



**Energy, Mines and Resources**  
**PO Box 2703, Whitehorse, Yukon Y1A 2C6**

February 18, 2022

Applicant  
c/o Access and Privacy Officer,  
Corporate Information Management, ATIPP Office

**RE: Access to Information and Protection of Privacy Act**  
**Final Response for Access Request 22-005**

The Department of Energy, Mines and Resources has completed its review of the records responsive to Access Request #22-005 and we are pleased to inform you that access is being granted to the 514 pages of records responsive to this request.

Some of the information has been redacted and withheld from disclosure under:

- paragraph 77(1)(a) of the Act because disclosure may result in undue financial loss or gain to a person or entity;
- paragraph 74(1)(a) 74(1) of the Act, which allows for the discussion of policy issues that may not otherwise occur if the deliberative process were subject to excessive scrutiny;
- subsection 76(1) of the Act because disclosure may negatively affect the Department's relationship with another government;
- paragraph 67(3)(b) of the Act because the information contained in a record other than a Cabinet record would, if disclosed, reveal the substance of the deliberations of Cabinet;\
- subparagraph 72(1)(b)(i) of the Act because disclosure of the information could interfere with a law enforcement matter;
- paragraphs 73(c)(i) and (ii) of the Act because the information is about the potential prosecution of an offence and is contained in a communication about the provision of legal services to the Department by the Attorney General; and
- paragraph 72(1)(b)(ii) of the Act because disclosure could adversely affect the position or legal rights of the Government of Yukon in respect of an existing or anticipated proceeding to which the Department is expected to be a party,
- subsection 70(1) of the Act because disclosure may be an unreasonable invasion of third party privacy.

The detailed sections supporting the excising of particular information are available at online at [https://legislation.yukon.ca/acts/atipp\\_c.pdf](https://legislation.yukon.ca/acts/atipp_c.pdf).

Fees totaling \$150 must be paid before the ATIPP Office will release the records to you. There are no charges associated with duplicate and out of scope records. The following is a breakdown of the fee calculation.

514 pages processed @ 50 pages/hour = 10.3 hours  
Less 5 free hours = 5.3 hours  
5.3 hours @ \$30.00/hour = \$159.00

Section 66 of the ATIPP Act provides that you may ask the Information and Privacy Commissioner to review this matter. You have 30 business days from the date of this notice to request a review by the Commissioner at:

3162 Third Avenue, Main Floor  
Whitehorse, YT Y1A 1G3  
Phone: (867) 667-8468  
Email: [info@ombudsman.yk.ca](mailto:info@ombudsman.yk.ca)  
Fax: (867) 667-8469

For more information on this process, please visit: <https://www.yukonombudsman.ca/yukon-information-and-privacy-commissioner/for-the-public> or call 867-667-8468 (or toll free in Yukon: 1-800-661-0408 (ext. 8468)).

If you feel that your request has not been answered completely or that you require further clarification, please contact Danielle Falkiner, Departmental Access Officer at 867-332-7865 or [emr-atipp@yukon.ca](mailto:emr-atipp@yukon.ca).

Sincerely,

As approved by:

Jenny Whitehorse  
ATIPP Head, Energy, Mines & Resources