September 9, 2016

Dear [Redacted],

RE: Your request for access to information under Part II of the Access to Information and Protection of Privacy Act, 2015 (Our File #: JPS/118/2016)

On September 6, 2016, the Department of Justice and Public Safety received your request for access to the following records:

"I am requesting the following: A detailed accounting of the amount billed to the Government of Newfoundland and Labrador by McInnes Cooper for services relating to public sector bargaining since July 29, 2016. This accounting should include not only the exact dollar amount, but the hours billed and any and all related invoices."

I am pleased to inform you that a decision has been made by the Deputy Minister for the Department of Justice and Public Safety to provide partial access to the requested information. Access to the remaining information has been refused in accordance with the following exceptions to disclosure, as specified in the Access to Information and Protection of Privacy Act, 2015:

30. (1) The head of a public body may refuse to disclose to an applicant information

(a) that is subject to solicitor and client privilege or litigation privilege of a public body

And

39. (1) The head of a public body shall refuse to disclose to an applicant information

(a) that would reveal

(i) trade secrets of a third party, or
(ii) commercial, financial, labour relations, scientific or technical information of a third party;

(b) that is supplied, implicitly or explicitly, in confidence; and

(c) the disclosure of which could reasonably be expected to

  (i) harm significantly the competitive position or interfere significantly with the negotiating position of the third party,

  (ii) result in similar information no longer being supplied to the public body when it is in the public interest that similar information continue to be supplied,

  (iii) result in undue financial loss or gain to any person, or

  (iv) reveal information supplied to, or the report of, an arbitrator, mediator, labour relations officer or other person or body appointed to resolve or inquire into a labour relations dispute.

Please note that pages 3 and 4 have been redacted in their entirety pursuant to section 30(1)(a). As required by section 8(2) of the Act, we have severed information that is unable to be disclosed and have provided you with as much information as possible. In accordance with your request for a copy of the records, the appropriate copies have been enclosed.

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.

Please be advised that you may appeal this decision and ask the Information and Privacy Commissioner to review the decision to provide partial access to the requested information, as set out in section 42 of the Act (a copy of this section of the Act has been enclosed for your reference). 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. Your appeal should identify your concerns with the request and why you are submitting the appeal.

The appeal may be addressed to the Information and Privacy Commissioner 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 (a copy of this section of the Act has been enclosed for your reference).
Please be advised that responsive records 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.

If you have any questions, please contact me by telephone at (709)729-7906 or by email at ncroke@gov.nl.ca.

Sincerely,

Neil Croke
ATIPP Coordinator
Access or correction complaint

42. (1) A person who makes a request under this Act for access to a record or for correction of personal information may file a complaint with the commissioner respecting a decision, act or failure to act of the head of the public body that relates to the request.

(2) A complaint under subsection (1) shall be filed in writing not later than 15 business days

(a) after the applicant is notified of the decision of the head of the public body, or the date of the act or failure to act; or

(b) after the date the head of the public body is considered to have refused the request under subsection 16 (2).

(3) A third party informed under section 19 of a decision of the head of a public body to grant access to a record or part of a record in response to a request may file a complaint with the commissioner respecting that decision.

(4) A complaint under subsection (3) shall be filed in writing not later than 15 business days after the third party is informed of the decision of the head of the public body.

(5) The commissioner may allow a longer time period for the filing of a complaint under this section.

(6) A person or third party who has appealed directly to the Trial Division under subsection 52 (1) or 53 (1) shall not file a complaint with the commissioner.

(7) The commissioner shall refuse to investigate a complaint where an appeal has been commenced in the Trial Division.

(8) A complaint shall not be filed under this section with respect to

(a) a request that is disregarded under section 21;

(b) a decision respecting an extension of time under section 23;

(c) a variation of a procedure under section 24; or

(d) an estimate of costs or a decision not to waive a cost under section 26.

(9) The commissioner shall provide a copy of the complaint to the head of the public body concerned.
Direct appeal to Trial Division by an applicant

52. (1) Where an applicant has made a request to a public body for access to a record or correction of personal information and has not filed a complaint with the commissioner under section 42, the applicant may appeal the decision, act or failure to act of the head of the public body that relates to the request directly to the Trial Division.

(2) An appeal shall be commenced under subsection (1) not later than 15 business days

(a) after the applicant is notified of the decision of the head of the public body, or the date of the act or failure to act; or

(b) after the date the head of the public body is considered to have refused the request under subsection 16 (2).

(3) Where an applicant has filed a complaint with the commissioner under section 42 and the commissioner has refused to investigate the complaint, the applicant may commence an appeal in the Trial Division of the decision, act or failure to act of the head of the public body that relates to the request for access to a record or for correction of personal information.

(4) An appeal shall be commenced under subsection (3) not later than 15 business days after the applicant is notified of the commissioner’s refusal under subsection 45 (2).
Government of Newfoundland and Labrador  
P.O. Box 8700  
St. John's, NL A1B 4J6  

10 Fort William Place  
5th Floor  
P.O. Box 5939  
St. John's, NL A1C 5X4  

Tel: (709) 722-8735  
Fax: (709) 722-1763  

Invoice No.: 2016021867  
August 31, 2016  
File: 140567  
GST/HST Registration #:119398691RT  

RE: GOVERNMENT OF NEWFOUNDLAND AND LABRADOR: STRATEGIC COLLECTIVE BARGAINING ADVISORY SERVICES - NLNU; NAPE; CUPE; AAHP  

TO PROFESSIONAL SERVICES RENDERED in connection with the above-noted matter for the period ending August 29, 2016, including:

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<th>Description</th>
<th>Amount</th>
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<tr>
<td>Our Fee</td>
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<tr>
<td>Administrative Fee</td>
<td>$304.50</td>
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<tr>
<td>Total Professional Fees</td>
<td>$10,454.50</td>
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<tr>
<td>HST On Fees</td>
<td>$1,568.18</td>
</tr>
<tr>
<td>Total Amount Due</td>
<td>$12,022.68</td>
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Balance Due $12,022.68  

Denis J. Mahoney
RE: GOVERNMENT OF NEWFOUNDLAND AND LABRADOR: STRATEGIC COLLECTIVE BARGAINING ADVISORY SERVICES - NLNU; NAPE; CUPE; AAHP

REMITTANCE COPY
PLEASE REMIT WITH PAYMENT

TOTAL FOR THIS INVOICE

Total Professional Fees $10,454.50
Total HST $1,568.18
Total Amount Due $12,022.68

Balance Due $12,022.68

Alternatively, payment may be wired to:

The Bank of Nova Scotia
Halifax Business Support Centre
5251 Duke Street
Halifax, Nova Scotia, Canada

Please include the invoice number with your wiring instructions.
We also accept Visa and MasterCard.

Interest may be charged on overdue accounts.
### Fee Summary

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<th>Hours</th>
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</tbody>
</table>

HST On Fees: $1,568.18

Total Amount Due: $12,022.68

Balance Due: $12,022.68

Denis J. Mahoney