

MEMORANDUM

DATE: March 17, 2023

TO: Applicant
c/o ATIPP Office
Corporate Information Management
Highways & Public Works (W-10)

FROM: Beth Fricke
Director, Finance & Information Management
Economic Development (F-1)

RE: **ATP-COM-2023-01-054 – REVISED ACCESS GRANTED IN PART**

The Department of Economic Development has completed the Office of the Information & Privacy Commissioner's s. 91(2) consultation review of ATP-COM-2023-01-054. Please find enclosed a revised version of our initial response.

Upon further consideration, the department considers the number of clients to be statistical and has determined that statistical information will be released where numbers are sufficiently high to preclude inadvertently identifying individuals.

Although the request specified a date range of Nov 20 – 25, 2022, and the dates of some Briefing Notes contained in the Table of Contents are non-responsive to this request and meet the definition of a "Cabinet record" as set out in section 67(1)(h) of the Act, as a courtesy and to resolve this issue, the department will release this information.

Information pertaining to this request has been partially severed in accordance with the ATIPP Act under the following section headings:

Cabinet Information

Information in Cabinet records has been withheld under section 67(3)(a) as access must not be granted to Cabinet records as defined in section 67(1)(a), (c) and (f).

Further redactions constitutes briefing a Minister on departmental operations and funding programs.

Information used to brief and advise a Minister regarding an Internal Trade Report (i.e. the methodology used in the report) and an opinion about the report's author.

Policy advice and recommendations

74(1) Subject to subsection (2), the head of a responsive public body may deny an applicant access to information held by the responsive public body if the head determines that disclosure of the information would reveal

(a) advice or recommendations prepared by or for a public body or a minister.

Redacted information outlines a course of action that constitutes policy advice to government, disclosure of which would cause harm to GY's negotiating position.

Disclosure harmful to economic or financial interests of public body

75(1) Subject to subsection (2), the head of a responsive public body may deny an applicant access to information held by the responsive public body that could reasonably be expected to harm the financial or economic interests of the Government of Yukon or of a public body, or the ability of the Government of Yukon to manage the economy, including the following information:

(a) information that is

(iv) a position, plan, procedure or instruction, or estimates or criteria, developed for the purpose of contractual or other negotiations (including land claims and self-government negotiations, and labour relations negotiations) by or on behalf of the Government of Yukon or a public body

The redacted information outlines a course of action that constitutes policy advice to government, disclosure of which would cause harm to GY's negotiating position.

Disclosure harmful to intergovernmental relations

76(1) Subject to subsection (2), the head of a responsive public body may deny an applicant access to information held by the responsive public body that a public body has not accepted in confidence in the prescribed manner from a government or organization referred to in subsection 68(1) if the head determines that disclosure of the information could reasonably be expected to harm relations between the Government of Yukon or a public body and the other government or organization.

Release of any information about possible discussions between Skagway and a private sector company would adversely impact intergovernmental relations between another government or municipality (State of Alaska and Municipality of Skagway) and the Government of Yukon.

Please call me at 667-5933 if you require any further information.

Thank you.



Beth Fricke

Attachment: 1