

April 4, 2018

[REDACTED] S.40 (1)

Dear [REDACTED]: S.40 (1)

Re: Your request for access to information under Part II of the *Access to Information and Protection of Privacy Act*, our file # TCII/7/2018

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On March 5, 2018 the Department of Tourism, Culture, Industry and Innovation received your request for access to the following record:

*"All correspondence between Ted Lomond and the CEO/management of The Rooms. Also include all correspondence from Ted Lomond regarding The Rooms. This request would cover from October 1, 2017 to March 5 (inclusive)."*

I am pleased to inform you that a decision has been made by the Deputy Minister for the Department of Tourism, Culture, Industry and Innovation to provide access to some of the requested information. 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):

#### **Cabinet confidences**

27. (1) In this section, "cabinet record" means (h) *a record created during the process of developing or preparing a submission for the Cabinet*

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

#### **Disclosure harmful to personal privacy**

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.

Please be advised that page 6 has been withheld in its entirety under section 27(1)(h), S.27(2)(a) of ATIPPA.

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. In accordance with your request for a copy of the records, the appropriate copies have been enclosed.

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 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  
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.

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 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 me phone at (709) 729-3356 or by e-mail at [heatherbrown@gov.nl.ca](mailto:heatherbrown@gov.nl.ca)

Sincerely,



Heather Brown  
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).

## Joy, Carla

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**From:** Halliday, Janice  
**Sent:** Friday, November 03, 2017 3:42 PM  
**To:** Mitchelmore, Christopher; Lomond, Ted; Mundon, Tansy  
**Cc:** Murphy, Carmela; George, Bradley; Joy, Carla  
**Subject:** FW: Mr. Dean Brinton: Presentation of Meritorious Service Decorations (Civil Division) - INVITATION - Cérémonie de remise de décorations pour service méritoire (division civile)

Hi folks:

Your direction please.

Thanks,

*Jan Halliday*

Administrative Assistant  
to the Minister  
Dept. of Tourism, Culture, Industry and Innovation  
2<sup>nd</sup>. Floor, West Block  
Telephone: (709) 729-4729

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**From:** Lambert, Wanda G. M.  
**Sent:** Friday, November 03, 2017 3:03 PM  
**To:** Foran, Tom; Halliday, Janice  
**Subject:** FW: Mr. Dean Brinton: Presentation of Meritorious Service Decorations (Civil Division) - INVITATION - Cérémonie de remise de décorations pour service méritoire (division civile)

Good afternoon,

On Tuesday, December 12<sup>th</sup>, 2017, Dean Brinton will be receiving the Meritorious Service Decorations at a ceremony at Rideau Hall.

This is indeed a prestigious honour, and it would be great if we could send out a news release on behalf of the Minister and the Chair of the Board when this happens.

Please let me know if you are in agreement and I will ask Jena Mitchell to prepare a news release for your approval.

I look forward to hearing from you.

Thank you.

Wanda Lambert  
Executive Secretary to the CEO and Board

The Rooms Corporation of  
Newfoundland and Labrador  
P.O. Box 1800, Station C  
9 Bonaventure Avenue

St. John's, NL A1C 5P9

Telephone: 709-757-8012

Fax: 709-757-8017

Email: [wlambert@therooms.ca](mailto:wlambert@therooms.ca)

Website: [www.therooms.ca](http://www.therooms.ca)

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**From:** Varapasatham, Jaanu [mailto: [REDACTED]] S.40 (1)  
**Sent:** Friday, November 3, 2017 1:04 PM  
**To:** Brinton, Dean <[deanbrinton@therooms.ca](mailto:deanbrinton@therooms.ca)>  
**Subject:** Mr. Dean Brinton: Presentation of Meritorious Service Decorations (Civil Division) - INVITATION - Cérémonie de remise de décorations pour service méritoire (division civile)

**Mr. Dean Brinton, M.S.M.**

*(Le français suit)*

On behalf of Her Excellency the Right Honourable Julie Payette, Governor General of Canada, I am pleased to invite you to the presentation of the Meritorious Service Decorations (Civil Division) on Tuesday, December 12, 2017 at 10:30 a.m. at Rideau Hall, where you will receive your decoration.

Each recipient is entitled to bring a total of **four guests** to the ceremony: **one primary guest** and **a maximum of three additional guests**.

Rideau Hall will cover the travel **within Canada** and accommodation expenses (one night) for recipients and primary guests only. The lowest available fares shall be sought in accordance with Treasury Board guidelines.

A block of rooms will also be reserved for recipients and primary guests. Please do not make your own hotel arrangements; we will make the arrangements for you.

While the ceremony itself is still in the initial planning stages, we ask that you save the date on your calendar.

Please reply to this email by **Wednesday, November 8, 2017** and indicate whether or not you are able to attend this ceremony so that we may make the necessary arrangements.

Once you have confirmed your attendance at this ceremony, you can expect to receive the following:

- A questionnaire verifying pertinent contact information
- Information regarding travel and accommodation arrangements  
(Please do not make your travel arrangements until you receive the information package)
- A briefing note regarding the ceremony
- An official invitation to attend the ceremony

Please accept my congratulations for your nomination of the Meritorious Service Decoration (Civil Division).

**\*\*\* If you are not a recipient of this honour and this message has reached you in error, please notify me immediately. \*\*\***

Sincerely,

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Au nom de Son Excellence la très honorable Julie Payette, gouverneure générale, je suis heureuse de vous inviter à la cérémonie de remise de décorations pour service méritoire (division civile) le mardi 12 décembre 2017 à 10 h 30 à Rideau Hall, à l'occasion de laquelle vous recevrez votre décoration.

Chaque récipiendaire peut assister à la cérémonie en compagnie de **quatre invités : un invité principal et trois invités additionnels**.

Rideau Hall couvrira les frais de déplacement à **l'intérieur du Canada** et d'hébergement (pour une nuit) du récipiendaire et de son invité principal, en fonction des tarifs les moins élevés tel que prévu par les lignes directrices du Conseil du Trésor.

Un bloc de chambres sera réservé pour les récipiendaires et leurs invités principaux. Nous vous prions de ne faire aucune réservation d'hôtel, puisque nous nous en chargerons pour vous.

Bien que la cérémonie soit encore à l'étape de la planification initiale, nous vous prions d'inscrire la date à votre calendrier.

Veuillez répondre au présent courriel d'ici **le mercredi 8 novembre 2017** pour nous indiquer si vous assisterez ou non à la cérémonie afin que nous puissions prendre les dispositions nécessaires.

Peu après avoir confirmé votre présence, vous recevrez :

- un questionnaire de validation de vos coordonnées
- de l'information sur les déplacements et l'hébergement  
(Nous vous prions de bien vouloir attendre la réception de votre trousse d'information avant de faire vos réservations de voyage)
- une note d'information à propos de la cérémonie
- une invitation officielle à la cérémonie

Je vous présente mes sincères félicitations pour votre nomination de la décoration pour service méritoire (division civile) et mes salutations distinguées.

**\*\*\* Si vous n'êtes pas récipiendaire de cette décoration et que ce message vous est arrivé par erreur, veuillez me le signaler immédiatement.\*\*\***

Jaanu Varaprasatham  
Events Coordinator | Coordonnatrice des événements  
Office of the Secretary to the Governor General | Bureau du secrétaire du gouverneur général  
Rideau Hall, 1 Sussex Drive | 1, prom. Sussex  
Ottawa ON K1A 0A1

S.40 (1)

Telephone | Téléphone 613-993-9398, 1-800-263-0816  
Facsimile | Télécopieur 613-991-5113, 1-888-243-5933

**Joy, Carla**

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**From:** Lomond, Ted  
**Sent:** Monday, December 04, 2017 5:26 PM  
**To:** Brinton, Dean; Murphy, Carmela  
**Cc:** Humphries, Donna Marie; Lambert, Wanda G. M.  
**Subject:** RE: Public consultation

Dean,

I was informed by the Minister that various groups have been written and advised that the consultations were going ahead on that date. I was not aware there had been any communications. Can you give us a sense on how many people / groups are expecting it on that day? Thanks Ted

Ted Lomond  
Deputy Minister  
Dept. of Tourism, Culture, Industry and Innovation  
2<sup>nd</sup> Floor, West Block, Confederation Building  
St. John's, NL A1B 4J6  
Telephone: 709-729-4732

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**From:** Brinton, Dean  
**Sent:** Monday, December 04, 2017 11:49 AM  
**To:** Lomond, Ted; Murphy, Carmela  
**Cc:** Humphries, Donna Marie; Lambert, Wanda G. M.  
**Subject:** Public consultation

Dear Carmela and Ted, please let me know when you've had a chance to speak with the Minister on cancelling this session. We have a draft letter to the community re. the postponement ready for his signature. We have also developed the questions for the session to be held early in 2018 and are in touch with the OPE on the overall approach.

All the best,

Dean



## Joy, Carla

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**From:** Osmond, Gerry  
**Sent:** Wednesday, December 06, 2017 4:25 PM  
**To:** Halliday, Janice  
**Cc:** Lomond, Ted  
**Subject:** RE: public consultation presentation

Jan,

I am working on a few slides for the Colonial Building section. I will send these tomorrow for the Minister to review and approve.

Gerry Osmond  
Director of Arts & Heritage

Department of Tourism, Culture, Industry and Innovation  
P.O. Box 8700  
2nd Floor West Confederation Building  
St. John's, NL CANADA  
A1B 4J6

t 709 729 7397  
[gerryosmond@gov.nl.ca](mailto:gerryosmond@gov.nl.ca)

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**From:** Brinton, Dean  
**Sent:** Wednesday, December 06, 2017 4:22 PM  
**To:** Halliday, Janice  
**Cc:** Lomond, Ted; Osmond, Gerry; Humphries, Donna Marie; Mitchell, Jena  
**Subject:** FW: public consultation presentation

Dear Janice, please find attached the Powerpoint presentation for the consultation session, reviewed and approved by the OPE.

Thanks a million,

Dean

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**From:** Mitchell, Jena  
**Sent:** Wednesday, December 6, 2017 4:07 PM  
**To:** Brinton, Dean <[deanbrinton@therooms.ca](mailto:deanbrinton@therooms.ca)>  
**Cc:** Humphries, Donna Marie <[DonnaMHumphries@therooms.ca](mailto:DonnaMHumphries@therooms.ca)>  
**Subject:** Stakeholder Engagement Presentation

Jena Mitchell | Manager, Marketing & Development

The Rooms | Marketing and Development Division  
The Rooms Corporation of Newfoundland and Labrador

## Joy, Carla

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**From:** Norman, Katie  
**Sent:** Tuesday, January 30, 2018 3:00 PM  
**To:** Lomond, Ted  
**Subject:** RE: Material for Phone Call

Thanks Ted.

Katie

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**From:** Lomond, Ted  
**Sent:** Tuesday, January 30, 2018 2:58 PM  
**To:** Norman, Katie <KatieNorman@gov.nl.ca>  
**Subject:** Re: Material for Phone Call

Yes. I spoke to dean. He said we should reach out to him and Dona Maroe Humphreys. Thanks. Ted .

Sent from my BlackBerry 10 smartphone on the Bell network.

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**From:** Norman, Katie  
**Sent:** Tuesday, January 30, 2018 2:02 PM  
**To:** Lomond, Ted  
**Subject:** RE: Material for Phone Call

Hi Ted,

I am wondering if you have had a chance to connect with The Rooms, and if so, if they have identified a lead? We are looking to have a meeting with leads on Friday, so want to reach out with a call once initial contact has been made.

Thanks,  
Katie

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**From:** Norman, Katie  
**Sent:** Friday, January 26, 2018 9:10 PM  
**To:** Lomond, Ted <TedLomond@gov.nl.ca>  
**Subject:** RE: Material for Phone Call

Thanks Ted. Much appreciated.

Katie

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**From:** Lomond, Ted  
**Sent:** Friday, January 26, 2018 1:28 PM  
**To:** Norman, Katie <KatieNorman@gov.nl.ca>  
**Cc:** Hann, Ann Marie <AnnMarieHann@gov.nl.ca>; Kelly, Sean <SeanKelly@gov.nl.ca>  
**Subject:** RE: Material for Phone Call

Thanks Katie. Will do. Ted

Ted Lomond  
Deputy Minister  
Dept. of Tourism, Culture, Industry and Innovation  
2<sup>nd</sup> Floor, West Block, Confederation Building  
St. John's, NL A1B 4J6  
Telephone: 709-729-4732

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**From:** Norman, Katie  
**Sent:** Friday, January 26, 2018 12:54 PM  
**To:** Lomond, Ted  
**Cc:** Hann, Ann Marie; Kelly, Sean  
**Subject:** Material for Phone Call

Hi Ted,

As discussed, please see attached some key messages for your use when contacting The Rooms Thank you for doing this for us. It would be appreciated if you could please reach out by end of day, Tuesday, January 30. If I can be of any assistance to you in making these calls, please do let me know. If you could please let me know once you have had a chance to reach out, it would be appreciated.

Thank you kindly,  
Katie

Katie Norman  
Executive Director  
Planning and Coordination, Office of the Executive Council  
And Public Engagement Division, Communications and Public Engagement Branch  
Government of Newfoundland and Labrador  
6<sup>th</sup> Floor Confederation Building, East Block  
P.O. Box 8700  
St. John's, NL A1B 4J6  
709.729.2218

**Joy, Carla**

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**From:** Lambert, Wanda G. M.  
**Sent:** Thursday, February 08, 2018 3:06 PM  
**To:** Baker, Dawn; Brinton, Dean; Browne, Lisa; Foran, Tom; Lomond, Ted; McCarthy, Mary; Pardy, Jeff; Patey, Ian; Stacey, Kathi  
**Subject:** For Board Approval  
**Attachments:** Decision 2018.docx

Dear Board Members:

Further to our discussion regarding the destructive analysis of teeth from the South Side Cemetery human remains, the researcher has confirmed that there is not enough material remaining from the original sample to perform this analysis. As you will recall, this latest request is to take another sample of enamel in order to test the level and source of lead exposure, which was not undertaken as part of the earlier research.

The resolution to approve this request is attached and I would be grateful if you would indicate your approval by email.

All the very best,

Dean

**Decision 2018 - 1**

**Whereas, a destructive analysis request to sample and analyze the teeth of European human remains specimens to determine levels of lead exposure has been received**

**and**

**Whereas, the sample size involved is very small and involves minimal destruction of these specimens, be it**

**RESOLVED that the Board of Directors approve this request for destructive analysis.**