



ARCS: 292-30
File: OOP-2014-00472

December 9, 2014

Sent via email:

Dear

Re: Request for Access to Records
Freedom of Information and Protection of Privacy Act (FOIPPA)

I am writing further to your request received by the Office of the Premier. Your request is for:

Any and all records relating to s.12 Heritage Site Alteration Permit Amendment HCA 2011-343 at the Premier's office, Minister's office, Deputy Minister's office, Assistant Deputy Minister's offices, Government Communications and Public Engagement, Communications Office(s), Media Relations, Archaeology Branch and permit holder Barry N. Slawsky or his agents including briefing notes, memoranda, external and internal letter correspondence, emails, drafts of opinion pieces, the creation of quotes contained in news releases and other content, meeting agendas, speaking notes, media plans, phone records, and field audit reports excluding permit applications, issued permits, fax notices or newspaper articles. Time frame is May 1, 2013 to September 22, 2014.

Please find enclosed a copy of the records located in response to your request. Some information has been withheld pursuant to section 12 (Cabinet and local public body confidences) of FOIPPA. A copy of this section of FOIPPA is provided for your reference. A complete copy of FOIPPA is available online at:

http://www.bclaws.ca/civix/document/id/complete/statreg/96165_00

Your file is now closed.

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These records will be published on the BC Government's Open Information website a minimum of 72 hours after electronic release or a minimum of five business days after release by mail in hardcopy. To find out more about Open Information, please access the Open Information website at: <http://www.openinfo.gov.bc.ca/ibc/index.page>

If you have any questions regarding your request, please contact Neil Frelick, the analyst assigned to your request, at 250-387-1932. This number can be reached toll-free by calling from Vancouver, 604-660-2421, or from elsewhere in BC, 1-800-663-7867 and asking to be transferred to 250-387-1932.

You have the right to ask the Information and Privacy Commissioner to review this decision. I have enclosed information on the review and complaint process.

Sincerely,

A handwritten signature in dark ink, appearing to read "Cindy Elbahir", is written over a light grey rectangular background.

For:
Cindy Elbahir, Manager
Central Agency Team
Information Access Operations

Enclosures

Cabinet and local public body confidences

12 (1) The head of a public body must refuse to disclose to an applicant information that would reveal the substance of deliberations of the Executive Council or any of its committees, including any advice, recommendations, policy considerations or draft legislation or regulations submitted or prepared for submission to the Executive Council or any of its committees.

(2) Subsection (1) does not apply to

- (a) information in a record that has been in existence for 15 or more years,
- (b) information in a record of a decision made by the Executive Council or any of its committees on an appeal under an Act, or
- (c) information in a record the purpose of which is to present background explanations or analysis to the Executive Council or any of its committees for its consideration in making a decision if
 - (i) the decision has been made public,
 - (ii) the decision has been implemented, or
 - (iii) 5 or more years have passed since the decision was made or considered.

(3) The head of a local public body may refuse to disclose to an applicant information that would reveal

- (a) a draft of a resolution, bylaw or other legal instrument by which the local public body acts or a draft of a private Bill, or
- (b) the substance of deliberations of a meeting of its elected officials or of its governing body or a committee of its governing body, if an Act or a regulation under this Act authorizes the holding of that meeting in the absence of the public.

(4) Subsection (3) does not apply if

- (a) the draft of the resolution, bylaw, other legal instrument or private Bill or the subject matter of the deliberations has been considered in a meeting open to the public, or
- (b) the information referred to in that subsection is in a record that has been in existence for 15 or more years.

(5) The Lieutenant Governor in Council by regulation may designate a committee for the purposes of this section.

(6) A committee may be designated under subsection (5) only if

- (a) the Lieutenant Governor in Council considers that
 - (i) the deliberations of the committee relate to the deliberations of the Executive Council, and
 - (ii) the committee exercises functions of the Executive Council, and
- (b) at least 1/3 of the members of the committee are members of the Executive Council.

(7) In subsections (1) and (2), "**committee**" includes a committee designated under subsection

<p>How to Request a Review with the Office of the Information and Privacy Commissioner</p>
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If you have any questions regarding your request please contact the analyst assigned to your file. The analyst's name and telephone number are listed in the attached letter.

Pursuant to section 52 of the *Freedom of Information and Protection of Privacy Act* (FOIPPA), you may ask the Office of the Information and Privacy Commissioner to review any decision, act, or failure to act with regard to your request under FOIPPA.

Please note that you have 30 business days to file your review with the Office of the Information and Privacy Commissioner. In order to request a review please write to:

Information and Privacy Commissioner
PO Box 9038 Stn Prov Govt
4th Floor, 947 Fort Street
Victoria BC V8W 9A4
Telephone 250-387-5629 Fax 250-387-1696

If you request a review, please provide the Commissioner's Office with:

1. A copy of your original request;
2. A copy of our response; and
3. The reasons or grounds upon which you are requesting the review.