



Information and Privacy
Commissioner/Ontario
Commissaire à l'information
et à la protection de la vie privée/Ontario

ORDER P-414

Appeal P-910603

Ministry of Health



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ORDER

The Ministry of Community and Social Services received a request under the Freedom of Information and Protection of Privacy Act (the Act) for access to records relating to six named companies. The request was forwarded to the Ministry of Health (the Ministry), pursuant to section 25 of the Act. After being notified of the request, the president of one of the named companies submitted a separate request stating: "I would like to know who is inquiring about [his company]".

The Ministry identified two records as being responsive to the second request - the original request letter sent to the Ministry of Community and Social Services, and the letter transferring the original request to the Ministry. After notifying the original requester, the Ministry decided to provide the second requester with access to both records, with the name and address of the original requester severed pursuant to section 21 of the Act. The original requester appealed the Ministry's decision.

Mediation was not successful, and notice that an inquiry was being conducted to review the Ministry's decision was sent to the original requester (the appellant), the second requester and the Ministry. Written representations were received from the appellant and the Ministry.

Having reviewed the records at issue in this appeal, in my view, the name of the appellant is the only part which is responsive to the second request, and this name was severed from both records by the Ministry. In the particular circumstances of this appeal, I find that the remaining parts of the two records, including the address of the appellant, are not responsive to the second request, and should not be released to the second requester.

Because of the way in which I have characterized the remaining parts of the two records, all remaining issues in this appeal become moot, and no further order is required in order to dispose of the appeal.

Original signed by: _____
Tom Mitchinson
Assistant Commissioner

February 18, 1993