

Email - November 9 2016 - RE_ Expert Panel - Materials Provided - Disclosure and FOI.pdf

From: [Kaufman, Paul \(TBS\)](#)
To: [Tam, Nelson \(TBS\)](#)
Cc: [Hatzis, Len \(TBS\)](#)
Subject: RE: Expert Panel - Materials Provided - Disclosure and FOI
Date: November-09-16 2:57:21 PM

Okay thanks Nelson. If you were going to give the panel anything that NB or another jurisdiction gave you with the understanding that the panel might quote from it, I think it would be prudent to first confirm with the other jurisdiction that they are comfortable with that.

Paul

From: Tam, Nelson (TBS)
Sent: Wednesday, November 09, 2016 11:32 AM
To: Kaufman, Paul (TBS)
Cc: Hatzis, Len (TBS)
Subject: RE: Expert Panel - Materials Provided - Disclosure and FOI

Paul

The question is specifically directed to the draft control assessment analysis conducted by New Brunswick may be released. This was shared by Cindy to both of us.

Based on your response, there may be a likelihood that the document can be made public and definitely if it is quoted in the final report, then Paul Martin may be more comfortable in just giving a verbal update.

Thanks

Nelson
416-212-0514

From: Kaufman, Paul (TBS)
Sent: November-09-16 10:33 AM
To: Tam, Nelson (TBS)
Cc: Hatzis, Len (TBS)
Subject: Re: Expert Panel - Materials Provided - Disclosure and FOI

Nelson, all documents that OPCD and TBS have are subject to FOI, and could be the subject of FOI requests, regardless of whether they are provided to the panel. Exemptions under FIPPA may apply to some of those documents, but that will depend on the nature of the specific documents. The fact that a document is shared with the panel isn't likely to impact whether the document can be exempt under FOI, unless the panel quotes from it in its public report.

Let me know if you want to discuss.

Paul

Sent from my BlackBerry 10 smartphone on the Rogers network.

From: Tam, Nelson (TBS)
Sent: Wednesday, November 9, 2016 10:05 AM
To: Kaufman, Paul (TBS)
Cc: Hatzis, Len (TBS)
Subject: Expert Panel - Materials Provided - Disclosure and FOI

Paul

In order to provide information to the panel, I have been requesting permission to share documents sent to OPCD. I received a question regarding public disclosure.

Are the documents (final or draft) provided to the expert panel, to assist them in their work, subject to FOI requests and therefore will be released? Are these documents subject to the FOI allowable exceptions preventing them from being released?

Thanks

Nelson
416-212-0514