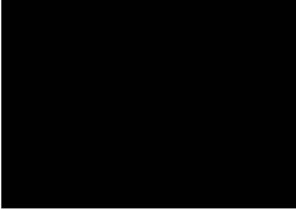


December 22, 2017



Dear :

Re: *Your request for access to information under Part II of the Access to Information and Protection of Privacy Act [JPS/108/2017]*

On September 1, 2017, the Department of Justice and Public Safety received your request for access to the following records:

“Any and all information, included but not limited to correspondence, notes, briefing material and surveys related to the legalization of marijuana.”

This request has since been altered to include only the most recent and/or final version of documents, and to exclude all Federal/Provincial/Territorial documents as well and Provincial/Territorial documents that did not either contain significant policy discussion within the Newfoundland and Labrador Government, or were not a part of Newfoundland and Labrador’s jurisdictional scans. Additionally, it was altered to exclude cabinet records.

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 access to most of the requested records. Please note, access to the remaining records, and/or information contained within the records, has been refused in accordance with the following exceptions to disclosure, as specified in the Access to Information and Protection of Privacy Act (the Act):

*27. (2) The head of a public body shall refuse to disclose to an applicant
(a) a cabinet record*

*27. (1) In this section, "cabinet record" means
(i) that portion of a record which contains information about the contents of a record within a class of information referred to in paragraphs (a) to (h).*

*27. (2) The head of a public body shall refuse to disclose to an applicant
(b) information in a record other than a cabinet record that would reveal the substance of deliberations of Cabinet.*

29. (1) *The head of a public body may refuse to disclose to an applicant information that would reveal*

(a) advice, proposals, recommendations, analyses or policy options developed by or for a public body or minister;

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

31. (1) *The head of a public body may refuse to disclose information to an applicant where the disclosure could reasonably be expected to*

(a) interfere with or harm a law enforcement matter

34. (1) *The head of a public body may refuse to disclose information to an applicant if the disclosure could reasonably be expected to*

(a) harm the conduct by the government of the province of relations between that government and the following or their agencies:

the government of Canada or a province

(b) reveal information received in confidence from a government, council or organization listed in paragraph (a) or their agencies.

40. (1) *The head of a public body shall refuse to disclose personal information to an applicant where the disclosure would be an unreasonable invasion of a third party's personal privacy.*

As required by 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. The following table summarizes pages that have been severed in their entirety as well as the relevant exception to disclosure.

Please note the following pages were withheld in their entirety and are not included in the records enclosed:

Page #	Exception used
75-77	s.29(1)(a); s.34(1)(a)(i)
454-	s.34(1)(a)(i)
578	s.29(1)(a)
1008-1009, 1012-1014	s.29(1)(a); s.34(1)(a)(i)
1114-1116, 1157-1158	s.34(1)(a)(i)
1195, 1198	s.29(1)(a)
1202-1205, 1212-1213, 1218-1221 1253-1316	s.34(1)(a)(i)
1335	s.29(1)(a)
1425-1429	s.29(1)(a); s.31(1)(a)
1539	s.40(1)

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 *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.

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 further questions, please contact me by telephone at 709-729-7128, or by email at sonjaelgohary@gov.nl.ca.

Sincerely,

A handwritten signature in blue ink that reads "Sonja El-Gohary". The signature is fluid and cursive.

Sonja El-Gohary,
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).

Large file

This request is too large to post online. If you wish to obtain a copy please contact the ATIPP Office at (709) 729-7072 or atippoffice@gov.nl.ca.