**Response to Applicant – Disregard with approval from OIPC**

**Form 4E**

[Date]

[Applicant’s Name and Address]

Dear [Applicant’s Name]:

Re: Your request for access to information under Part II of **the Access to Information and Protection of Privacy Act, 2015** [Our File #: ]

On [date], [name of public body] received your request for access to the following records:

**[Describe the records requested].**

Please be advised that a decision has been made by the [title of head or designated head] for [public body], with approval from the Information and Privacy Commissioner, to disregard your request in accordance with [insert subsection(s) or paragraph(s) of section 21 that apply]:

[Identify the specific provision(s) in section 21 relied upon, quote the wording of the provision(s) or attach copies of them, and explain why they apply.]

[Include the following paragraph only where response is provided by day 10]

The Act requires us to provide an advisory response within 10 days of receiving the request. As this request has been completed prior to day 10, this letter also serves as our Advisory Response.

Please be advised that you may appeal this decision with the Supreme Court within 15 business days after you receive the decision of the public body, pursuant to section 52 of **the Access to Information and Protection of Privacy Act, 2015** (the Act) (a copy of this section has been enclosed for your reference).

**For Government Departments (if a response to a general request):**

Please be advised that this request may be published on the [Completed Access to Information Requests](https://atipp-search.gov.nl.ca/) website. Requests will be posted when possible, but no sooner than three business days after a response is sent electronically, or five business days where a response is sent by mail. Please note that requests for personal information will not be posted online. Additional details regarding the process for publishing requests online can be found [here](https://atipp-search.gov.nl.ca/pdf/ATIPP_RP.pdf).

If you have any further questions, please feel free to contact me by telephone at [telephone number]orby emailat [email address].

Sincerely,

[Name]

ATIPP Coordinator

**Direct appeal to Trial Division by an applicant**

 **52.** (1) Where an applicant has made a request to a public body for access to a record or correction of personal information and has not filed a complaint with the commissioner under section 42, the applicant may appeal the decision, act or failure to act of the head of the public body that relates to the request directly to the Trial Division.

 (2) An appeal shall be commenced under subsection (1) not later than 15 business days

 (a) after the applicant is notified of the decision of the head of the public body, or the date of the act or failure to act; or

 (b) after the date the head of the public body is considered to have refused the request under subsection 16(2).

 (3) Where an applicant has filed a complaint with the commissioner under section 42 and the commissioner has refused to investigate the complaint, the applicant may commence an appeal in the Trial Division of the decision, act or failure to act of the head of the public body that relates to the request for access to a record or for correction of personal information.

 (4) An appeal shall be commenced under subsection (3) not later than 15 business days after the applicant is notified of the commissioner’s refusal under subsection 45(2).