

Response to Applicant - Partial Access Granted  
Form 4B

November 26, 2019

[REDACTED]

Dear [REDACTED]

**Re: Your request for access to information under Part II of the *Access to Information and Protection of Privacy Act* [Our File #: SNL-128-2019]**

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This is to confirm that on October 28, 2019, Service NL received your request for access to the following records/information:

*"Hello I'm looking for notes, emails, briefings, and decision notes mentioning green funerals going back two years. Thank you."*

I am pleased to inform you that a decision has been made by the Deputy Minister for Service NL 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 exceptions to disclosure, as specified in the *Access to Information and Protection of Privacy Act* (the Act):

*Section 40(1) - The head of the 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.*

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.

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).

**For Government Departments:**

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 709-729-1002 or by e-mail at [Pamsenior@gov.nl.ca](mailto:Pamsenior@gov.nl.ca).

Sincerely,

A handwritten signature in black ink, appearing to read 'Pam Senior', with a horizontal line extending to the right.

**Pam Senior**  
ATIPP Coordinator  
Service NL

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.

**4**

(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).

**From:** [REDACTED] s.40(1)  
**To:** Williams, Lisa J  
**Subject:** Re: green burial options in Newfoundland and Labrador  
**Date:** Monday, June 10, 2019 1:16:06 PM

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Thank you

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**From:** "Williams, Lisa J" <LisaJWilliams@gov.nl.ca>  
**Date:** Monday, June 10, 2019 at 1:10 PM s.40(1)  
**To:** [REDACTED]@thetelegram.com>  
**Cc:** "Bert Twyne B.M.T. Enterprises ([REDACTED]@eastlink.ca)"  
<[REDACTED]@eastlink.ca>  
**Subject:** RE: green burial options in Newfoundland and Labrador  
s.40(1)  
Hi [REDACTED] s.40(1)

Thank you for your enquiry on green burial services.

I have cc'd the Registrar for the Funeral Directors and Embalmers Board of Newfoundland and Labrador; Mr. Bert Twyne.

He will be best to answer your questions.

If there's anything else I may be assistance to, please let me know.

Enjoy your day

Lisa J Williams

Financial Services Regulation Division, SNL

s.40(1)

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**From:** [REDACTED]@thetelegram.com>  
**Sent:** Monday, June 10, 2019 9:19 AM  
**To:** ServiceNL <gsinfo@gov.nl.ca>  
**Subject:** green burial options in Newfoundland and Labrador

Good morning,

I am researching the subject of green burial options in Newfoundland and Labrador and I'm hoping you can help. Does this fall under the purview of Service NL?

Are there any cemeteries and/or funeral homes in the province that offer green burial services? And are any involved with the Green Burial Society of Canada?

Do you know of any providers that are considering green burial options?




Any help you can provide would be appreciated.

Thank you

 s.40(1)  
*Atlantic Regional Desk*  
THE TELEGRAM

36 Austin St.  
St. John's, NL  
A1B 3T7

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**P** 709.  s.40(1)  
**F** 709.364-2323 Ext. 324  
**E** @thetelegram.com s.40(1)  
**URL** [www.TheTelegram.com](http://www.TheTelegram.com)  
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**From:** Bert Twyne B.M.T. Enterprises  
**To:** Williams, Lisa J  
**Subject:** RE: green burial options in Newfoundland and Labrador  
**Date:** Monday, July 8, 2019 9:28:07 PM

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Hi

My new email address is [bertgtwyne@gmail.com](mailto:bertgtwyne@gmail.com)

Can you please send me an email at that address so we know it is set up ok

Tks  
Bert

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**From:** Williams, Lisa J [mailto:LisaJWilliams@gov.nl.ca]  
**Sent:** Monday, June 10, 2019 1:11 PM  
**To:** [REDACTED] s.40(1)  
**Cc:** Bert Twyne B.M.T. Enterprises ([REDACTED]@eastlink.ca)  
**Subject:** RE: green burial options in Newfoundland and Labrador

Hi [REDACTED] s.40(1)

Thank you for your enquiry on green burial services.  
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Lisa J Williams  
Financial Services Regulation Division, SNL

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Are there any cemeteries and/or funeral homes in the province that offer green burial

services? And are any involved with the Green Burial Society of Canada?

Do you know of any providers that are considering green burial options?

Any help you can provide would be appreciated.

Thank you

s.40(1)

[REDACTED]

Atlantic Regional Desk

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A1B 3T7

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**From:** [REDACTED] s.40(1)  
**To:** Williams, Lisa J  
**Subject:** Re: green burial options in Newfoundland and Labrador  
**Date:** Wednesday, June 12, 2019 9:14:02 AM

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If someone were proposing to provide environmentally friendly options to standard burial or cremation procedures, what regulatory bodies would govern them?  
For instance, there are various forms of green burial options being practiced around the world that vary : environmentally friendly embalming methods – or not embalming at all; some form of composting human remains, such as the body is put into a pod that is buried and used to nurture a tree or providing caskets that are simple enough to break down in the soil. There are quite a few options that are becoming more popular. I'm just doing some research to see what, if anything is available here and who would regulate.  
Not sure if that answers your question.  
Thanks for your response.

Cheers [REDACTED] s.40(1)  
[REDACTED]  
[REDACTED] Atlantic Regional Desk  
THE TELEGRAM

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A1B 3T7

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**TWITTER** @ [REDACTED] s.40(1)

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**From:** "Williams, Lisa J" <LisaJWilliams@gov.nl.ca>  
**Date:** Wednesday, June 12, 2019 at 8:35 AM s.40(1)  
**To:** [REDACTED]@thetelegram.com>  
**Subject:** RE: green burial options in Newfoundland and Labrador

What in particular [REDACTED] s.40(1)  
Vital stats takes care of the burial permits! If that's what your referring to.  
Any other questions for burials itself the Funeral Directors Board may be able to assist

Let me know if this helps or you may clarify and see where I can direct you.

Lisa

s.40(1)

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**From:** [REDACTED]@thetelegram.com>  
**Sent:** Monday, June 10, 2019 4:22 PM  
**To:** Williams, Lisa J <LisaJWilliams@gov.nl.ca>  
**Subject:** Re: green burial options in Newfoundland and Labrador

Would you know the correct contact or department to ask about regulations concerning burials in this province?

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**Date:** Monday, June 10, 2019 at 1:10 PM  
**To:** [REDACTED]@thetelegram.com>  
**Cc:** "Bert Twyne B.M.T. Enterprises [REDACTED]@eastlink.ca)"  
<[REDACTED]@eastlink.ca>  
**Subject:** RE: green burial options in Newfoundland and Labrador

s.40(1)

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Financial Services Regulation Division, SNL

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