Re: Your request for access to information under Part II of the Access to Information and Protection of Privacy Act [IIAS-021-2019]

On October 24, 2019, the Intergovernmental Affairs Branch of the Intergovernmental and Indigenous Affairs Secretariat received your request for access to the following records/information:

Hello I would like briefings and emails regarding Newfoundland and Labrador’s relationship to China, particularly trade and security. I’d like to look at communications in the last two years. Thank you

On October 29, 2019, we discussed your request over the telephone and you provided additional clarity and information about your specific interests. As a result, the request was revised as follows:

Briefing notes and emails at the officials level regarding upcoming Newfoundland and Labrador trade missions to China between October 24, 2019 and December 31, 2021.

The Deputy Minister of Intergovernmental Affairs has reviewed this request and a decision has been made to provide partial access to the requested information. In accordance with your request, a copy of the responsive records are enclosed. Please note that some information has been withheld under section 34(1)(a)(i) and section 40(1) of the Access to Information and Protection of Privacy Act, 2015 (the Act), as annexed to this letter.

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 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**

P.O. Box 13004, Station A  
St. John's, NL. A1B 3V8

**Telephone:** (709) 729-6309  
**Toll-Free:** 1-877-729-6309  
**Facsimile:** (709) 729-6500  
**E-mail:** commissioner@oipc.nl.ca

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 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. Please note that requests for personal information will not be posted online.

If you have any further questions, please feel free to contact me by telephone at (709) 729-3523 or by e-mail at angelaledwell@gov.nl.ca.

Sincerely,

[Signature]

ANGELA LEDWELL  
ATIPP Coordinator  
Intergovernmental Affairs
ANNEX

Sections of the Access to Information and Protection of Privacy Act, 2015 referenced in Final Response Letter for IIAS-021-2019

Disclosure harmful to intergovernmental relations or negotiations
34. (1) The head of a public body may refuse to disclose information to an applicant if the disclosure could reasonably be expected to

(a) harm the conduct by the government of the province of relations between that government and the following or their agencies:

(i) the government of Canada or a province,

Disclosure harmful to personal privacy
40. (1) The head of a public body shall refuse to disclose personal information to an applicant where the disclosure would be an unreasonable invasion of a third party’s personal privacy.

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).
Hi Dan,

As discussed, Sherry and I will be attending the seafood show in Qingdao which is scheduled for October 30 – November 1. At this point, it does not look like the Minister or DM will be attending. There are no other activities planned for China pre or post the seafood show.

- The Atlantic provinces with support from ATIGA will co-host a Taste of Atlantic Canada chef station over the 3 days of the show with live cooking demonstrations that will be videotaped for use in future social media promotions.

- An on-site Canadian reception is scheduled for Wednesday, October 30 from 4:30 PM – 6:30 PM. With the assistance of Chinese and Asian Trade Commissioners, key buyers will be invited to meet with Canadian exhibitors in the Canada pavilion. Chefs will prepare fish and seafood samples for distribution.

- On Thursday, October 31 from 8:30 AM– 10:00 AM, Agriculture and Agri-Food Canada (AAFC) will host an information seminar for Canadian companies interested in new business opportunities for fish and seafood products in second and third tier cities.

- OCI and Whitecap have their own booth spaces in the Canadian Pavilion. Other companies exhibit in FLR’s booth. Representatives attending from NL seafood companies are listed below.

- Ocean Choice International

- Whitecap International Seafood Exporters

- Newfound Resources

- Fogo Island Co-op
If you have any questions, feel free to contact me.

Sean

Sean Barry
Director
Marketing and Development

Department of Fisheries and Land Resources | Fisheries and Aquaculture Branch
Government of Newfoundland and Labrador | St. John's, NL Canada
Tel: 709-729-3390 | Email: seanbary@gov.nl.ca
FYI. FLR gave me this update which I can highlight in my roundtable briefing with GAG this week on Canada – China engagement.

Dan

From: Barry, Sean P <seanbarry@gov.nl.ca>
Sent: Monday, September 16, 2019 10:43 AM
To: Mackenzie, Dan <DanM@gov.nl.ca>
Subject: China Fisheries and Seafood Expo

Hi Dan,

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Ocean Choice International
Whitecap International Seafood Exporters

Newfound Resources

Fogo Island Co-op

Green Seafoods

Bay Roberts Seafoods

Harbour Grace Shrimp Company (TBC)

If you have any questions, feel free to contact me.

Sean

Sean Barry
Director
Marketing and Development

Department of Fisheries and Land Resources | Fisheries and Aquaculture Branch
Government of Newfoundland and Labrador | St. John's, NL Canada
Tel: 709-729-3390 | Email: seanbarry@gov.nl.ca
FYI. FLR provided the following update to me today on their upcoming China activity.

Dan

Sent from my iPhone

Begin forwarded message:

From: "Barry, Sean P" <seanbarry@gov.nl.ca>
Date: September 16, 2019 at 10:43:00 AM NDT
To: "Mackenzie, Dan" <DanM@gov.nl.ca>
Subject: China Fisheries and Seafood Expo

Hi Dan,

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If you have any questions, feel free to contact me.

Sean

Sean Barry
Director
Marketing and Development

Department of Fisheries and Land Resources | Fisheries and Aquaculture Branch
Government of Newfoundland and Labrador | St. John's, NL Canada
Tel: 709-729-3390 | Email: seanbary@gov.nl.ca
Hi Dan,

Gillian told me you called looking for anything we have on the go with regards to our China initiatives. Outside of The CFSE in Oct/Nov we have no solid plans. Also there was the invitation to visit Zhejiang, which was forwarded on for consideration and was included in a calendar of activities for possible participation of the Minister, but again nothing confirmed on that. We did suggest on that one that we could take up CCBC on their offer to assist us. Aside from that, as far as I know, I'll dig a little deeper and if I hear anything further I'll let you know.

Cheers,
Bob

Bob Norman
Provincial Trade Commissioner (Asia-Pacific & Guyana Regions)
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Department of Tourism, Culture, Industry and Innovation
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