Members
- 3 TCII ADMs

ATIPP Coordinator Note:
There is an error on this slide. The correct information is:
Regional Managers: Accounts up to $50K
Directors: Accounts up to $150,000
BIMC: Between $150,000 and $750,000
Board: Greater than $750,000
# Financial Supports – Former State

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<thead>
<tr>
<th>COMMERCIAL</th>
<th>NON-COMMERCIAL</th>
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<tbody>
<tr>
<td><strong>BUSINESS FINANCING</strong></td>
<td><strong>RESEARCH-BASED FUNDING</strong></td>
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<tr>
<td>✓ Business Investment Fund (Loans/Equity)</td>
<td>✓ SensorTECH (Grant)</td>
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<td>✓ Business Development Support Program (Grants)</td>
<td>✓ ArcticTECH (Grant)</td>
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<td>✓ GeoEXPLORE (Grant)</td>
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<td>✓ R&amp;D Proof of Concept (Grant)</td>
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<td>✓ R&amp;D Vouchers (Grant)</td>
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<td>✓ EmployR&amp;D (Grant)</td>
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Program Implementation Work Plan

- Defined Program Parameters
- Refined Policies, Terms & Conditions
- Refined Application Process
- Comprehensive Staff Training
- Full Systems Integration
- New Forms and Collateral Material
- Communications Plan
Newfoundland and Labrador's Business Innovation Agenda

The Way Forward on Business Innovation

Department of Tourism, Culture, Industry and Innovation
GOAL: Expand the pool and capacity of innovative and growth-focused businesses in Newfoundland and Labrador.

Ecosystem Engagement:
- TCII hosted sessions, roundtables, one-on-ones, stakeholder sessions, written submissions
- Private Sector Advisory Committee

What We Heard released July 2017
The Way Forward on Business Innovation

**Product Development and Commercialization**

- **GOAL**: Support entrepreneurs in pursuit of starting innovation-driven firms in NL, and encourage existing businesses to develop new products and services for international markets.

**Growth and Internationalization**

- **GOAL**: Help firms in NL accelerate their business development and increase their competitive market advantage.

**Productivity**

- **GOAL**: Maximize the productivity of NL’s growth-focused firms to achieve business excellence.

**Workforce Skills and Talent**

- **GOAL**: Support firms to develop, attract, and retain a skilled workforce of highly qualified people to pursue growth opportunities and solve challenges.
Business Innovation Agenda: Actions

- Research and Product Development
- Developing the Entrepreneurial Pipeline
- Seed Capital Funding
- Government and Industry as Early Enablers

Product Development and Commercialization

- Accelerating Business Growth
- Scale-up Support
- Regional Trade Network
- Access to Markets
- Global Network

Growth and Internationalization

- Technology Investments
- Continuous Improvement and Efficiency
- Regional Innovation Systems

Productivity

- Fundamental Business Skills and Commercialization Skills
- Women in STEM
- Immigration Entrepreneurship
- Increased Focus on K-12 and Post-secondary STEM

Workforce Skills and Talent
Business Innovation Agenda: Next Steps

• The BIA is intended to be an ever-evolving plan.

• We will update and revise goals and actions and determine best next steps as we work with our ecosystems partners on collaborative approaches.

• Together we will expand the pool and capacity of innovative and growth-focused businesses in Newfoundland and Labrador.
THANK YOU
Your Cannabis Questions ANSWERED
gov.nl.ca/cannabis
Cannabis Legalization and Business

Overview of Regulation and Opportunities
April 3rd, 2019
Agenda

• What needs to be understood about laws and regulations?
• What are the opportunities?
• Retail
What needs to be understood about laws and regulations?
Purpose of the Federal Act

- Protect the health of young persons by restricting their access;
- Protect young persons and others from inducements to use;
- Reduce and deter illicit activities;
- Reduce the burden on the criminal justice system;
- Enhance public awareness of the health risks; and
- Provide access to a quality-controlled supply.
Jurisdiction

• Federal (Health Canada) – Licencing of Production/Processing
• Municipal – Zoning
• Provincial –
  • Environmental Assessment
  • Government of Newfoundland and Labrador has not added additional restrictions on production
• Retail
Production Licencing

- **Health Canada** licences and regulates cannabis production under the **Cannabis Tracking and Licensing System (CTLS)**
  - grow cannabis for sale (on a large or small scale)
  - make cannabis products (on a large or small scale)
  - sell cannabis for medical purposes
  - do testing of cannabis
  - do research with cannabis
Application Process

Application Screening: assessed for completeness, legibility and ability to be further assessed.

Review and Security Clearance: security clearance processed, and application will undergo a detailed review.

Pre-Licensing and Approval Process: ‘Confirmation of Readiness’ email.

- Demonstrate a functioning facility/building at the site
- Applicant provide a site evidence package
- Potential on-site pre-licence inspection by Health Canada
What are the opportunities?
Current Products

- Dried Cannabis
- Cannabis oil
- Fresh cannabis
- Cannabis plants
- Cannabis plant seeds
Current Products

- Standard Cultivation and Standard Processing;
- Micro-cultivation and Micro-processing:
  - Micro-cultivation - plant canopy area of no more than 200 square metres (approximately 2,150 square feet);
  - Micro-processing - processing of no more than 600 kilograms of dried cannabis.
- Hybrid structures use combination of artificial and natural lighting
- Canopy Growth Corp. – over 150,000 sq. ft.
Edibles, Extracts and Topicals

- **Consultation**: Regulation of Edibles, Extracts and Topicals
  - Closed on February 20, 2019
- **Edible cannabis**: products containing cannabis that are intended to be consumed in the same manner as food (i.e. eaten or drunk);
- **Cannabis extracts**: products that are produced using extraction processing methods or by synthesizing phytocannabinoids (eq. THC and CBD); and
Edibles, Extracts and Topicals

- **Cannabis topicals**: products that include cannabis as an ingredient and that are intended to be used on external body surfaces (i.e. skin, hair, and nails).
Edibles

- Require a processing licence from Health Canada;
- Ingredients could only be food and food additives;
- Would need to be shelf stable;
- Restrictions on ingredients:
  - that pose a food safety risk (e.g. raw meat);
  - a public health risk (e.g. no alcoholic beverages);
  - or that could increase appeal (e.g. added vitamins).
- Proposed that food/drink manufacturers must have separate building for cannabis edibles;
Extracts

- Require a processing licence from Health Canada;
- Ingredients could only be carrier substances, flavouring agents, or substances necessary to preserve quality or stability;
- Restrictions on ingredients that pose a public health risk
  - Caffeine or nicotine
- Cannot increase appeal
  - sugars,
  - colouring agents,
  - vitamins,
  - probiotics
Topicals

- Require a processing licence from Health Canada;
- Ingredients could not cause injury to the health of the user;
- Products could not be designed to be used in the area of the eye or on broken skin.
Retail
Retail of Non-Medical Cannabis

- Provincial/Territorial jurisdiction
- Newfoundland and Labrador Liquor Corporation tasked as regulator
- 25 Licenced Retailers
TCII’s Role in Cannabis

- Member of the Interdepartmental Committee
- Representative on FPT Committees
- Lead on economic development activities with firms related to the establishment of a production and/or processing facility in NL
- Provincial Government lead on R&D sector development opportunities in NL
Policy Framework:

Local Incentives offered:

- Retail licenses
- Retail supply chain opportunities
- Premium pricing to recoup a portion of capital expenditures
Activity to-date from Firms:

- Canopy Growth Corporation
- Biome Grow/ Back Home Medical Cannabis
Questions?
Information

• Consultation

• Cannabis Licencing Application Guide

• You Cannabis Questions Answered
  • [https://www.gov.nl.ca/cannabis/](https://www.gov.nl.ca/cannabis/)

• WorkplaceNL
  • [http://www.workplacenl.ca/2108_cannabisf.whscc](http://www.workplacenl.ca/2108_cannabisf.whscc)