



Access to Information and Protection of Privacy Act

ANNUAL REPORT

2012 - 13



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Message from the Minister

The 2012-13 Annual Report on Newfoundland and Labrador's Access to *Information and Protection of Privacy Act* (the "Act") is provided in accordance with section 70 of the legislation.

In 2012-13, public bodies across Newfoundland and Labrador received 660 requests for general access and personal information - a 23 percent increase from the 537 requests received in 2011-12.

The sustained efforts of the public bodies that process access to information requests, together with the support of the Access to Information and Protection of Privacy (ATIPP) Office, have led to the results that are contained in this report.

During the 2012-13 fiscal year, the ATIPP Office commenced several new initiatives in line with the Government of Newfoundland and Labrador's commitment to openness and accountability to the people of this province. These initiatives are ongoing and the provincial government is committed to implementing new ways for people to access government information and to protect the personal and confidential information in its possession.

Some of the achievements of the 2012-13 fiscal year include:

1. The ATIPP Office consulted with government departments with respect to increased proactive disclosure and making more government information publicly available and easily accessible through online posting. For example, the ATIPP Office commenced work relating to the online posting of Orders in Council and government department general access requests for launch in 2013-14.
2. In partnership with the Office of the Chief Information Officer, the ATIPP Office began the development of a webpage which would provide a central location for the public to access government information. This information can be found at: http://www.ope.gov.nl.ca/openinfo/proactive_disclosures.html.
3. The Office has updated the Access to Information and Protection of Privacy Policy and Procedure Manuals. Additionally, forms and other resources were updated to reflect the amendments made to the ATIPP Act in 2012. These materials can be found at: <http://www.atipp.gov.nl.ca>.
4. Training was provided across Newfoundland and Labrador in relation to amendments made to the in 2012.

I would like to highlight that during this reporting period the ATIPP Office became part of the new Office of Public Engagement in October 2012. The ATIPP Office continues to provide advice, guidance and support to public bodies with respect to access and privacy obligations, with an increased commitment to open, accountable and transparent government. It continues to build on these obligations by coordinating the efforts of departments to increase access to information resources and to work with departments to proactively disclose information to the people of Newfoundland and Labrador.

I would like to extend thanks to all access and privacy coordinators and other public body officials throughout Newfoundland and Labrador for their continued support, dedication and hard work on all matters related to the administration of the Act.

The Government of Newfoundland and Labrador continues its commitment to transparency and accountability through administration of the Act.



Honourable Steve Kent
Minister Responsible for the Office of Public Engagement

Overview

The Access to *Information and Protection of Privacy* Act (the “Act”) was proclaimed in January 2005 and was amended in June 2012, following the first statutory review. Its provisions apply to more than 460 public bodies across the province, including government departments, agencies, boards, commissions, crown corporations, health authorities, educational bodies and municipalities. The purpose of this Act is to make public bodies more accountable to the public by providing access to information and protecting personal privacy.

With respect to access to information, two categories of information are accessible to the public under the Act: general information and personal information. The Act specifies a framework for providing information to applicants. A request for general information relates to information about government. Some examples include reports, expenses and statistics. Personal information requests are requests made by individuals seeking access to their own personal information that is in the custody of government or other public bodies.

The Act also provides a mechanism for resolving disputes with respect to the processing of access to information requests. If an applicant is not satisfied with the handling of an access to information request by a public body, a complaint or request for review can be made to the Office of the Information and Privacy Commissioner (OIPC) or Trial Division of the Supreme Court of Newfoundland and Labrador. The OIPC can review records that are the subject of a complaint with the narrow exception of official cabinet records and solicitor and client privilege records.

The Access to Information and Protection of Privacy (ATIPP) Office is responsible for the overall administration and coordination of the legislation. The Office monitors the administration of the Act by collecting and maintaining statistics on access to information requests supplied by departments and public bodies as defined by the Act. In compliance with section 70 of the Act, this report includes: the number of requests for access and whether they were granted or denied; the specific provisions of the Act used to refuse access; the number of applications to correct personal information; and the fees charged for access to records.

The ATIPP Office also provides support and leadership in the interpretation and application of the Act by assisting public bodies with education and training, developing policies and procedures to foster common standards, and providing advice and guidance on the processes necessary to ensure the Act is implemented and applied appropriately. Each public body is required to designate an access and privacy coordinator responsible for receiving and processing access requests as well as coordinating responses for the relevant public body.

The ATIPP Office provides information on the Act and its administration, as well as access to information request forms at <http://www.atipp.gov.nl.ca/forms/index.html>.

Statistical Reports

The next section of this report provides a statistical breakdown of the total number of general and personal access requests received from April 1, 2012 to March 31, 2013 for government departments and public bodies. Public bodies include government agencies, boards, commissions, municipalities, crown corporations, health care and educational bodies.

Departments and public bodies that did not receive any requests for access are not included in the breakdown of statistics. Please refer to Annex A for a listing of these entities.

Table 1 - Total Number of Access Requests Received from April 1, 2012 to March 31, 2013

REQUEST TYPE	TOTAL	%
General Access Requests to a Government Department	285	43%
General Access Requests to a Public Body	226	34%
Personal Information Requests to a Government Department	32	5%
Personal Information Requests to a Public Body	117	18%
	660	100%

General Access Requests

Requests for general information cover a wide range of subjects and records, from policy documents to travel claims or archived records. This section reports the volume and applicant type for general access requests made to government departments and public bodies. The data is detailed further to report fees recorded, exceptions to disclosure applied and outcomes of requests.

Volume and Applicant Type

During the 2012-13 fiscal year a total of 511 general access requests were received by government departments and public bodies. Of these 511 requests, government departments received 285 (56%) general access requests and other public bodies received 226 (44%) general access requests.

Table 2 - General Access Requests by Department and Applicant Type from April 1, 2012 to March 31, 2013

DEPARTMENT	Political Party	Individual	Media	Business	Legal Firm	Interest Group	Researcher	Public Body	Total
Advanced Education and Skills	20	1	2	0	1	0	0	0	24
Child, Youth and Family Services	1	0	0	0	0	1	0	0	2
Education	10	8	6	0	0	0	0	0	24
Environment and Conservation	4	22	3	0	0	0	0	0	29
Executive Council (Cabinet Secretariat)	1	1	6	0	0	0	0	0	8
Human Resources Secretariat	2	2	0	0	0	0	0	0	4
Intergovernmental and Aboriginal Affairs Secretariat	2	0	0	0	0	0	0	0	2
Office of the Chief Information Officer	1	1	0	0	0	0	0	0	2
Office of Public Engagement	1	0	0	0	0	0	0	0	1
Premier's Office	5	1	7	0	0	0	0	0	13
Women's Policy Office	1	1	1	0	0	0	0	0	3
Finance	13	1	8	1	0	0	0	0	23
Fisheries and Aquaculture	12	2	2	0	0	1	0	0	17
Health and Community Services	7	3	4	0	2	0	1	0	17
Innovation, Business and Rural Development	3	0	5	0	0	0	0	0	8
Justice	2	10	5	0	0	0	0	0	17
Municipal Affairs	0	7	1	0	0	0	0	0	8
Natural Resources	9	4	7	1	1	0	0	0	22
Service NL	1	2	9	4	1	0	0	0	17
Tourism, Culture and Recreation	2	0	0	4	0	0	0	0	6
Transportation and Works	15	13	7	1	0	0	1	1	38
Total by Applicant Type	112	79	73	11	5	2	2	1	285
Percentage %	39.5%	27.5%	25.5%	4%	2%	0.5%	0.5%	0.5%	100%

Note: percentages were rounded.

Table 3 - General Access Requests by Public Body and Applicant Type from April 1, 2012 to March 31, 2013

PUBLIC BODY	Individual	Business	Media	Political Party	Legal Firm	Public Body	Interest Group	Re-searcher	Total
C.A. Pippy Park Commission	1	0	0	0	0	0	0	0	1
Central Health	0	0	3	1	0	0	0	0	4
Centre for Health Information	0	1	0	0	0	0	0	0	1
City of Corner Brook	2	0	0	0	3	0	0	0	5
City of St. John's	24	6	2	0	1	0	0	0	33
College of the North Atlantic	14	0	0	0	1	1	0	0	16
Eastern Heath	3	3	4	2	0	0	0	0	12
Eastern School District	12	1	0	2	0	0	0	0	15
Fire and Emergency Services	0	4	2	0	2	1	0	0	9
Government Purchasing Agency	0	2	0	0	0	0	0	0	2
Labrador-Grenfell Regional Health	0	0	2	2	0	0	0	0	4
Labrador School District	3	0	1	1	0	0	0	0	5
Memorial University	4	2	2	0	0	0	2	2	12
Multi-Materials Stewardship Board	0	0	1	0	0	0	0	0	1
Municipal Assessment Agency	0	0	1	0	0	0	0	0	1
Nalcor	0	7	1	2	0	0	0	0	10
NL Housing Corporation	1	1	2	0	0	0	0	0	4
NL Liquor Corporation	0	0	2	1	0	0	1	0	4
Nova Central School District	4	0	1	1	0	1	0	0	7
Office of the Chief Medical Examiner	1	0	0	0	0	0	0	0	1
Public Utilities Board	0	0	1	0	0	0	0	0	1
Research and Development Corporation	0	0	1	0	0	0	0	0	1
Royal Newfoundland Constabulary	2	3	2	0	3	2	0	0	12
The Rooms Corporation	0	0	1	0	1	0	0	0	2
Town of Arnolds Cove	4	0	0	0	0	0	0	0	4
Town of Bay Roberts	6	0	0	0	0	0	0	0	6
Town of Carbonbear	1	0	0	0	0	0	0	0	1
Town of Conception Bay South	4	0	0	0	0	0	0	0	4
Town of Flatrock	6	0	0	0	0	0	0	0	6

Continued...

PUBLIC BODY	Individual	Business	Media	Political Party	Legal Firm	Public Body	Interest Group	Re-searcher	Total
Town of Grand Falls - Windsor	0	1	0	0	0	0	0	0	1
Town of Holyrood	1	0	0	0	0	0	0	0	1
Town of Portugal Cove - St. Philip's	4	1	3	0	1	0	1	0	10
Town of Pouch Cove	0	0	1	0	0	0	0	0	1
Town of Stephenville	2	0	0	0	0	0	0	0	2
Town of Torbay	5	0	0	0	0	0	0	0	5
Town of Winterton	0	0	0	0	0	1	0	0	1
Western Regional Integrated Health Authority	1	0	1	2	0	0	0	0	4
Western School District	4	0	0	2	0	0	0	0	6
Workplace Health, Safety and Compensation Commission	2	6	1	1	1	0	0	0	11
Total	111	38	35	17	13	6	4	2	226
Percentage %	49%	17%	15.5%	7.5%	5.5%	2.5%	2%	1%	100%

Note: percentages were rounded.

Frequency by Applicant Type

Table 4 – General Access Requests by Frequency of Applicant Type from April 1, 2012 to March 31, 2013

APPLICANT TYPE	DEPARTMENT	PUBLIC BODY	TOTAL	PERCENTAGE %
Individual	79	111	190	37%
Political Party	112	17	129	25%
Media	73	35	108	21%
Business	11	38	49	10%
Legal Firm	5	13	18	4%
Other Public Body	1	6	7	1%
Interest Group	2	4	6	1%
Researcher	2	2	4	1%
Total	285	226	511	100%

Fees

Section 68 of the Act gives the Minister responsible for the Act the right to establish a Fee Schedule. The current fee schedule came into effect December 10, 2012 and outlines the applicable fees for access to information requests (see Annex B). Specifically, fees for general access requests include: \$5.00 application fee; \$25.00/hour¹ for locating, retrieving, providing, manually producing, and severing records; \$0.25/page for photocopies; and any associated shipping costs. Fees are not charged for the first four hours² of work to respond to an access request. The head of a public body may waive the requirement to pay any fees if payment would impose an unreasonable financial hardship on the applicant. The \$5.00 application fee may be charged for personal information requests, however, the head of the department or public body may waive the application fee for personal information requests if deemed reasonable and fair in the circumstances. No processing fees can be charged for personal information requests.

Application Fees

During 2012-13, application fees received by government departments and public bodies totaled \$2,860.00.

Processing Fees

The following table represents a breakdown of the processing fees paid by applicants for access requests (not including the \$5.00 application fee).

Table 5 - Processing Fees Recorded as Paid by Applicants for General Access Requests from April 1, 2012 to March 31, 2013

DEPARTMENT	TOTAL (\$)	PUBLIC BODY	TOTAL (\$)
Environment and Conservation	\$189.25	Arnold's Cove	\$24.75
Executive Council	\$26.75	City of St. John's	\$161.50
Finance	\$23.25	College of the North Atlantic	\$300.00
Health and Community Services	\$204.50	Eastern Health	\$522.50
Innovation, Business and Rural Development	\$52.50	Eastern School District	\$130.00
Natural Resources	\$367.00	Fire and Emergency Services	\$107.10
Premier's Office	\$198.35	Labrador School District	\$75.00
Tourism, Culture and Recreation	\$165.75	Memorial University	\$496.25
		Nova Central School District	\$77.50
		Town of Conception Bay South	\$13.50
		Town of Portugal Cove - St. Philips	\$34.50
		Western School District	\$90.00
		Workplace, Health, Safety and Compensation Commission	\$1,404.00
Total	\$1,227.35	Total	\$3,436.60

¹ Between April 1, 2012 to December 9, 2012 the fees were \$15/hour

² Between April 1, 2012 to December 9, 2012 the first two hours were free

Exceptions

One of the main purposes of the Act is to provide access to information subject only to specific and limited circumstances. Under the Act, certain types of information are exempt from disclosure to applicants. There are two categories of exceptions: mandatory exceptions, which departments and public bodies must apply; and discretionary exceptions, which departments and public bodies may exercise discretion to apply.

Since a single request may list more than one exception, the numbers noted in this table do not correlate to the total number of general access requests received during this timeframe. For example, one record or piece of information could be severed citing cabinet confidences (s.18), policy advice or recommendations (s.20) and harmful to the financial or economic interests of a public body (s.24).

Table 6 – Exceptions to Disclosure for General Access Requests from April 1, 2012 to March 31, 2013

SECTION OF THE ATIPP ACT	TOTAL	PERCENTAGE %
MANDATORY		
s.18 – Cabinet Confidences	23	8%
s.22.2 – Information from a Workplace Investigation*	0	0%
s.27 – Disclosure Harmful to the Business Interests of a Third Party	36	12%
s.30 – Disclosure Harmful to Personal Privacy	139	46%
DISCRETIONARY		
s.19 – Local Public Body Confidences	1	0%
s.20 – Policy Advice or Recommendations	41	14%
s.21 – Legal Advice	13	4%
s.22 – Disclosure Harmful to Law Enforcement	5	2%
s.22.1 – Confidential Evaluations*	1	0%
s.23 – Disclosure Harmful to Intergovernmental Relations or Negotiations	14	5%
s.24 – Disclosure Harmful to the Financial or Economic Interest of a Public Body	26	9%
s.25 – Disclosure Harmful to Conservation	0	0%
s.26 – Disclosure Harmful to Individual or Public Safety	1	0%
s.26.1 – Disclosure Harmful to Labour Relations Interests of Public Body as Employer*	1	0%
Total	301	100%

* Sections 22.1, 22.2 and 26.1 did not apply to requests made between April 1, 2012 to June 26, 2012.

Synopsis

The exceptions to disclosure listed above were used in 301 instances. Section 30 (mandatory exception for personal information) was the most widely applied exception being used in 139 (46%) instances of all applied exceptions. Discretionary exceptions were used in 103 (34%) instances of all applied exceptions.

Outcomes

Responding to general access requests can result in a range of possible outcomes. The outcome may be full or partial disclosure; the applicant may withdraw or abandon the request; or the record may not exist or may already be available in the public domain. Partial disclosure means exceptions have been applied and certain information has been severed in accordance with the legislation.

Table 7 – Final Outcome of General Access Requests by Department from April 1, 2012 to March 31, 2013

OUTCOMES BY DEPARTMENT	Full Disclosure	Partial Disclosure	Do not Exist	Access Denied	Abandon	Withdrawn	Publicly Available	Total
Advanced Education and Skills	12	2	6	2	0	0	2	24
Child, Youth and Family Services	1	1	0	0	0	0	0	2
Education	8	4	6	3	0	3	0	24
Environment and Conservation	7	12	7	3	0	0	0	29
Executive Council (Cabinet Secretariat)	2	5	0	0	1	0	0	8
Human Resources Secretariat	3	1	0	0	0	0	0	4
Intergovernmental and Aboriginal Affairs Secretariat	0	1	0	1	0	0	0	2
Office of the Chief Information Officer	0	1	1	0	0	0	0	2
Office of Public Engagement	1	0	0	0	0	0	0	1
Premier's Office	7	4	2	0	0	0	0	13
Women's Policy Office	0	1	0	2	0	0	0	3
Finance	9	8	1	2	1	2	0	23
Fisheries and Aquaculture	3	6	1	7	0	0	0	17
Health and Community Services	8	5	4	0	0	0	0	17
Innovation, Business and Rural Development	1	5	1	1	0	0	0	8
Justice	6	6	4	1	0	0	0	17
Municipal Affairs	4	3	1	0	0	0	0	8
Natural Resources	10	4	3	1	0	1	2	21*

Continued...

OUTCOMES BY DEPARTMENT	Full Disclosure	Partial Disclosure	Do not Exist	Access Denied	Abandon	Withdrew	Publicly Available	Total
Service NL	5	10	1	0	1	0	0	17
Tourism, Culture and Recreation	0	3	1	0	2	0	0	6
Transportation and Works	21	7	6	2	2	0	0	38
Total	108	89	45	25	7	6	4	284*
Percentage %	38.0%	31.3%	15.9%	8.8%	2.5%	2.1%	1.4%	100%

*At the time of this report, one general access request made to Natural Resources had not been completed due to an ongoing OIPC review.

Synopsis

Of the 284 general access requests responded to by government departments, 197 (69.3%) resulted in full or partial disclosure, while 45 (15.9%) general requests were for records that did not exist. Access was denied to only 25 (8.8%) of the general requests received. As noted, the total general access responses in Table 7 do not equal the total general access requests made to departments for the 2012-2013 fiscal year. This discrepancy is due to one outstanding request that was still under review by the OIPC.

Table 8 – Final Outcome of General Access Requests by Public Body from April 1, 20112 to March 31, 2013

OUTCOMES BY PUBLIC BODY	Full Disclosure	Partial Disclosure	Access Denied	Abandon	Do Not Exist	Withdrew	Disregarded ¹	Publicly Available	Refuse to confirm or deny	Total
C.A. Pippy Park Commission	0	0	0	0	1	0	0	0	0	1
Central Health	3	1	0	0	0	0	0	0	0	4
Centre for Health Information	0	0	1	0	0	0	0	0	0	1
City of Corner Brook	3	1	0	0	1	0	0	0	0	5
City of St. John's	14	9	3	3	3	1	0	0	0	33
College of the North Atlantic	3	7	4	2	0	0	0	0	0	16
Eastern Heath	4	4	1	0	1	0	0	0	0	10 ²
Eastern School District	10	1	0	3	1	0	0	0	0	15
Fire and Emergency Services	0	9	0	0	0	0	0	0	0	9

Continued...

OUTCOMES BY PUBLIC BODY	Full Disclosure	Partial Disclosure	Access Denied	Abandon	Do Not Exist	Withdrew	Disregarded ¹	Publicly Available	Refuse to confirm or deny	Total
Government Purchasing Agency	1	1	0	0	0	0	0	0	0	2
Labrador-Grenfell Regional Health	2	1	0	1	0	0	0	0	0	4
Labrador School District	4	1	0	0	0	0	0	0	0	5
Memorial University	1	4	2	0	1	4	0	0	0	12
Multi-Materials Stewardship Board	0	1	0	0	0	0	0	0	0	1
Municipal Assessment Agency	1	0	0	0	0	0	0	0	0	1
Nalcor	0	1	1	1	0	0	6	1	0	10
NL Housing Corporation	1	2	0	0	1	0	0	0	0	4
NL Liquor Corporation	1	3	0	0	0	0	0	0	0	4
Nova Central School District	4	1	1	1	0	0	0	0	0	7
Office of the Chief Medical Examiner	0	0	1	0	0	0	0	0	0	1
Public Utilities Board	1	0	0	0	0	0	0	0	0	1
Research and Development Corporation	0	1	0	0	0	0	0	0	0	1
Royal Newfoundland Constabulary	2	6	1	0	2	1	0	0	0	12
The Rooms Corporation	0	1	0	0	0	0	0	1	0	2
Town of Arnolds Cove	4	0	0	0	0	0	0	0	0	4
Town of Bay Roberts	5	1	0	0	0	0	0	0	0	6
Town of Carbonear	1	0	0	0	0	0	0	0	0	1
Town of Conception Bay South	1	2	0	0	0	1	0	0	0	4
Town of Flatrock	5	0	0	0	0	0	0	1	0	6
Town of Grand Falls-Windsor	0	0	0	0	0	0	0	0	0	0 ³
Town of Holyrood	1	0	0	0	0	0	0	0	0	1
Town of Portugal Cove - St. Philip's	1	7	0	0	1	0	0	0	1	10
Town of Pouch Cove	0	1	0	0	0	0	0	0	0	1
Town of Stephenville	0	0	0	0	0	2	0	0	0	2

Continued...

OUTCOMES BY PUBLIC BODY	Full Disclosure	Partial Disclosure	Access Denied	Abandon	Do Not Exist	Withdrawn	Disregarded ¹	Publicly Available	Refuse to Confirm or Deny	Total
Town of Torbay	2	3	0	0	0	0	0	0	0	5
Town of Winterton	0	0	1	0	0	0	0	0	0	1
Western Regional Integrated Health Authority	1	3	0	0	0	0	0	0	0	4
Western School District	6	0	0	0	0	0	0	0	0	6
Workplace Health, Safety and Compensation Commission	4	4	0	3	0	0	0	0	0	11
Total	86	76	16	14	12	9	6	3	1	223⁴
Percentage %	38.6%	34.1%	7.2%	6.3%	5.4%	4.0%	2.7%	1.3%	0.4%	100%

¹Public bodies could not disregard a request that was made prior to June 27, 2012.

²Two Eastern Health requests were under OIPC review and had not been completed.

³One Town of Grand Falls-Windsor request was under OIPC review and had not been completed.

⁴At the time of this report, three of the 226 general access requests made to public bodies had not been completed due to OIPC reviews.

Synopsis

Of the 223 general access requests responded to by public bodies, 162 (72.7%) resulted in full or partial disclosure. Access was denied in 16 (7.2%) of the general requests received and records did not exist for 12 (5.4%) of the general requests received. As noted, the total general access responses in Table 8 do not equal the total general access requests made to public bodies for the 2012-13 fiscal year. This discrepancy is due to three outstanding requests that were still under review by the OIPC.

Personal Information Requests

Personal information can be requested by the individual the information is about or by another individual who has been delegated authority on behalf of that person. Requests for personal information are subject to an application fee of \$5.00. No additional fees may be charged.

This section of the report provides the volume and applicant type for personal information requests, exceptions and outcomes.

Volume and Applicant Type

Table 9 - Personal Information Requests by Department / Public Body and by Applicant Type from April 1, 2012 to March 31, 2013

DEPARTMENT AND PUBLIC BODY	Individual	Business	Legal Firm	Public Body	Political Party	Researcher	TOTAL
Advanced Education and Skills	0	0	0	0	1	0	1
Child, Youth and Family Services	3	0	0	0	0	0	3
Environment and Conservation	3	0	1	0	0	0	4
Finance	1	0	0	0	0	0	1
Human Resources Secretariat	1	0	0	0	0	0	1
Justice	14	0	0	0	0	0	14
Municipal Affairs	3	0	0	0	0	0	3
Natural Resources	4	0	0	0	0	0	4
Service NL	1	0	0	0	0	0	1
Central Health	1	0	0	0	0	0	1
City of Corner Brook	2	0	0	0	0	0	2
City of St. John's	7	0	1	1	0	0	9
College of the North Atlantic	14	0	0	0	0	0	14
Eastern School District	3	0	0	0	0	0	3
Fire and Emergency Services	5	2	0	0	0	0	7
Memorial University	7	0	0	0	0	1	8
NL Housing Corporation	2	0	0	0	0	0	2
Office of the High Sheriff	3	0	0	0	0	0	3
Public Service Commission	2	0	0	0	0	0	2
Royal Newfoundland Constabulary	45	11	4	3	0	0	63
Town of Portugal Cove - St. Philips	1	0	0	0	0	0	1
Western School District	1	0	0	0	0	0	1
Workplace Health, Safety and Compensation Commission	1	0	0	0	0	0	1
Total	124	13	6	4	1	1	149
Percentage %	83.2%	8.7%	4%	2.7%	0.7%	0.7%	100%

Exceptions

Table 10—Exceptions to Disclosure for Personal Information Requests from April 1, 2012 to March 31, 2013

SECTION OF THE ATIPP ACT	TOTAL	PERCENTAGE %
MANDATORY		
s.18 – Cabinet Confidences	0	0%
s.22.2 – Information from a Workplace Investigation*	1	1%
s.27 – Disclosure Harmful to the Business Interests of a Third Party	1	1%
s.30 – Disclosure Harmful to Personal Privacy**	77	66.5%
DISCRETIONARY		
s.19 – Local Public Body Confidences	0	0%
s.20 – Policy Advice or Recommendations	11	9.5%
s.21 – Legal Advice	10	8.5%
s.22 – Disclosure Harmful to Law Enforcement	7	6%
s.22.1 – Confidential Evaluations*	3	2.5%
s.23 – Disclosure Harmful to Intergovernmental Relations or Negotiations	1	1%
s.24 – Disclosure Harmful to the Financial or Economic Interest of a Public Body	2	1.5%
s.25 – Disclosure Harmful to Conservation	0	0%
s.26 – Disclosure Harmful to Individual or Public Safety	1	1%
s.26.1 – Disclosure Harmful to Labour Relations Interests of Public Body as Employer*	2	1.5%
Total	116	100%

* Sections 22.1, 22.2 and 26.1 did not apply to requests made between April 1, 2012 to June 26, 2012.

**When section 30 is cited in a personal information request, it relates to the personal information of an individual other than the applicant.

Note: percentages were rounded.

Synopsis

The same exceptions which apply to general access requests may also apply to requests for personal information. The exceptions to disclosure listed above were used in 116 instances. Section 30 (mandatory exception for personal information), was the most widely applied exception. This section was used in 77 (66.5%) instances of all exceptions. Discretionary exceptions were used in 37 (31.5%) instances of all applied exceptions.

Outcomes

The outcomes of personal information requests are depicted in Table 11 for government departments and Table 12 for other public bodies.

Table 11 - Final Outcome of Personal Information Requests by Department from April 1, 2012 to March 31, 2013

OUTCOMES BY DEPARTMENT	Partial Disclosure	Full Disclosure	Do not exist	Repetitive	Access Denied	Total
Advanced Education and Skills	0	1	0	0	0	1
Child, Youth and Family Services	1	2	0	0	0	3
Environment and Conservation	3	1	0	0	0	4
Finance	0	1	0	0	0	1
Human Resources Secretariat	0	0	0	0	1	1
Justice	3	2	4	5	0	14
Municipal Affairs	2	1	0	0	0	3
Natural Resources	1	1	2	0	0	4
Service NL	0	0	0	0	1	1
Total	10	9	6	5	2	32
Percentage %	31%	28%	19%	16%	6%	100%

Synopsis

Of the 32 personal information requests responded to by government departments, 19 (59%) requests resulted in full or partial disclosure. Six (19%) of these applications requested records that did not exist and access was denied in two (6%) of the personal information requests. The two cases where access was denied were the result of a request for an individual's personal information other than the applicant and no consent was received to disclose the information (denied under s.30) and a request for records relating to a labour dispute (denied under s.26.1 which states that information cannot be disclosed where it would be harmful to the labour relations interests of a public body as an employer).

Table 12 - Final Outcome of Personal Information Requests by Public Body from April 1, 2012 to March 31, 2013

OUTCOMES BY PUBLIC BODY	Partial Disclosure	Full Disclosure	Do not exist	Access Denied	Abandon	Repetitive	Withdrawn	Total
Central Health	1	0	0	0	0	0	0	1
City of Corner Brook	1	1	0	0	0	0	0	2
City of St. John's	1	4	1	1	1	0	1	9
College of the North Atlantic	6	4	0	2	1	1	0	14
Eastern School District	2	1	0	0	0	0	0	3
Fire and Emergency Services	4	3	0	0	0	0	0	7
Memorial University of Newfoundland	8	0	0	0	0	0	0	8
NL Housing Corporation	0	1	1	0	0	0	0	2
Office of the High Sheriff	0	1	2	0	0	0	0	3
Public Service Commission	1	0	1	0	0	0	0	2
Royal Newfoundland Constabulary	43	15	3	1	0	0	0	62*
Town of Portugal Cove - St. Philips	1	0	0	0	0	0	0	1
Western School District	1	0	0	0	0	0	0	1
Workplace Health, Safety and Compensation Commission	1	0	0	0	0	0	0	1
Total	70	30	8	4	2	1	1	116*
Percentage %	60%	26%	7%	3%	2%	1%	1%	100%

*At the time of this report, one RNC personal information request had not been completed.

Synopsis

Of the 116 personal information requests responded to by public bodies, 100 (86%) requests resulted in full or partial disclosure. Eight (7%) applications requested records that did not exist and access was denied in four (3%) requests.

The four cases where access was denied were for the following reasons: (1) request for an individual's personal information other than the applicant and no consent was received to disclose the information (denied under s.30); (2) records protected as legal advice (denied under s.21); (3) records from an ongoing investigation (denied under s.5); and (4) a request for records in different or electronic format that could not be reasonably produced (denied under s.10).

Correction of Personal Information

Under section 35 of the Act, an individual who believes there is an error or omission in his or her personal information on record with a department or other public body may request that the relevant public body correct the information.

The Eastern School District (now part of the NL English School District) and the Town of Port au Port East each received one request for correction of personal information. No other requests for correction of personal information were reported by government departments or other public bodies for the period of April 1, 2012–March 31, 2013.

Annex A

List of government departments and public bodies that did not receive requests under the Act during the 2012-13 fiscal year

GOVERNMENT DEPARTMENTS		
Communications Branch	Labrador Affairs Office	Office of Climate Change, Energy Efficiency and Emissions Trading
Task Force on Adverse Health Events		
GOVERNMENT AGENCIES		
Arts and Letters Committee	Farm Industry Review Board	Land Consolidation Review Committee
Building Accessibility Advisory Board	Financial Services Appeal Board	Land Development Advisory Board
Building Accessibility Appeal Tribunal	Forest Land Tax Appeal Board	Legal Appointments Board
Business Investment Corporation	Forestry and Agrifoods Agency	Livestock Owners Compensation Board
Central Newfoundland Regional Appeal Board	Government Money Purchase Pension Plan	Lower Churchill Development Corporation Limited
Chicken Farmers of Newfoundland and Labrador	Government Records Committee	Management Classification Review Committee
Churchill Falls (Labrador) Corporation	Gull Island Power Company Limited	Marble Mountain Development Corp.
Classifications Appeal Board	Health Research Ethics Authority	Marystown Shipyard Limited
Commemorations Board	Heritage Foundation of Newfoundland and Labrador	Mineral Rights Adjudication Board
Credit Union Deposit Guarantee Corp	Human Rights Commission of Newfoundland and Labrador	Newfoundland and Labrador Chiropractic Board
Criminal Code Mental Disorder Review Board	Income and Employment Support Appeal Board	Newfoundland and Labrador Arts Council
Departmental Board of Corrections	Judicial Council of the Provincial Court of Newfoundland and Labrador	Newfoundland and Labrador Consolidated Sinking Fund
Eastern Newfoundland Regional Appeal Board	Labour Relations Agency	Newfoundland and Labrador Crop Insurance Agency
Eastern Regional Service Board	Labour Relations Board	Newfoundland and Labrador Electoral Districts Boundaries Commission
EDGE Evaluation Board	Labrador Regional Appeal Board	Newfoundland and Labrador Film Development Corporation

GOVERNMENT AGENCIES (Continued)		
Newfoundland and Labrador Geographical Names Board	Pension Investment Committee	Species Status Advisory Committee
Newfoundland and Labrador Industrial Development Corporation	Pension Policy Committee	St. John's Appeal Board
Newfoundland and Labrador Law Reform Commission	Private Training Corporation	Standing Fish Price-Setting Panel
Newfoundland and Labrador Legal Aid Commission	Professional Fish Harvesters Certification Board	Student Financial Assistance Appeal Board
Newfoundland and Labrador Municipal Financing Corporation	Provincial Apprenticeship Board	Student Loan Corporation of Newfoundland and Labrador
Newfoundland and Labrador Youth Advisory Council	Provincial Advisory Council on the Status of Women	Teachers Certification Board of Appeals
Newfoundland Government Fund Limited	Provincial Bravery Award Review Panel	Teachers Certification Committee
Newfoundland Hardwoods Limited	Provincial Information and Library Resources Board	Teachers Certification Review Board
Newfoundland Ocean Enterprises Limited	Public Sector Pension Plan Joint Trusteeship Transition Committee	Volunteer Service Medal Selection Committee
Occupational Health and Safety Advisory Council	Radiation Health and Safety Advisory Committee	Wilderness and Ecological Reserves Advisory Council
Office of the Superintendent of Insurance	Real Estate Foundation of Newfoundland	Workplace Health, Safety and Compensation Review Division
Order of Newfoundland and Labrador Advisory Council	Royal Newfoundland Constabulary Public Complaints Commission	
HEALTH CARE AND EDUCATIONAL BODIES		
Mental Health Review Board	Conseil scolaire francophone provincial de Terre-Neuve-et-Labrador	
MUNICIPALITIES		
Admiral's Beach	Bay Bulls	Bishop's Cove
Anchor Point	Bay de Verde	Bishop's Falls
Appleton	Bay L'Argent	Bonavista
Aquaforte	Baytona	Botwood
Avondale	Beachside	Branch
Badger	Bellburns	Brent's Cove
Baie Verte	Belleoram	Brighton
Baine Harbour	Birchy Bay	Brigus
Bauline	Bird Cove	Bryant's Cove

MUNICIPALITIES (Continued)

Buchans	Cottlesville	Garnish
Burgeo	Cow Head	Gaskiers-Point LaHaye
Burin	Cox's Cove	Gaultois
Burlington	Crow Head	Gillams
Burnt Islands	Cupids	Glenburnie/Birchy Head/Shoal Brook
Campbellton	Daniel's Harbour	Glenwood
Cape Broyle	Deer Lake	Glovertown
Cape St. George	Dover	Goose Cove East
Carmanville	Duntara	Grand Bank
Cartwright	Eastport	Grand Le Pierre
Centreville/Wareham/Trinity	Elliston	Greenspond
Chance Cove	Embree	Hampden
Change Islands	Englee	Hant's Harbour
Channel-Port aux Basques	English Harbour East	Happy Adventure
Chapel Arm	Fermeuse	Happy Valley - Goose Bay
Charlottetown, Labrador	Ferryland	Harbour Breton
Clarenville	Fleur de Lys	Harbour Grace
Clarke's Beach	Flower's Cove	Harbour Main-Chapel's Cove-Lakeview
Coachman's Cove	Fogo Island	Hare Bay
Colinet	Forteau	Hawkes Bay
Colliers	Fortune	Heart's Content
Come By Chance	Fox Cove-Mortier	Heart's Delight - Islington
Comfort Cove - Newstead	Fox Harbour	Heart's Desire
Conception Harbour	Frenchman's Cove	Hermitage-Sandyville
Conche	Gallants	Hopedale
Cook's Harbour	Gambo	Howley
Cormack	Gander	Hughes Brook

MUNICIPALITIES (Continued)		
Humber Arm South	Lumsden	North River
Indian Bay	Lushes Bight - Beaumont	North West River
IrishTown -Summerside	Main Brook	Northern Arm
Isle aux Morts	Makkovik	Old Perlican
Jackson's Arm	Mary's Harbour	Pacquet
Keels	Marystown	Paradise
King's Cove	Massey Drive	Parker's Cove
King's Point	McIvers	Parsons Pond
Kippens	Meadows	Pasadena
La Scie	Middle Arm	Peterview
Labrador City	Miles Cove	Petty Harbour/ Maddox Cove
Lamaline	Millertown	Pilley's Island
L'Anse au Clair	Milltown/Head of Bay D'Espoir	Pinware
L'Anse au Loup	Ming's Bight	Placentia
Lark Harbour	Morrisville	Point au Gaul
Lawn	Mount Carmel/Mitchell's Brook/St. Catherine's	Point Lance
Leading Tickles	Mount Moriah	Point Leamington
Lewin's Cove	Mount Pearl	Point May
Lewisporte	Musgrave Harbour	Point of Bay
Little Bay	Musgravetown	Pool's Cove
Little Bay East	Nain	Port Anson
Little Bay Islands	New Perlican	Port au Choix
Little Burnt Bay	New-Wes-Valley	Port au Port East
Logy Bay-Middle Cove-Outer Cove	Nippers Harbour	Port au Port West - Aguathuna - Felix Cove
Long Harbour - Mount Arlington Heights	Norman's Cove - Long Cove	Port Blandford
Lord's Cove	Norris Arm	Port Hope Simpson
Lourdes	Norris Point	Port Kirwan

Annex A

MUNICIPALITIES (Continued)		
Port Rexton	St. Jacques - Coombs Cove	Terra Nova
Port Saunders	St. Joseph's	Terrenceville
Portugal Cove South	St. Lawrence	Tilt Cove
Postville	St. Lewis	Traytown
Raleigh	St. Lunaire - Griquet	Trepassey
Ramea	St. Mary's	Trinity
Red Bay	St. Paul's	Trinity Bay North
Red Harbour	St. Shott's	Triton
Reidville	St. Vincent's - St. Stephen's - Peter's River	Trout River
Rencontre East	Salmon Cove	Twillingate
Renews - Cappahayden	Salvage	Upper Island Cove
Rigolet	Sandringham	Victoria
River of Ponds	Sandy Cove	Wabana
Riverhead	Seal Cove (Fortune Bay)	Wabush
Robert's Arm	Seal Cove (White Bay)	West St. Modeste
Rocky Harbour	Small Point - Broad Cove - Blackhead - Adams Cove	Westport
Roddickton-Bide Arm	South Brook	Whitbourne
Rose Blanche - Harbour Le Cou	South River	Whiteway
Rushoon	Southern Harbour	Winterland
St. Alban's	Spaniard's Bay	Witless Bay
St. Anthony	Springdale	Woodstock
St. Bernard's - Jacques Fontaine	Steady Brook	Woody Point
St. Brendan's	Stephenville Crossing	York Harbour
St. Bride's	Summerford	
St. George's	Sunnyside	

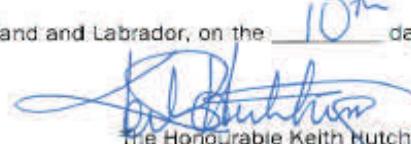
Annex B

Access to Information: Policy and Procedures Manual

**Establishment of Fees and Forms for
the Access to Information and Protection of Privacy Act**

Pursuant to Section 21 of the Executive Council Act, Section 68 of the Access to Information and Protection of Privacy Act and all other powers enabling him in this regard, the Minister of the Office of Public Engagement has been pleased to establish the fees and forms set out below, effective from the 10th day of December 2012.

Dated at St. John's in the Province of Newfoundland and Labrador, on the 10th day of December, 2012.



The Honourable Keith Hutchings
Minister of the Office of Public Engagement

FEES

1. (1) An applicant who makes a request for access to a record pursuant to the Access to Information and Protection of Privacy Act must pay to the public body:
 - (a) an application fee in the amount of \$5.00;
 - (b) \$25.00 for each hour of person time after the first four (4) hours, rounded down to the nearest hour, for the following: locating; retrieving; providing; manually producing; and severing, which includes the review of records to determine whether or not any of the exceptions to disclosure apply, and the subsequent redaction of the records if necessary;
 - (c) for producing a record from information in electronic form, the actual cost of producing the record;
 - (d) for shipping a record, the actual costs of shipping using the method chosen by the applicant;
 - (e) where the record is stored or recorded in printed form and can be copied or printed using conventional equipment, 25 cents a page for providing a copy or print of the record; and
 - (f) where the record is stored or recorded in a manner other than that referred to in paragraph (e) or cannot be reproduced or printed on conventional equipment, the actual cost of reproduction for providing a copy of the record.
- (2) A person who requests access to his or her own personal information must pay only the application fee set out in paragraph (1)(a).
2. The application fee in paragraph 1(1)(a) shall be paid at the same time the application is submitted before access to a record is given.

3. (1) Where fees are estimated to be \$50 or more, the public body is required to give the applicant a fee estimate. If the applicant wishes to proceed, the public body will require the applicant to pay 50 percent of the fee estimate prior to commencing the work required to respond to the request. Upon receipt of the first 50 percent of the fee estimate, the public body shall complete 50 percent of the work. The remaining 50 percent of the fee estimate must be paid prior to the public body completing the remaining 50 percent of the work.
- (2) Where fees are estimated to be less than \$50, the public body is required to give the applicant a fee estimate. If the applicant wishes to proceed, the fee must be paid in full prior to releasing the records to the applicant.
- (3) A head shall refund any amount paid under subsection (1) that is subsequently waived.
4. Any fee estimate provided to an applicant in accordance with the previous fee schedule shall remain in effect until the completion of the access to information request.
5. Any new fee estimate for access to information requests shall be calculated in accordance with the fee schedule, as amended, effective immediately.

FORMS

Form 1	Application for Access
Form 1A	Notification Form of Access Request
Form 2	Acknowledgment of Request
Form 2A	Notice of Application Fee
Form 3	Notice of Transfer of Request
Form 3A	Notice to Abandon Request
Form 3B	Notice to Disregard Request
Form 4	Response to Applicant – Routine Disclosure
Form 4A	Response to Applicant - Full Disclosure
Form 4B	Response to Applicant - Partial Disclosure
Form 4C	Response to Applicant - Access Refused
Form 4D	Response to Applicant – No Records Responsive
Form 5	Notice of Extension of Time Limit
Form 5A	Notice of Extension with OIPC Approval
Form 6	Estimate of Costs Letter
Form 6A	Estimate of Costs
Form 6B	Balance Owing
Form 7	Notice to Third Party
Form 7A	Notice to Applicant of Third Party Notice
Form 8	ATIPP Summary Report

Annex C

Statistical Reports for the 2008-09 Fiscal Year

Annex C provides a statistical breakdown of the total number of general and personal access requests received from April 1, 2008 to March 31, 2009 for government departments and public bodies. Public bodies include government agencies, boards, commissions, municipalities, crown corporations, health care and educational bodies.

Departments and public bodies that did not receive any access requests for the 2008-09 fiscal year are not included in the breakdown of statistics.

Table 1 - Total Number of Access Requests from April 1, 2008 to March 31, 2009

REQUEST TYPE	TOTAL	%
General Access Requests to a Government Department	244	49%
General Access Requests to a Public Body	197	40%
Personal Information Requests to a Government Department	15	3%
Personal Information Requests to a Public Body	37	8%
	493	100%

General Access Requests

Requests for general information cover a wide range of subjects and records, from policy documents to travel claims or archived records. This section reports the volume and applicant type for general access requests by government departments and public bodies. The data is detailed further to report fees recorded, exceptions to disclosure applied and outcomes of requests.

The listing of government departments is based on the departmental structure of the 2012-13 fiscal year:

The Department of Human Resources, Labour and Employment is listed as the Department of Advanced Education and Skills

Government Services is listed as Service NL

The Department of Business and Department of Innovation, Trade and Rural Development are listed as the Department of Innovation, Business and Rural Development

The Public Service Secretariat is listed as the Human Resources Secretariat

Labrador and Aboriginal Affairs is listed as Intergovernmental and Aboriginal Affairs

Volume and Applicant Type

During the 2008-09 fiscal year, a total of 441 general access requests were received by government departments and public bodies. Of these 441 requests, government departments received 244 (55%) general access requests and other public bodies received 197 (45%) general access requests.

Table 2 - General Access Requests by Department and Applicant Type from April 1, 2008 to March 31, 2009

DEPARTMENT	Media	Individual	Political Party	Legal Firm	Business	Interest Group	Public Body	Total
Advanced Education and Skills	1	0	1	1	1	0	0	4
Education	0	2	7	0	0	0	0	9
Environment and Conservation	8	12	2	3	3	0	0	28
Executive Council (Cabinet Secretariat)	6	12	7	1	0	0	0	26
Human Resources Secretariat	0	2	0	0	0	0	0	2
Intergovernmental and Aboriginal Affairs Secretariat	1	0	5	0	0	0	0	6
Premier's Office	6	1	1	1	0	0	0	9
Finance	2	1	0	0	0	0	0	3
Fisheries and Aquaculture	4	0	1	0	0	0	0	5
Health and Community Services	9	1	23	0	0	1	0	34
Innovation, Business and Rural Development	14	1	2	1	1	0	0	19
Justice	14	10	5	0	0	1	0	30
Municipal Affairs	2	9	1	0	0	0	0	12
Natural Resources	8	3	3	1	0	0	0	15
Service NL	2	12	0	2	2	0	1	19
Tourism, Culture and Recreation	3	1	0	0	0	0	0	4
Transportation and Works	8	4	6	0	0	1	0	19
Total by Applicant Type	88	71	64	10	7	3	1	244
Percentage %	36.1%	29.1%	26.2%	4.1%	2.9%	1.2%	0.4%	100%

Note: percentages were rounded.

Table 3 - General Access Requests by Public Body and Applicant Type from April 1, 2008 to March 31, 2009

PUBLIC BODY	Individual	Media	Political Party	Business	Legal Firm	Public Body	Interest Group	Total
Central Health	0	1	4	0	0	0	0	5
City of Corner Brook	2	0	0	0	0	0	0	2
City of Mount Pearl	0	2	0	0	0	0	0	2
City of St. John's	7	7	0	1	2	0	0	17
College of the North Atlantic	11	0	1	2	0	0	0	14
Eastern Health	4	8	6	1	0	0	0	19
Eastern School District	1	0	0	0	0	0	0	1
Fire and Emergency Services	0	4	1	5	4	0	0	14
Government Purchasing Agency	0	0	0	2	0	0	0	2
Human Rights Commission	3	0	0	0	0	0	0	3
Labrador-Grenfell Regional Health	0	0	4	0	0	1	0	5
Labrador School District	0	0	0	1	0	0	0	1
Memorial University	3	2	0	2	0	0	0	7
Nalcor	0	2	0	0	1	0	0	3
NL Liquor Corporation	2	1	2	0	0	0	0	5
Nova Central School District	1	0	0	0	0	0	0	1
Public Service Commission	2	0	1	0	1	0	0	4
Royal Newfoundland Constabulary	5	8	0	0	0	0	0	13
The Rooms Corporation	0	0	0	2	0	0	0	2
Town of Baie Verte	1	0	0	0	0	0	0	1
Town of Bay Bulls	0	0	0	2	0	0	0	2
Town of Bay Roberts	5	0	0	0	0	0	0	5
Town of Brighton	1	0	0	0	0	0	0	1
Town of Carbonear	1	0	0	0	0	0	0	1
Town of Conception Bay South	3	0	0	0	1	0	0	4
Town of Daniel's Harbour	3	1	0	0	0	0	0	4
Town of Embree	0	0	0	0	0	1	0	1
Town of Grand Falls-Windsor	2	0	0	0	0	0	0	2
Town of Happy Valley-Goose Bay	1	5	0	0	0	0	0	6

Continued...

Annex C - 2008-09 Fiscal Year

PUBLIC BODY	Individual	Media	Political Party	Business	Legal Firm	Public Body	Interest Group	Total
Town of Harbour Grace	1	0	0	0	0	0	0	1
Town of Long Harbour	1	0	0	0	0	0	0	1
Town of Paradise	1	0	0	0	1	0	0	2
Town of Portugal Cove – St. Philip's	8	0	0	0	0	0	1	9
Town of St. George's	3	0	0	0	0	0	0	3
Town of Steady Brook	9	2	0	0	0	0	0	11
Town of Stephenville	0	0	0	0	1	0	0	1
Town of Stephenville Crossing	1	0	0	0	1	0	0	2
Town of Torbay	4	0	0	0	0	0	0	4
Town of Whitbourne	1	0	0	0	0	0	0	1
Western Regional Integrated Health Authority	1	2	4	0	0	0	0	7
Western School District	5	0	0	0	0	0	0	5
Workplace Health, Safety and Compensation Commission	1	0	0	1	0	0	1	3
Total	94	45	23	19	12	2	2	197
Percentage %	47.7%	22.85%	11.7%	9.65%	6.1%	1%	1%	100%

Note: percentages were rounded.

Frequency by Applicant Type

Table 4 – General Access Requests by Frequency of Applicant Type from April 1, 2008 to March 31, 2009

APPLICANT TYPE	DEPARTMENT	PUBLIC BODY	TOTAL	PERCENTAGE %
Individual	71	94	165	37%
Media	88	45	133	30%
Political Party	64	23	87	20%
Business	7	19	26	6%
Legal Firm	10	12	22	5%
Interest Group	3	2	5	1%
Other Public Body	1	2	3	1%
Total	244	197	441	100%

Fees

Section 68 of the Act gives the Minister responsible for the Act the right to establish a Fee Schedule. The fee schedule in effect during the 2008-09 fiscal year outlined the applicable fees for access to information requests. Specifically, fees for general requests included: \$5.00 application fee, \$15.00/hour for locating, retrieving, providing and manually producing records, \$0.25/page for photocopies; and any associated shipping costs. The head of a public body may waive the requirement to pay any fees if payment would impose an unreasonable financial hardship on the applicant. The \$5.00 application fee may be charged for personal information requests, however, the head of the department or public body may waive the application fee for personal information requests if deemed reasonable and fair in the circumstances. No processing fees can be charged for personal information requests.

Application Fees

During 2008-09, application fees received by government departments and public bodies totaled \$2,305.00.

Processing Fees

The following table represents a breakdown of the processing fees paid by applicants for access requests (not including the \$5.00 application fee).

Table 5 - Processing Fees Recorded as Paid by Applicants for General Access Requests from April 1, 2008 to March 31, 2009

DEPARTMENT	TOTAL (\$)	PUBLIC BODY	TOTAL (\$)
Education	\$66.00	City of St. John's	\$600.25
Environment and Conservation	\$271.25	College of the North Atlantic	\$252.75
Executive Council (Cabinet Secretariat)	\$240.75	Eastern Health	\$206.75
Fisheries and Aquaculture	\$91.50	Labrador School District	\$562.00
Finance	\$49.00	The Rooms	\$156.79
Health and Community Services	\$147.75	Town of Bay Bulls	\$203.25
Innovation, Business and Rural Development	\$932.50	Town of Brighton	\$6.00
Municipal Affairs	\$116.50	Town of Carbonear	\$102.75
Premier's Office	\$120.75	Town of Conception Bay South	\$32.00
Tourism, Culture and Recreation	\$50.00	Town of Happy Valley-Goose Bay	\$288.00
		Town of Steady Brook	\$88.25
		Western Health	\$32.75
Total	\$2,086.00	Total	\$2,531.54

Exceptions

One of the main purposes of the Act is to provide access to information subject only to specific and limited circumstances. Under the Act, certain types of information are exempt from disclosure to applicants. There are two categories of exceptions: mandatory exceptions, which departments and public bodies must apply; and discretionary exceptions, which departments and public bodies may exercise the discretion to apply.

Since a single request may list more than one exception, the numbers noted in this table do not correlate to the total number of general access requests received during this timeframe. For example, one record or piece of information could be severed citing cabinet confidences (s.18), policy advice or recommendations (s.20) and harmful to the financial and economic interests of a public body (s.24).

Table 6 – Exceptions to Disclosure for General Access Requests from April 1, 2008 to March 31, 2009

SECTION OF THE ATIPP ACT	TOTAL	PERCENTAGE %
MANDATORY		
s.18 – Cabinet Confidences	29	9.1%
s.27 – Disclosure Harmful to the Business Interests of a Third Party	27	8.5%
s.30 – Disclosure of Personal Information	110	34.6%
DISCRETIONARY		
s.19 – Local Public Body Confidences	4	1.3%
s.20 – Policy Advice or Recommendations	50	15.7%
s.21 – Legal Advice	36	11.3%
s.22 – Disclosure Harmful to Law Enforcement	26	8.2%
s.23 – Disclosure Harmful to Intergovernmental Relations or Negotiations	14	4.4%
s.24 – Disclosure Harmful to the Financial or Economic Interest of a Public Body	22	6.9%
s.25 – Disclosure Harmful to Conservation	0	0%
s.26 – Disclosure Harmful to Individual or Public Safety	0	0%
Total	318	100%

Synopsis

The exceptions to disclosure listed above were used in 318 instances. Section 30 (mandatory exception for personal information) was the most widely applied exception being used in 110 (34.6%) instances of all applied exceptions. Discretionary exceptions were used in 152 (47.8%) instances of all applied exceptions.

Outcomes

Responding to general access requests can result in a range of possible outcomes. The outcome may be full or partial disclosure; the applicant may withdraw or abandon the request; or the record may not exist or may already be available in the public domain. Partial disclosure means exceptions have been applied and certain information has been severed in accordance with the legislation.

Table 7 – Final Outcome of General Access Requests by Department from April 1, 2008 to March 31, 2009

OUTCOMES BY DEPARTMENT	Partial Disclosure	Full Disclosure	Do not Exist	Abandon	Access Denied	Withdrawn	Publicly Available	Total
Advanced Education and Skills	2	1	0	0	1	0	0	4
Education	3	1	1	3	1	0	0	9
Environment and Conservation	9	6	6	1	2	2	2	28
Executive Council (Cabinet Secretariat)	8	5	5	5	3	0	0	26
Human Resources Secretariat	0	1	0	0	0	0	1	2
Intergovernmental and Aboriginal Affairs Secretariat	3	0	0	1	0	2	0	6
Premier's Office	3	0	2	1	3	0	0	9
Finance	1	1	0	0	1	0	0	3
Fisheries and Aquaculture	3	2	0	0	0	0	0	5
Health and Community Services	4	13	9	8	0	0	0	34
Innovation, Business and Rural Development	9	5	0	3	2	0	0	19
Justice	11	4	5	0	8	2	0	30
Municipal Affairs	6	2	3	1	0	0	0	12
Natural Resources	3	8	2	0	2	0	0	15
Service NL	0	11	6	2	0	0	0	19
Tourism, Culture and Recreation	2	0	0	2	0	0	0	4
Transportation and Works	6	9	3	0	1	0	0	19
Total	73	69	42	27	24	6	3	244
Percentage %	29.9%	28.3%	17.2%	11.1%	9.8%	2.5%	1.2%	100%

Synopsis

Of the 244 general access requests responded to by government departments, 142 (58.2%) resulted in full or partial disclosure, while 42 (17.2%) general requests were for records that did not exist and access was denied in 24 (9.8%) of the general requests received.

Table 8 – Final Outcome of General Access Requests by Public Body from April 1, 2008 to March 31, 2009

OUTCOMES BY PUBLIC BODY	Full Disclosure	Partial Disclosure	Abandon	Do Not Exist	Access Denied	Withdrew	Publicly Available	Refuse to Confirm or Deny	Repetitive	Total
Central Health	5	0	0	0	0	0	0	0	0	5
City of Corner Brook	1	0	0	1	0	0	0	0	0	2
City of Mount Pearl	1	0	0	1	0	0	0	0	0	2
City of St. John's	15	2	0	0	0	0	0	0	0	17
College of the North Atlantic	4	7	2	0	1	0	0	0	0	14
Eastern Health	10	2	4	1	1	1	0	0	0	19
Eastern School District	1	0	0	0	0	0	0	0	0	1
Fire and Emergency Services	2	6	1	3	1	0	1	0	0	14
Government Purchasing Agency	0	2	0	0	0	0	0	0	0	2
Human Rights Commission	0	2	0	1	0	0	0	0	0	3
Labrador-Grenfell Regional Health	3	0	2	0	0	0	0	0	0	5
Labrador School District	0	1	0	0	0	0	0	0	0	1
Memorial University	2	3	1	0	0	0	0	0	1	7
Nalcor	0	1	0	0	2	0	0	0	0	3
NL Liquor Corporation	2	2	1	0	0	0	0	0	0	5
Nova Central School District	0	1	0	0	0	0	0	0	0	1
Public Service Commission	0	4	0	0	0	0	0	0	0	4
Royal Newfoundland Constabulary	3	3	0	5	2	0	0	0	0	13
The Rooms Corporation	2	0	0	0	0	0	0	0	0	2
Town of Baie Verte	0	1	0	0	0	0	0	0	0	1
Town of Bay Bulls	2	0	0	0	0	0	0	0	0	2

Continued...

OUTCOMES BY PUBLIC BODY	Full Disclosure	Partial Disclosure	Abandon	Do Not Exist	Access Denied	Withdrew	Publicly Available	Refuse to Confirm or Deny	Repetitive	Total
Town of Bay Roberts	0	5	0	0	0	0	0	0	0	5
Town of Brighton	0	1	0	0	0	0	0	0	0	1
Town of Carbonneau	1	0	0	0	0	0	0	0	0	1
Town of Conception Bay South	1	2	0	0	0	0	0	1	0	4
Town of Daniel's Harbour	0	2	0	0	1	1	0	0	0	4
Town of Embree	1	0	0	0	0	0	0	0	0	1
Town of Grand Falls-Windsor	0	0	2	0	0	0	0	0	0	2
Town of Happy Valley-Goose Bay	0	1	2	0	3	0	0	0	0	6
Town of Harbour Grace	0	0	0	1	0	0	0	0	0	1
Town of Long Harbour	0	0	0	1	0	0	0	0	0	1
Town of Paradise	0	0	0	0	1	1	0	0	0	2
Town of Portugal Cove - St. Philip's	1	4	0	2	2	0	0	0	0	9
Town of St. George's	1	0	0	1	0	0	1	0	0	3
Town of Steady Brook	7	1	3	0	0	0	0	0	0	11
Town of Stephenville	0	1	0	0	0	0	0	0	0	1
Town of Stephenville Crossing	2	0	0	0	0	0	0	0	0	2
Town of Torbay	2	2	0	0	0	0	0	0	0	4
Town of Whitbourne	0	0	0	1	0	0	0	0	0	1
Western Regional Integrated Health Authority	2	2	3	0	0	0	0	0	0	7
Western School District	2	1	1	0	1	0	0	0	0	5
Workplace Health, Safety and Compensation Commission	3	0	0	0	0	0	0	0	0	3
Total	76	59	22	18	15	3	2	1	1	197
Percentage %	38.5%	30%	11.25%	9.25%	7.5%	1.5%	1%	0.5%	0.5%	100%

Note: percentages were rounded.

Synopsis

Of the 197 general access requests responded to by public bodies, 135 (68.5%) resulted in full or partial disclosure. Records did not exist for 18 (9.25%) of the general requests received and access was denied to 15 (7.5%) of the general requests received.

Personal Information Requests

Personal Information can be requested by the individual the information is about or by another individual who has been delegated authority on behalf of that individual. Requests for personal information are subject an application fee of \$5.00. No additional fees may be charged.

Section 2 of this Annex provides the volume and applicant type for personal information requests, exceptions and outcomes.

Volume and Applicant Type

Table 9 - Personal Information Requests by Department / Public Body and Applicant Type from April 1, 2008 to March 31, 2009

DEPARTMENT & PUBLIC BODY	Individual	Legal Firm	Business	Public	Political	Researcher	TOTAL
Advanced Education and Skills	1	1	0	0	0	0	2
Education	1	0	0	0	0	0	1
Environment and Conservation	1	0	0	0	0	0	1
Human Resources Secretariat	1	0	0	0	0	0	1
Justice	2	1	0	0	0	0	3
Municipal Affairs	3	0	0	0	0	0	3
Natural Resources	2	0	0	0	0	0	2
Service NL	2	0	0	0	0	0	2
City of St. John's	1	0	0	0	0	0	1
College of the North Atlantic	11	0	0	0	0	0	11
Eastern Regional Health Authority	1	0	0	0	0	0	1
Memorial University of Newfoundland	9	0	0	0	0	0	9
Public Service Commission	2	0	0	0	0	0	2
Royal Newfoundland Constabulary	5	0	0	0	0	0	5
Town of Conception Bay South	2	0	0	0	0	0	2

DEPARTMENT & PUBLIC BODY	Individual	Legal Firm	Business	Public Body	Political Party	Researcher	TOTAL
Town of Happy Valley - Goose Bay	1	0	0	0	0	0	1
Town of Portugal Cove - St. Philips	2	0	0	0	0	0	2
Town of Whitbourne	1	0	0	0	0	0	1
Western Regional Health Authority	1	0	0	0	0	0	1
Workplace Health, Safety and Compensation Commission	1	0	0	0	0	0	1
Total	50	2	0	0	0	0	52
Percentage %	96%	4%	0%	0%	0%	0%	100%

Exceptions

Table 10 - Exceptions to Disclosure for Personal Information Requests from April 1, 2008 to March 31, 2009

SECTION OF THE ATIPP ACT	TOTAL	PERCENTAGE %
MANDATORY		
s.18 – Cabinet Confidences	0	0%
s.27 – Disclosure Harmful to the Business Interests of a Third Party	1	2%
s.30 – Disclosure of Personal Information*	24	46%
DISCRETIONARY		
s.19 – Local Public Body Confidences	2	4%
s.20 – Policy Advice or Recommendations	8	15%
s.21 – Legal Advice	13	25%
s.22 – Disclosure Harmful to Law Enforcement	3	6%
s.23 – Disclosure Harmful to Intergovernmental Relations or Negotiations	0	0%
s.24 – Disclosure Harmful to the Financial or Economic Interest of a Public Body	1	2%
s.25 – Disclosure Harmful to Conservation	0	0%
s.26 – Disclosure Harmful to Individual or Public Safety	0	0%
Total	52	100%

* When section 30 is cited in a personal information request, it relates to the personal information of an individual other than the applicant.

Synopsis

The same exceptions which apply to general access requests may also apply to requests for personal information. The exceptions to disclosure listed above were used in a total of 52 instances. Section 30 (mandatory exception for personal information) was the most widely applied exception. This section was used in 24 (46%) instances of all exceptions. Discretionary exceptions were used in 27 (52%) instances of all applied exceptions.

Outcomes

Table 11 - Final Outcome of Personal Information Requests by Department from April 1, 2008 to March 31, 2009

OUTCOMES BY DEPARTMENT	Partial Disclosure	Full Disclosure	Access Denied	Total
Advanced Education and Skills	0	2	0	2
Education	1	0	0	1
Environment and Conservation	1	0	0	1
Human Resources Secretariat	1	0	0	1
Justice	1	0	2	3
Municipal Affairs	2	1	0	3
Natural Resources	2	0	0	2
Service NL	0	1	1	2
Total	8	4	3	15
Percentage %	53%	27%	20%	100%

Synopsis

Of the 15 personal information requests responded to by government departments, 12 (80%) requests resulted in full or partial disclosure. Access was denied in three (20%) of the personal information requests.

Table 12 - Final Outcome of Personal Information Requests by Public Body from April 1, 2008 to March 31, 2009

OUTCOMES BY PUBLIC BODY	Partial Disclosure	Full Disclosure	Do not exist	Abandon	Total
City of St. John's	0	1	0	0	1
College of the North Atlantic	8	2	1	0	11
Eastern Regional Health Authority	1	0	0	0	1
Memorial University	3	2	1	3	9
Public Service Commission	2	0	0	0	2
Royal Newfoundland Constabulary	0	2	2	1	5
Town of Conception Bay South	1	1	0	0	2
Town of Happy Valley-Goose Bay	1	0	0	0	1
Town of Portugal Cove - St. Philips	1	0	1	0	2
Town of Whitbourne	0	1	0	0	1
Western Regional Health Authority	1	0	0	0	1
Workplace Health, Safety and Compensation Commission	1	0	0	0	1
Total	19	9	5	4	37
Percentage %	51%	24%	14%	11%	100%

Synopsis

Of the 37 personal information requests responded to by public bodies, 28 (75%) requests resulted in full or partial disclosure. Five (14%) applications requested records that did not exist.

3. Correction of Personal Information Requests

Under section 35 of the Act, an individual who believes there is an error or omission in his or her personal information on record with a department or public body may request that the relevant public body correct the information.

No requests for correction of personal information were reported by government departments or other public bodies for the period of April 1, 2008 - March 31, 2009.

Annex D

Statistical Reports for the 2009-10 Fiscal Year

Annex D provides a statistical breakdown of the total number of general and personal access requests received from April 1, 2009 to March 31, 2010 for government departments and public bodies. Public bodies include government agencies, boards, commissions, municipalities, crown corporations, health care and educational bodies.

Departments and public bodies that did not receive any access requests for the 2009-10 fiscal year are not included in the breakdown of statistics.

Table 1 - Total Number of Access Requests from April 1, 2009 to March 31, 2010

REQUEST TYPE	TOTAL	%
General Access Requests to a Government Department	294	54%
General Access Requests to a Public Body	205	37%
Personal Information Requests to a Government Department	10	2%
Personal Information Requests to a Public Body	38	7%
	547	100%

General Access Requests

Requests for general information cover a wide range of subjects and records, from policy documents to travel claims or archived records. This section reports the volume and applicant type for general access requests made to government departments and public bodies. The data is detailed further to report fees recorded, exceptions to disclosure applied and outcomes of requests.

The listing of government departments is based on the departmental structure of the 2012-13 fiscal year:

- The Department of Human Resources, Labour and Employment is listed as the Department of Advanced Education and Skills
- Government Services is listed as Service NL
- The Department of Business and Department of Innovation, Trade and Rural Development is listed as the Department of Innovation, Business and Rural Development
- The Public Service Secretariat is listed as the Human Resources Secretariat
- Labrador and Aboriginal Affairs and Intergovernmental Affairs are listed as Intergovernmental and Aboriginal Affairs
- Rural Secretariat is listed as the Office of Public Engagement

Volume and Applicant Type

During the 2009-10 fiscal year, a total of 499 general access requests were received by government departments and public bodies. Of these 499 requests, government departments received 294 (59%) general access requests and other public bodies received 205 (41%) general access requests.

Table 2 - General Access Requests by Department and Applicant Type from April 1, 2009 to March 31, 2010

DEPARTMENT	Individual	Media	Political Party	Re-searcher	Business	Legal Firm	Public Body	Interest Group	Total
Advanced Education and Skills	2	0	1	1	0	0	0	0	4
Child, Youth and Family Services	0	1	3	1	0	0	0	0	5
Education	2	3	5	1	0	0	0	0	11
Environment and Conservation	23	6	2	1	5	4	0	1	42
Executive Council (Cabinet Secretariat)	7	9	3	1	0	1	0	0	21
Human Resources Secretariat	5	0	0	0	0	0	0	0	5
Intergovernmental and Aboriginal Affairs Secretariat	0	3	7	1	0	0	0	0	11
Office of the Chief Information Officer	2	0	0	0	0	0	0	0	2
Office of Public Engagement	0	0	3	0	0	0	0	0	3
Premier's Office	0	4	1	0	0	0	0	0	5
Finance	4	6	2	1	0	0	0	0	13
Fisheries and Aquaculture	3	0	3	1	0	0	0	0	7
Health and Community Services	7	10	14	1	0	1	0	0	33
Innovation, Business and Rural Development	3	4	2	2	0	0	0	1	12
Justice	7	6	0	1	1	0	0	0	15
Municipal Affairs	8	1	12	1	0	0	2	0	24
Natural Resources	4	8	4	1	0	1	0	0	18
Service NL	22	4	1	1	5	1	1	0	35
Tourism, Culture and Recreation	1	2	1	2	0	0	0	0	6
Transportation and Works	5	8	8	1	0	0	0	0	22
Total by Applicant Type	105	75	72	18	11	8	3	2	294
Percentage %	35.71%	25.51%	24.49%	6.12%	3.74%	2.72%	1.02%	0.68%	100%

Note: percentages were rounded.

Annex D - 2009-10 Fiscal Year

Table 3 - General Access Requests by Public Body and Applicant Type from April 1, 2009 to March 31, 2010

PUBLIC BODY	Individual	Business	Media	Political Party	Legal Firm	Public Body	Interest Group	Total
Central Health	2	0	0	2	0	0	0	4
City of Corner Brook	5	3	0	0	0	0	0	8
City of St. John's	19	2	1	0	2	1	1	26
College of the North Atlantic	14	3	0	0	0	0	0	17
Eastern Health	2	2	13	7	0	0	0	24
Eastern School District	1	0	0	1	0	0	0	2
Fire and Emergency Services	1	7	1	1	2	1	0	13
Labour Relations Agency	1	0	0	0	0	0	1	2
Labrador-Grenfell Regional Health	0	0	0	1	0	0	0	1
Labrador School District	1	0	0	0	0	0	0	1
Memorial University	4	0	2	0	0	0	0	6
Multi-Materials Stewardship Board	0	0	1	0	0	0	0	1
Nalcor	0	1	1	0	0	0	0	2
NL Housing Corporation	0	0	1	1	0	0	0	2
NL Liquor Corporation	0	1	3	0	0	0	0	4
Nova Central School District	1	0	0	0	0	0	0	1
Public Utilities Board	0	0	1	0	0	0	0	1
Royal Newfoundland Constabulary	5	16	0	0	1	0	0	22
Town of Avondale	3	0	0	0	0	0	0	3
Town of Bay Roberts	10	0	0	0	0	0	0	10
Town of Brigus	1	0	0	0	0	0	0	1
Town of Carbonear	4	0	0	0	0	0	0	4
Town of Conception Bay South	3	1	1	0	0	0	0	5
Town of Happy Valley-Goose Bay	3	0	0	0	0	0	0	3
Town of Labrador City	0	0	1	0	0	0	0	1
Town of Logy Bay	1	0	0	0	0	0	0	1
Town of Norman's Cove	1	0	0	0	0	0	0	1
Town of North River	1	0	0	0	0	0	0	1

Continued...

PUBLIC BODY	Individual	Business	Media	Political Party	Legal Firm	Public Body	Interest Group	Total
Town of Paradise	1	0	0	0	0	0	0	1
Town of Port-au-Choix	0	1	0	0	0	0	0	1
Town of Portugal Cove – St. Philip's	7	1	0	0	0	0	0	8
Town of Spaniards Bay	1	0	0	0	0	0	0	1
Town of St. George's	5	0	0	0	0	0	0	5
Town of Torbay	1	0	0	0	0	0	0	1
Town of Wabush	1	0	1	0	0	0	0	2
Town of Whitbourne	4	0	0	0	0	0	0	4
Town of Witless Bay	0	0	1	0	0	0	0	1
Western Regional Integrated Health Authority	0	0	0	4	0	0	0	4
Western School District	5	0	0	1	0	0	0	6
Workplace Health, Safety and Compensation Commission	0	2	2	0	0	0	0	4
Total	108	40	30	18	5	2	2	205
Percentage %	52.7%	19.5%	14.6%	8.8%	2.4%	1%	1%	100%

Note: percentages were rounded.

Frequency by Applicant Type

Table 4 – General Access Requests by Frequency of Applicant Type from April 1, 2009 to March 31, 2010

APPLICANT TYPE	DEPARTMENT	PUBLIC BODY	TOTAL	PERCENTAGE %
Individual	105	108	213	42.7%
Media	75	30	105	21.05%
Political Party	72	18	90	18.05%
Business	11	40	51	10.2%
Academic	18	0	18	3.6%
Legal Firm	8	5	13	2.6%
Other Public Body	3	2	5	1%
Interest Group	2	2	4	0.8%
Total	294	205	499	100%

Fees

Section 68 of the Act gives the Minister responsible for the Act the right to establish a Fee Schedule. The fee schedule in effect during the 2009-10 fiscal year outlined the applicable fees for access to information requests. Specifically, fees for general access requests included: \$5.00 application fee; \$15.00/hour for locating, retrieving, providing and manually producing records; \$0.25/page for photocopies; and any associated shipping costs. The head of a public body may waive the requirement to pay any fees if payment would impose an unreasonable financial hardship on the applicant. The \$5.00 application fee may be charged for personal information requests, however, the head of the department or public body may waive the application fee for personal information requests if deemed reasonable and fair in the circumstances. No processing fees can be charged for personal information requests.

Application Fees

During 2009-10, application fees received by government departments and public bodies totaled \$2,585.00

Processing Fees

The following table represents a breakdown of the processing fees paid by applicants for access requests (not including the \$5.00 application fee).

Table 5 - Fees Recorded as Paid by Applicants for General Access Requests from April 1, 2009 to March 31, 2010

DEPARTMENT	TOTAL (\$)	PUBLIC BODY	TOTAL (\$)
Environment and Conservation	\$301.00	City of Corner Brook	\$400.00
Executive Council	\$31.75	City of St. John's	\$38.00
Finance	\$30.00	College of the North Atlantic	\$1177.50
Health and Community Services	\$363.00	Eastern Health	\$651.75
Innovation, Business and Rural	\$90.00	Memorial University	\$83.75
Intergovernmental Affairs	\$30.75	Town of Avondale	\$19.25
Premier's Office	\$59.25	Town of Carbonear	\$199.75
Municipal Affairs	\$24.32	Town of Conception Bay South	\$10.25
Tourism, Culture and Recreation	\$45.00	Town of Logy Bay	\$132.00
Transportation and Works	\$352.50	Town of Norman's Cove	\$0.75
		Workplace, Health, Safety and	\$132.25
Total	\$1,327.57	Total	\$2,845.25

Exceptions

One of the main purposes of the Act is to provide access to information subject only to specific and limited circumstances. Under the Act, certain types of information are exempt from disclosure to applicants. There are two categories of exceptions: mandatory exceptions, which departments and public bodies must apply; and discretionary exceptions, which departments and public bodies may exercise the discretion to apply.

Since a single request may list more than one exception, the numbers noted in this table do not correlate to the total number of general access requests received during this timeframe. For example, one record or piece of information could be severed citing cabinet confidences (s.18), policy advice or recommendations (s.20) and harmful to the financial and economic interests of a public body (s.24).

Table 6 – Exceptions to Disclosure for General Access Requests from April 1, 2009 to March 31, 2010

SECTION OF THE ATIPP ACT	TOTAL	PERCENTAGE %
MANDATORY		
s.18 – Cabinet Confidences	22	7%
s.27 – Disclosure Harmful to the Business Interests of a Third Party	39	12.3%
s.30 – Disclosure of Personal Information	149	47.2%
DISCRETIONARY		
s.19 – Local Public Body Confidences	1	0.3%
s.20 – Policy Advice or Recommendations	40	12.7%
s.21 – Legal Advice	18	5.7%
s.22 – Disclosure Harmful to Law Enforcement	15	4.7%
s.23 – Disclosure Harmful to Intergovernmental Relations or Negotiations	8	2.5%
s.24 – Disclosure Harmful to the Financial or Economic Interest of a Public Body	22	7%
s.25 – Disclosure Harmful to Conservation	0	0%
s.26 – Disclosure Harmful to Individual or Public Safety	2	0.6%
Total	316	100%

Synopsis

The exceptions to disclosure listed above were used in 316 instances. Section 30 (mandatory exception for personal information) was the most widely applied exception being used in 149 (47.2%) instances of all applied exceptions. Discretionary exceptions were used in 106 (33.5%) instances of all applied exceptions.

Outcomes

Responding to general access requests can result in a range of possible outcomes. The outcome may be full or partial disclosure; the applicant may withdraw or abandon the request; or the record may not exist or may already be available in the public domain. Partial disclosure means exceptions have been applied and certain information has been severed in accordance with the legislation.

Table 7 – Final Outcome of General Access Requests by Department from April 1, 2009 to March 31, 2010

OUTCOMES BY DEPARTMENT	Full Disclosure	Partial Disclosure	Do not Exist	Abandon	Access Denied	Withdrew	Publicly Available	Total
Advanced Education and Skills	3	1	0	0	0	0	0	4
Child, Youth and Family Services	1	1	3	0	0	0	0	5
Education	6	4	0	1	0	0	0	11
Environment and Conservation	10	22	3	4	2	0	1	42
Executive Council (Cabinet Secretariat)	6	6	3	6	0	0	0	21
Human Resources Secretariat	4	1	0	0	0	0	0	5
Intergovernmental and Aboriginal Affairs Secretariat	3	4	2	0	0	1	1	11
Office of the Chief Information Officer	0	1	0	0	1	0	0	2
Office of Public Engagement	2	1	0	0	0	0	0	3
Premier's Office	2	2	1	0	0	0	0	5
Finance	6	4	0	1	2	0	0	13
Fisheries and Aquaculture	3	1	1	2	0	0	0	7
Health and Community Services	12	12	5	2	1	0	1	33
Innovation, Business and Rural Development	4	4	3	1	0	0	0	12
Justice	3	7	2	2	0	1	0	15
Municipal Affairs	13	8	1	0	0	2	0	24
Natural Resources	4	9	1	4	0	0	0	18
Service NL	16	7	8	2	1	1	0	35
Tourism, Culture and Recreation	2	1	2	1	0	0	0	6
Transportation and Works	13	4	3	0	2	0	0	22
Total	113	100	38	26	9	5	3	294
Percentage %	38%	34%	13%	9%	3%	2%	1%	100%

Synopsis

Of the 294 general access requests responded to by government departments, 213 (72%) resulted in full or partial disclosure, while 38 (13%) general requests were for records that did not exist and access was denied to nine (3%) of the general requests received.

Table 8 – Final Outcome of General Access Requests by Public Body from April 1, 2009 to March 31, 2010

OUTCOMES BY PUBLIC BODY	Full Disclosure	Partial Disclosure	Abandon	Access Denied	Do Not Exist	Repetitive	Publicly Available	Total
Central Health	2	0	0	0	2	0	0	4
City of Corner Brook	5	3	0	0	0	0	0	8
City of St. John's	21	2	1	1	1	0	0	26
College of the North Atlantic	6	8	1	2	0	0	0	17
Eastern Health	7	9	6	0	1	0	1	24
Eastern School District	2	0	0	0	0	0	0	2
Fire and Emergency Services	0	11	0	0	2	0	0	13
Labour Relations Agency	0	1	1	0	0	0	0	2
Labrador-Grenfell Regional Health	1	0	0	0	0	0	0	1
Labrador School District	1	0	0	0	0	0	0	1
Memorial University	0	5	0	1	0	0	0	6
Multi-Materials Stewardship Board	1	0	0	0	0	0	0	1
Nalcor	0	1	0	0	0	0	0	1*
NL Housing Corporation	2	0	0	0	0	0	0	2
NL Liquor Corporation	3	0	0	1	0	0	0	4
Nova Central School District	0	1	0	0	0	0	0	1
Public Utilities Board	0	0	1	0	0	0	0	1
Royal Newfoundland Constabulary	12	4	1	3	2	0	0	22
Town of Avondale	3	0	0	0	0	0	0	3
Town of Bay Roberts	1	9	0	0	0	0	0	10
Town of Brigus	1	0	0	0	0	0	0	1

Continued...

Annex D - 2009-10 Fiscal Year

OUTCOMES BY PUBLIC BODY	Full Disclosure	Partial Disclosure	Abandon	Access Denied	Do Not Exist	Repetitive	Publicly Available	Total
Town of Carbonear	2	0	1	1	0	0	0	4
Town of Conception Bay South	2	2	1	0	0	0	0	5
Town of Happy Valley - Goose Bay	1	1	0	0	1	0	0	3
Town of Labrador City	0	1	0	0	0	0	0	1
Town of Logy Bay	1	0	0	0	0	0	0	1
Town of Norman's Cove	1	0	0	0	0	0	0	1
Town of North River	1	0	0	0	0	0	0	1
Town of Paradise	1	0	0	0	0	0	0	1
Town of Port-au-Choix	0	1	0	0	0	0	0	1
Town of Portugal Cove - St. Philip's	0	7	0	1	0	0	0	8
Town of Spaniards Bay	1	0	0	0	0	0	0	1
Town of St. George's	0	0	0	4	0	1	0	5
Town of Torbay	1	0	0	0	0	0	0	1
Town of Wabush	1	1	0	0	0	0	0	2
Town of Whitbourne	2	0	0	0	0	2	0	4
Town of Witless Bay	1	0	0	0	0	0	0	1
Western Regional Integrated Health Authority	1	3	0	0	0	0	0	4
Western School District	2	4	0	0	0	0	0	6
Workplace Health, Safety and Compensation Commission	1	1	2	0	0	0	0	4
Total	87	75	15	14	9	3	1	204*
Percentage %	42.65%	36.76%	7.35%	6.86%	4.41%	1.47%	0.49%	100%

*At the time of this report, one Nalcor general access request had not been completed.

Synopsis

Of the 204 general access requests responded to by public bodies, 162 (79.41%) resulted in full or partial disclosure. Access was denied in 14 (6.86%) of the general requests received and records did not exist for 9 (4.41%) of the general requests received. As noted, the total general access responses in Table 8 do not equal the total general access requests made to public bodies for the 2009-10 fiscal year. This discrepancy is due to one uncompleted request.

Personal Information Requests

Personal Information can be requested by the individual the information is about or by another individual who has been delegated authority on behalf of that individual. Requests for personal information are subject an application fee of \$5.00. No additional fees may be charged.

Section 2 of this Annex provides the volume and applicant type for personal information requests, exceptions and outcomes.

Volume and Applicant Type

Table 9 - Personal Information Requests by Department / Public Body and Applicant Type from April 1, 2009 to March 31, 2010

DEPARTMENT AND PUBLIC BODY	Individual	Business	Legal Firm	Public Body	Political Party	Researcher	TOTAL
Advanced Education and Skills	2	0	0	0	0	0	2
Child, Youth and Family Services	1	0	0	0	0	0	1
Environment and Conservation	1	0	0	0	0	0	1
Justice	1	0	0	0	0	0	1
Municipal Affairs	2	0	0	0	0	0	2
Natural Resources	1	0	0	0	0	0	1
Service NL	1	0	0	0	0	0	1
Transportation and Works	1	0	0	0	0	0	1
City of St. John's	1	0	0	0	0	0	1
College of the North Atlantic	3	0	0	0	0	0	3
Eastern Health	8	0	0	0	0	0	8
Eastern School District	4	0	0	0	0	0	4
Fire and Emergency Services	2	1	0	0	0	0	3
Memorial University	1	0	0	0	0	0	1
NL Housing Corporation	2	0	0	0	0	0	2

Continued...

DEPARTMENT AND PUBLIC BODY	Individual	Business	Legal Firm	Public Body	Political Party	Researcher	TOTAL
Public Service Commission	2	0	0	0	0	0	2
Royal Newfoundland Constabulary	4	0	0	0	0	0	4
Town of Bay Roberts	2	0	0	0	0	0	2
Town of Conception Bay South	3	0	0	0	0	0	3
Western Regional Health Authority	2	0	0	0	0	0	2
Workplace Health, Safety and Compensation Commission	3	0	0	0	0	0	3
Total	47	1	0	0	0	0	48
Percentage %	98%	2%	0%	0%	0%	0%	100%

Exceptions

Table 10 - Exceptions to Disclosure for Personal Information Requests from April 1, 2009 to March 31, 2010

SECTION OF THE ATIPP ACT	TOTAL	PERCENTAGE %
MANDATORY		
s.18 – Cabinet Confidences	0	0%
s.27 – Disclosure Harmful to the Business Interests of a Third Party	0	0%
s.30 – Disclosure of Personal Information*	24	66.65%
DISCRETIONARY		
s.19 – Local Public Body Confidences	0	0%
s.20 – Policy Advice or Recommendations	0	0%
s.21 – Legal Advice	7	19.45%
s.22 – Disclosure Harmful to Law Enforcement	2	5.55%
s.23 – Disclosure Harmful to Intergovernmental Relations or Negotiations	0	0%
s.24 – Disclosure Harmful to the Financial or Economic Interest of a Public Body	2	5.55%
s.25 – Disclosure Harmful to Conservation	0	0%
s.26 – Disclosure Harmful to Individual or Public Safety	1	2.8%
Total	36	100%

Note: percentages were rounded.

* When section 30 is cited in a personal information request, it relates to the personal information of an individual other than the applicant.

Synopsis

The same exceptions which apply to general access requests may also apply to requests for personal information. The exceptions to disclosure listed above were used in 36 instances. Section 30 (mandatory exception for personal information) was the most widely applied exception. This section was used in 24 (66.65%) instances of all exceptions. Discretionary exceptions such were used in 12 (33.35%) instances of all applied exceptions.

Outcomes

Table 11 - Final Outcome of Personal Information Requests by Department from April 1, 2009 to March 31, 2010

OUTCOMES BY DEPARTMENT	Partial Disclosure	Access Denied	Full Disclosure	Withdrawn	Total
Advanced Education and Skills	0	2	0	0	2
Child, Youth and Family Services	0	0	0	1	1
Environment and Conservation	1	0	0	0	1
Justice	1	0	0	0	1
Municipal Affairs	2	0	0	0	2
Natural Resources	1	0	0	0	1
Service NL	0	0	1	0	1
Transportation and Works	1	0	0	0	1
Total	6	2	1	1	10
Percentage %	60%	20%	10%	10%	100%

Synopsis

Of the ten personal information requests responded to by government departments, seven (70%) requests resulted in full or partial disclosure. Access was denied in two (20%) of the personal information requests.

Table 12 - Final Outcome of Personal Information Requests by Public Body from April 1, 2009 to March 31, 2010

OUTCOMES BY PUBLIC BODY	Partial Disclosure	Full Disclosure	Access Denied	Abandon	Do not exist	Total
City of St. John's	0	1	0	0	0	1
College of the North Atlantic	3	0	0	0	0	3
Eastern Health	3	5	0	0	0	8
Eastern School District	0	4	0	0	0	4
Fire and Emergency Services	2	1	0	0	0	3
Memorial University	1	0	0	0	0	1
NL Housing Corporation	1	0	0	1	0	2
Public Service Commission	2	0	0	0	0	2
Royal Newfoundland Constabulary	1	0	1	0	2	4
Town of Bay Roberts	2	0	0	0	0	2
Town of Conception Bay South	2	0	0	1	0	3
Western Regional Health Authority	2	0	0	0	0	2
Workplace Health, Safety and Compensation Commission	1	1	1	0	0	3
Total	20	12	2	2	2	38
Percentage %	53%	32%	5%	5%	5%	100%

Synopsis

Of the 38 personal information requests responded to by public bodies, 32 (85%) requests resulted in full or partial disclosure. Two (5%) applications requested records that did not exist and access was denied in two (5%) requests.

Correction of Personal Information Requests

Under section 35 of the Act, an individual who believes there is an error or omission in his or her personal information on record with a department or public body may request that the relevant public body correct the information.

No requests for correction of personal information were reported by government departments or other public bodies for the period of April 1, 2009 - March 31, 2010.

Annex E

Statistical Reports for the 2010-11 Fiscal Year

Annex E provides a statistical breakdown of the total number of general and personal access requests received from April 1, 2010 to March 31, 2011 for government departments and public bodies. Public bodies include government agencies, boards, commissions, municipalities, crown corporations, health care and educational bodies.

Departments that did not receive any requests for the 2010-11 fiscal year are not included in the breakdown of statistics.

Table 1 - Total Number of Access Requests from April 1, 2010 to March 31, 2011

REQUEST TYPE	TOTAL	%
General Access Requests to a Government Department	324	57%
General Access Requests to a Public Body	180	32%
Personal Information Requests to a Government Department	13	2%
Personal Information Requests to a Public Body	49	9%
	566	100%

General Access Requests

Requests for general information cover a wide range of subjects and records, from policy documents to travel claims or archived records. This section reports the volume and applicant type for general access requests made to government departments and public bodies. The data is detailed further to report fees recorded, exceptions to disclosure applied and outcomes of requests.

The listing of government departments is based on the departmental structure of the 2012-13 fiscal year:

The Department of Human Resources, Labour and Employment is listed as the Department of Advanced Education and Skills

Government Services is listed as Service NL

The Department of Business; and Department of Innovation, Trade and Rural Development are listed as the Department of Innovation, Business and Rural Development

Labrador and Aboriginal Affairs and Intergovernmental Affairs are listed as Intergovernmental and Aboriginal Affairs Secretariat

Volume and Applicant Type for General Access Requests

During the 2010-11 fiscal year, a total of 504 general access requests were received by government departments and public bodies. Of these 504 requests, government departments received 324 (64%) general access requests, while other public bodies received 180 (36%) general access requests.

Table 2 - General Access Requests by Department and Applicant Type from April 1, 2010 to March 31, 2011

DEPARTMENT	Political Party	Individual	Media	Business	Legal Firm	Interest Group	Public Body	Researcher	Total
Advanced Education and Skills	6	6	0	2	0	0	0	0	14
Child, Youth and Family Services	1	0	3	0	0	0	0	0	4
Education	11	5	5	2	0	0	0	0	23
Environment and Conservation	8	22	5	5	4	2	0	0	46
Executive Council (Cabinet Secretariat)	7	5	6	0	1	0	0	0	19
Intergovernmental and Aboriginal Affairs Secretariat	5	1	2	0	0	0	0	0	8
Office of the Chief Information Officer	1	0	1	0	0	0	0	0	2
Premier's Office	4	2	2	0	0	0	0	0	8
Finance	6	3	3	2	0	1	0	0	15
Fisheries and Aquaculture	7	0	4	0	0	0	0	0	11
Health and Community Services	21	1	5	0	6	3	6	1	43
Innovation, Business and Rural Development	9	1	11	0	0	0	0	0	21
Justice	3	16	7	0	1	0	0	5	32
Municipal Affairs	2	2	2	0	0	0	0	0	6
Natural Resources	10	3	8	6	0	0	0	0	27
Service NL	4	6	0	5	0	0	0	0	15
Tourism, Culture and Recreation	5	0	1	0	0	0	0	0	6
Transportation and Works	3	12	4	1	2	1	1	0	24
Total by Applicant Type	113	85	69	23	14	7	7	6	324
Percentage %	34.88%	26.23%	21.3%	7.1%	4.32%	2.16%	2.16%	1.85%	100%

Note: percentages were rounded.

Table 3 - General Access Requests by Public Body and Applicant Type from April 1, 2010 to March 31, 2011

PUBLIC BODY	Individual	Business	Political Party	Media	Legal Firm	Interest Group	Public Body	Researcher	Total
Central Health	1	0	1	0	1	0	0	0	3
City of Corner Brook	7	1	0	0	1	0	0	0	9
City of St. John's	6	5	2	5	1	1	0	0	20
College of the North Atlantic	17	3	1	0	0	0	0	0	21
Eastern Health	4	0	7	5	2	0	1	0	19
Eastern School District	3	0	0	0	0	0	0	0	3
Fire and Emergency Services	0	5	0	1	1	0	0	0	7
Government Purchasing Agency	0	0	2	0	0	0	0	0	2
Human Rights Commission	1	0	0	0	0	0	0	0	1
Labour Relations Agency	0	0	0	1	0	0	0	0	1
Labrador-Grenfell Regional Health	1	0	1	0	0	0	0	0	2
Memorial University	0	0	0	1	2	1	0	1	5
Multi-Materials Stewardship	0	0	0	0	1	0	0	0	1
Nalcor	0	1	3	0	0	0	0	0	4
NL Housing	1	0	1	1	0	0	0	0	3
Nova Central School District	1	0	0	0	0	0	0	0	1
Public Service Commission	1	0	0	0	0	0	0	0	1
Public Utilities Board	0	0	1	0	0	0	0	0	1
Royal Newfoundland Constabulary	11	6	0	1	1	1	0	0	20
Town of Bay Roberts	5	0	0	0	0	0	0	0	5
Town of Conception Bay South	10	1	0	0	0	0	1	0	12
Town of Clarenville	0	0	0	4	0	0	0	0	4
Town of Grand Bank	3	0	0	0	0	0	0	0	3
Town of Holyrood	1	0	0	0	0	0	0	0	1
Town of Labrador City	0	1	0	0	0	0	0	0	1
Town of Mt. Moriah	1	0	0	0	0	0	0	0	1
Town of Norris Point	1	0	0	0	0	0	0	0	1
Town of Paradise	2	0	0	0	0	0	0	0	2

Continued...

Annex E - 2010-11 Fiscal Year

PUBLIC BODY	Individual	Business	Political Party	Media	Legal Firm	Interest Group	Public Body	Researcher	Total
Town of Portugal Cove- St. Philip's	6	0	0	0	0	0	0	0	6
Town of St. George's	6	0	0	0	0	0	0	0	6
Town of Steady Brook	2	0	0	0	0	0	0	0	2
Town of Torbay	2	1	0	0	0	0	0	0	3
Town of Whitbourne	2	0	0	0	0	0	0	0	2
Western Regional Integrated Health Authority	1	0	1	0	1	0	0	0	3
Western School District	1	1	0	0	0	0	0	0	2
Workplace Health, Safety and Compensation Commission	2	0	0	0	0	0	0	0	2
Total	99	25	20	19	11	3	2	1	180
Percentage %	55.25%	13.81%	11.05%	10.5%	6.08%	1.66%	1.1%	0.55%	100%

Note: percentages were rounded.

Frequency by Applicant Type

Table 4 – General Access Requests by Frequency of Applicant Type from April 1, 2010 to March 31, 2011

APPLICANT TYPE	DEPARTMENT	PUBLIC BODY	TOTAL	PERCENTAGE %
Individual	85	99	184	37%
Political Party	113	20	133	26%
Media	69	19	88	17%
Business	23	25	48	10%
Legal Firm	14	11	25	5%
Interest Group	7	3	10	2%
Other Public Body	7	2	9	2%
Researcher	6	1	7	1%
Total	324	180	504	100%

Fees

Section 68 of the Act gives the Minister responsible for the Act the right to establish a Fee Schedule. The fee schedule in effect during the 2010-11 fiscal year outlined the applicable fees for access to information requests. Specifically, fees for general access requests included: \$5.00 application fee; \$15.00/hour for locating, retrieving, providing and manually producing records; \$0.25/page for photocopies; and any associated shipping costs. The head of a public body may waive the requirement to pay any fees if payment would impose an unreasonable financial hardship on the applicant. The \$5.00 application fee may be charged for personal information requests, however, the head of the department or public body may waive the application fee for personal information requests if deemed reasonable and fair in the circumstances. No processing fees can be charged for personal information requests.

Application Fees

During 2010-11, application fees received by government departments and public bodies totaled \$2,700.00.

Processing Fees

The following table represents a breakdown of the processing fees paid by applicants for access requests (not including the \$5.00 application fee).

Table 5—Fees Recorded as Paid by Applicants for General Access Requests from April 1, 2010 to March 31, 2011

DEPARTMENT	TOTAL (\$)	PUBLIC BODY	TOTAL (\$)
Finance	\$255.00	Central Health	\$50.00
Health and Community Services	\$156.75	City of St. John's	\$420.00
Innovation, Business and Rural Development	\$3.25	College of the North Atlantic	\$1,481.50
Municipal Affairs	\$112.50	Eastern Health	\$777.75
Tourism, Culture and Recreation	\$36.75	Labrador-Grenfell Regional Health	\$30.00
		Memorial University	\$470.00
		Town of Avondale	\$18.75
		Town of Conception Bay South	\$37.75
		Town of Clarenville	\$60.25
		Town of Norris Point	\$13.25
		Town of St. George's	\$26.25
		Town of Steady Brook	\$15.00
Total	\$564.25	Total	\$3,400.50

Exceptions

One of the main purposes of the Act is to provide access to information subject only to specific and limited circumstances. Under the Act, certain types of information are exempt from disclosure to applicants. There are two categories of exceptions: mandatory exceptions, which departments and public bodies must apply; and discretionary exceptions, which departments and public bodies may exercise the discretion to apply.

Since a single request may list more than one exception, the numbers noted in this table do not correlate to the total number of general access requests received during this timeframe. For example, one record or piece of information could be severed citing cabinet confidences (s.18), policy advice or recommendations (s.20) and harmful to the financial and economic interests of a public body (s.24).

Table 6 – Exceptions to Disclosure for General Access Requests from April 1, 2010 to March 31, 2011

SECTION OF THE ATIPP ACT	TOTAL	PERCENTAGE %
MANDATORY		
s.18 – Cabinet Confidences	37	9.92%
s.27 – Disclosure Harmful to the Business Interests of a Third Party	41	10.99%
s.30 – Disclosure of Personal Information	144	38.61%
DISCRETIONARY		
s.19 – Local Public Body Confidences	0	0%
s.20 – Policy Advice or Recommendations	57	15.28%
s.21 – Legal Advice	28	7.51%
s.22 – Disclosure Harmful to Law Enforcement	21	5.63%
s.23 – Disclosure Harmful to Intergovernmental Relations or Negotiations	14	3.75%
s.24 – Disclosure Harmful to the Financial or Economic Interest of a Public Body	26	6.97%
s.25 – Disclosure Harmful to Conservation	1	0.27%
s.26 – Disclosure Harmful to Individual or Public Safety	4	1.07%
Total	373	100%

Synopsis

The exceptions to disclosure listed above were used in 373 instances. Section 30 (mandatory exception for personal information), was the most widely applied exception being used in 144 (38.61%) instances of all applied exceptions. Discretionary exceptions were used in 151 (40.48%) instances of all applied exceptions.

Outcomes

Responding to general access requests can result in a range of possible outcomes. The outcome may be full or partial disclosure; the applicant may withdraw or abandon the request; or the record may not exist or may already be available in the public domain. Partial disclosure means exceptions have been applied and certain information has been severed in accordance with the legislation.

Table 7 – Final Outcome of General Access Requests by Department from April 1, 2010 to March 31, 2011

OUTCOMES BY DEPARTMENT	Partial Disclosure	Full Disclosure	Do not Exist	Abandon	Access Denied	Publicly Available	Withdrawn	Repetitive	Total
Advanced Education and Skills	3	7	1	3	0	0	0	0	14
Child, Youth and Family Services	0	0	2	1	1	0	0	0	4
Education	6	7	3	7	0	0	0	0	23
Environment and Conservation	25	14	0	5	1	1	0	0	46
Executive Council (Cabinet Secretariat)	10	1	6	2	0	0	0	0	19
Intergovernmental and Aboriginal Affairs Secretariat	2	3	2	1	0	0	0	0	8
Office of the Chief Information Officer	1	0	0	1	0	0	0	0	2
Premier's Office	2	0	4	1	1	0	0	0	8
Finance	4	9	0	2	0	0	0	0	15
Fisheries and Aquaculture	0	1	3	3	4	0	0	0	11
Health and Community Services	14	13	8	8	0	0	0	0	43
Innovation, Business and Rural Development	11	3	4	1	0	2	0	0	21
Justice	9	5	9	2	5	1	1	0	32
Municipal Affairs	5	0	1	0	0	0	0	0	6
Natural Resources	12	4	2	5	3	0	0	0	26*
Service NL	5	4	2	1	2	1	0	0	15
Tourism, Culture and Recreation	2	2	1	1	0	0	0	0	6
Transportation and Works	6	10	1	3	3	0	0	1	24
Total	117	83	49	47	20	5	1	1	323*
Percentage %	36%	26%	15%	15%	6%	2%	0%	0%	100%

*At the time of this report, one Natural Resources request was not complete.

Synopsis

Of the 323 general access requests responded to by government departments, 200 (62%) resulted in full or partial disclosure, while 49 (15%) general requests were for records that did not exist and access was denied to 20 (6%) of the general requests received. As noted, the total general access responses in Table 7 do not equal the total general access requests made to government departments for the 2010-11 fiscal year. This discrepancy is as a result of one uncompleted request.

Table 8 – Final Outcome of General Access Requests by Public Body from April 1, 2010 to March 31, 2011

OUTCOMES BY PUBLIC BODY	Full Disclosure	Partial Disclosure	Abandon	Do Not Exist	Access Denied	Repetitive	Publicly Available	Total
Central Health	2	0	1	0	0	0	0	3
City of Corner Brook	2	4	0	1	2	0	0	9
City of St. John's	18	1	1	0	0	0	0	20
College of the North Atlantic	6	11	2	1	0	1	0	21
Eastern Health	6	6	6	1	0	0	0	19
Eastern School District	3	0	0	0	0	0	0	3
Fire and Emergency Services	0	4	0	3	0	0	0	7
Government Purchasing Agency	1	1	0	0	0	0	0	2
Human Rights Commission	1	0	0	0	0	0	0	1
Labour Relations Agency	0	1	0	0	0	0	0	1
Labrador-Grenfell Regional Health	2	0	0	0	0	0	0	2
Memorial University	0	3	1	0	1	0	0	5
Multi-Materials Stewardship	1	0	0	0	0	0	0	1
Nalcor	2	0	0	1	1	0	0	4
NL Housing Corporation	1	1	1	0	0	0	0	3
Nova Central School District	1	0	0	0	0	0	0	1
Public Service Commission	0	1	0	0	0	0	0	1
Public Utilities Board	0	0	1	0	0	0	0	1
Royal Newfoundland Constabulary	3	13	0	2	2	0	0	20
Town of Bay Roberts	1	4	0	0	0	0	0	5
Town of Conception Bay South	4	7	0	0	1	0	0	12

Continued...

OUTCOMES BY PUBLIC BODY	Full Disclosure	Partial Disclosure	Abandon	Do Not Exist	Access Denied	Repetitive	Publicly Available	Total
Town of Clarenville	2	0	0	1	1	0	0	4
Town of Grand Bank	1	0	2	0	0	0	0	3
Town of Holyrood	0	1	0	0	0	0	0	1
Town of Labrador City	0	1	0	0	0	0	0	1
Town of Mt. Moriah	1	0	0	0	0	0	0	1
Town of Norris Point	1	0	0	0	0	0	0	1
Town of Paradise	0	0	0	1	1	0	0	2
Town of Portugal Cove – St. Philip's	2	4	0	0	0	0	0	6
Town of St. George's	3	0	2	0	0	1	0	6
Town of Steady Brook	2	0	0	0	0	0	0	2
Town of Torbay	2	1	0	0	0	0	0	3
Town of Whitbourne	0	1	0	0	0	0	1	2
Western Regional Integrated Health Authority	3	0	0	0	0	0	0	3
Western School District	1	0	0	1	0	0	0	2
Workplace Health, Safety and Compensation Commission	0	2	0	0	0	0	0	2
Total	72	67	17	12	9	2	1	180
Percentage %	40%	37%	9%	7%	5%	1%	1%	100%

Synopsis

Of the 180 general access requests responded to by public bodies, 139 (77%) resulted in full or partial disclosure. Records did not exist for 12 (7%) of the general requests made and access was denied in nine (5%) of the general requests received.

Personal Information Requests

Personal Information can be requested by the individual the information is about or by another individual who has been delegated authority on behalf of that individual. Requests for personal information are subject an application fee of \$5.00. No additional fees may be charged.

Section 2 of this Annex provides the volume and applicant type for personal information requests, exceptions and outcomes.

Volume and Applicant Type

Table 9 - Personal Information Requests by Department / Public Body and Applicant Type from April 1, 2010 to March 31, 2011

DEPARTMENT AND PUBLIC BODY	Individual	Legal Firm	Researcher	Business	Public Body	Political Party	TOTAL
Advanced Education and Skills	2	0	0	0	0	0	2
Education	1	0	0	0	0	0	1
Justice	6	0	0	0	0	0	6
Natural Resources	2	1	0	0	0	0	3
Transportation and Works	1	0	0	0	0	0	1
Central Health	2	0	0	0	0	0	2
City of St. John's	1	0	0	0	0	0	1
College of the North Atlantic	10	0	0	0	0	0	10
Eastern Health	6	0	0	0	0	0	6
Fire and Emergency Services	3	0	0	0	0	0	3
Human Rights Commission	1	0	0	0	0	0	1
Memorial University	6	1	2	0	0	0	9
Public Service Commission	2	0	0	0	0	0	2
Royal Newfoundland Constabulary	8	0	0	1	0	0	9
Town of Avondale	1	0	0	0	0	0	1
Town of Portugal Cove—St. Philip's	2	0	0	0	0	0	2
Town of Spaniards Bay	1	0	0	0	0	0	1
Workplace, Health, Safety and Compensation Commission	2	0	0	0	0	0	2
Total	57	2	2	1	0	0	62
Percentage %	92%	3%	3%	2%	0%	0%	100%

Exceptions

Table 10 - Exceptions to Disclosure for Personal Information Requests from April 1, 2010 to March 31, 2011

SECTION OF THE ATIPP ACT	TOTAL	PERCENTAGE %
MANDATORY		
s.18 – Cabinet Confidences	2	3%
s.27 – Disclosure Harmful to the Business Interests of a Third Party	2	3%
s.30 – Disclosure of Personal Information*	35	49%
DISCRETIONARY		
s.19 – Local Public Body Confidences	0	0%
s.20 – Policy Advice or Recommendations	11	15%
s.21 – Legal Advice	10	14%
s.22 – Disclosure Harmful to Law Enforcement	8	11%
s.23 – Disclosure Harmful to Intergovernmental Relations or Negotiations	1	1%
s.24 – Disclosure Harmful to the Financial or Economic Interest of a Public Body	3	4%
s.25 – Disclosure Harmful to Conservation	0	0%
s.26 – Disclosure Harmful to Individual or Public Safety	0	0%
Total	72	100%

*When section 30 is cited in a personal information request, it relates to the personal information of an individual other than the applicant.

Synopsis

The same exceptions which apply to general access requests also apply to requests for personal information. The exceptions to disclosure listed above were used in a total of 72 instances. Section 30 (mandatory exception for personal information) was the most widely applied exception being used in 35 (49%) instances of all exceptions. Discretionary exceptions were used in 33 (45%) instances of all applied exceptions.

Outcomes

The outcome of personal information requests are depicted in Table 11 for government departments and Table 12 for other public bodies.

Table 11 - Final Outcome of Personal Information Requests by Department from April 1, 2010 to March 31, 2011

OUTCOMES BY DEPARTMENT	Partial Disclosure	Full Disclosure	Do not Exist	Abandon	Repetitive	Total
Advanced Education and Skills	0	0	2	0	0	2
Education	0	1	0	0	0	1
Justice	2	2	0	2	0	6
Natural Resources	2	0	0	0	1	3
Transportation and Works	1	0	0	0	0	1
Total	5	3	2	2	1	13
Percentage %	38.5%	23%	15.5%	15.5%	7.5%	100%

Note: percentages were rounded.

Synopsis

Of the 13 personal information requests responded to by government departments, eight (61.5%) requests resulted in full or partial disclosure. Two (15.5%) of these applications requested records that did not exist.

Table 12 - Final Outcome of Personal Information Requests by Public Body from April 1, 2010 to March 31, 2011

OUTCOMES BY PUBLIC BODY	Partial Disclosure	Full Disclosure	Do not exist	Abandon	Withdrew	Repetitive	Access Denied	Refuse to Confirm or Deny	Total
Central Health	1	1	0	0	0	0	0	0	2
City of St. John's	0	1	0	0	0	0	0	0	1
College of the North Atlantic	6	0	1	1	1	1	0	0	10
Eastern Health	4	1	1	0	0	0	0	0	6
Fire and Emergency Services	3	0	0	0	0	0	0	0	3
Human Rights Commission	0	1	0	0	0	0	0	0	1
Memorial University	7	0	0	1	0	0	0	0	8*
Public Service Commission	2	0	0	0	0	0	0	0	2

OUTCOMES BY PUBLIC BODY	Partial Disclosure	Full Disclosure	Do not exist	Abandon	Withdrawn	Repetitive	Access Denied	Refuse to Confirm or Deny	Total
Royal Newfoundland Constabulary	4	2	1	0	0	0	1	1	9
Town of Avondale	0	1	0	0	0	0	0	0	1
Town of Portugal Cove - St. Philip's	2	0	0	0	0	0	0	0	2
Town of Spaniards Bay	1	0	0	0	0	0	0	0	1
Workplace, Health, Safety and Compensation Commission	2	0	0	0	0	0	0	0	2
Total	32	7	3	2	1	1	1	1	48*
Percentage %	67%	15%	6%	4%	2%	2%	2%	2%	100%

*At the time of this report, one Memorial University request was not complete.

Synopsis

Of the 48 personal information requests responded to by public bodies, 39 (82%) requests resulted in full or partial disclosure. Three (6%) applications requested records that did not exist and access was denied in one (2%) request. As noted, the total general access responses in table 12 does not equal the total general access requests made to public bodies for the 2010-2011 fiscal year. This discrepancy is as a result of one uncompleted request.

Correction of Personal Information Requests

Under section 35 of the Act, an individual who believes there is an error or omission in his or her personal information on record with a department or public body may request that the relevant public body correct the information.

No requests for correction of personal information were reported by government departments or other public bodies for the period of April 1, 2010 - March 31, 2011.

Annex F

Statistical Reports for the 2011-2012 Fiscal Year

Annex F provides a statistical breakdown of the total number of general and personal access requests received from April 1, 2011 to March 31, 2012 for government departments and public bodies. Public bodies include government agencies, boards, commissions, municipalities, crown corporations, health care and educational bodies.

Departments that did not receive any requests for the 2011-12 fiscal year are not included in the breakdown of statistics.

Table 1 - Total Number of Access Requests from April 1, 2011 to March 31, 2012

REQUEST TYPE	TOTAL	%
General Access Requests to a Government Department	256	48%
General Access Requests to a Public Body	193	36%
Personal Information Requests to a Government Department	17	3%
Personal Information Requests to a Public Body	71	13%
	537	100%

General Access Requests

Requests for general information cover a wide range of subjects and records, from policy documents to travel claims or archived records. This section reports the volume and applicant type for general access requests made to government departments and public bodies. The data is detailed further to report fees recorded, severing exceptions applied and outcomes of requests.

The listing of government departments is based on the departmental structure of the 2012-13 fiscal year:

The Department of Advanced Education and Skills and Department of Human Resources, Labour and Employment are listed as the Department of Advanced Education and Skills

Service NL and Government Services are listed as Service NL

The Department of Innovation, Business and Rural Development (IBRD), Department of Business and Department of Innovation, Trade and Rural Development are listed as the Department of Innovation, Business and Rural Development

Intergovernmental and Aboriginal Affairs Secretariat and Intergovernmental Affairs are listed as Intergovernmental and Aboriginal Affairs Secretariat

Rural Secretariat and Voluntary and Non-Profit Secretariat are listed as the Office of Public Engagement

The Public Service Secretariat is listed as the Human Resources Secretariat

Volume and Applicant Type

During the 2011-12 fiscal year, a total of 449 general access requests were received by government departments and public bodies. Of these 449 requests, government departments received 256 (57%) general access requests, while other public bodies received 193 (43%) general access requests.

Table 2 - General Access Requests by Department and Applicant Type from April 1, 2011 to March 31, 2012

DEPARTMENT	Political Party	Media	Individual	Business	Legal Firm	Interest Group	Researcher	Public Body	Total
Advanced Education and Skills	14	0	3	3	0	0	0	0	20
Child, Youth and Family Services	8	0	1	0	0	0	0	0	9
Education	4	2	1	1	0	1	0	0	9
Environment and Conservation	2	1	19	0	2	1	3	0	28
Executive Council (Cabinet Secretariat)	7	4	0	0	0	0	0	0	11
Human Resources Secretariat	0	0	1	0	0	0	0	0	1
Intergovernmental and Aboriginal Affairs Secretariat	1	3	0	0	0	0	0	0	4
Labrador Affairs Office	0	1	0	0	0	0	0	0	1
Office of Climate Change, Energy Efficiency and Emissions Trading	1	0	0	0	0	0	0	0	1
Office of the Chief Information Officer	0	2	0	0	0	0	0	0	2
Office of Public Engagement	0	2	0	0	0	0	0	0	2
Premier's Office	10	2	0	0	0	0	0	0	12
Women's Policy Office	1	0	0	0	0	0	0	0	1
Finance	2	0	1	1	0	0	0	0	4
Fisheries and Aquaculture	14	2	1	0	1	0	0	0	18
Health and Community Services	19	4	0	2	0	0	0	0	25
Innovation, Business and Rural Development	2	5	0	0	0	0	0	0	7
Justice	4	5	5	1	0	1	0	0	16
Municipal Affairs	6	2	3	0	0	0	0	1	12
Natural Resources	6	11	1	2	2	0	0	0	22
Service NL	3	6	11	4	1	0	0	0	25
Tourism, Culture and Recreation	4	1	0	0	0	0	0	0	5
Transportation and Works	4	9	5	1	0	1	0	1	21
Total by Applicant Type	112	62	52	15	6	4	3	2	256
Percentage %	44%	24%	20%	6%	2%	2%	1%	1%	100%

Annex F - 2011-12 Fiscal Year

Table 3 - General Access Requests by Public Body and Applicant Type from April 1, 2011 to March 31, 2012

PUBLIC BODY	Individual	Media	Business	Political Party	Legal Firm	Interest Group	Public Body	Re-searcher	Total
Central Health	0	1	0	0	1	0	0	0	2
Centre for Health Information	1	0	0	0	0	0	0	0	1
City of Corner Brook	2	0	0	0	0	0	0	0	2
City of St. John's	9	0	2	2	3	0	0	0	16
College of the North Atlantic	31	0	1	0	0	0	0	0	32
Eastern Health	5	7	3	7	0	0	0	0	22
Eastern School District	0	1	0	0	0	0	0	0	1
Fire and Emergency Services	0	1	4	1	4	0	1	0	11
Government Purchasing Agency	0	2	1	0	1	0	0	0	4
Labrador-Grenfell Regional Health	0	0	0	1	1	0	0	0	2
Memorial University	9	0	1	0	1	1	0	1	13
Nalcor	0	0	1	1	0	0	0	0	2
Multi-Materials Stewardship Board	1	1	0	0	0	0	0	0	2
NL Housing Corporation	0	4	0	0	0	0	0	0	4
NL Liquor Corporation	1	2	0	0	0	0	0	0	3
Public Service Commission	0	0	0	3	0	0	0	0	3
Public Utilities Board	0	0	0	1	0	0	0	0	1
Research and Development Corporation	0	1	0	0	0	1	0	0	2
Royal Newfoundland Constabulary	10	1	5	1	3	1	2	0	23
Town of Bay Roberts	1	0	0	0	0	0	0	0	1
Town of Carbonear	1	0	0	0	0	0	0	0	1
Town of Conception Bay South	8	0	1	0	1	0	0	0	10
Town of Clarenville	1	0	0	0	0	1	0	0	2
Town of Flatrock	1	0	0	0	0	0	0	0	1
Town of Grand Bank	1	0	0	0	0	0	0	0	1
Town of Holyrood	3	0	0	0	0	0	0	0	3

Continued...

PUBLIC BODY	Individual	Media	Business	Political Party	Legal Firm	Interest Group	Public Body	Researcher	Total
Town of Mt. Moriah	1	0	0	0	0	0	0	0	1
Town of Portugal Cove – St. Philip's	8	0	2	0	1	1	0	0	12
Town of Rocky Harbour	1	0	0	0	0	0	0	0	1
Town of St. George's	5	0	0	0	0	0	0	0	5
Town of Whitbourne	2	0	0	0	0	0	0	0	2
Western Regional Integrated Health Authority	2	0	1	0	1	0	0	0	4
Workplace Health, Safety and Compensation Commission	1	2	0	0	0	0	0	0	3
Total	105	23	22	17	17	5	3	1	193
Percentage %	54.4%	11.9%	11.4%	8.8%	8.8%	2.6%	1.6%	0.5%	100%

Frequency by Applicant Type

Table 4 – General Access Requests by Frequency of Applicant Type from April 1, 2011 to March 31, 2012

APPLICANT TYPE	DEPARTMENT	PUBLIC BODY	TOTAL	PERCENTAGE %
Individual	52	105	157	35%
Political Party	112	17	129	29%
Media	62	23	85	19%
Business	15	22	37	8%
Legal Firm	6	17	23	5%
Interest Group	4	5	9	2%
Other Public Body	2	3	5	1%
Researcher	3	1	4	1%
Total	256	193	449	100%

Fees

Section 68 of the Act gives the Minister responsible for the Act the right to establish a Fee Schedule. The fee schedule in effect during the 2011- 2012 fiscal year outlined the applicable fees for access to information requests. Specifically, fees for general access requests included: \$5.00 application fee; \$15.00/hour for locating, retrieving, providing and manually producing records; \$0.25/page for photocopies; and any associated shipping costs. The head of a public body may waive the requirement to pay any fees if payment would impose an unreasonable financial hardship on the applicant. The \$5.00 application fee may be charged for personal information requests, however, the head of the department or public body may waive the application fee for personal information requests if deemed reasonable and fair in the circumstances. No processing fees can be charged for personal information requests.

Application Fees

During 2011-12, application fees received by government department and public bodies totaled \$2,405.00.

Processing Fees

The following table represents a breakdown of the processing fees paid by applicants for access requests (not including the \$5.00 application fee).

Table 5 - Fees Recorded as Paid by Applicants for General Access Requests from April 1, 2011 to March 31, 2012

DEPARTMENT	TOTAL (\$)	PUBLIC BODY	TOTAL (\$)
Environment and Conservation	\$649.00	City of St. John's	\$180.00
Fisheries and Aquaculture	\$80.25	Centre for Health Information	\$15.00
Health and Community Services	\$52.50	College of the North Atlantic	\$592.00
Justice	\$90.00	Eastern Health	\$263.00
Municipal Affairs	\$79.25	Memorial University	\$664.00
Natural Resources	\$1,770.00	Town of Conception Bay South	\$51.00
Service NL	\$716.25	Town of Clarenville	\$37.25
Transportation and Works	\$270.00	Town of Holyrood	\$7.25
		Town of Portugal Cove-St. Philip's	\$15.82
		Town of St. George's	\$19.25
Total	\$3,707.25	Total	\$1,844.57

Exceptions

One of the main purposes of the Act is to provide access to information subject only to specific and limited circumstances. Under the Act, certain types of information are exempt from disclosure to applicants. There are two categories of exceptions: mandatory exceptions, which departments and public bodies must apply; and discretionary exceptions, which departments and public bodies may exercise the discretion to apply.

Since a single request may list more than one exception, the numbers noted in this table do not correlate to the total number of general access requests received during this timeframe. For example, one record or piece of information could be severed citing cabinet confidences (s.18), policy advice or recommendations (s.20) and harmful to the financial and economic interests of a public body (s.24).

Table 6 – Exceptions to Disclosure for General Access Requests from April 1, 2011 to March 31, 2012

SECTION OF THE ATIPP ACT	TOTAL	PERCENTAGE %
MANDATORY		
s.18 – Cabinet Confidences	48	11.4%
s.27 – Disclosure Harmful to the Business Interests of a Third Party	36	8.55%
s.30 – Disclosure of Personal Information	168	39.9%
DISCRETIONARY		
s.19 – Local Public Body Confidences	3	0.71%
s.20 – Policy Advice or Recommendations	62	14.73%
s.21 – Legal Advice	25	5.94%
s.22 – Disclosure Harmful to Law Enforcement	17	4.04%
s.23 – Disclosure Harmful to Intergovernmental Relations or Negotiations	28	6.65%
s.24 – Disclosure Harmful to the Financial or Economic Interest of a Public Body	33	7.84%
s.25 – Disclosure Harmful to Conservation	0	0%
s.26 – Disclosure Harmful to Individual or Public Safety	1	0.24%
Total	421	100%

Synopsis

The exceptions to disclosure listed above were used in 421 instances. Section 30 (mandatory exception for personal information) was the most widely applied exception being used in 168 (39.9%) instances of all applied exceptions. Discretionary exceptions were used in 169 (40.15%) instances of all applied exceptions.

Outcomes

Responding to general access requests can result in a range of possible outcomes. The outcome may be full or partial disclosure; the applicant may withdraw or abandon the request; or the record may not exist or may already be available in the public domain. Partial disclosure means exceptions have been applied and certain information has been severed in accordance with the legislation.

Table 7 – Final Outcome of General Access Requests by Department from April 1, 2011 to March 31, 2012

OUTCOMES BY DEPARTMENT	Partial Disclosure	Full Disclosure	Do not Exist	Access Denied	Abandon	Withdrew	Publicly Available	Total
Advanced Education and Skills	9	9	1	0	1	0	0	20
Child, Youth and Family Services	0	7	1	1	0	0	0	9
Education	3	5	1	0	0	0	0	9
Environment and Conservation	14	9	2	0	3	0	0	28
Executive Council (Cabinet Secretariat)	5	3	3	0	0	0	0	11
Human Resources Secretariat	0	1	0	0	0	0	0	1
Intergovernmental and Aboriginal Affairs Secretariat	4	0	0	0	0	0	0	4
Labrador Affairs Office	1	0	0	0	0	0	0	1
Office of Climate Change, Energy Efficiency and Emissions Trading	0	1	0	0	0	0	0	1
Office of the Chief Information Officer	2	0	0	0	0	0	0	2
Office of Public Engagement	1	0	0	0	1	0	0	2
Premier's Office	7	2	3	0	0	0	0	12
Women's Policy Office	1	0	0	0	0	0	0	1
Finance	0	1	2	0	0	0	1	4
Fisheries and Aquaculture	7	2	1	5	3	0	0	18
Health and Community Services	12	6	5	0	1	1	0	25
Innovation, Business and Rural Development	1	3	3	0	0	0	0	7
Justice	7	4	2	3	0	0	0	16
Municipal Affairs	1	7	3	1	0	0	0	12

Continued...

OUTCOMES BY DEPARTMENT	Partial Disclosure	Full Disclosure	Do not Exist	Access Denied	Abandon	Withdrawn	Publicly Available	Total
Natural Resources	13	2	3	2	1	1	0	22
Service NL	19	4	1	1	0	0	0	25
Tourism, Culture and Recreation	1	1	1	0	2	0	0	5
Transportation and Works	12	6	3	0	0	0	0	21
Total	120	73	35	13	12	2	1	256
Percentage %	47%	28.5%	13.5%	5%	4.5%	1%	0.5%	100%

Note: percentages were rounded.

Synopsis

Of the 256 general access requests responded to by government departments, 193 (75.5%) resulted in full or partial disclosure, while 35 (13.5%) were for records that did not exist and access was denied in 13 (5%) of the general access requests received.

Table 8 – Final Outcome of General Access Requests by Public Body from April 1, 2011 to March 31, 2012

OUTCOMES BY PUBLIC BODY	Partial Disclosure	Full Disclosure	Abandon	Access Denied	Do Not Exist	Withdrawn	Publicly Available	Total
Central Health	1	0	0	0	1	0	0	2
Centre for Health Information	1	0	0	0	0	0	0	1
City of Corner Brook	0	2	0	0	0	0	0	2
City of St. John's	3	10	1	2	0	0	0	16
College of the North Atlantic	19	3	8	0	1	1	0	32
Eastern Health	2	11	3	1	5	0	0	22
Eastern School District	0	1	0	0	0	0	0	1
Fire and Emergency Services	8	1	0	0	2	0	0	11
Government Purchasing Agency	3	1	0	0	0	0	0	4
Labrador-Grenfell Regional Health	0	1	0	0	0	1	0	2
Memorial University	9	2	1	1	0	0	0	13
Nalcor	0	1	0	0	0	0	0	1*

Annex F - 2011-12 Fiscal Year

OUTCOMES BY PUBLIC BODY	Partial Disclosure	Full Disclosure	Abandon	Access Denied	Do Not Exist	Withdrawn	Publicly Available	Total
Multi-Materials Stewardship Board	0	1	1	0	0	0	0	2
NL Housing Corporation	0	3	1	0	0	0	0	4
NL Liquor Corporation	0	2	1	0	0	0	0	3
Public Service Commission	3	0	0	0	0	0	0	3
Public Utilities Board	1	0	0	0	0	0	0	1
Research and Development Corporation	1	0	0	0	0	1	0	2
Royal Newfoundland Constabulary	13	1	0	8	1	0	0	23
Town of Bay Roberts	1	0	0	0	0	0	0	1
Town of Carbonear	0	1	0	0	0	0	0	1
Town of Conception Bay South	4	5	0	0	1	0	0	10
Town of Clarenville	0	2	0	0	0	0	0	2
Town of Flatrock	0	1	0	0	0	0	0	1
Town of Grand Bank	0	0	1	0	0	0	0	1
Town of Holyrood	0	3	0	0	0	0	0	3
Town of Mt. Moriah	0	0	1	0	0	0	0	1
Town of Portugal Cove - St. Philip's	7	2	0	1	2	0	0	12
Town of Rocky Harbour	1	0	0	0	0	0	0	1
Town of St. George's	0	4	0	1	0	0	0	5
Town of Whitbourne	0	2	0	0	0	0	0	2
Western Regional Integrated Health Authority	0	2	0	1	1	0	0	4
Workplace Health, Safety and Compensation Commission	2	0	0	0	0	0	1	3
Total	79	62	18	15	14	3	1	192*
Percentage %	41%	32%	9%	8%	7%	2%	1%	100%

Synopsis

Of the 192 general access requests responded to by public bodies, 141 (73%) resulted in full or partial disclosure. Access was denied to 15 (8%) of the general requests made and records did not exist for 14 (7%) of the general requests received. As noted, the total general access responses in Table 8 do not equal the total general access requests made to public bodies for the 2011-12 fiscal year. This discrepancy is due to one uncompleted request.

Personal Information Requests

Personal Information can be requested by the individual the information is about or by another individual who has been delegated authority on behalf of that individual. Requests for personal information are subject to an application fee of \$5.00. No additional fees may be charged.

Section 2 of this Annex provides the volume and applicant type for personal information requests, exceptions and outcomes.

Volume and Applicant Type

Table 9 - Personal Information Requests by Department and Public Body and Applicant Type from April 1, 2011 to March 31, 2012

DEPARTMENT AND PUBLIC BODY	Individual	Business	Public Body	Legal Firm	Political Party	Researcher	TOTAL
Child, Youth and Family Services	1	0	0	0	0	0	1
Education	1	0	0	0	0	0	1
Finance	1	0	0	0	1	0	2
Health and Community Services	3	0	0	0	0	0	3
Justice	7	0	0	0	0	0	7
Municipal Affairs	2	0	0	0	0	0	2
Natural Resources	1	0	0	0	0	0	1
City of Corner Brook	1	0	0	0	0	0	1
City of St. John's	5	0	0	0	0	0	5
College of the North Atlantic	14	0	0	0	0	0	14
Eastern Regional Health Authority	4	0	1	0	0	0	5
Eastern School District	1	0	0	0	0	0	1
Fire and Emergency Services	0	2	0	0	0	0	2
Labrador School District	1	0	0	0	0	0	1
Memorial University of Newfoundland	9	0	0	0	0	0	9
NL Liquor Corporation	2	0	0	0	0	0	2
Nova Central School District	2	0	0	0	0	0	2
Royal Newfoundland Constabulary	21	0	1	1	0	0	23

Continued...

Annex F - 2011-12 Fiscal Year

DEPARTMENT & PUBLIC BODY	Individual	Business	Public Body	Legal Firm	Political Party	Researcher	TOTAL
Town of Conception Bay South	1	0	0	0	0	0	1
Town of Portugal Cove - St. Philips	2	0	0	0	0	0	2
Town of Stephenville	0	1	0	0	0	0	1
Western Regional Health Authority	1	0	0	0	0	0	1
Workplace Health, Safety and Compensation Commission	1	0	0	0	0	0	1
Total	81	3	2	1	1	0	88
Percentage %	92.05%	3.4%	2.25%	1.15%	1.15%	0%	100%

Note: percentages were rounded.

Exceptions

Table 10 - Exceptions to Disclosure for Personal Information Requests from April 1, 2011 to March 31, 2012

SECTION OF THE ATIPP ACT	TOTAL	PERCENTAGE %
MANDATORY		
s.18 – Cabinet Confidences	0	0%
s.27 – Disclosure Harmful to the Business Interests of a Third Party	4	5%
s.30 – Disclosure of Personal Information*	50	65%
DISCRETIONARY		
s.19 – Local Public Body Confidences	0	0%
s.20 – Policy Advice or Recommendations	9	12%
s.21 – Legal Advice	9	12%
s.22 – Disclosure Harmful to Law Enforcement	1	1%
s.23 – Disclosure Harmful to Intergovernmental Relations or Negotiations	1	1%
s.24 – Disclosure Harmful to the Financial or Economic Interest of a Public Body	1	1%
s.25 – Disclosure Harmful to Conservation	0	0%
s.26 – Disclosure Harmful to Individual or Public Safety	2	3%
Total	77	100%

**When section 30 is cited in a personal information request, it relates to the personal information of an individual other than the applicant.*

Synopsis

The same exceptions which apply to general access requests also apply to requests for personal information. The exceptions to disclosure listed above were used in a total of 77 instances. Section 30 (mandatory exception for personal information) was the most widely applied exception. This section was used in 50 (65%) instances of all exceptions. Discretionary exceptions were used in 23 (30%) instances of all applied exceptions.

Outcomes

The outcomes of personal information requests are depicted in Table 11 for government departments and Table 12 for other public bodies.

Table 11 - Final Outcome of Personal Information Requests by Department from April 1, 2011 to March 31, 2012

OUTCOMES BY DEPARTMENT	Partial Disclosure	Full Disclosure	Records do not exist	Access Denied	Total
Child, Youth and Family Services	0	0	0	1	1
Education	0	1	0	0	1
Finance	1	0	0	1	2
Health and Community Services	1	0	2	0	3
Justice	5	1	1	0	7
Municipal Affairs	1	1	0	0	2
Natural Resources	0	1	0	0	1
Total	8	4	3	2	17
Percentage %	47.1%	23.5%	17.6%	11.8%	100%

Note: percentages were rounded.

Synopsis

Of the 17 personal information requests responded to by government departments, 12 (70.6%) requests resulted in full or partial disclosure. Three (17.6%) of these applications requested records that did not exist and access was denied in two (11.8%) of the personal information requests.

Table 12 - Final Outcome of Personal Information Requests by Public Body from April 1, 2011 to March 31, 2012

OUTCOMES BY PUBLIC BODY	Partial Disclosure	Full Disclosure	Do not exist	Access Denied	Abandon	Withdrawn	Total
City of Corner Brook	1	0	0	0	0	0	1
City of St. John's	1	2	2	0	0	0	5
College of the North Atlantic	9	1	1	1	1	1	14
Eastern Regional Health Authority	1	3	1	0	0	0	5
Eastern School District	1	0	0	0	0	0	1
Fire and Emergency Services	2	0	0	0	0	0	2
Labrador School District	1	0	0	0	0	0	1
Memorial University	7	0	1	0	1	0	9
NL Liquor Corporation	2	0	0	0	0	0	2
Nova Central School District	1	0	0	1	0	0	2
Royal Newfoundland Constabulary	15	5	0	2	1	0	23
Town of Conception Bay South	0	1	0	0	0	0	1
Town of Portugal Cove - St. Philips	1	1	0	0	0	0	2
Town of Stephenville	1	0	0	0	0	0	1
Western Regional Health Authority	0	0	1	0	0	0	1
Workplace Health, Safety and Compensation Commission	0	1	0	0	0	0	1
Total	43	14	6	4	3	1	71
Percentage %	61%	20%	8%	6%	4%	1%	100%

Synopsis

Of the 71 personal information requests responded to by public bodies, 57 (81%) requests resulted in full or partial disclosure. Six (8%) applications requested records that did not exist and access was denied in four (6%) requests.

Correction of Personal Information Requests

Under section 35 of the Act, an individual who believes there is an error or omission in his or her personal information on record with a department may request that the relevant public body correct the information.

No requests for correction of personal information were reported by government departments or other public bodies for the period of April 1, 2011 - March 31, 2012.

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