March 13, 2017

[Redacted]

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-013-2017]

On February 13, 2017, Service NL received your request for access to the following records/information:

"Requesting copy of any signed documents relative to the Wabush Mines Pension Plan, that was signed by any Company/USW representatives, providing for a “Contribution Holiday” under the NLPBA, to Cliffs for payments to the Pension Plans"

This is to advise that officials in Service NL searched for records in the custody and control of the department signed by Cliffs Natural Resources and the United Steel Workers representatives or representatives of the salaried pension plan providing for or agreeing to a contribution holiday to the applicable plan. However, no information responsive to your request was located within Service NL. Such an agreement would not be required to be filed with Service NL's Pension Benefits Standards Division. However, the Annual Information Returns (AIRs) for pension plans, which are required to be filed with the Department, would indicate instances where the company would have taken a 'contribution holiday'. This information can be found in the documents provided to you through request SNL-014-2017 dated March 7, 2017.

In addition, please be advised that in accordance with Section 25(7) of the Pension Benefits Act, 1997, the administrator of a pension plan is required to provide, in writing, information on the pension plan to its members. Section 25 (7) of the Pension Benefits Standards Act, 1997 is as follows:

Section 25(7): “Each member or former member or principal beneficiary of a member or former member of a pension plan, once in each fiscal year of the plan may, personally or by an agent authorized in writing for that purpose, request in writing to examine documents filed with the superintendent under section 16, subsection 18(1) or a regulation or requirement of the superintendent under this Act, at the office of the administrator of the plan or at another place as agreed, and may request a photocopy of those documents.”

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