October 5, 2018

Dear [Redacted]:

Re: Your request for access to information under Part II of the Access to Information and Protection of Privacy Act [Our File #: FIN-84-2018]

On September 11, 2018, the Department of Finance received your access to information request for the following:

“Please provide all correspondence (letters, emails, briefing notes, notes, etc.) made in relation to appointments or vacancies or potential appointments or recommendation of candidates of any board, agency or commission position under the Ministers/Department responsibility since May 2016.”

On September 21, 2018, upon your direction, this request was refined to include only appointments related to the Newfoundland and Labrador Liquor Agency Corporation and correspondence among departmental executive.

The Department is pleased to advise that access to the above request has been granted in part (see attached). Please note the following when reviewing the attached response:

- Duplicate records have been removed for your convenience.

- On February 4, 2018, the Department of Finance responded to an ATIPP request for correspondence with respect to the resignation of the former CEO of the Newfoundland and Labrador Liquor Corporation. This response (FIN/04/2018) is publicly available online at https://atipp-search.gov.nl.ca/public/atipp/requestdownload?id=6969. As such, these records have not been reproduced in the attached response.

- Since May 2016 Government has provided the following news releases, which are publicly available as follows:
  - Appointments Announced for Newfoundland and Labrador Liquor Corporation Board of Directors (http://www.releases.gov.nl.ca/releases/2017/fin/0511n05.aspx)
  - Provincial Government Announces Interim President and Chief Executive Officer for Newfoundland and Labrador Liquor Corporation (http://www.releases.gov.nl.ca/releases/2018/fin/0105n04.aspx)
• During the search for responsive records, several articles written by various journalists were also found related to the appointment of interim President and CEO for the NLC. Given that these articles are already publically available, they have not been included in the attached response.

• Some of the information is advice, analyses, policy options or recommendations developed by or for the Department of Finance and/or the responsible Minister. As such, this information has been severed pursuant to section 29.(1)(a) of the ATIPPA.

• Some of the information contained within the attached has been severed because, if released, would be an unreasonable invasion of a third party’s personal privacy. As such this information has been severed pursuant to section 40.(1) of ATIPPA.

• Further details regarding these exemptions is available to be viewed at the following website: http://www.assembly.nl.ca/legislation/sr/statutes/a01-2.htm

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 Access to Information and Protection of Privacy Act (the Act). 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 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  
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.

The response will be published following a 72-hour period after the response is sent electronically to you or five business days in the case where the response is mailed to you. It is the goal to have the response posted to the Completed Access to Information Requests 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 undersigned by telephone at 709-729-0675, or by email at tfinlay@gov.nl.ca.

Sincerely,

Trudy Finlay
ATIPP Coordinator (Back-up)

Attachment
Donna,

You had asked me if the Pensions Corp is subject to the IAC Act. The answer is yes. It is considered a Tier 1 entity which means that the appointments are made by the IAC. Our only other Tier 1 entity is the NLC.

Tier 2 entities are those whose appointments are made via recommendations by the PSC to the responsible Minister. For us this includes the ALC, the Interprovincial Lottery Corporation, the GMPP and the Atlantic Harness Racing Commission.

I note that the NLJDC, the NLMFC and the NLGSF are not subject to the IAC Act because all of their members are appointed by virtue of their position within Government.

The PSC has requested our prioritization of board appointments. Apparently Bruce spoke directly to the Minister who advised our priorities to be the ALC and the NLC.

I am currently working to draft board profiles for each entity. These must be approved by the Minister before I send them to the PSC. I will also need to get feedback from each of the entities.

I am available if you wish to discuss further.

Regards,

Gail.
Ann Marie,

Please see the attached listing of appointees per our discussion.

Thanks

Craig

---

From: Callan, Lana
Sent: Friday, May 13, 2016 3:12 PM
To: Martin, Craig
Cc: Wright, Kendra
Subject: RE: NLC Board Appointments

As requested please see the attached.

Lana

---

From: Wright, Kendra
Sent: Friday, May 13, 2016 2:58 PM
To: Callan, Lana
Subject: FW: NLC Board Appointments

Lana

Can you pull this for Craig asap. Not sure if you can take a screen shot of the webpage or if you can print and scan.

Thanks

Kendra

---

From: Martin, Craig
Sent: Tuesday, May 10, 2016 8:05 AM
To: Wright, Kendra
Cc: Miller, Ann Marie
Subject: NLC Board Appointments

Kendra,

Can you please send a listing of the current NLC Board Members and their term expiry date.

Thanks

Craig

Sent from my BlackBerry 10 smartphone on the Bell network.
<table>
<thead>
<tr>
<th>Name</th>
<th>Member Name</th>
<th>Member Position</th>
<th>Appointment Date (yyyy/mm/dd)</th>
<th>Expiry Date (yyyy/mm/dd)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Newfoundland and Labrador Liquor Corporation</td>
<td>Tobin, Mr. Glenn</td>
<td>Chairperson</td>
<td>5/21/2013</td>
<td>5/20/2016</td>
</tr>
<tr>
<td>Newfoundland and Labrador Liquor Corporation</td>
<td>Marshall, Ms. Andrea</td>
<td>Vice-Chairperson</td>
<td>5/21/2013</td>
<td>5/20/2016</td>
</tr>
<tr>
<td>Newfoundland and Labrador Liquor Corporation</td>
<td>President &amp; CEO of the Newfoundland Liquor Corporation</td>
<td>Member</td>
<td>11/22/2007</td>
<td>Not Applicable</td>
</tr>
<tr>
<td>Newfoundland and Labrador Liquor Corporation</td>
<td>Deputy Minister of Finance or his/her designate</td>
<td>Member</td>
<td>12/9/2013</td>
<td>12/8/2016</td>
</tr>
<tr>
<td>Newfoundland and Labrador Liquor Corporation</td>
<td>McCormack, Mr. Brian P.</td>
<td>Member</td>
<td>12/16/2013</td>
<td>12/15/2016</td>
</tr>
<tr>
<td>Newfoundland and Labrador Liquor Corporation</td>
<td>McCrate, Mr. Dick</td>
<td>Member</td>
<td>5/21/2013</td>
<td>5/20/2016</td>
</tr>
<tr>
<td>Newfoundland and Labrador Liquor Corporation</td>
<td>Gaulton, Ms. Margorie</td>
<td>Member</td>
<td>5/21/2013</td>
<td>5/20/2016</td>
</tr>
</tbody>
</table>
Gail Sent me the drafts on Monday. They need input from NLC.

Currently with Steve.

Craig

Sent from my BlackBerry 10 smartphone on the Bell network.

From: Brewer, Donna
Sent: Friday, June 10, 2016 4:02 PM
To: Hollett, Bruce; Boland, Gail; Finlay, Trudy; Martin, Craig
Subject: Re: Board Profiles for IAC

Trudy

In Gail's absence can you track these down. I thought she said the nlc profiles were done?

Hi Donna

Can you update me on status of the Board profiles for the NLC and other Finance boards to be recruited through the IAC process?

The Minister has been very anxious to get these out, and we are awaiting these and a couple of others before we are able to launch the website.

Bruce
I'll get into it today. Talk on Monday.
Have a good weekend.

Steve

Sent from my Bell Samsung device over Canada's largest network.

-------- Original message --------
From: "Martin, Craig" <CMartin@gov.nl.ca>
Date: 2016-06-10 8:07 AM (GMT-03:30)
To: "Winter, Steve" <Steve.Winter@niliquor.com>
Subject: FW: NLC Board Profile

Steve,

Please see below and the two attached documents.

We need to get these completed to move forward with the appointments of Board Members for the expired positions.

I’m tied up for most of the day with Moody’s Bond Rating Agency.

Let’s discuss on Monday on how we move forward with this.

Thanks

Craig

From: Boland, Gail
Sent: Friday, June 03, 2016 5:08 PM
To: Martin, Craig
Subject: NLC Board Profile

Craig,

Attached is a copy of the draft NLC board profile for the purposes of compliance with the new Independent Commissions Act. For information purposes I have also attached the template.

I have completed the boilerplate type of information that is generally drawn from the legislation however I will need NLC input into the other pieces, such as competency profile, qualifications and time commitments. Additionally please review the other sections to determine if more detailed information can be provided (such as remuneration).

Please advise when the additional information becomes available.

Additionally please note that before this profile can be submitted to the PSC for posting to the website, it must first be approved by the Minister.

Regards,

Gail.

"This email and any attached files are intended for the sole use of the primary and copied addressee(s) and may contain privileged and/or confidential information. Any distribution, use or copying by any means of this information is strictly prohibited. If you received this email in error, please delete it immediately and notify the sender."
ABC Profile

ABC Name:
Host Organization:
Last revised:

Statute/Authority:

Purpose/Function:
Give brief description giving explanation of business/service provided which should also include a
description of the role, responsibilities and accountabilities. (For additional on the role of the ABC,
please visit www.XXXXX)

Structure:
List the composition structure of the ABC including the legislative/traditional nomination requirements.

Competency Profile:
Those who make up the ABC should collectively possess the following core competencies. Examples may
include:
• Strategic Management and Organizational Change
• Law Enforcement
• Information Technology
• Public Relations
• Public Sector Administration
• Governance
• Human Resources
• Labour Relations
• Executive Experience
• Engineering Expertise
• Education
• Financial Expertise/Literacy
• Legal Expertise

Qualifications:
Any qualifications/requirements stipulated in the enabling legislation for the ABC should be included
here. Also included should be specific education/training and related work experience and/or
community involvement which may be beneficial for ABC members to possess. Any personal attributes
required of ABC members should be listed here as well. (Examples include):

• high ethical standards and integrity
• appreciation of the responsibilities to the public
• flexible, responsive and willing to consider others’ opinions;
• capable of a wide perspective on issues;
• ability to listen and work as a team member;
• no direct or indirect conflict of interest
• strong reasoning skills
ABC Profile

ABC Name:
Host Organization:
Last revised:

**Time Commitments:**

Members of the ABC should be available to meet XXX times per year/month. Any applicable committees of the ABC normally meet XXX times per year/month. Board members may also be expected to spend additional time to review materials and prepare for Board and Committee meetings.

**Remuneration:**

**Term:**

Subject to any statutory requirements or restrictions, outline the terms under which appointments to each ABC are made.

**Vacancy Profile:**

This will be where vacant board positions are detailed with respect to the specific qualifications and skills which are being sought. The vacancy profile should reflect the results of the skills/knowledge gap analysis completed as part of the planning stage.

**Additional Information:**

At the discretion of the host organization, any additional information not already detailed in the ABC profile can be included here.
Trudy,

Not to worry. I’ll follow up and advise.

Craig

Sent from my BlackBerry 10 smartphone on the Bell network.

Trudy,

Craig did you need me to check on the status with Steve? If so, can you please provide me his contact information.

Thanks,

Trudy

Brewer, Donna

Last I understood these were with NLC. If so, can you check with Steve please.

Bennett, Cathy (Minister)

Donna, The PSCC is still waiting on the profiles for these positions. Would you provide clarity as to exactly when they will have this information, please.

Hon. Cathy Bennett, M.H.A. Windsor Lake

Newfoundland and Labrador Government 709-729-3775 cbenhett@gov.nl.ca

Minister of Finance
President of Treasury Board
Government of Newfoundland & Labrador
Main Floor, East Block, Confederation Complex
P.O. Box 8700, St. John’s NL A1B 4L6
Please see the attached. Need to discuss to complete.

Thanks

Craig

From: Boland, Gail
Sent: Friday, June 03, 2016 5:08 PM
To: Martin, Craig

Subject: NLC Board Profile

Craig,

Attached is a copy of the draft NLC board profile for the purposes of compliance with the new Independent Commissions Act. For information purposes I have also attached the template.

I have completed the boilerplate type of information that is generally drawn from the legislation however I will need NLC input into the other pieces, such as competency profile, qualifications and time commitments. Additionally please review the other sections to determine if more detailed information can be provided (such as remuneration).

Please advise when the additional information becomes available.

Additionally please note that before this profile can be submitted to the PSC for posting to the website, it must first be approved by the Minister.

Regards,
Gail.
Will do....

Craig is tied up in urgent matter for Cabinet. Can you call indicating m requires asap. IAC calling her.

Sent from my BlackBerry 10 smartphone.

Craig is best to advise on NLC status. He will probably need to call Steve.

Need an answer for Minister on where the profiles are – Bruce Hollett is saying he does not have them from NLC.

Donna
Just spoke with Craig. Him and Jay plan to review comments/input from Steve this week. Hoping to have a draft ready for Minister’s review by Friday.

From: Martin, Craig
Sent: Wednesday, June 22, 2016 12:00 PM
To: Brewer, Donna <dbrewer@gov.nl.ca>; Boland, Gail <gallboland@gov.nl.ca>
Subject: RE: IAC appointments

Hold off. Have materials back from Steve, but very limited.

Have copy with Jay for him and I to discuss.

Craig

Sent from my BlackBerry 10 smartphone on the Bell network.

From: Brewer, Donna
Sent: Wednesday, June 22, 2016 11:59 AM
To: Boland, Gail
Cc: Martin, Craig
Subject: RE: IAC appointments

Craig is tied up in urgent matter for Cabinet. Can you call indicating m requires asap. IAC calling her.

Sent from my BlackBerry 10 smartphone.

From: Boland, Gail
Sent: Wednesday, June 22, 2016 11:56 AM
To: Brewer, Donna
Cc: Martin, Craig
Subject: RE: IAC appointments

Craig is best to advise on NLC status. He will probably need to call Steve.

From: Brewer, Donna
Sent: Wednesday, June 22, 2016 11:52 AM
To: Boland, Gail <gallboland@gov.nl.ca>
Cc: Martin, Craig <CMartin@gov.nl.ca>
Subject: IAC appointments

Need an answer for Minister on where the profiles are — Bruce Hollett is saying he does not have them from NLC.

Donna

29.(1)(a)
Please see the attached revised Document.

On page 31 have inserted a Note to Draft [NTD] to you on the Competency profile. Need your input on that one with respect to what Competencies we need to fill based on the current expired Board member positions.

Also, please have a look at the Competency Profile listing. We’ve removed some as the list was fairly lengthy given the limited number of Board positions. Please review to ensure you are satisfied that the revised listing works or if we need to add back any.

Could you please get back to me by end of day tomorrow on this as trying to finalize this week.

Give me a call at 729-6859 if you have any questions.

Thanks

Craig
Craig, I think this is what you asked for. If not, I'm available all day.

Steve
Please see attached draft. Will drop over to discuss.

Craig
Gail,

Revised draft per our discussion.

Craig
Spoke to my contact at the PSC who advises that the profile is consistent with those being developed for other agencies and is aligned with their expectations. He had no suggested edits so I have sent it along to Donna for her review prior to seeking ministerial approval.

Gail.

---

From: Martin, Craig  
Sent: Friday, June 24, 2016 11:48 AM  
To: Boland, Gail <gailboland@gov.nl.ca>  
Subject: NLC Board Profile - Revised (2).docx

Gail,

Revised draft per our discussion.

Craig
From: Smyth, Mike
To: Boland, Gail
Subject: RE: NLC Board Profile
Date: Friday, July 8, 2016 3:03:59 PM

Four of the seven Board positions expired on May 20, 2016, including the Chair. Expressions of interest are being sought from individuals who possess the following combination of competencies and who can bring unique perspectives to the table:

- Governance
- Strategic Management and Organizational Change
- Executive Experience
- Financial Expertise
- Public Relations/Communication
- Human Resources / Labour Relations
- Legal Expertise
- Information Technology Literacy

Consideration will also be given to a variety of demographic factors to ensure the board is representative of the population they serve.

From: Boland, Gail
Sent: Friday, July 08, 2016 8:46 AM
To: Hollett, Bruce
Cc: Smyth, Mike; Chafe, Ann
Subject: NLC Board Profile

Bruce,

Please see attached the NLC Board Profile. It has been approved by the Minister.

Please advise if you require anything further.

Regards,
Gail.
From: Brewer, Donna
Sent: Tuesday, July 12, 2016 10:32 AM
To: Boland, Gail <gailboland@gov.nl.ca>
Cc: Martin, Craig <CMartin@gov.nl.ca>
Subject: RE: NLC Board Profile

Maybe. I'll FYI her, just to be on the safe side.

if it is going on all profiles she may already be aware as Minister for PSC.

Sent from my BlackBerry 10 smartphone on the Bell network.

From: Boland, Gail
Sent: Tuesday, July 12, 2016 10:31 AM
To: Brewer, Donna
Cc: Martin, Craig
Subject: RE: NLC Board Profile

Thanks. Should I advise the Minister accordingly?

From: Brewer, Donna
Sent: Tuesday, July 12, 2016 10:30 AM
To: Boland, Gail <gailboland@gov.nl.ca>
Cc: Martin, Craig <CMartin@gov.nl.ca>
Subject: Re: NLC Board Profile

K

Sent from my BlackBerry 10 smartphone on the Bell network.

From: Boland, Gail
Sent: Tuesday, July 12, 2016 10:28 AM
To: Brewer, Donna
Cc: Martin, Craig
Subject: NLC Board Profile

Donna,

I was contacted by the PSC to ask if we approved of some editing to the NLC Board Profile.

They would like to make changes to the Vacancy Profile section, as identified below. I note that the most noteworthy edit is the addition of the last sentence, which is italicized. The original wording is highlighted in the attached.

The changes are being made consistently across all board profiles.

Thoughts?

Vacancy Profile:
Four of the seven Board positions expired on May 20, 2016, including the Chair.

Expressions of interest are being sought from individuals who possess the following combination of competencies and who can bring unique perspectives to the table:

- Governance
- Strategic Management and Organizational Change
- Executive Experience
- Financial Expertise
- Public Relations/Communication
- Human Resources / Labour Relations
- Legal Expertise
- Information Technology Literacy

Consideration will also be given to a variety of demographic factors to ensure the board is representative of the population they serve.
Thanks – sorry for the interruption 😊

Sure..

Sent from my BlackBerry 10 smartphone on the Bell network.

Minister,

I have been asked by the PSC if they can make an edit to the NLC Board Profile. They are suggesting that we add the statement below to the Vacancy Profile section. Apparently this is standard across all profiles.

“Consideration will also be given to a variety of demographic factors to ensure the board is representative of the population they serve”.

Are you OK with this change?

Thanks,
Gail.

Thank you..

Sent from my BlackBerry 10 smartphone on the Bell network.
To: Bennett, Cathy (Minister)
Cc: Brewer, Donna; Martin, Craig
Subject: RE: NLC Board Profile

Yes. The Board is at full capacity with 7 members. The legislation specifically says that the board shall comprise 7 members, including the president/ceo.

From: Bennett, Cathy (Minister)
Sent: Wednesday, July 6, 2016 10:15 AM
To: Boland, Gail <gailboland@gov.nl.ca>
Cc: Brewer, Donna <dbrewer@gov.nl.ca>; Martin, Craig <CMartin@gov.nl.ca>
Subject: Re: NLC Board Profile

And how many positions are in the legislation? Is the Board at full capacity at 7?

Sent from my BlackBerry 10 smartphone on the Bell network.

From: Boland, Gail
Sent: Wednesday, July 6, 2016 9:11 AM
To: Bennett, Cathy (Minister)
Cc: Brewer, Donna; Martin, Craig
Subject: NLC Board Profile

Minister,

I received your approval of the NLC Board Profile. I will send this to the PSC to initiate the selection process.

I note that you had questioned the number of vacancies. This is to confirm that the Board consists of 7 members and there are currently has four vacancies. The three positions currently occupied are:

- President & CEO (no expiry date as the position is filled at the pleasure of the Minister)
- the DM of Finance or designate (expires December 8, 2016)
- Board member Brian McCormack (expires December 15, 2016).

The other four positions expired as of May 20th.

Please advise if you require anything further.

Regards,

Gail.
The below has been approved by the Minister.

From: Smyth, Mike
Sent: Friday, July 8, 2016 3:04 PM
To: Boland, Gail <gailboland@gov.nl.ca>
Subject: RE: NLC Board Profile

Four of the seven Board positions expired on May 20, 2016, including the Chair. Expressions of interest are being sought from individuals who possess the following combination of competencies and who can bring unique perspectives to the table:

- Governance
- Strategic Management and Organizational Change
- Executive Experience
- Financial Expertise
- Public Relations/ Communication
- Human Resources / Labour Relations
- Legal Expertise
- Information Technology Literacy

Consideration will also be given to a variety of demographic factors to ensure the board is representative of the population they serve.

From: Boland, Gail
Sent: Friday, July 08, 2016 8:46 AM
To: Hollett, Bruce
Cc: Smyth, Mike; Chafe, Ann
Subject: NLC Board Profile

Bruce,

Please see attached the NLC Board Profile. It has been approved by the Minister.

Please advise if you require anything further.

Regards,
Gail.
ABC Profile

ABC Name: Newfoundland and Labrador Liquor Corporation
Host Organization: Department of Finance
Last revised: June 24, 2016

Statute/Authority: Liquor Corporation Act

Purpose/Function:

The roles, responsibilities and accountabilities of the Board of Directors to the Newfoundland and Labrador Liquor Corporation (NLC) are defined in the Liquor Corporation Act and the Liquor Control Act. The Board of Directors is accountable for the exercise and discharge of the powers and duties of the corporation as well as the exercise and discharge of the powers and duties of the board under the Liquor Control Act. Specifically, the Board of Directors shall:

- control the possession, sale and delivery of alcoholic liquor in accordance with this Act and the regulations
- appoint officials to issue and grant permits and licences and appoint or authorize inspectors
- grant, issue, refuse, cancel or suspend licences and permits under and in accordance with this Act
- do those things that are considered necessary or advisable by the board for the purpose of carrying into effect this Act and the regulations

The Board of Directors also has the authority to make by-laws:

- for the management of the property of the corporation
- relating to the meetings of the board and procedures of those meetings
- which govern the adjudication of matters under the Liquor Control Act
- for the purpose of carrying out its duties or purposes under this Act or a regulation made under this Act, or the Liquor Control Act or a regulation made under that Act

For additional information on the role of the Newfoundland and Labrador Liquor Corporation, please refer to the:

- Liquor Corporation Act (available on-line at http://www.assembly.nl.ca/Legislation/sr/statutes/l18.htm)

Structure:

Pursuant to section 5 of the Liquor Corporation Act, the board shall comprise 7 members, including the president. The Lieutenant-Governor in Council shall designate one member of the board to be the chairperson and one member of the board to be the vice-chairperson.

The president shall be the chief executive officer of the corporation and shall perform those duties and responsibilities assigned by the board.

A member of the board holds office for a term of 3 years from the date of that member's appointment, while the president holds office during pleasure.
ABC Profile

ABC Name: Newfoundland and Labrador Liquor Corporation
Host Organization: Department of Finance
Last revised: June 24, 2016

Competency Profile:

Those who make up the Board should collectively possess the following core competencies, ranked in order of relative importance:

• Governance
• Strategic Management and Organizational Change
• Executive Experience
• Financial Expertise
• Public Relations/Communication
• Human Resources/Labour Relations
• Legal Expertise
• Information Technology Literacy

Qualifications:

There are no specific qualifications/requirements stipulated in the enabling legislation for the Newfoundland and Labrador Liquor Corporation. Board members should possess the following personal attributes:

• high ethical standards and integrity
• appreciation of the responsibilities to the public
• flexible, responsive and willing to consider others’ opinions;
• capable of a wide perspective on issues;
• ability to listen and work as a team member;
• no direct or indirect conflict of interest
• strong reasoning skills

Time Commitments:

Members of the Board should be available to meet 10 times per year. Any applicable committees of the Board normally meet 4 times per year. Board members may also be expected to spend additional time to review materials and prepare for Board and Committee meetings.

Remuneration:

The president, chairperson and members of the board shall be paid the salaries or other remuneration that the Lieutenant-Governor in Council may by order determine. Current rates are:

• Chair / Vice-Chair $190 / day
• Directors $145 / day
ABC Profile

ABC Name: Newfoundland and Labrador Liquor Corporation
Host Organization: Department of Finance
Last revised: June 24, 2016

Term:

Board members are appointed for a three-year term and are considered to be members of the corporation. A member of the board does not become, because of the office only, an officer or servant of the Crown.

The President / CEO holds office during pleasure.

Vacancy Profile:

Four of the seven Board positions expired on May 20, 2016, including the Chair.

Seeking four (4) Board members covering the following combination of competencies:

- Governance
- Strategic Management and Organizational Change
- Executive Experience
- Financial Expertise
- Public Relations/ Communication
- Human Resources / Labour Relations
- Legal Expertise
- Information Technology Literacy

Additional Information:

N/A
Jay,

The link for the Board Appointments opportunities is as follows:

http://www.exec-abc.gov.nl.ca/public/agency/appointments/

I have a call put into my contact at the PSC to inquire about the status of the ALC and ILC. Additionally, the Minister has asked to inquire about the NLC.

I will let you know as soon as I hear anything.

Gail.
October 26, 2016

Hon. Clyde K. Wells  
Chair Independent Appointment Commission  
50 Mundy Pond Road  
St. John’s, NL  
A1B 4J6  

Dear Mr. Wells:  

I hereby request the Independent Appointment Commission take the necessary action to recommend candidates for the role of Chair of the Board and four Board Director Positions for the Newfoundland Liquor Corporation.

These five positions expired in May, 2016.

Thank you.

Yours sincerely,

Honourable Cathy Bennett, M.H.A.
District of Windsor Lake
Minister of Finance and  
President of Treasury Board
Called and left message.

Need to speak with you on the NLC appointments. Have some follow up with you based on conversation with Minister yesterday and have been asked to expedite the process.

Please give me a call when you get a chance.

Thanks

Craig

Craig Martin, CPA, CMA
Assistant Deputy Minister of Finance
Fiscal and Economic Policy

☎ (613) 729-0984  ☎ (613) 729-2070
✉ smartin@gov.on.ca
Craig,

I found the letter in TRIM (cor/01025/2017) whereby the Minister requests the Independent Appointment Commission to take the actions necessary to recommend additional candidates for consideration to the NLC board appointments. The letter indicates that while the skill requirements remain the same, additional female candidates and representation from those who reside outside of the Northeast Avalon region is required. The letter goes on to further say that the Minister will still consider those names already put forward.

According to the notes in TRIM, Heather spoke to Marie about a change to the letter (which seems to have been made) and your name (which could’ve been done by Marie) is time stamped twice after Heather’s note, but there is actually nothing noted.

It seems that the letter was never sent. So how would you like to proceed? The letter was prepared for the former Minister, Cathy Bennett.

Gail.

K. Gail Boland
Director of Policy, Planning, Accountability and Information Management
Department of Finance
Government of Newfoundland and Labrador
Tel: 709-729-2950
As requested...
May 25, 2017

Mr. Clyde K. Wells, Q.C.
Chairperson
Independent Appointment Commission
50 Mundi Pond Road, P. O. Box 8700
St. John's, NL
A1B 4J6

Dear Mr. Wells:

Thank you for your letter of April 11 2017 with your recommendation of candidates for appointment to the Board of the Newfoundland Liquor Corporation. We have reviewed the recommended candidates and have appointed three (3) of those candidates (including the Chair position) to the Board effective May 11, 2017.

We still have three (3) Board positions remaining to be appointed. I hereby request the Independent Appointment Commission take the necessary action to recommend additional candidates for consideration to these appointments. The skill requirements remain the same, however, we are specifically seeking additional female candidates for consideration and persons who reside outside of the of the Northeast Avalon region. We will still consider those remaining names already put forward, however, we are seeking to appoint a Board which is both gender balanced and provides representation from various regions in Newfoundland and Labrador. The remaining list of candidates limits the ability to achieve this outcome and we seek to supplement it with additional candidates.

Your earliest attention to this matter would be appreciated.

Thank you.

Yours sincerely,

Honourable Cathy Bennett, M.H.A.
Minister of Finance and
President of Treasury Board
FYI, see below.

Wayne Myles, QC
chairman Newfoundland Labrador Liquor Corporation
Mail: P.O. Box 7056 Station C, St. John’s, NL Canada A1E 3Y3
Courier: Suite 1100 Scotia Centre 235 Water St. St. John’s NL A1C 1B6
Direct Voice: 709-570-5510
Fax: 709.738.8083
Email: wayne@mylesandcompany.com

Begin forwarded message:

From: Wayne Myles <wayne@mylesandcompany.com>
Subject: With Change Comes Opportunity
Date: January 7, 2018 at 9:37:40 PM AST
To: "Brenton, Ed" <Ed.Brenton@nlliquor.com>
Cc: "Diane Daly (Docs)" <docs@mylesandcompany.com>

FOR IMMEDIATE CIRCULATION TO ALL NEWFOUNDLAND LABRADOR LIQUOR CORPORATION EMPLOYEES

Dear NLC Team Members:

As many if not all of you will already be aware, on Friday, the Honorable Tom Osborne, Minister of Finance and President of Treasury Board and Minister Responsible for the Newfoundland and Labrador Liquor Corporation, announced the interim appointment of Sharon Sparkes as President and Chief Executive Officer of the Newfoundland Labrador Liquor Corporation (NLC).

On behalf of NLC, we thank Steve Winter for his longstanding service and achievements with the NLC and we wish Steve all the best in his future endeavors.

In due course, we will be commencing a search for a permanent Chief Executive Officer, through the Independent Appointment Commissions, to help identify qualified, merit based, candidates for the position.

As most of you will know, Sharon has strong institutional knowledge of the NLC and this continuity is essential for all of us at this time. Likewise, she has a very strong operational and financial experience within the NLC for over 13 years.

Both the NLC and the Government of Newfoundland and Labrador are confident that we have talented teams in place and see enormous opportunities on which NLC can capitalize. In just six short months, cannabis will be legalized in Canada and the NLC has been tasked with implementing the distribution, retail and commercial aspects within Newfoundland and Labrador. This will be a whole new industry
and direction for the NLC, which I am very confident that we have the expertise and drive to be very successful in as well.

Thanks to your hard work and dedication, and the creative and positive commercial culture you have created, NLC has consistently achieved extraordinary results for the Province and our customers. I am confident that as an organization we will continue to build upon that in 2018 and beyond. Speaking personally, I am proud to have the honor to be associated with all of you who have contributed to the great achievements of the NLC. Thank you.

Yours truly,
Wayne

Wayne Myles, QC
chairman *Newfoundland Labrador Liquor Corporation*

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Mike,

When you get a moment can you please contact me to discuss recruitment process for the CEO of the NLC?

Thanks,

K. Gail Boland  
Director of Policy, Planning, Accountability and Information Management  
Department of Finance  
Government of Newfoundland and Labrador  
Tel: 709-729-2950
On Tuesday can you provide an update on where we are with the IAC process for NLC. Thanks.

Tom Osborne MHA
Minister of Finance and President of Treasury Board
District of Waterford Valley
Sure ... shall I set it up for here in Craig’s office or for the building?

As well, how much time will you need? One hour?

Jill,

Can you please arrange a meeting between me and Craig to discuss NLC Board Appointments and CEO Appointment.

Thanks,

K. Gail Boland
Director of Policy, Planning, Accountability and Information Management
Department of Finance
Government of Newfoundland and Labrador
Tel: 709-729-2950
On Apr 2, 2018, at 2:23 PM, Martin, Craig <CMartin@gov.nl.ca> wrote:

Is Gail still coordinating with the IAC for appointments, or I handle in shop?

Sent from my BlackBerry 10 smartphone on the Bell network.

From: Osborne, Tom <tosborne@gov.nl.ca>
Sent: Sunday, April 1, 2018 8:40 AM
To: Martin, Craig
Subject:

Can you get a letter sent to IAC to request names for NLC. I met with Mr. Wells and he said we should ask based on the fact they have a new product line and the length of time since the previous list was sent.

Tom Osborne MHA
Minister of Finance and President of Treasury Board
District of Waterford Valley
Can you get a letter sent to IAC to request names for NLC. I met with Mr. Wells and he said we should ask based on the fact they have a new product line and the length of time since the previous list was sent.

Tom Osborne MHA
Minister of Finance and President of Treasury Board
District of Waterford Valley
Thks

Sent from my BlackBerry 10 smartphone on the Bell network.

From: Boland, Gail
Sent: Thursday, April 12, 2018 8:52 PM
To: Martin, Craig
Subject: Re: Status IAC NLC Appmts

Letter is drafted. Will send to you in the AM.

Sent from my BlackBerry 10 smartphone on the Bell network.

From: Martin, Craig
Sent: Thursday, April 12, 2018 7:20 PM
To: Boland, Gail
Subject: Status IAC NLC Appmts

Gail,

Also wondering on the status of the NLC Appmts letter and Board profile. Minister was asking Denise today.

Craig

Sent from my BlackBerry 10 smartphone on the Bell network.
Updating the board profile now, which will need to be attached to the letter.

Gail.
See attached – must accompany the letter.

Gail.
I kept the track changes... if you need them turned off, any more changes or TRIMed, let me know!

J.
Jill March
Administrative Assistant to the Assistant Deputy Minister
Economic, Fiscal and Statistics Branch
Dept. of Finance
5 Mews Place, St. John’s, NL
(t) 709-729-0864 (f) 709-729-0393
jillmarch@gov.nl.ca
No changes to the Board Profile.

Couple of edits to the Letter. Please see the attached.

Thanks

Craig

From: Boland, Gail
Sent: Friday, April 13, 2018 12:49 PM
To: Martin, Craig
Subject: NLC Board Profile

See attached – must accompany the letter.

Gail.
Updates accepted and both documents sent via TRIM to Denise for minister’s signature.

From: Martin, Craig
Sent: Friday, April 13, 2018 3:46 PM
To: Boland, Gail <gailboland@gov.nl.ca>
Subject: RE: NLC Board Profile

Gail,

No changes to the Board Profile.

Couple of edits to the Letter. Please see the attached.

Thanks

Craig

From: Boland, Gail
Sent: Friday, April 13, 2018 12:49 PM
To: Martin, Craig
Subject: NLC Board Profile

See attached – must accompany the letter.

Gail.
K. Gall Boland
Director of Policy, Planning, Accountability and Information Management
Department of Finance
Government of Newfoundland and Labrador
Tel: 709-729-2950
ABC Profile

ABC Name: Newfoundland and Labrador Liquor Corporation
Host Organization: Department of Finance
Last revised: April 13, 2018

**Statute/Authority:** Liquor Corporation Act

**Purpose/Function:**

The roles, responsibilities and accountabilities of the Board of Directors to the Newfoundland and Labrador Liquor Corporation (NLC) are defined in the *Liquor Corporation Act* and the *Liquor Control Act*. Specifically, the Corporation may:

- buy, import, or have within its possession for sale and sell alcoholic, cannabis or articles associated with alcohol or cannabis
- control the possession, sale and delivery of alcoholic liquor and cannabis
- manufacture, blend, package, mix, dilute or otherwise prepare for sale alcohol
- establish, maintain and operate liquor stores/agencies and cannabis stores/agencies
- prescribe, subject to the approval of the minister, the days and hours on which liquor and cannabis stores are to be opened/closed for business

For additional information on the role of the Newfoundland and Labrador Liquor Corporation, please refer to the:

- *Liquor Corporation Act* (available on-line at [http://www.assembly.nl.ca/Legislation/sr/statutes/118.htm](http://www.assembly.nl.ca/Legislation/sr/statutes/118.htm))

**Structure:**

Pursuant to section 5 of the *Liquor Corporation Act*, the board shall comprise 7 members, including the president. The Lieutenant-Governor in Council shall designate one member of the board to be the chairperson and one member of the board to be the vice-chairperson.

The president shall be the chief executive officer of the corporation and shall perform those duties and responsibilities assigned by the board.

A member of the board holds office for a term of 3 years from the date of that member's appointment, while the president holds office during pleasure.

**Competency Profile:**

Those who make up the Board should collectively possess the following core competencies, ranked in order of relative importance:

- Governance
- Change Management
- E-commerce
ABC Profile

ABC Name: Newfoundland and Labrador Liquor Corporation
Host Organization: Department of Finance
Last revised: April 13, 2018

• Strategic Management
• Executive Experience
• Financial Expertise
• Public Relations/ Communication
• Human Resources / Labour Relations
• Legal Expertise
• Information Technology Literacy

Qualifications:

There are no specific qualifications/requirements stipulated in the enabling legislation for the Newfoundland and Labrador Liquor Corporation. Board members should possess the following personal attributes:

• high ethical standards and integrity
• appreciation of the responsibilities to the public
• flexible, responsive and willing to consider others’ opinions;
• capable of a wide perspective on issues;
• ability to listen and work as a team member;
• no direct or indirect conflict of interest
• strong reasoning skills

Time Commitments:

Members of the Board should be available to meet 10 times per year. Any applicable committees of the Board normally meet 4 times per year. Board members may also be expected to spend additional time to review materials and prepare for Board and Committee meetings.

Remuneration:

The president, chairperson and members of the board shall be paid the salaries or other remuneration that the Lieutenant-Governor in Council may by order determine. Current rates are:

• Chair / Vice-Chair $190 / day
• Directors $145 / day
ABC Profile

ABC Name: Newfoundland and Labrador Liquor Corporation
Host Organization: Department of Finance
Last revised: April 13, 2018

Term:

Board members are appointed for a three-year term and are considered to be members of the corporation. A member of the board does not become, because of the office only, an officer or servant of the Crown.

The President / CEO holds office during pleasure.

Vacancy Profile:

Four of the seven Board positions are currently vacant, including the vice-chair.

Expressions of interest are being sought from individuals who possess the following combination of competencies and who can bring unique perspectives to the table:

- Governance
- Change Management
- E-commerce
- Strategic Management
- Executive Experience
- Financial Expertise
- Public Relations/ Communication
- Human Resources / Labour Relations
- Legal Expertise
- Information Technology Literacy

Consideration will also be given to a variety of demographic factors to ensure the board is representative of the population they serve.

Additional Information:

N/A
May 15, 2018

Honourable Tom Osborne, MHA
Minister of Finance
District of Waterford Valley
P. O. Box 8700
Confederation Building,
St. John’s, NL
A1B 4J6

Dear Minister Osborne:

I acknowledge receipt of your letter dated May 7, 2018, requesting that the Independent Appointments Commission recommend applicants to be considered for appointment to the Board of the Newfoundland Liquor Corporation (NLC).

We will immediately commence a process to identify potential candidates to fill these vacancies.

Sincerely yours,

CLYDE K. WELLS, Q.C.
Chairperson
Thanks, hoping to get it posted this afternoon.

Jay

Jay McGrath
Senior Merit Officer
Public Service Commission
709-729-3208
@PSC_GovNL

From: Boland, Gail
Sent: Wednesday, May 16, 2018 12:50 PM
To: McGrath, Jay <JayMcGrath@gov.nl.ca>
Cc: March, Jill <JillMarch@gov.nl.ca>
Subject: NLC Board Profile

I understand from Jill that you are looking for the word version of the NLC Board Profile. Please see attached.

Contact me at your convenience should you have any questions.

Regards,

K. Gail Boland
Director of Policy, Planning, Accountability and Information Management
Department of Finance
Government of Newfoundland and Labrador
Tel: 709-729-2950
I am waiting to hear back from the PSC about the status of the IAC’s recommendations.

Gail.

Can you please send me the latest Updated Board Profile and skill set we defined for the most recent NLC postings we sent to the IAC.

Also, do you have any idea on timing of when IAC will be making recommendations on that posting.

Thanks

Craig

Craig Martin, CPA, CMA
Assistant Deputy Minister of Finance
Economic, Fiscal and Statistics Branch

тел. (709) 729-0864  факс. (709) 729-2070
doc martind.gov.nl.ca