

Response to Applicant - Partial Access Granted  
Form 4B

December 16, 2019



Dear 

**Re: Your request for access to information under Part II of the Access to Information and Protection of Privacy Act [Our File #: SNL-138-2019]**

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This is to confirm that on November 5, 2019, Service NL received your request for access to the following records/information:

*"A list of briefing materials prepared for the deputy minister or the minister for the month of October 2019."*

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 as attached in the email.

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 27. (2) The head of a public body shall refuse to disclose to an applicant  
(a) a cabinet record; or*

*Section 27. (1) In this section, "cabinet record" means  
(i) that portion of a record which contains information about the contents of a record within a class of information referred to in paragraphs (a) to (h).*

*Section 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,*

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 709-729-7437 or by e-mail at [kimberlyryan@gov.nl.ca](mailto:kimberlyryan@gov.nl.ca).

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,



**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.

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(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).

In accordance with your request, the appropriate information has been enclosed below:

s.29(1)(a)

Service NL - [REDACTED] X Plates for Off Road Vehicles

Service NL - Meeting with Insurance Bureau of Canada

Service NL - Occupational Health and Safety Incident - Northeast Harvest; Stricklands Diving

Service NL - Update on Taxi Insurance Rates s.27(2)(a), s.27(1)(i)

Service NL - [REDACTED]

Service NL - Meeting with Senior's Advocate

Service NL - Meeting with Representatives from Taxi Industry

Service NL - Interdepartmental Memorandums of Understanding

Service NL - Meeting with The Financial Advisors Association of Canada (Advocis) - 2019