December 5th, 2016

Dear Applicant

Re: Your request for access to information under Part II of the Access to Information and Protection of Privacy Act - ATIPP Request # OCIO/011/2016

On November 21, 2016, the Office of the Chief Information Officer (OCIO) received your request for access to the following records/information:

“All location based metadata for SMS/MMS/BBM messages and phone calls sent/received on the Premiers cell phone between the dates of October 15th - October 30th, 2016. OCIO may not have these records at their disposal but this can be provided by the telecom provider very easily.”

Please be advised that the Chief Information Officer for the OCIO has reviewed this request and confirms that the OCIO has no responsive records. The information sought would constitute personal information pursuant to section 2 of the Access to Information and Protection of Privacy Act, 2015 (the “Act”) and; if disclosed, would constitute an unreasonable invasion of a third-party’s personal privacy pursuant to Section 40 of the Act. In any event, the OCIO does not collect that information and neither does the OCIO require its service provider to collect that information. Therefore, in accordance with section 5 of the Act, the information requested is not in the custody of nor under the control of the OCIO.

The Act 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.

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 the 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
2 Canada Drive
P. O. Box 13004, Stn. A
St. John’s, NL A1B 3V8, Telephone: (709) 729-6309
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 this response 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 questions, please feel free to contact me by telephone at (709) 729-6505 or by email at LorettaMurphy@gov.nl.ca.

Sincerely,

Loretta Murphy
ATIPP Coordinator