May 24, 2016

Dear [Name]

Re: Your request for access to information under Part II of the Access to Information and Protection of Privacy Act, 2015 [Our File #: AES/020/2016]

On May 16, 2016 the Department of Advanced Education and Skills received your request for access to the following records/information:

"I understand that client names would be protected information.

What about vendor / supplier information?

I want to find out the dollars ($) and/or company received

Given the circumstances, I would like to be advised whether your Department has put any communications policies and procedures in place to prevent such a situation from recurring.

I would also like to be advised of the rates / services that has been able to offer your Department to have become a preferred vendor.

Please note that per section 17.(2)(b) of the Access to Information and Protection of Privacy Act, 2015 the Department will neither confirm nor deny the existence of the requested information as to do so would be an unreasonable invasion of a third party’s personal privacy under section 40 of the act.
17.(2)(b) Notwithstanding paragraph (1)(c), the head of a public body may in a final response refuse to confirm or deny the existence of a record containing personal information of a third party if disclosure of the existence of the information would be an unreasonable invasion of a third party's personal privacy under section 40.

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.

The circumstances you describe in your request relate to a business/legal matter. Please be advised that the Department of Advanced Education and Skills has no communications policies or procedures relating to this type of situation. Furthermore, the Department does not designate preferred vendors.

Section 42 of the act provides that you may ask the Information and Privacy Commissioner to review the processing of your request or you may appeal the processing of the request to the Supreme Court Trial Division. A request to the Information and Privacy Commissioner shall 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
2 Canada Drive
P. O. Box 13004, Stn. A
St. John’s, NL A1B 3V8

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

The Access to Information and Protection of Privacy Act, 2015 requires us to provide an advisory response within 10 days of receiving the request. As this request has been completed prior to day 10, this letter also serves as our Advisory Response.

In the event you wish to appeal to the Supreme Court, you must do so within 15 business days of the date of this letter. Section 52 of the act sets out the process to be followed when filing such an appeal.

Please be advised that this letter will be published following a 72 hour period after it is sent electronically to you or five days in the case where records are mailed to you. It is the goal to have the responsive records posted to the Office of Public Engagement’s website within one 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 the undersigned at (709) 729-4276 or SharonSeaward@gov.nl.ca.

Sincerely,

[Signature]

SHARON SEAWARD
ATIPP Coordinator