February 12, 2013

Re: Your request for access to information under Part II of the Access to Information and Protection of Privacy Act [Our File #: IAAS/001/2013]

On January 14, 2013, the Intergovernmental and Aboriginal Affairs Secretariat received your request for access to the following records:

"All briefing books and other documents given to the new minister to brief him on departmental issues."

Please be advised that access to these records has been refused in accordance with section 7(4), as specified in the Access to Information and Protection of Privacy Act:

This section states:

7(4) The right of access does not extend (a) to a record created solely for the purpose of briefing a member of the Executive Council with respect to assuming responsibility for a department, secretariat or agency.

Pursuant to this section, an applicant cannot request a minister’s briefing book provided upon assumption of responsibility for a department, secretariat or agency for a period of five years from the date he or she has been appointed.

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 Mark Janes at markjanes@gov.nl.ca or (709) 729-5036.

SEAN DUTTON