February 8, 2013

RE: Your request for access to information under Part II of the Access to Information and Protection of Privacy Act

Dear [REDACTED],

Your request for access to briefing notes, information notes, fact sheets, etc. that has been completed related to government’s long term financial outlook for the province (for a three year period) has been considered. In responding to your request, the Department exercised its due diligence and carefully considered all potentially responsive records (electronic and paper) within its custody.

Please be advised that each year, through the annual budget process, a considerable amount of information pertaining to Government’s financial outlook for the province for the applicable fiscal year is made publicly available on-line (http://www.budget.gov.nl.ca). This information includes the following:

- The Estimates – A document which outlines the estimated expenditures and revenues by Department, Activity and Main Object for the new budget year; as well as the budgets and anticipated revised expenditures for the current budget year.

- The Budget Speech – A document which provides highlights of Government’s performance in the current fiscal year, its direction for the upcoming budget year and some of the new initiatives approved for the upcoming year.

Additionally, a salary details document is prepared which provides the salary allotment to each Department and shows the number of employees, their job classifications and projected salary expenditure for the budget year. This document is available by request through the Queen’s Printer.

With respect to the remainder of your request (i.e., fiscal years two and three), this is to inform you that the Department has concluded that your access to this information (which is financial forecasting documents) has been denied in accordance with the exceptions to disclosure specified in the Access to Information and Protection of Privacy Act (the Act).
Section 18 (2)(c):
“The head of a public body shall refuse to disclose to an applicant a Cabinet record including a supporting Cabinet record”.

Section 18 (1)(a):
Section 18 (1)(a) further defines a cabinet record to mean “advice, recommendations or policy considerations submitted or prepared for submission to the Cabinet”.

Section 20 (1)(a):
“The head of a public body may refuse to disclose to an applicant information that would reveal advice, proposals, recommendations, analyses or policy options developed by or for a public body or minister.”

Section 24 (1):
“The head of a public body may refuse to disclose to an applicant information which could reasonably be expected to disclose:
(d) Information, the disclosure of which could reasonably be expected to result in the premature disclosure of a proposal or project or in significant loss or gain to a third party
(g) Information, the disclosure of which could reasonably be expected to prejudice the financial or economic interest of the government of the province or a public body
(h) Information, the disclosure of which could reasonably be expected to be injurious to the ability of the government of the province to manage the economy of the province

Please note that you may request a review of this decision by the Information and Privacy Commissioner. This request must be done so in writing and submitted within 60 days of the date of this letter (note that a longer time period may be permitted by the Commissioner). The Commissioner can be contacted as follows:

Office of the Information and Privacy Commissioner
34 Pippy Place
PO Box 13004, Stn. A
St. John’s, NL A1B 3V8
Tel: 709-729-6309
Fax: 709-729-6500

Additionally, you may also appeal to the Supreme Court Trial Division. This appeal must be done so within 30 days of the date of this letter.

If you have any questions, please feel free to contact me by telephone at 729-2950 or by e-mail at gailboland@gov.nl.ca.

Sincerely,

[Signature]

K. Gail Boland
ATIPP Coordinator