Re: Your request for access to information under Part II of the Access to Information and Protection of Privacy Act [Our File #: MIGA/5/2014]

On May 1, 2014, the Department of Municipal and Intergovernmental Affairs received your request for access to the following records:

"Copies of all emails between [REDACTED] and the Department of Municipal and Intergovernmental Affairs regarding fundraising activities at the Channel-Port aux Basques Fire Department facilities."

On May 30, 2014, in accordance with section 16(1)(d) of the Access to Information and Protection of Privacy Act (the “Act”), the department extended the time limit for responding to your request for an additional 30 days because a preliminary review of your request required further consultations.

Please be advised that based upon further consultations and review, the department has determined that in order to respond to a request of this nature, the department would be required to disclose the existence of correspondence of a third party which, if such a record existed, would be considered personal information. In this regard, the department does not confirm or deny the existence of the requested records in accordance with section 12(2) of the Act, which states:

(2) Notwithstanding paragraph (1)(c), the head of a public body may in a response refuse to confirm or deny the existence of

(a) a record containing information described in section 22;

(b) a record containing personal information of a third party if disclosure of the existence of the information would disclose information the disclosure of which is prohibited under section 30; or

(c) a record that could threaten the health and safety of an individual.

Section 43 of the Act provides that you may ask the Information and Privacy Commissioner to review this refusal of access or you may appeal the refusal to the Supreme Court Trial Division. A request to the Commissioner shall be made in writing within 60 days of the date of this letter or
within a longer period that may be allowed by the Information and Privacy Commissioner.

The address and contact information of the Information and Privacy Commissioner is as follows:

Office of the Information and Privacy Commissioner
34 Pippy Place
P. O. Box 13004, Stn. A
St. John’s, NL A1B 3V8

Telephone: (709) 729-6309
Facsimile: (709) 729-6500

In the event that you choose to appeal to the Trial Division, you must do so within 30 days of the date of this letter. Section 60 of the Act sets out the process to be followed when filing such an appeal.

If you have any further questions, please feel free to contact Scott Winters, ATIPP Coordinator at (709) 729-6528.

Sincerely,

COLLEEN JANES
Deputy Minister for Municipal Affairs