April 14, 2015

Dear [redacted]

Re: Your request for access to information under Part II of the Access to Information and Protection of Privacy Act [Our Files #: PRE/5/2015 and PRE/6/2015]

On February 16, 2015, the Premier’s Office received your requests for access to the following records/information:

“I am requesting any e-mails or recorded conversations within the Government of Newfoundland and Labrador in regards to negotiations for the Canada and Europe Comprehensive Economic and Trade Agreement and the Fisheries Innovation Fund.” (PRE/5/2015)

“My request is for any e-mails or recorded conversations between the Government of Newfoundland and Labrador and the Government of Canada in regards to negotiations for the Canada and Europe Comprehensive Economic and Trade Agreement and the Fisheries Innovation Fund.” (PRE/6/2015)

On February 17, 2015, we contacted you to seek clarification on the scope of the request for PRE/5/2015 and PRE/6/2015. You responded via email on the same date and indicated:

“For the time frame, how about I suggest all conversation dating back to April of 2013. I am requesting information on the negotiations concerning the Fisheries Innovation Fund, but I am also curious to other ongoing negotiations in regards to CETA since April of 2013. I’d be interested in seeing what the province negotiating with the federal government beyond getting rid of Minimum Processing Requirements in legislation.”

On February 27, 2015 we contacted you again to advise a preliminary search of our records indicated a large volume of records may be responsive to your request and asked if you could clarify/refine the request further. You responded, via email, on March 2, 2015 and stated:
“Is it possible to narrow the request for any recorded conversations in regards to the Fisheries Innovation Fund that has not been tabled in the House of Assembly or been made publicly available dating back to April 2013?”

On March 6, 2015 you defined recorded conversations as:

“...any conversation there is a record of (i.e. e-mail, minutes of meetings, recorded conversations)”

On March 18, 2015, we advised that the 30 day time limit for responding to your request was extended for an additional 30 days because a large number of records were required to be searched and responding within the 30 day time period would interfere unreasonably with the operations of our organization. On the same day, we contacted you via email to advise we completed a search of our records based on your refined request of March 6, 2015 but were still faced with a large volume of records that may be responsive. We asked if you could clarify/refine the request further. You confirmed, via email, on March 18, 2015, you wished to refine your request as follows:

“For any records of any negotiating that has taken place in regards to the Fisheries Innovation Fund that were not tabled in the House of Assembly dating back to April 2013. Narrowing the search to any Ministers, Executive Assistants, and any negotiators for the CETA file if there are any on staff in the department.”

For your information, we completed a comprehensive search of our records, as well as of the following individuals email accounts:

- Kathy Dunderdale
- Brian Taylor – Chief of Staff to Kathy Dunderdale
- Ross Reid – Chief of Staff to Kathy Dunderdale and Tom Marshall
- Maria Afonso (Executive Assistant to Kathy Dunderdale)
- Tom Marshall
- Darrell Hynes (former Chief of Staff to Tom Marshall and current Deputy Chief of Staff to Premier Paul Davis)
- Larry Wells (Executive Assistant to Tom Marshall)
- Premier Davis
- Joe Brown (Chief of Staff to Premier Davis)
- Veronica Hayden (Executive Assistant to Premier Davis)

Please note, we expanded our search to include the Chief of Staff for the time frame requested. Based on these searches, please be advised we have no records responsive to your request. All records responsive were tabled in the house by Premier Davis. It is important to note, the Premier’s Office does not have a negotiator on staff concerning the Fisheries Innovation Fund.

Section 43 of the Access to Information and Protection of Privacy Act (the Act) provides that you may ask the Information and Privacy Commissioner to review the processing of your access request or you may appeal 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  
2 Canada Drive  
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.

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 Office of Public Engagement’s 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 feel free to contact the ATIPP Coordinator by telephone at (709) 729-3570 or by e-mail at vhayden@gov.nl.ca.

Sincerely,

Darrell Hynes  
Deputy Chief of Staff