



OFFICE OF THE
INFORMATION & PRIVACY
COMMISSIONER
— for —
British Columbia

Order F11-10

COLLEGE OF PHYSICIANS AND SURGEONS OF BRITISH COLUMBIA

Celia Francis, Senior Adjudicator

March 31, 2011

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Summary: A physician requested his entire file from the College. In response, the College disclosed over 1,600 pages of records, withholding other information and records under s. 3(1)(c) and s. 22(1). The College is found to have applied s. 3(1)(c) correctly. The College is also found to have applied s. 22(1) correctly to some information. It is ordered to disclose other information to which s. 22(1) was found not to apply, including “contact information” and the applicant’s own personal information.

Statutes Considered: *Freedom of Information and Protection of Privacy Act*, ss. 3(1)(c), 22(1), 22(2)(c), 22(2)(e), 22(3)(b), 22(3)(d).

Authorities Considered: **B.C.:** Order No. 330-1999, [1999] B.C.I.P.C.D. No. 43; Order F11-05, [2011] B.C.I.P.C.D. No. 5; Order 01-43, [2001] B.C.I.P.C.D. No. 45; Order 01-53, [2001] B.C.I.P.C.D. No. 56; Order F07-22, [2002] B.C.I.P.C.D. No. 36; Order F05-18, [2005] B.C.I.P.C.D. No. 26; Order 02-20, [2002] B.C.I.P.C.D. No. 20; Order F05-02, [2005] B.C.I.P.C.D. No. 2; Order 01-19, [2001] B.C.I.P.C.D. No. 20; Order 01-07, [2001] B.C.I.P.C.D. No. 7; Decision F07-03, [2007] B.C.I.P.C.D. No. 14; Decision F08-02, [2008] B.C.I.P.C.D. No. 4; Order 01-10, [2001] B.C.I.P.C.D. No. 11; Order 00-13, [2000] B.C.I.P.C.D. No. 16.

1.0 INTRODUCTION

[1] In October 2009, the applicant requested a copy of his entire file from the College of Physicians and Surgeons of British Columbia (“College”), “minus the letters falling under client attorney privilege”. In March 2010, the College disclosed 1,616 pages to the applicant, withholding information in other pages under ss. 3(1)(c), 14 and 22(1) of the *Freedom of Information and Protection of Privacy Act* (“FIPPA”). The applicant requested a review of the College’s

decision by this Office (“OIPC”), “apart from the attorney client privilege”. Mediation was not successful and so the matter proceeded to inquiry under Part 5 of FIPPA. The OIPC invited and received submissions from the College and the applicant.

2.0 ISSUE

[2] The Notice of Inquiry stated that issues before me are whether:

- a. records related to an investigation conducted by the Ombudsman fall outside the scope of FIPPA as outlined in s. 3(1)(c) of FIPPA.
- b. records related to correspondence with the Office of the Information and Privacy Commissioner fall outside the scope of FIPPA as outlined in s. 3(1)(c) of FIPPA
- c. the public body is required to refuse access under s. 22 of FIPPA to third party personal information found in the records.

Burden of Proof

[3] Section 57 of FIPPA sets out the burden of proof in an inquiry. Under s. 57(2), the applicant has the burden of showing that disclosure of third-party personal information would not be an unreasonable invasion of third-party privacy.

[4] As I discuss below, some of the withheld personal information in this case is the applicant’s. Past orders have stated that the burden is on the public body to show, under s. 57(1), why an applicant is not entitled to have access to her or his own personal information.¹ Accordingly, the burden of proof is on the College to show why the applicant in this case is not entitled to have access to his personal information.

[5] Section 57 of FIPPA is silent with respect to the burden of proof for an inquiry relating to whether records are excluded from the scope of FIPPA under s. 3(1)(c). Previous decisions have held that, as a practical matter, it is in the interests of each party to provide argument and evidence to justify its position on the issue.

3.0 DISCUSSION

[6] **3.1 Background**—The College said that the applicant has an ongoing dispute with the College arising out of his membership on the Temporary Register of the College. On April 20, 1990, the College Executive Committee

¹ See Order No. 330-1999, [1999] B.C.I.P.C.D. No. 43, and Order F11-05, [2011] B.C.I.P.C.D. No. 5, at paras. 8-9.

resolved to erase the applicant's name from the Temporary Register of the College, based on misrepresentations the Applicant made at the time he applied for registration. On May 10, 1990, the Executive Committee of the College rescinded the Resolution of April 20, 1990 and resolved to accept his resignation as a member of the College.

[7] The College said that, in December 1991, the applicant commenced an action, suing the College for defamation arising out of the events of April and May 1990. The action against the College was dismissed, with costs payable by the applicant to the College. In February 2002, the applicant complained to the Office of the Ombudsman of British Columbia. The allegations made to that office were the same as those in the applicant's lawsuit against the College. The Ombudsman's Office closed its investigation in March 2003, with no findings being made against the College. In 2005, the applicant filed a complaint with the British Columbia Human Rights Tribunal ("BCHRT"), alleging continued discrimination arising out of the same events of April and May 1990. The allegations the applicant brought were the same as those he brought in the 1991 court action. The BCHRT dismissed the Applicant's complaint.

[8] The College said that the applicant has also made 18 requests to it under FIPPA, besides the one that is the subject of this inquiry. The College consolidated these 18 into seven requests and dealt with all of them. The applicant requested reviews by the OIPC of most of the College's responses to his requests.² As I discuss later, these other requests are not in issue here.

[9] **3.2 Records in Dispute**—Under s. 3(1)(c), the College withheld 51 pages of records related to the Ombudsman's investigation. They include correspondence between the College and the Ombudsman's office and the College's notes to file related to the Ombudsman's investigation.

[10] The College severed information from 27 other pages under s. 22(1). These records include letters, notes to file, messages and emails. The withheld information is names and contact information for third parties, as well as the applicant's personal information.

OIPC records not in dispute

[11] Although the notice for this inquiry stated that two pages of correspondence with the OIPC were in issue respecting s. 3(1)(c), I did not see any such items among the records in dispute the College provided. The College also did not provide any argument on this issue in its initial submission. I have therefore not considered it here.

² This background information comes from the College's initial submission, at paras. 4-9, and the affidavit of Dr Heidi M. Oetter, at paras. 3-29.

[12] **3.3 Preliminary Matters**—I will first deal with some preliminary matters that arose during this inquiry.

Request for authorization under s. 43

[13] The College devoted a large part of its submissions to a request for authorization under s. 43 of FIPPA to disregard future requests from the applicant.³ Under s. 43, the Commissioner may authorize a public body to disregard requests that meet certain criteria.

[14] The OIPC normally refers s. 43 requests to mediation in an attempt to settle the issues. If mediation is unsuccessful, the OIPC then invites the public body to make a formal submission, to which the applicant (the “respondent” in the s. 43 process) may reply.

[15] Although the applicant provided a response to the College’s arguments on s. 43, I have decided that it is not appropriate for me to consider this issue here. Past orders have established that a party may raise new issues associated with a review at the inquiry stage only with the OIPC’s permission.⁴ The College’s s. 43 request is not just a new issue—it is unrelated to the issues in dispute in this inquiry. Moreover, the OIPC has not had an opportunity to attempt mediation. I therefore decline to consider the College’s request for s. 43 authorization as part of this decision. Instead, I have asked the OIPC’s Registrar of Inquiries to refer the request for s. 43 authorization to the OIPC’s intake staff for processing.

Late raising of section 25

[16] In his initial submission, the applicant argued that s. 25 of FIPPA applies in this case.⁵ Section 25 requires a public body to disclose information under certain conditions. The College did not object to the applicant’s attempt to introduce s. 25 at this stage but argued that it does not apply here.⁶

[17] The applicant’s request for records and request for review do not mention s. 25. There is no indication that s. 25 arose as an issue during mediation and it is not listed as an issue in the notice for this inquiry.

[18] As I said above, it is clear from previous decisions of the OIPC that a party cannot introduce a new issue at the inquiry stage unless permitted to do so. These decisions say among other things that one of the purposes of mediation is

³ Paras. 47-74, College’s initial submission; paras. 34-42, Oetter affidavit. See also the College’s reply.

⁴ See for example Decision F07-03, [2007] B.C.I.P.C.D. No. 14, Decision F08-02, [2008] B.C.I.P.C.D. No. 4, Order 01-10, [2001] B.C.I.P.C.D. No. 11.

⁵ Item 7, applicant’s initial submission. The applicant also addressed this issue in his reply.

⁶ Paras. 50-58, College’s reply submission.

to crystallize the issues in dispute and to allow the parties to raise any other issues that they wish included in an inquiry.

[19] I have decided not to permit the applicant to introduce s. 25 as an issue at this late stage. The applicant could have raised s. 25 at any point in the mediation period but apparently chose not to. He gave no explanation as to why he waited until his initial submission to introduce s. 25. Section 25 overrides all other sections in FIPPA and it is not appropriate to raise it at this late date without warning.

Applicant's attempts to add other issues

[20] Parts of the applicant's submissions concerned his arguments that this inquiry should examine the College's alleged failure to respond satisfactorily, or at all, to his previous requests.⁷ The College objected to these arguments as not relevant. It also said that in any case it has acted in good faith towards the applicant and has responded to all of his requests.⁸

[21] The College's alleged deficiencies in responding to the applicant's previous requests are not part of this inquiry. I will not consider them but only its denial of access to certain information in response to the applicant's October 2009 request.

[22] The applicant also complained about the College's dealings with him in April and May 1990, as I outlined above in the background section.⁹ This is not an issue over which I have any authority.

[23] The applicant acknowledged that he had excluded s. 14 but nevertheless asked if this inquiry could verify that its use was justified.¹⁰ The College objected, saying s. 14 was not an issue.¹¹ As noted above, the applicant specifically excluded information protected by solicitor client privilege from his request for records and his request for review. The notice for this inquiry and the investigator's fact report that accompanied the notice stated explicitly that s. 14 would not be an issue in this inquiry. The College also removed any information over which it claimed s. 14 from the records it provided to me for this inquiry. The College's application of s. 14 is therefore not in issue here.

[24] **3.4 Application of Section 3(1)(c)**—The College said it withheld 51 pages of records on the grounds that they are excluded from the scope of FIPPA by virtue of s. 3(1)(c), which reads as follows:

⁷ Email exchanges of January 29-February 4, 2011 between the Registrar and the applicant's representative; Items 6, 8 & 9, applicant's initial submission.

⁸ Paras. 7-9, College's reply submission.

⁹ Item 10, applicant's initial submission.

¹⁰ Item 10, applicant's initial submission.

¹¹ Paras. 10-11, College's reply submission.

Scope of this Act

3 (1) This Act applies to all records in the custody or under the control of a public body, including court administration records, but does not apply to the following:

...

(c) subject to subsection (3), a record that is created by or for, or is in the custody or control of, an officer of the Legislature and that relates to the exercise of that officer's functions under an Act;

[25] In Order 01-43,¹² Commissioner Loukidelis set out the criteria for determining whether s. 3(1)(c) applies:

1. The section only applies where an “officer of the Legislature” is involved. Schedule 1 to the Act defines that term and it includes “the Ombudsman”.
2. The record must either:
 - (a) be created *by or for* the officer of the Legislature; or
 - (b) be in the *custody or control* of the officer of the Legislature.
3. In all cases, the record must relate to the exercise of the officer's functions under an Act (e.g., the Ombudsman's exercise of his functions under the *Ombudsman Act*).¹³

[26] The Commissioner stated that the information must meet all three elements of this test in order for s. 3(1)(c) to apply.¹⁴ The Commissioner first reviewed the legislative purpose behind s. 3(1)(c). He then found that the following types of records were excluded: letters to and from the Ombudsman's office related to the exercise of the Ombudsman's function under the *Ombudsman Act*; internal records a public body created specifically for an Ombudsman investigation.¹⁵ I take the same approach here as in Order 01-43 and other orders on s. 3(1)(c).

[27] **3.5 Does section 3(1)(c) apply?**—I have no hesitation in finding that s. 3(1)(c) applies to the records the College says are excluded under this provision. As the College noted, the Ombudsman (now the “Ombudsperson”) is listed in Schedule 1 of FIPPA as an “officer of the Legislature”. I also agree that most of the records in issue respecting s. 3(1)(c) were created either by or for the Ombudsman's office in relation to its investigation. The remaining records are internal College notes to file of telephone conversations reflecting the

¹² [2001] B.C.I.P.C.D. No. 45.

¹³ At para. 13; emphasis in original.

¹⁴ At para. 14.

¹⁵ At paras. 25-34.

Ombudsman's investigation.¹⁶ All of these records related to the exercise of the Ombudsman's functions under the *Ombudsman Act* and thus I find that s. 3(1)(c) applies to them.

[28] I reject the applicant's attempt to argue, among other things, that only records in the Ombudsman's files may be excluded under s. 3(1)(c).¹⁷ Past orders have, as the College said, made it clear that s. 3(1)(c) can apply to records related Ombudsman investigations in the files of public bodies.¹⁸

[29] **3.6 Application of Section 22(1)**—Numerous orders have considered the application of s. 22, for example, Order 01-53.¹⁹ First, the public body must determine if the information in dispute is personal information. Then, it must consider whether disclosure of any of the information is not an unreasonable invasion of third-party privacy under s. 22(4). Then the public body must determine whether disclosure of the information is presumed to be an unreasonable invasion of third-party privacy under s. 22(3). Finally, it must consider all relevant circumstances, including those listed in s. 22(2), in deciding whether disclosure of the information in dispute would be an unreasonable invasion of third-party privacy. I take the same approach here.

[30] The relevant parts of s. 22 read as follows:

Disclosure harmful to personal privacy

- 22(1) The head of a public body must refuse to disclose personal information to an applicant if the disclosure would be an unreasonable invasion of a third party's personal privacy.
- (2) In determining under subsection (1) or (3) whether a disclosure of personal information constitutes an unreasonable invasion of a third party's personal privacy, the head of a public body must consider all the relevant circumstances, including whether
- ...
- (c) the personal information is relevant to a fair determination of the applicant's rights,
- ...
- (e) the third party will be exposed unfairly to financial or other harm,
- ...
- (3) A disclosure of personal information is presumed to be an unreasonable invasion of a third party's personal privacy if

¹⁶ Paras. 18-26, College's initial submission.

¹⁷ See Item 10, applicant's initial submission.

¹⁸ Paras. 12-24, College's reply submission. See also Order 01-43.

¹⁹ [2001] B.C.I.P.C.D. No. 56.

...

- (b) the personal information was compiled and is identifiable as part of an investigation into a possible violation of law, except to the extent that disclosure is necessary to prosecute the violation or to continue the investigation,

...

- (d) the personal information relates to employment, occupational or educational history,

“personal information” means recorded information about an identifiable individual other than contact information;

“contact information” means information to enable an individual at a place of business to be contacted and includes the name, position name or title, business telephone number, business address, business email or business fax number of the individual;

Is it “personal information”?

[31] Some of the information the College withheld under s. 22(1) is the personal information of the applicant in the form of comments about him (pages 838-839, duplicated at pages 843-844).

[32] Some of the severed records are telephone messages (pages 151, 709, 736; names and a business telephone number withheld). Another is a fax cover sheet (page 789; name, business telephone and fax numbers withheld). Still another is an email (page 1470; name and business email address withheld). The severed information on all these pages is “contact information”, as its purpose in the records was to enable contact with these individuals at their places of business. It is thus not “personal information” and no s. 22(1) considerations apply to it.

[33] The remaining severed information (pages 144-145, their duplicates at pages 794-795, and pages 814, 957, 964, 974-983 and 990-991) is recorded information about identifiable individuals (other than the applicant). It is thus “personal information”.

[34] The College argued, and I agree, that none of the sections of s. 22(4) applies here.²⁰ I will therefore turn to considering the relevant presumptions in s. 22(3) and then any relevant circumstances in s. 22(2).

Presumed unreasonable invasion of third-party privacy

[35] The College argued that s. 22(3)(d) applies to personal information about other physicians on pages 964, 974-983 and 990-991 as it consists of

²⁰ Para. 31, Colleges’ initial submission.

information about their employment, occupational or educational history.²¹ The applicant generally questioned the College's authority to withhold it but did not specifically address s. 22(3)(d).²²

[36] The severed information on these pages relates to registration, qualifications, suspension dates and other disciplinary details of several physicians other than the applicant. I agree with the College that the information on these pages falls under s. 22(3)(d). I include here page 957 which relates to the same individuals as on page 964 and which the College withheld in full. Disclosure of this personal information is therefore presumed to be an unreasonable invasion of third-party privacy.²³

[37] The College said that s. 22(3)(b) applies to information it severed on pages 814, 838-839 and 843-844, as it is information the College compiled during investigations under what was then the *Medical Practitioners Act*. It argued that its complaint investigations under that Act constituted investigations into a possible violation of law because its investigations could result in a finding that there had been "a breach of a regulatory offence". The College also said that it had the legal authority to impose penalties or sanctions. It referred to Order F07-22²⁴ where Adjudicator McEvoy found that complaint investigations by the British Columbia College of Chiropractors under the *Chiropractors Act* were investigations into possible violations of law for the purposes of s. 22(3)(b).²⁵

[38] The applicant questioned the College's application of this provision, suggesting that the College had lost authority to investigate him once he ceased to be a member of the College.²⁶

[39] Applying Adjudicator McEvoy's reasoning in Order F07-22, I accept that the College's complaint investigations under the *Medical Practitioners Act* were investigations into a possible violation of law for the purposes of s. 22(3)(b).²⁷ The difficulty with the College's application of s. 22(3)(b) to pages 838-839 and 843-844 is that it has relied on this provision to deny the applicant access to his own personal information. The applicant is not however a third party in relation to his own personal information and personal information about the applicant thus cannot fall under s. 22(3).²⁸

[40] The severed information on pages 838-839 and 843-844 is in a 1999 letter from the College. It consists of comments by a College employee about the

²¹ Para. 38, College's initial submission.

²² Item 10, applicant's initial submission.

²³ See for example Order 00-13, [2000] B.C.I.P.C.D. No. 16.

²⁴ [2002] B.C.I.P.C.D. No. 36.

²⁵ Para. 36, College's initial submission.

²⁶ Item 10, applicant's initial submission; para. 34, applicant's reply.

²⁷ At para. 20. See also Order F05-18, [200] B.C.I.P.C.D. No. 26, and Order 02-20, [2002] B.C.I.P.C.D. No. 20.

²⁸ See paras. 50-51, Order F05-02, [2005] B.C.I.P.C.D. No. 2.

applicant. The College argued that it should be able to “conduct its review of complaints within appropriate limits, to protect information which is provided expressly to facilitate such reviews and to thereby fulfil the College’s responsibility to act in the public interest”.²⁹ This is more an argument on harm under s. 15(1) to the College’s investigations than a rationale under s. 22. The information was not however “provided”. Rather, the College generated the information itself. The College did not in any case explain how disclosure of this 12-year old information could interfere with its reviews.

[41] Nor did the College argue that disclosure of the applicant’s own personal information to him would be an unreasonable invasion of someone else’s privacy. I also see no basis in the material before me for concluding that its disclosure could have this result. The information in question is solely about the applicant.

[42] For all these reasons, I find that s. 22(3)(b) does not apply to the severed personal information on pages 838-839 and 843-844.

[43] The remaining information that the College severed under s. 22(3)(b) is on page 814. This record is a March 12, 1999 note to file on a telephone conversation the College’s Registrar had with employees of the General Medical Council (“GMC”) in the United Kingdom. The College disclosed most of the note, withholding only the names of three GMC employees (although it disclosed their position titles) and the name of a BBC employee who was investigating the applicant in the UK (although it disclosed his location in the UK).³⁰ The conversation appears to have taken place in the context of the College’s investigation of the applicant. I therefore accept that the severed personal information falls under s. 22(3)(b).

[44] I include in this finding the name and telephone number of the same BBC employee, which the College severed on pages 144-145 and their duplicates, pages 794-795. This record is a note to file of a March 2, 1999 telephone conversation the College’s Registrar had with the BBC employee, again in the context of the College’s investigation of the applicant. The College argued that the name in these pages fell under s. 22(1), not s. 22(3)(b). However, the two notes to file are similar in character and I see no reason to treat them differently.

Relevant Circumstances

[45] The applicant said he is asking for information “that may have a very crucial bearing on [my] future as a medical practitioner” and that the “information has the potential to create difficulties” for him.³¹ These arguments appear to be directed at the factor in s. 22(2)(c). The applicant did not explain how the

²⁹ Para. 37, College’s initial submission.

³⁰ The College also withheld minor amounts of information under s. 14 which are not in issue here.

³¹ Item 10, applicant’s initial submission.

minimal amounts of withheld personal information in the records would be relevant to his rights, which past orders have said are “legal rights”.³² Although the College said the applicant has an ongoing dispute with it, it is not clear that this dispute involves the applicant’s “legal rights”. I also saw no evidence in the material before me of any ongoing litigation or other matters in which the applicant’s “legal rights” might be at stake. This is certainly not obvious from the records I have. I find that s. 22(2)(c) does not apply here.

[46] The only relevant circumstance the College argued applies here is s. 22(2)(e). It said the applicant has repeatedly sent “harassing e-mails to those at the College he has contact information for” and that he has copied his emails to many other public officials whose contact information he possesses. Disclosure of the severed information would, the College argued, unfairly expose the individuals in question to the applicant’s harassment.³³ I take the College to argue that s. 22(2)(e) applies only to the names of the BBC and GMC employees, not the physicians, although this is not clear.

[47] The applicant suggested that any harm applies to him, particularly if the information the College passes on is “misinformation”. He also argued that it “is simply ludicrous to contend that huge organizations like [the BBC, GMC and others] might be subjected to physical or psychological harm” under s. 22(2)(e).³⁴

[48] I accept from the material before me that the applicant has for years engaged in email exchanges with many individuals, including the OIPC, the premier of BC and several MLAs. Taking into account both the content and frequency of the emails, however, I am not persuaded that the applicant’s emails constitute “harassment”. By extension, I am also not persuaded that disclosure of the names and contact information in issue would “unfairly” expose these individuals to “harm”, for the purposes of s. 22(2)(e). As the College argued, past orders have said this term means “serious mental distress or anguish or harassment”.³⁵ While those at the receiving end of the applicant’s emails may find them annoying or frustrating, this does not even come close to “serious mental distress or anguish”. I also take into account the fact that the records in dispute date back many years. This makes it less likely that the applicant could track these individuals down, even supposing he wanted to. I find that s. 22(2)(e) does not apply to any of the personal information of the BBC and GMC employees in issue here.

³² See Order 01-07, [2001] B.C.I.P.C.D. No. 7, at paras. 30-32, for example.

³³ Paras. 39-44, College’s initial submission.

³⁴ Item 10, applicant’s initial submission.

³⁵ Para. 40, College’s initial submission. The College referred here to Order 01-37, [2001] B.C.I.P.C.D. No. 38, at para. 42. See also Order 01-19, [2001] B.C.I.P.C.D. No. 20, at para. 34.

Conclusion on section 22(1)

[49] I found above that the severed names, business telephone and fax numbers and business email address on pages 151, 709, 736, 789 and 1470 are “contact information”. These items are not “personal information” and I find that s. 22(1) does not apply to them.

[50] I also found above that s. 22(3)(b) does not apply to the applicant’s severed personal information on pages 838-839 and 843-844. This information relates only to the applicant and there are no third-party privacy concerns with its disclosure. The College has not met its burden of proof respecting this information and I find that s. 22(1) does not apply to it.

[51] I found as well that s. 22(3)(d) applies to the employment and occupational history information about other physicians on pages 957, 964, 974-983 and 990-991. I also found that s. 22(2)(c) does not apply to this information. However, the applicant has not rebutted the presumption in s. 22(3)(d) for this personal disciplinary information. I find that s. 22(1) applies to it.

[52] Finally, I found that the names and telephone numbers of BBC and GMC employees in pages 144-145, 794-795 and 814 fall under s. 22(3)(b). I also found that ss. 22(2)(c) and (e) do not apply to this information. However, these individuals were acting in a work-related capacity when they interacted with the College and the information is not sensitive. I also take into account the fact that the College disclosed the position titles of the GMC employees. These factors rebut the presumption in s. 22(3)(b) and I find that s. 22(1) does not apply to the severed personal information in these pages.

4.0 CONCLUSION

[53] For reasons given above, under s. 58 of FIPPA, I make the following orders:

1. I require the head of the College to give the applicant access to the information it withheld under s. 22(1) on pages 151, 709, 736, 789 and 1470; 838-839 and 843-844; and 144-145, 794-795 and 814.
2. I require the head of the College to refuse the applicant access to the information it withheld under s. 22(1) on pages 957, 964, 974-983 and 990-991.
3. I require the head of the College to give the applicant access to the information set out in para. 1 above within 30 days of the date of this order, as FIPPA defines “day”, that is, on or before May 16, 2011, and, concurrently, to copy me on its cover letter to the applicant.

[54] For reasons given above, no order is necessary regarding the information to which I found s. 3(1)(c) applies.

March 31, 2011

ORIGINAL SIGNED BY

Celia Francis
Senior Adjudicator

OIPC File No.: F10-41636