

MacLean, Shelley FIN:EX

From: Gillies, Jessica FIN:EX
Sent: Wednesday, March 14, 2012 2:15 PM
To: MacLean, Shelley FIN:EX
Subject: RE: FOI Request: FIN-2012-00064

Shelley, I did not find any records in CLIFF for that date range (I did both a keyword search and a log search).

Jessica Gillies
Correspondence Manager, Ministry of Finance
phone 250 387-3513

This email and any files transmitted with it are confidential and intended solely for the use of the individual or entity to whom they are addressed. If you have received this email in error please notify the sender immediately. Any unauthorized copying, disclosure or distribution of the e-mail or the information it contains is strictly forbidden.

From: MacLean, Shelley FIN:EX
Sent: Wednesday, March 14, 2012 2:06 PM
To: Gillies, Jessica FIN:EX
Subject: FW: FOI Request: FIN-2012-00064

Hi Jessica, I checked CLIFF but couldn't find any records, would you mind checking too. Thx

From: FOI Coordinator FIN:EX
Sent: Wednesday, March 14, 2012 1:55 PM
To: Howard, Samantha A FIN:EX; Sutherland, Aaron FIN:EX; Freeman, Lisa FIN:EX; MacLean, Shelley FIN:EX
Subject: FW: FOI Request: FIN-2012-00064

Hi everyone,

Please see attached FOI request.

Thanks
Michelle

Michelle Bradley

Division Records Analyst
Divisional Operations Branch
Corporate and Ministry Support Services
Serving the Ministries of Finance, Labour,
the Office of the Premier and other various entities

Tele: 250-387-8144 Fax: 250-387-8586
Hours: 7:05 a.m. to 4:00 p.m. Tuesday to Friday

From: Flatman, John LCTZ:EX
Sent: Wednesday, March 14, 2012 1:49 PM
To: FOI Coordinator FIN:EX
Cc: FitzSimons, Cheryl LCTZ:EX; MacLean, Shelley FIN:EX
Subject: FOI Request: FIN-2012-00064

Hello,

Please find attached a formal request made under the *Freedom of Information and Protection of Privacy Act* (FOIPPA). I am the Intake Administrator acting on behalf of Cheryl FitzSimons, the analyst assigned to the attached request. You'll note that the attached request has been redacted to remove information that would identify the applicant. JTI has received a similar request.

Applicant type: Media

Request: *Correspondence to and from Peter Brown specifically records held or generated by Kevin Falcon and Peter Milburn for the period of February 1, 2012 to March 9, 2012.*

If the public body's total search and retrieval time is anticipated to exceed 3 hours and/or the total volume of records exceeds 200 pages, we may be in a position to issue a fee estimate. Please complete the attached Fee Calculation form and return to the analyst ASAP. Once fees have been determined and the applicant has paid the deposit or total sum, the analyst will contact you to continue the call for records process. If no fees apply then proceed with the call for records process.

If the request proceeds, please complete the attached Call for Records form and return to the analyst by March 30, 2012.

You should be aware that FOIPPA obligates us to assist the applicant and to respond without delay, openly, accurately, and completely. In the event that the Ministry must defend the adequacy of its search to the Information and Privacy Commissioner at Inquiry, those involved in searching for records may be required to swear affidavits that they conducted an adequate search.

Please do not hesitate to contact the analyst to discuss:

- whether the records may be routinely releasable;
- whether the information is being prepared for public release or is already publicly available;
- whether staff would be available to discuss the request with the applicant, if the applicant is agreeable;
- ways in which an applicant may want to narrow/focus their request to reduce potential fees; and/or
- any other questions or concerns relating to this request.

Thank you,

John Flatman

Intake Administrator
Information Access Operations - Shared Services BC
Ministry of Labour, Citizens' Services and Open Government
548 Michigan Street, Victoria BC V8V 1S2
250-387-6980
john.flatman@gov.bc.ca

Information Access Operations

Call for Records - General

FOI Request Number:	FIN-2012-00064	Applicant Type:	Media
IAO Analyst:	Cheryl FitzSimons	Received Date:	14-MAR-2012
Records Due at IAO:	30-MAR-2012	Legislated Due Date:	27-APR-2012

Section 7 of the *Freedom of Information and Protection of Privacy Act* places a duty on public bodies to respond to formal requests without delay and imposes a time limit of 30 working days from the date the FOI request is received, with certain specific exceptions. In an effort to ensure consistent government practice and in order to comply with current policy, ministries are required to locate and retrieve responsive records and identify potential harms that could result from their disclosure. This form will help guide this process and allow IAO staff to better understand the context of the records and make informed severing recommendations based on potential harms. Once this form has been completed, please forward to the above-noted IAO analyst. If you need assistance to complete this form, please contact your Analyst.

For Ministry Use - please ensure that any issues associated with the possible disclosure of records responsive to this request have been communicated to your Ministry Executive and/or Public Affairs Bureau Communications Office.

Search for Records	
Please describe your search for records including what records were searched (i.e. Files, email, databases, TRIM files, off-site records, etc), duration of search time, and who conducted the search for records.	
Program Area Recommendations	
Document potential harms* that could result from disclosure of records gathered and/or any other concerns with disclosure and provide disclosure recommendations.	
<p>*NOTE:</p> <p>Harms – E.g. disclosure of information in the records could significantly harm law enforcement matters, relations with other governments, the Ministry's financial or negotiating position, or a third party's interests on a given topic. Please specify the types of information of concern and the potential harms associated with each type</p>	
Publication of Records on the Open Information website	
Unless specific exemption criteria apply, records provided to the applicant in response to this request will be published on the Government's Open Information website. If you have any concerns about the publication of the responsive records please indicate here or discuss with your FOI Analyst.	
If you have recommendations for additional explanations or context to be included in the response to the applicant, please indicate here or discuss with your FOI Analyst.	

Ministry Program Area:	
Recommendations Completed By:	
Date:	
Location of Records	
Please indicate here, if you are aware of any other public bodies or locations that may have records responsive to this request.	
Ministry Program Area:	
Recommendations Completed By:	
Date:	

NOTE:

Records are to be forwarded to IAO as soon as possible, but no later than 12 business days from the date of this call for records, except where IAO has advised that the request is cross-government. For cross-government requests, records are to be forwarded to IAO as soon as possible, but no later than 20 business days from the date of this call for records.

Ministry Support Guidelines for GENERAL FOI Requests

Preliminary Search for Records and Assessment of Fees:

- If records do not exist within the public body, **please advise IAO immediately**. The request will be closed or redirected by IAO.
- If some/all records reside within another public body, **please advise IAO immediately** specifying the other public body. The request will be transferred by IAO.
- Complete and submit the attached Fee Estimate Calculation form to assist IAO in determining if it is appropriate to issue a fee estimate for this request.

Records Gathering Process:

- Review records to ensure they are responsive to the request.
- To ensure IAO has a complete understanding of the records provided and their context, the ministry is required to identify any areas of concern regarding their disclosure. This will assist IAO analysts in assessing any harm contemplated by FOIPPA, and consider the recommendation of any applicable exceptions to disclosure.
- Issues management concerning the content of the responsive records is a responsibility of the ministry; therefore, issues associated with the possible disclosure of records responsive to this request should be communicated directly to your Ministry Executive and/or Public Affairs Bureau Communications Office.

Providing Responsive Records to IAO:

Information Access Operations – Call for Records - General

- Wherever possible, the ministry is required to send records electronically to the IAO analyst in either original electronic format or by scanning hard copy records and sending electronically. If volume is prohibitive for electronic submission, package or disc with scanned documents should be mailed to:

**Information Access Operations
Ministry of Citizens Services
PO Box 9569 Stn Prov Govt
Victoria BC, V8W 9K1**

- Please ensure the responsive records have been reviewed and approved by the applicable program area.

E-mail Message

From:
To:
Cc:
Sent: 2012-03-14 at 12:24 AM
Received: 2012-03-14 at 12:24 AM
Subject: FOI Request - General Records

FOI Request Submitted on Wednesday, March 14, 2012 at 00:24:11

DESCRIPTION OF RECORDS REQUESTED

Reference:

Preferred Method: Receive Copy

Request:

Correspondence to and from Peter Brown. I am seeking records held or generated by Kevin Falcon and Peter Milburn for the period of Feb. 1, 2012-March 9, 2012. Please send records to

PROCESSING OR:

Finance

APPLICANT DETAILS

Information Access Operations

Fee Estimate Calculation Table

FOI Request Number:	FIN-2012-00064
IAO Analyst:	Cheryl FitzSimons

Section 75 of the *Freedom of Information and Protection of Privacy Act* provides that public bodies may charge fees for certain limited services that they provide in the processing of formal Freedom of Information (FOI) requests. In an effort to ensure consistent government practice in estimating fees and in order to comply with current policy, IAO requires that the ministry estimate the time required to complete certain tasks associated with the processing of formal FOI requests. To help guide this process, included below is a list of tasks that can be charged for. Please note that the time spent reviewing records for harms or exceptions is not chargeable. If you have questions or need assistance completing the fee estimate, please contact your Analyst.

Once the estimate is complete, please forward to the above-noted IAO analyst before locating and retrieving records. Where it is appropriate to charge a fee, IAO will provide the applicant with a fee estimate outlining the payment required. Once the required payment has been received, IAO will advise the ministry to proceed with the retrieval, preparation and scanning/copying of records.

For Ministry Use - please ensure that all reasonable efforts are made to generate an accurate estimate.

1. Locating, Retrieving, and Producing Records		
Associated Tasks	Estimated Effort (in hours)	Actual Effort (in hours)
<p>This is to include time spent:</p> <ul style="list-style-type: none"> • reviewing file lists and off-site lists and generating a list of files; • calling to ask for the retrieval of boxes from off-site storage; • consulting with staff regarding the content of specific boxes of files; • compiling paper files from cabinets and compiling documents from those files; • reading through files to determine whether records are responsive – estimated time is 15 minutes per 1" file; • viewing videotapes and listening to audiotapes to determine whether they are responsive; • searching email, records databases, TRIM folders, etc & if necessary printing responsive records; and, • completing other related tasks. 		
<ul style="list-style-type: none"> • Please indicate the time, if any, spent producing records from machine readable records. • Please differentiate between time spent using a central mainframe processor and time spent developing computer programs to create the records. 		

Information Access Operations - Fee Estimate Calculation Table

NOTES:

Fee estimates & actual costs do not include the costs of retrieving/returning boxes from/to off-site storage facilities.

A machine readable record is anything upon which information is stored or recorded such that a computer or other mechanical device can render the information intelligible.

2. Preparing Records for Disclosure

Associated Tasks	Estimated Effort (in hours)	Actual Effort (in hours)
<p>This is to include time spent:</p> <ul style="list-style-type: none"> • preparing records for photocopying/scanning – (remove staples, etc); • photocopying records; • putting files back together – (re-file, re-staple, put records back in cerlox coils, etc); and • assembling the package and ensuring the package is complete. 		

NOTE:

IAO's preferred method of receiving records is electronically (preferably in pdf format).

3. Providing Copies of Records

	Estimated Volume	Actual Volume
Please indicate the total number of pages that are responsive to the request.		

NOTES:

The average file folder is 1" and holds approximately 200 single-sided pages.

Where records are double-sided, please estimate the total number of sides.

One standard Records Centre Services Box (1 cubic foot) holds approximately:

- 2,200 pages if they are in letter sized folders; and
- 1,800 pages if they are in legal sized folders.

Ministry Program Area:	
Estimate Completed By:	
Date:	

For IAO Use Only

Total Fee to Applicant		
Task	Estimated Costs	Actual Costs
Locating, Retrieving and Producing Records		
Preparing Records for Disclosure		
Providing Copies of Records		
Shipping Costs		
TOTAL:		

Bradley, Michelle FIN:EX

From: MacLean, Shelley FIN:EX
Sent: Wednesday, March 14, 2012 4:12 PM
To: FOI Coordinator FIN:EX; Freeman, Lisa FIN:EX; Howard, Samantha A FIN:EX; Sutherland, Aaron FIN:EX
Cc: FitzSimons, Cheryl LCTZ:EX
Subject: RE: FOI Request: FIN-2012-00064

I have nothing from this office.

From: FOI Coordinator FIN:EX
Sent: Wednesday, March 14, 2012 3:48 PM
To: Freeman, Lisa FIN:EX; FOI Coordinator FIN:EX; Howard, Samantha A FIN:EX; Sutherland, Aaron FIN:EX; MacLean, Shelley FIN:EX
Cc: FitzSimons, Cheryl LCTZ:EX
Subject: RE: FOI Request: FIN-2012-00064

Thanks Lisa for your voice message as per this e-mail I will ask let Cheryl know to hold off with the no records response until I hear from either Samantha/Aaron or Shelley.

Michelle Bradley

Division Records Analyst
Divisional Operations Branch
Corporate and Ministry Support Services
Serving the Ministries of Finance, Labour,
the Office of the Premier and other various entities

Tele: 250-387-8144 Fax: 250-387-8586
Hours: 7:05 a.m. to 4:00 p.m. Tuesday to Friday

From: Freeman, Lisa FIN:EX
Sent: Wednesday, March 14, 2012 2:50 PM
To: FOI Coordinator FIN:EX; Howard, Samantha A FIN:EX; Sutherland, Aaron FIN:EX; MacLean, Shelley FIN:EX
Subject: RE: FOI Request: FIN-2012-00064

Hello,
There is nothing in cliff received from or sent to Peter Brown by the Minister or Peter for the Feb. 1, 2012-March 9, 2012.

Cheers

Lisa Freeman
Office of the Deputy Minister, Ministry of Finance

T: 250.387.1660

From: FOI Coordinator FIN:EX
Sent: Wednesday, March 14, 2012 1:55 PM
To: Howard, Samantha A FIN:EX; Sutherland, Aaron FIN:EX; Freeman, Lisa FIN:EX; MacLean, Shelley FIN:EX
Subject: FW: FOI Request: FIN-2012-00064

Hi everyone,

Please see attached FOI request.

Thanks
Michelle

Michelle Bradley

Division Records Analyst
Divisional Operations Branch
Corporate and Ministry Support Services
Serving the Ministries of Finance, Labour,
the Office of the Premier and other various entities

Tele: 250-387-8144 Fax: 250-387-8586
Hours: 7:05 a.m. to 4:00 p.m. Tuesday to Friday

From: Flatman, John LCTZ:EX
Sent: Wednesday, March 14, 2012 1:49 PM
To: FOI Coordinator FIN:EX
Cc: FitzSimons, Cheryl LCTZ:EX; MacLean, Shelley FIN:EX
Subject: FOI Request: FIN-2012-00064

Hello,

Please find attached a formal request made under the *Freedom of Information and Protection of Privacy Act* (FOIPPA). I am the Intake Administrator acting on behalf of Cheryl FitzSimons, the analyst assigned to the attached request. You'll note that the attached request has been redacted to remove information that would identify the applicant. JTI has received a similar request.

Applicant type: Media

Request: *Correspondence to and from Peter Brown specifically records held or generated by Kevin Falcon and Peter Milburn for the period of February 1, 2012 to March 9, 2012.*

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- ways in which an applicant may want to narrow/focus their request to reduce potential fees; and/or
- any other questions or concerns relating to this request.

Thank you,

Bradley, Michelle FIN:EX

From: FOI Coordinator FIN:EX
Sent: Wednesday, April 4, 2012 1:54 PM
To: FitzSimons, Cheryl LCTZ:EX
Subject: RE: FIN-2012-00064
Attachments: RE: FOI Request: FIN-2012-00064; Call for Records.FIN-2012-00064

Hi Cheryl,

Here are the records from the MO for this request plus the call for records.

Thanks
Michelle

Michelle Bradley

Division Records Analyst
Divisional Operations Branch
Corporate and Ministry Support Services
Serving the Ministries of Finance, Labour,
the Office of the Premier and other various entities

Tele: 250-387-8144 Fax: 250-387-8586
Hours: 7:05 a.m. to 4:00 p.m. Tuesday to Friday

From: FitzSimons, Cheryl LCTZ:EX
Sent: Wednesday, April 4, 2012 1:24 PM
To: FOI Coordinator FIN:EX
Subject: RE: FIN-2012-00064

Hi Michelle,

Just following up for these records.

Thanks,

Cheryl FitzSimons
Information Access Analyst
Business Team
Tel: 250-387-6097
cheryl.fitzsimons@gov.bc.ca

From: FOI Coordinator FIN:EX
Sent: Tuesday, March 27, 2012 3:54 PM
To: FitzSimons, Cheryl LCTZ:EX
Cc: FOI Coordinator FIN:EX
Subject: RE: FIN-2012-00064

Hi Cheryl,

Aaron had to wait for the minister to be back in the office this week so he could check to see if they had records.

Thanks

Michelle

Michelle Bradley

Division Records Analyst
Divisional Operations Branch
Corporate and Ministry Support Services
Serving the Ministries of Finance, Labour,
the Office of the Premier and other various entities

Tele: 250-387-8144 Fax: 250-387-8586
Hours: 7:05 a.m. to 4:00 p.m. Tuesday to Friday

From: FitzSimons, Cheryl LCTZ:EX
Sent: Tuesday, March 27, 2012 3:42 PM
To: FOI Coordinator FIN:EX
Subject: FIN-2012-00064

Hi Michelle,

Just a friendly reminder that the records are due at IAO on March 30th

thanks

Cheryl FitzSimons
Information Access Analyst
Business Team
Information Access Operations
Ministry of Labour, Citizens' Services and Open Government
Tel: 250-387-6097
cheryl.fitzsimons@gov.bc.ca

This message is intended for the use of the individual or entity to which it is addressed and may contain information that is privileged, confidential and exempt from disclosure.

If the reader of this message is not the intended recipient or an employee or agent responsible for delivering this message to the intended recipient, you are hereby notified that any dissemination or copying of this communication is strictly prohibited. If you have received this communication in error, please notify us immediately and return to us by mail or email. Thank you.

Bradley, Michelle FIN:EX

From: Sutherland, Aaron FIN:EX
Sent: Friday, March 30, 2012 9:02 AM
To: FOI Coordinator FIN:EX; Howard, Samantha A FIN:EX; Freeman, Lisa FIN:EX; MacLean, Shelley FIN:EX
Subject: RE: FOI Request: FIN-2012-00064
Attachments: 20120328193354.pdf

Hi Michelle,

Here is this request.

Thanks,

Aaron Sutherland

*Ministerial Assistant to the Honourable Kevin Falcon
Minister of Finance and Deputy Premier
Phone: 250-952-7627*

From: FOI Coordinator FIN:EX
Sent: Wednesday, March 14, 2012 1:55 PM
To: Howard, Samantha A FIN:EX; Sutherland, Aaron FIN:EX; Freeman, Lisa FIN:EX; MacLean, Shelley FIN:EX
Subject: FW: FOI Request: FIN-2012-00064

Hi everyone,

Please see attached FOI request.

Thanks
Michelle

Michelle Bradley

Division Records Analyst
Divisional Operations Branch
Corporate and Ministry Support Services
Serving the Ministries of Finance, Labour,
the Office of the Premier and other various entities

Tele: 250-387-8144 Fax: 250-387-8586
Hours: 7:05 a.m. to 4:00 p.m. Tuesday to Friday

From: Flatman, John LCTZ:EX
Sent: Wednesday, March 14, 2012 1:49 PM
To: FOI Coordinator FIN:EX
Cc: FitzSimons, Cheryl LCTZ:EX; MacLean, Shelley FIN:EX
Subject: FOI Request: FIN-2012-00064

Hello,

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Thank you,

John Flatman

Intake Administrator

Information Access Operations - Shared Services BC

Ministry of Labour, Citizens' Services and Open Government

548 Michigan Street, Victoria BC V8V 1S2

250-387-6980

john.flatman@gov.bc.ca

Bradley, Michelle FIN:EX

From: Sutherland, Aaron FIN:EX
Sent: Wednesday, April 4, 2012 11:16 AM
To: FOI Coordinator FIN:EX
Cc: Howard, Samantha A FIN:EX
Subject: Call for Records FIN-2012-00064
Attachments: Call for Records.docx

Here you go

Information Access Operations

Call for Records - General

FOI Request Number:	FIN-2012-00064	Applicant Type:	Media
IAO Analyst:	Cheryl FitzSimons	Received Date:	14-MAR-2012
Records Due at IAO:	30-MAR-2012	Legislated Due Date:	27-APR-2012

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If you have recommendations for additional explanations or context to be included in the response to the applicant, please indicate here or discuss with your FOI Analyst.	

Ministry Program Area:	Minister's Office
Recommendations Completed By:	Aaron Sutherland
Date:	March 28
Location of Records	
Please indicate here, if you are aware of any other public bodies or locations that may have records responsive to this request.	
Ministry Program Area:	
Recommendations Completed By:	
Date:	

NOTE:

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**Information Access Operations
Ministry of Citizens Services
PO Box 9569 Stn Prov Govt
Victoria BC, V8W 9K1**

- Please ensure the responsive records have been reviewed and approved by the applicable program area.

Bradley, Michelle FIN:EX

From: Sutherland, Aaron FIN:EX
Sent: Wednesday, April 25, 2012 4:56 PM
To: FOI Coordinator FIN:EX; Howard, Samantha A FIN:EX; FitzSimons, Cheryl LCTZ:EX
Subject: RE: FIN-2012-00064

Hi Cheryl,

Ok with the severing and ok with sharing with JTI

Thanks,

Aaron Sutherland

*Ministerial Assistant to the Honourable Kevin Falcon
Minister of Finance and Deputy Premier
Phone: 250-952-7627*

From: FOI Coordinator FIN:EX
Sent: Tuesday, April 24, 2012 9:52 AM
To: Sutherland, Aaron FIN:EX; Howard, Samantha A FIN:EX
Cc: FOI Coordinator FIN:EX
Subject: FW: FIN-2012-00064

Hi Aaron/Samantha,

Please see e-mail below from Cheryl. Can you please respond to it.

Thanks
Michelle

Michelle Bradley

Division Records Analyst
Divisional Operations Branch
Corporate and Ministry Support Services
Serving the Ministries of Finance, Labour,
the Office of the Premier and other various entities

Tele: 250-387-8144 Fax: 250-387-8586
Hours: 7:05 a.m. to 4:00 p.m. Tuesday to Friday

From: FitzSimons, Cheryl LCTZ:EX
Sent: Tuesday, April 24, 2012 8:49 AM
To: FOI Coordinator FIN:EX
Subject: FIN-2012-00064

Hi Michelle,

I have heard back from my consult with Canaccord and they have proposed

s.13

s.13

I would greatly appreciate knowing the views of Finance --- the Call Form did not indicate it any harms. Page 19
FIN-2013-00053

Thanks,

Cheryl FitzSimons

Information Access Analyst

Business Team

Information Access Operations

Ministry of Labour, Citizens' Services and Open Government

Tel: 250-387-6097

cheryl.fitzsimons@gov.bc.ca

This message is intended for the use of the individual or entity to which it is addressed and may contain information that is privileged, confidential and exempt from disclosure.

If the reader of this message is not the intended recipient or an employee or agent responsible for delivering this message to the intended recipient, you are hereby notified that any dissemination or copying of this communication is strictly prohibited. If you have received this communication in error, please notify us immediately and return to us by mail or email. Thank you.

Bradley, Michelle FIN:EX

From: FOI Coordinator FIN:EX
Sent: Thursday, June 7, 2012 10:10 AM
To: MacLean, Shelley FIN:EX; Parfett, Fiona FIN:EX
Subject: FW: FIN-2012-00064 submitted into sign-off
Attachments: Sign - Internal - Approved.PDF; Redline - Final.PDF; Response - Letter - Draft.DOCX

Hi Shelley,

Please see attached sign off for Peter's signature. Aaron has given is ok.

Thanks
Michelle

Michelle Bradley

Division Records Analyst
Divisional Operations Branch
Corporate and Ministry Support Services
Serving the Ministries of Finance, Labour,
the Office of the Premier and other various entities

Tele: 250-387-8144 Fax: 250-387-8586
Hours: 7:05 a.m. to 4:00 p.m. Tuesday to Friday

From: FOI Coordinator FIN:EX
Sent: Wednesday, June 6, 2012 7:41 AM
To: Sutherland, Aaron FIN:EX; Howard, Samantha A FIN:EX
Subject: FW: FIN-2012-00064 submitted into sign-off

Hi Aaron/Samantha,

Please see attached sign off for this request. If you can let me know asap if you are ok with this I will then forward to DMO for sign off. The legislated due date is June 11, 2012.

Thanks
Michelle

Michelle Bradley
Division Records Analyst
Divisional Operations Branch
Corporate and Ministry Support Services
Serving the Ministries of Finance, Labour,
the Office of the Premier and other various entities

Tele: 250-387-8144 Fax: 250-387-8586
Hours: 7:05 a.m. to 4:00 p.m. Tuesday to Friday

-----Original Message-----

From: FitzSimons, Cheryl LCTZ:EX
Sent: Tuesday, June 5, 2012 4:05 PM
To: FOI Coordinator FIN:EX
Subject: FIN-2012-00064 submitted into sign-off



Request Number:

292-30/FIN-2012-00064

1. IAO - Review of Harms/Issues/Recommendations provided by Ministry Program Area

Request Received: March 14, 2012

Due Date: June 11, 2012

Requester type: Media

Wording of the request:

Correspondence to and from Peter Brown specifically records held or generated by Kevin Falcon and Peter Milburn for the period of February 1, 2012 to March 9, 2012.

Comments/Background:

- This request was also received by the Ministry of Jobs, Tourism and Innovation (JTI). The request is similar to one received by Finance, as FIN-2012-00074, and also received by PAVCO.
- Responsive records were provided by the Minister's Office via the Ministry's FOI Coordinator. No harms were articulated by Finance with respect to the disclosure of the records.
 - The same records are also being processed under FIN-2012-00074.
- A consultation was undertaken with Peter Brown (Canaccord) on records authored by him, and a response was received by Information Access Operations (IAO) from legal counsel on behalf of both Mr. Peter Brown and Canaccord.

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- A consultation with PAVCO on records authored by them resulted in a recommendation for full disclosure.

s.13

- After the above noted consultations and a review of the records at issue IAO is recommending severing pursuant to sections 13 and 22 of the Act. IAO does not feel the any of the records at issue attract section 21 or section 17 of the Act.
- All recommended severing is indicated by red boxes on the attached records.

Recommendations:

- Release records with severing as indicated.

Publication Recommendations:

IAO recommends publishing this general FOI request on the Open Information website.

FOI Analyst: Cheryl FitzSimons

Signature:

Date:

Team Lead: Carm Plater

Signature:

Date:

FOI Manager Approval: Russ Fuller <i>for</i>		Signature: <i>[Signature]</i>	Date: <i>June 5, 2012</i>
2. Ministry Program Area - Agreement with Recommendations			
Ministry Executive: Peter Milburn Deputy Minister		Signature:	Date:
Ministry Executive: Name:		Signature:	Date:
Comments:			
3. IAO - Release to applicant			
Package release prepared by:		FOI Analyst:	Date:

*Note that all General FOI request records that are released to an applicant should be published on the Open Information website unless the exemption criteria apply. The exemption criteria can be found on page 11 of the Open Information and Open Data Policy.

Exercise of Discretion:

The *Freedom of Information and Protection of Privacy Act* (the Act) contains both mandatory and discretionary exceptions to disclosure. Sections 13 to 20 are the discretionary exceptions. Where Information Access Operations (IAO) has advised the head that a discretionary exception may apply, it is important that the head consider the possibility of releasing the information despite the fact that an exception may apply.

Factors relevant to the exercise of discretion include:

- the general purposes of the legislation: public bodies should make information available to the public; individuals should have access to personal information about themselves;
- the wording of the discretionary exception and the interests which the section attempts to balance;
- whether the individual's request could be satisfied by severing the record and by providing the applicant with as much information as is reasonably practicable;
- the historical practice of the public body with respect to the release of similar types of documents;
- the nature of the record and the extent to which the document is significant and/or sensitive to the public body;
- whether the disclosure of the information will increase public confidence in the operation of the public body;
- the age of the record;
- whether there is a sympathetic or compelling need to release materials;
- whether previous orders of the Commissioner have ruled that similar types of records or information should or should not be subject to disclosure; and
- when the policy advice exception is claimed, whether the decision to which the advice or recommendations relates has already been made.

Bradley, Michelle FIN:EX

From: FOI Coordinator FIN:EX
Sent: Tuesday, June 12, 2012 11:24 AM
To: MacLean, Shelley FIN:EX; Parfett, Fiona FIN:EX
Subject: FW: FIN-2012-00064
Attachments: Sign - Internal - Approved.PDF; Redline - Final.PDF; Response - Letter - Draft.DOCX; FIN-2012-00064 and FIN-2012-00074 -- URGENT

Importance: High

Hi Shelley,

Please see attached sign off for this request. I have attached the e-mail Cheryl forwarded from Ottawa.

The due date for this was June 11, 2012.

Thanks
Michelle

Michelle Bradley
Division Records Analyst
Divisional Operations Branch
Corporate and Ministry Support Services
Serving the Ministries of Finance, Labour, the Office of the Premier and other various entities

Tele: 250-387-8144 Fax: 250-387-8586
Hours: 7:05 a.m. to 4:00 p.m. Tuesday to Friday

-----Original Message-----

From: FitzSimons, Cheryl LCTZ:EX
Sent: Monday, June 11, 2012 3:33 PM
To: FOI Coordinator FIN:EX
Subject: FIN-2012-00064

Hello Michelle.

Please find attached the updated sign-off sheet and records.

I am still awaiting confirmation from the Privy Council in Ottawa, but am not expected changes to the severing.

Thanks

Cheryl FitzSimons
Business Team
Tel: 250-387-6097
cheryl.fitzsimons@gov.bc.ca

Request Number:

292-30/FIN-2012-00064

1. IAO: Review of Harms/Issues/Recommendations provided by Ministry/Program/Area

Request Received: March 14, 2012

Due Date: June 11, 2012

Requester type: Media

Wording of the request:

Correspondence to and from Peter Brown specifically records held or generated by Kevin Falcon and Peter Milburn for the period of February 1, 2012 to March 9, 2012.

Comments/Background:

- This request was also received by the Ministry of Jobs, Tourism and Innovation (JTI). The request is similar to one received by Finance, as FIN-2012-00074, and also received by PAVCO.
- Responsive records were provided by the Minister's Office via the Ministry's FOI Coordinator. No harms were articulated by Finance with respect to the disclosure of the records.
 - The same records are also being processed under FIN-2012-00074.
- A consultation was undertaken with Peter Brown (Canaccord) on records authored by him, and a response was received by Information Access Operations (IAO) from legal counsel on behalf of both Mr. Peter Brown and Canaccord.

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- A consultation with PAVCO on records authored by them resulted in a recommendation for full disclosure.

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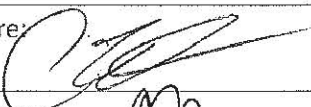
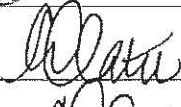


- IAO was asked by the Finance MO to ask the views of the Prime Minister's Office (PMO) regarding the letter sent by Mr Peter Brown regarding his views on the National Securities Commission.
 - An informal consultation was immediately initiated (June 7, 2012) with the Privy Council in Ottawa who processes FOI on behalf the PMO. IAO is still awaiting a response from the Privy Council
 - On June 8, 2012, following a conversation with Joey Primeau, Financial and Corporate Sector Policy Branch and David Murcherson, his counterpart in Ottawa, harm regarding intergovernmental relations was noted.
 - Paul Craven of Intergovernmental Relations contacted me, reviewed the above record, and agreed with the severing
- After the above noted consultations and a review of the records at issue IAO is recommending severing pursuant to sections 13, 16 and 22 of the Act. IAO does not feel the any of the records at issue attract section 21 or section 17 of the Act.
- All recommended severing is indicated by red boxes on the attached records.

Recommendations:

- Release records with severing as indicated.

Publication Recommendations:

IAO recommends publishing this general FOI request on the Open Information website.

FOI Analyst: Cheryl FitzSimons	Signature: 	Date: 11/5/2011
Team Lead: Carm Plater	Signature: 	Date: June 11, 2012
FOI Manager Approval: Russ Fuller 	Signature: 	Date: June 11, 2012

2. Ministry Program Area - Agreement with Recommendations

Ministry Executive: Peter Milburn Deputy Minister	Signature:	Date:
Ministry Executive: Name:	Signature:	Date:
Comments:		

3. IAO - Release to applicant

Package release prepared by:	FOI Analyst:	Date:
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*Note that all General FOI request records that are released to an applicant should be published on the Open Information website unless the exemption criteria apply. The exemption criteria can be found on page 11 of the Open Information and Open Data Policy.

Exercise of Discretion:

The *Freedom of Information and Protection of Privacy Act* (the Act) contains both mandatory and discretionary exceptions to disclosure. Sections 13 to 20 are the discretionary exceptions. Where Information Access Operations (IAO) has advised the head that a discretionary exception may apply, it is important that the head consider the possibility of releasing the information despite the fact that an exception may apply.

Factors relevant to the exercise of discretion include:

- the general purposes of the legislation: public bodies should make information available to the public; individuals should have access to personal information about themselves;
- the wording of the discretionary exception and the interests which the section attempts to balance;
- whether the individual's request could be satisfied by severing the record and by providing the applicant with as much information as is reasonably practicable;
- the historical practice of the public body with respect to the release of similar types of documents;
- the nature of the record and the extent to which the document is significant and/or sensitive to the public body;
- whether the disclosure of the information will increase public confidence in the operation of the public body;
- the age of the record;
- whether there is a sympathetic or compelling need to release materials;
- whether previous orders of the Commissioner have ruled that similar types of records or information should or should not be subject to disclosure; and



IAO and Ministry Approval Slip

- when the policy advice exception is claimed, whether the decision to which the advice or recommendations relates has already been made.

Bradley, Michelle FIN:EX

From: FitzSimons, Cheryl LCTZ:EX
Sent: Tuesday, June 12, 2012 11:07 AM
To: FOI Coordinator FIN:EX
Subject: FIN-2012-00064 Not Responsive - URGENT

TRIM Record Number: D27778412A

Hi Michelle,

Please see below the email from Ottawa. The sentence being referred to is on page 8, the 2nd sentence of the email. This has been severed pursuant to s.16.

Thank you

Cheryl FitzSimons
Business Team
Tel: 250-387-6097
cheryl.fitzsimons@gov.bc.ca

From: Neilson, David [<mailto:David.Neilson@pco-bcp.gc.ca>]
Sent: Tuesday, June 12, 2012 10:43 AM
To: FitzSimons, Cheryl LCTZ:EX
Subject: TRIM: RE: Informal Consultation regarding Finance BC records
Importance: High

Good afternoon Cheryl,

Further to our telephone conversation this morning, it is our recommendation that the 2nd sentence of the e-mail on page 8 of your request FIN-2012-00074 should be protected on the basis that this information, if released, could reasonably be expected to be injurious to the conduct of federal-provincial affairs.

A formal response from our office will be sent by mail this afternoon.

Please do not hesitate to contact me if you have any questions.

Have a great day,

David

David Neilson
A/Deputy Director / Directeur adjoint p.i.
Access to Information and Privacy
David.Neilson@pco-bcp.gc.ca
Telephone/téléphone: 613-957-5228
Facsimile/télécopieur: 613-952-7299
Privy Council Office, 55 Metcalfe Street, Room 1307
Ottawa, ON K1A 0H3
Bureau du Conseil Privé, 55 rue Metcalfe, pièce 1307
Ottawa, ON K1A 0H3
Government of Canada / Gouvernement du Canada
www.pco-bcp.gc.ca

From: FitzSimons, Cheryl LCTZ:EX [<mailto:Cheryl.FitzSimons@gov.bc.ca>]

Sent: 2012-06-07 12:04 PM

To: Neilson, David

Subject: RE: Informal Consultation regarding Finance BC records

Hello David,

Thank you for your email confirming you received the records.

And I do appreciate you trying to get me an answer quickly. I'll pass along your message to Finance BC.

Thanks again

Cheryl FitzSimons

Business Team

Tel: 250-387-6097

cheryl.fitzsimons@gov.bc.ca

From: Neilson, David [<mailto:David.Neilson@pco-bcp.gc.ca>]

Sent: Thursday, June 7, 2012 9:01 AM

To: FitzSimons, Cheryl LCTZ:EX

Subject: RE: Informal Consultation regarding Finance BC records

Hello Cheryl,

Just to confirm we received the documents. We normally give our OPIs 2 weeks to review information we receive for consultation. I'm not sure that we would be able to provide you with an answer today, but we can certainly try.

Sincerely,

David

David Neilson

A/Deputy Director / Directeur adjoint p.i.

Access to Information and Privacy

David.Neilson@pco-bcp.gc.ca

Telephone/téléphone: 613-957-5228

Facsimile/télécopieur: 613-952-7299

Privy Council Office, 55 Metcalfe Street, Room 1307

Ottawa, ON K1A 0H3

Bureau du Conseil Privé, 55 rue Metcalfe, pièce 1307

Ottawa, ON K1A 0H3

Government of Canada / Gouvernement du Canada

www.pco-bcp.gc.ca

From: FitzSimons, Cheryl LCTZ:EX [<mailto:Cheryl.FitzSimons@gov.bc.ca>]

Sent: 2012-06-07 11:38 AM

To: Neilson, David

Subject: Informal Consultation regarding Finance BC records

Hello David,

As per our telephone conversation this morning, please find attached 3 pages from an FOI I am processing on behalf of the Ministry of Finance of British Columbia. The same pages are responsive to two FOI requests.

I would appreciate being advised if there are any concerns regarding these records. As I mentioned when we were speaking, I have already consulted with the author of these records, Mr. Peter Brown of Canaccord, and was advised s.13
s.13 However, the Ministry of Finance would appreciate knowing that Ottawa is comfortable with the release of the records.

As I am working on a very tight timeline, I would appreciate knowing your views today if possible.

Thank you again for your time in this matter.

Sincerely,

Cheryl FitzSimons

Information Access Analyst

Business Team

Information Access Operations

Ministry of Labour, Citizens' Services and Open Government

Tel: 250-387-6097

cheryl.fitzsimons@gov.bc.ca

This message is intended for the use of the individual or entity to which it is addressed and may contain information that is privileged, confidential and exempt from disclosure.

If the reader of this message is not the intended recipient or an employee or agent responsible for delivering this message to the intended recipient, you are hereby notified that any dissemination or copying of this communication is strictly prohibited. If you have received this communication in error, please notify us immediately and return to us by mail or email. Thank you.

Bradley, Michelle FIN:EX

From: Parfett, Fiona FIN:EX
Sent: Wednesday, June 13, 2012 1:47 PM
To: Bradley, Michelle FIN:EX
Subject: signed FOIs 00064 & 00074
Attachments: signed FIN 2012 00064.pdf

Hi Michelle,

Please see attached signed FOI requests.
Thanks.

Fiona Parfett | Administrative Coordinator | Deputy Minister's Office | Ministry of Finance | T. 250.387.1660

Request Number:

292-30/FIN-2012-00064

IAO - Review of Harms/Issues/Recommendations provided by Ministry Program Area

Request Received: March 14, 2012

Due Date: June 11, 2012

Requester type: Media

Wording of the request:

Correspondence to and from Peter Brown specifically records held or generated by Kevin Falcon and Peter Milburn for the period of February 1, 2012 to March 9, 2012.

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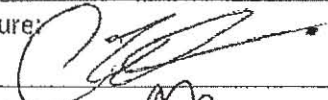
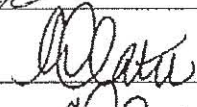

- IAO was asked by the Finance MO to ask the views of the Prime Minister's Office (PMO) regarding the letter sent by Mr Peter Brown regarding his views on the National Securities Commission.
 - An informal consultation was immediately initiated (June 7, 2012) with the Privy Council in Ottawa who processes FOI on behalf the PMO. IAO is still awaiting a response from the Privy Council
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- All recommended severing is indicated by red boxes on the attached records.

Recommendations:


- Release records with severing as indicated.

Publication Recommendations:

IAO recommends publishing this general FOI request on the Open Information website.

FOI Analyst: Cheryl FitzSimons	Signature: 	Date: 11/5/2011
Team Lead: Carm Plater	Signature: 	Date: June 11, 2012
FOI Manager Approval: Russ Fuller for	Signature: 	Date: June 11, 2012

2. Ministry Program Area - Agreement with Recommendations

Ministry Executive: Peter Milburn Deputy Minister	Signature: 	Date: June 13, 2012
Ministry Executive: Name:	Signature:	Date:

Comments:

3. IAO - Release to applicant

Package release prepared by:	FOI Analyst:	Date:
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Exercise of Discretion:

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- when the policy advice exception is claimed, whether the decision to which the advice or recommendations relates has already been made.