

June 10, 2019



**Re: Your request for access to information under Part II of the *Access to Information and Protection of Privacy Act, 2015* [Our File #: PRE/40/2019]**

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On May 10, 2019 the Premier's Office received your request for access to the following records/information:

- "1. Goals/Terms of Reference/Purpose of Premier's' Correspondence Unit.*
- 2. Process/Procedure of the Correspondence Unit in handling correspondence addressed to/directed to the Premier.*
- 3. Names of members of the Correspondence Unit as of date of Request.*
- 4. Number of correspondence addressed to/directed to the Premier since (including) April 1, 2019."*

In response to the questions noted above, the Premier's Correspondence Unit (the Unit) does not have set goals or terms of reference. The purpose, and process of the Unit is to monitor and handle informal requests for information on a daily basis received through the Premier's email address ([Premier@gov.nl.ca](mailto:Premier@gov.nl.ca)). The Unit reviews, responds and updates the email in HPRM (electronic record management system) as required. The Unit determines if the Premier's Office should handle the request or if another department and/or public body is responsible for assisting the requestor and transferring the request accordingly when required. For example, if our office received a letter via email concerning Waste Management, the Unit would forward this email, to the responsible department to answer. The goal is, and has always been, to assist the requestor as promptly as possible. The Unit will provide the requestor with notification, in writing, that the request has been received.

The current members of the Unit are Marian Glavine and Kaitlyn Lambe. It is important to note, other staff members of the Premier's Office may assist the Unit as required. Finally, the number of emails addressed to the Premier from April 1, 2019 to May 10, 2019 (specifically to [premier@gov.nl.ca](mailto:premier@gov.nl.ca)) is 1320.

You may ask the Information and Privacy Commissioner to review this response, 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 response and why you are submitting the appeal.

Contact information for 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 this response, pursuant to section 52 of the *Act* (a copy of this section of the Act has been enclosed for your reference).

This response will be published as outlined on the Completed Access to Information Requests website. (<http://atipp-search.gov.nl.ca/>) If you have any further questions, please feel free to contact me by telephone at (709)729-3570 or by e-mail at [joybuckle@gov.nl.ca](mailto:joybuckle@gov.nl.ca).

Sincerely,



Joy Buckle  
ATIPP Coordinator  
Enclosure

### **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).