November 5, 2018

Dear [Redacted],

Re: Your request for access to information under Part II of the Access to Information and Protection of Privacy Act [IIAS-013-2018]

On October 22, 2018, the Intergovernmental Affairs Branch of the Intergovernmental and Indigenous Affairs Secretariat received your request for access to the following records:

Any messaging prepared for the fall sitting of the house of assembly during the month of October 2018.

I am pleased to inform you that a decision has been made by the Deputy Minister of Intergovernmental Affairs to provide access to the requested information. In accordance with your request for a copy of the records, the appropriate copies have been enclosed.

The Access to Information and Protection of Privacy Act (the Act) requires us to provide an advisory response within 10 days of receiving the request. As this request has been completed prior to day 10, this letter also serves as our Advisory Response.

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 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.

If you have any further questions, please feel free to contact me by telephone at 729-3523 or by e-mail at angelaledwell@gov.nl.ca.

Sincerely,

Angela Ledwell
ATIPP Coordinator
IGA
October 17, 2018

Summary
The International Trade Commission, voted on August 29 that there was no injury to the United States newsprint industry and that the tariffs imposed on Corner Brook Pulp and Paper should be eliminated.

Anticipated Questions:
What does this decision mean? What happens with the legal fees? How much was paid in legal fees?

Key Messages
• My government fought very hard on behalf of the 5,000 people that work in the forestry to have these unjustified tariffs eliminated.

• We made sure that our voices were heard and that these tariffs were bad for Newfoundland and Labrador. They were bad for Canada and they were bad for the United States.

• The decision is a major win for the province, Corner Brook Pulp and Paper, and the forestry industry. This is an industry that contributes close to $300 million to the provincial economy, which is why we will fight any further action in the future if it occurs.

Legal Fees
• This was an international trade dispute that requires legal counsel that specializes in United States anti-dumping and countervailing law – and where this is a dispute with the United States’ government we need American legal counsel.

• Incurred legal fees will not be returned to the province.

• Our approach mirrored the action taken by other provinces taken on international trade disputes – governments have their own legal counsel and the company has their own.

• To date, $831,747.71 in legal services have been incurred.
  o Curtis, Mallet-Prevost, Colt & Mosle LLP (United States): $642,164.96
  o Borden Ladner Gervais (Canada): $189,582.75

• Our legal team worked hand-in-hand with provincial officials to mount our defense of the province’s forestry industry. We have submitted hundreds documents to the Department of Commerce and have co-operated with US officials throughout the investigation, including when they visited the province in March.
Chronology

- In summer 2017, North Pacific Paper Company filed a complaint to the United States Department of Commerce against producers of uncoated groundwood paper in Canada.

- On January 9, the United States Department of Commerce imposed a 9.93 per cent countervailing tariff on Corner Brook Pulp and Paper.

- On March 14, the United States Department of Commerce imposed a 22.16 per cent anti-dumping duty on Corner Brook Pulp and Paper.

- On August 2, the United States Department of Commerce announced assigned CBPPL a new anti-dumping rate of 0 per cent and reduced the countervailing duty to 9.53 per cent.

- On August 29, the International Trade Commission voted on the final injury determination and ruled 5-0 that there was no injury.

- Final determinations will be confirmed on September 17.
IGA
United States-Mexico-Canada Agreement
October 17, 2018

Summary:
On September 30, the United States and Canada reached an agreement that will result in the creation of the United States-Mexico-Canada Trade Agreement.

Anticipated Questions:
How does the trade agreement impact Newfoundland and Labrador? What is being done to protect the interests of the province’s dairy industry?

Key Messages

• The United States is Newfoundland and Labrador’s largest export market – roughly 60 per cent of all exports from this province go to the United States.

• Over the last year, I have engaged local industry and labour to secure their thoughts on trade with the United States. This helped inform discussions on the renegotiation of NAFTA and to ensure that our local interests were best represented.

• The agreement reflects our advocacy. It provides guaranteed access for our province’s key exports into this valuable market – they include oil and gas, fish and seafood and newsprint. The agreement provides stability and predictability for NL businesses and workers.

• This is a complex agreement, which still has not finalized by the Governments of the United States, Mexico and Canada.

• Officials continue to work closely with the Federal Government to review the language and ensure that Newfoundland and Labrador is best positioned.

Secondary messages (Dairy)

• We see the dairy industry as having a bright future in Newfoundland and Labrador.

• We see a promising future for the dairy industry and will continue work collaboratively to develop secondary processing opportunities, which will support business growth and improve food security.

• The Prime Minister and federal ministers have pledged Federal support to offset any negative impact on Canada’s dairy industry. We will take every step to make sure our industry is compensated fairly and appropriately.

• The Federal Government has advised that they will be doing this quickly and we will hold them accountable.