

December 22nd, 2009

Mr. Darrell Mercer
Office of the Official Opposition
5th Floor, East Block
Confederation Building
St. John's, NL
A1B 4J6

Dear Mr. Mercer:

Re: Your request for access to information under Part II of the Access to Information and Protection of Privacy Act [Our File # HCS ATI 09027]

On November 4th, 2009, the Department of Health and Community Services received your request for access to the following records/information:

I am requesting under the Access to Information Act a breakdown of funding allocated in Budget 2009-2010 for the proposed long-term care facility in Carbonear. This request also includes the amount spent to date and a breakdown of that spending.

The Department of Health and Community Services has reviewed your request in the context of the *Access to Information and Protection of Privacy Act* (the "*Act*"). Please be advised that \$500,000 has been allocated in the 2009/2010 budget for planning the construction of a new long-term care facility in Carbonear. As of today's date a formal plan for the allocation of funds has not been developed nor have any of the budgeted funds been spent. Therefore, there are no documents in the control or custody of the department that are responsive to your request for information.

As you may be aware, you may appeal this decision to the Trial Division of the Supreme Court or request a review of the decision by the Information and Privacy Commissioner, pursuant to Section 12 of the *Act*. A request for review should be made in writing to the following attention:

Office of the Information and Privacy Commissioner
2nd Floor, 34 Pippy Place
P.O. Box 13004, Station A
St. John's, NL
A1B 3V8

Tel: (709) 729-6309
Fax: (709) 729-6500
Email: oipc@gov.nl.ca

If you have any further questions, please feel free to contact Ms. Rose Butler, Management Analyst, at 729-7776 or via e-mail at rosebutler@gov.nl.ca. If I can be of further assistance, please advise accordingly.

Sincerely,



DON KEATS
Deputy Minister