# File: 292-30/[REQUESTNUMBER]

# [TODAYDATE]

# Sent via email: Third Party’s email

Third Party

Address

Address

Dear Third Party:

# Re: Third Party Notification

# *Freedom of Information and Protection of Privacy Act* (FOIPPA)

The Ministry of Agriculture and Food received a request under FOIPPA for *quote or paraphrase request as appropriate.* The enclosed record(s) were located in response to the request and may affect your business interests.

We would appreciate receiving your views regarding disclosure of your business information contained in the record(s). As the enclosed description of section 21 of FOIPPA indicates, the Ministry must disclose the business information to the applicant unless it can be shown that:

1. The requested records contain certain types of business information (described in more detail on the enclosed sheet); **and**
2. The business information was supplied in confidence; **and**
3. The disclosure of the business information could reasonably be expected to result in one or more of the harms specified on the enclosed sheet.

We are considering withholding information pursuant to section(s) 14 (Legal advice), 14 (Legal advice), 14 (Legal advice), 14 (Legal advice), and 14 (Legal advice) of FOIPPA, as indicated by the red boxes on the enclosed records.

Please review the enclosed record(s) on a line by line basis and **draw a box around any information which you believe meets all three of the above criteria**. It is important that you be as clear and specific as possible about your reasons for recommending any business information to be withheld. I have enclosed a Third Party Response Form for your convenience. Please return this form and a marked copy of the record(s) to me by Date (calculate 20 days from date of letter).

You have three options:

1. Consent to the disclosure of **all** of your business information; or
2. Request that the Ministry withhold **all** of your business information; or
3. Request that the Ministry withhold **some** of your business information.

If we have not received your written response by the date indicated above, we are required under FOIPPA to make a decision based on the information that we have available. I will write to you by Date (Calculate 30 days from the date of this letter) to inform you of the Ministry's decision on the release of this information. You will have the right to request a review of the Ministry's decision. Information about requesting a review will be provided to you with the decision letter.

Delete the paragraph below if this is a personal request or if you have received confirmation from Open Information that this request is exempt from publication:

Please also be advised that records released in response to Freedom of Information requests (subject to limited exemptions) will be published on the Open Information website. To find out more about Open Information, please access the Open Information website at: <http://www.openinfo.gov.bc.ca/ibc/index.page>

If you have any questions regarding your request, please contact [PRIMARYUSERNAME], the analyst assigned to your request, at [PRIMARYUSERPHONE]. This number can also be reached toll-free at 1 833 283-8200. Please provide the FOI request number, found at the top right of the first page of this letter, in any communications.

Sincerely,

[PRIMARYUSERNAME], [PRIMARYUSERTITLE]

Information Access Operations

Enclosures

**Third Party Response Form**

To: [PRIMARYUSERNAME]

Information Access Operations

Ministry of Citizens’ Services

PO Box 9569 Stn Prov Govt

Victoria BC V8W 9K1

Re: Consent/Objection to Disclosure of Third Party Business Information

Request for Information [REQUESTNUMBER]

I, , (your name)

* Consent to the disclosure of **all** of my business information in the attached record(s).
* Object to the disclosure of my business information and request that the Ministry withhold **all** of my business information in its entirety because:

1.

2.

3.

*Please continue overleaf if more space is required.*

* Consent to the disclosure of **some** of my business information, as indicated on the attached record(s). I object to the disclosure of **some** of my business information and request that the Ministry withhold **portions** of my business information because:

1.

2.

3.

*Please continue overleaf if more space is required.*

*\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_*

Signature Date

**Disclosure harmful to business interests of a third party**

**21** (1) The head of a public body must refuse to disclose to an applicant information

(a) That would reveal

(i) Trade secrets of a third party, or

(ii) Commercial, financial, labour relations, scientific or technical information of or about a third party,

(b) That is supplied, implicitly or explicitly, in confidence, and

(c) The disclosure of which could reasonably be expected to

(i) Harm significantly the competitive position or interfere significantly with the negotiating position of the third party,

(ii) Result in similar information no longer being supplied to the public body when it is in the public interest that similar information continue to be supplied,

(iii) Result in undue financial loss or gain to any person or organization, or

(iv) Reveal information supplied to, or the report of, an arbitrator, mediator, labour relations officer or other person or body appointed to resolve or inquire into a labour relations dispute.

(2) The head of a public body must refuse to disclose to an applicant information that was obtained on a tax return or gathered for the purpose of determining tax liability or collecting a tax.

(3) Subsections (1) and (2) do not apply if

(a) The third party consents to the disclosure, or

(b) The information is in a record that is in the custody or control of the archives of the government of British Columbia or the archives of a public body and that has been in existence for 50 or more years.