December 16, 2016

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-071-2016]

On November 28, 2016, Service NL received your request for access to the following records/information:

"I am requesting information for the past 3 years with regards to the NL Funeral Director's and Embalmer's Board, the licensing body of funeral homes in the province. I am requesting the number of licences withheld in the past 3 years due to the fact that the licensee has not provided proof of continuing education. I am also requesting the number of exceptions the board has made in the past 3 years and continued to issue licenses to licensees who have not provided this information."

Further to your request, the Embalmers and Funeral Directors Board is a self-regulating organization and is not a public body under the Access to Information and Protection of Privacy Act as the majority of the Board's members are elected from amongst industry and not appointed by government. What constitutes a public body is defined in Section 2(x) of the Access to Information and Protection of Privacy Act.

Section 2(x)(ii)(iii); "In this Act "public body"

(ii) a corporation, the ownership of which, or a majority of the shares of which is vested in the Crown,

(iii) a corporation, commission or body, the majority of the members of which, or the majority of members of the board of directors of which are appointed by an Act, the Lieutenant-Governor in Council or a minister,"

Officials in Service NL did search for records in the custody and control of the department. However, no information from the Embalmers and Funeral Directors Board was located in Service NL for the number of licences withheld by the Board. As such, you may wish to contact the Embalmers and Funeral Directors Board directly for information on their operations. They can be reached by telephone at 709-535-2827 or by mail at: P.O. Box 606, 23 Bayview Heights, Lewisporte, NL, A0G 3A0.

Service NL does licence pre-paid funeral sellers and a list can be found on the Service NL website at the following link: [http://www.servicenl.gov.nl.ca/pre_paid_funeral/index.html](http://www.servicenl.gov.nl.ca/pre_paid_funeral/index.html).

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 Access to Information and Protection of Privacy Act (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  
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.

Please be advised that this letter will be published following a 72 hour period after it 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 letter 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 contact me by telephone at 709-729-7437 or by email ellenhaskell@gov.nl.ca.

Sincerely,

ELLEN HASKELL  
ATIPP Coordinator