

Review Committee

83 Thorburn Road, Suite C

St. John's, NL

A1B 3M2

info@parcni.ca

Mr. Clyde Wells

Re- Bill 29

I am writing on Behalf of Save Our People Action Committee ( SOPAC ) we are a grass – roots organization that lobbies government to better protect drivers from moose on our highways

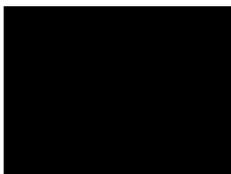
To inform you that we requested information from several different departments of Government looking for information under the Access to Information and Protection Act {ATIPPA} The information we were looking was to find out how much money our Government of Newfoundland Labrador spend on the flashing lights moose detection pilot project, brush cutting and awareness ads on radio and over all moose management over the past number of year

We did not receive much back only that the company who was doing the detection pilot Project was a private company and that the government would not provide us with this information as the private company did not want us to have this info

We should have being given all this information as it should have being pubic information Linda Bishop is away till the end of July when she returned I can provide you with copies of the information that the Government send us back

Lucy Stoyles

Chair SOPAC



Section 30

COR/2012/[REDACTED] Section 30

January 19, 2012

Ms. Lucy Stoyles  
SOPAC

[REDACTED] Section 30

Mount Pearl, NL

[REDACTED] Section 30

Dear Ms. Stoyles:

**RE: Your request for access to information under Part II of the *Access to Information and Protection of Privacy Act* (Our File TW/001/2012)**

On January 13, 2012 the Department of Transportation and Works received your request for access to the following records:

*Details on what company was contracted to install the moose detection systems and details on how they operate.*

The records you have requested may contain information which, if disclosed, might affect the business interests of a third party as described in section 27 of the *Access to Information and Protection of Privacy Act* (the *Act*).

As required by section 28 of the *Act*, we have given written notice to the third party that a request for access to these records has been made. This notice gives the third party an opportunity to consent to the disclosure of the information or to make representations to us explaining why the information should not be disclosed. The notice to the third party was dated and sent on January 19, 2012, and requires a response within 20 days.

A copy of sections 27 and 28 has been enclosed for your information.

Our decision respecting your request for access must be made within 30 days after the date the notice was given to the third party, unless we extend the 30 day time limit under paragraph 16(1)(c). Section 29 of the *Act* requires that we give written notice of our decision respecting your request for access to you and to the third party.

.../2

If you have any further questions, please feel free to contact the undersigned at (709) 729-5346.

Sincerely,

A solid black rectangular redaction box covering the signature of the undersigned.

Section 30

Edwina Walsh  
Access and Privacy Coordinator

Enclosure

### **Disclosure harmful to business interests of a third party**

27. (1) The head of a public body shall refuse to disclose to an applicant information

(a) that would reveal

(i) trade secrets of a third party, or

(ii) commercial, financial, labour relations, scientific or technical information of a third party;

(b) that is supplied, implicitly or explicitly, in confidence; and

(c) the disclosure of which could reasonably be expected to

(i) harm significantly the competitive position or interfere significantly with the negotiating position of the third party,

(ii) result in similar information no longer being supplied to the public body when it is in the public interest that similar information continue to be supplied,

(iii) result in undue financial loss or gain to any person or organization, or

(iv) reveal information supplied to, or the report of, an arbitrator, mediator, labour relations officer or other person or body appointed to resolve or inquire into a labour relations dispute.

(2) The head of a public body shall refuse to disclose to an applicant information that was obtained on a tax return or gathered for the purpose of determining tax liability or collecting a tax.

(3) Subsections (1) and (2) do not apply where

(a) the third party consents to the disclosure; or

(b) the information is in a record that is in the custody or control of the Provincial Archives of Newfoundland and Labrador or the archives of a public body and that has been in existence for 50 years or more.

### **Notifying the third party**

28. (1) Where the head of a public body intends to give access to a record that the head has reason to believe contains information that might be excepted from disclosure under section 27 , the head shall give the third party a written notice under subsection (3).

(2) Where the head of a public body does not intend to give access to a record that contains information excepted from disclosure under section 27 , the head may give the third party a written notice under subsection (3).

(3) The notice shall

(a) state that a request has been made by an applicant for access to a record containing information the disclosure of which may affect the interests of the third party;

(b) describe the contents of the record; and

(c) state that, within 20 days after the notice is given, the third party may, in writing, consent to the disclosure or may make written representations to the public body explaining why the information should not be disclosed.

(4) When notice is given under subsection (1), the head of the public body shall also give the applicant a notice stating that

(a) the record requested by the applicant contains information the disclosure of which may affect the interests of a third party;

(b) the third party is being given an opportunity to make representations concerning disclosure; and

(c) a decision will be made within 30 days about whether or not to give the applicant access to the record.