

Transparency

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JOKE

We are informed, by the CAO/clerk, that after CN's rights are fully protected, she will disclose on or after December 26, 2021, the amount of revenue the Township collected from CN in the year 2020.

We are also informed that (Part 2 Records) "What was CN's response to my request for a copy of the Agreement", is determined to be exempt from disclosure pursuant to section 10 of the Act.

I find no clause within Section 10, that supports her decision and as such I did appeal.

I conclude, her decision demonstrates more concern to protect CN's interests, than to protect the rights of the people to Public Information.

Township of Hornepayne  
68 Front Street  
P.O. Box 370  
Hornepayne, ON P0M 1Z0



Tel: (807) 868-2020  
Fax: (807) 868-2787  
www.townshipofhornepayne.ca  
info.hpayne@bellnet.ca

*The Geographic Centre of Ontario*

November 26, 2021

George Collins  
121 Fourth Street  
Nipigon, ON P0T 2J0  
[grampabug7@hotmail.com](mailto:grampabug7@hotmail.com)

**Re: MFIPPA Request No. M2021-04 – Decision Letter**

Dear Mr. Collins,

Thank you for your request under the *Municipal Freedom of Information and Protection of Privacy Act* (“MFIPPA” or the “Act”), dated and received in our office October 19, 2021, in which you made the following request for several records (the “Part 1 Records”):

*“For the year 2020, how much total revenue did the Township collect from C.N. Rail”.*

The processing of your request is now complete. We have determined that these Records are not exempt from disclosure. We intend to release the Part 1 Records, but must wait until the affected third party has had the opportunity to appeal our decision. If we do not receive an appeal, Records 1 will be disclosed to you on or after December 26, 2021

You also requested the following records (the “Part 2 Records”):

*“What was CN’s response to my request for a copy of the agreement, which constitutes the exception where CN Rail does not pay the same rate all other property owners in Hornepayne”*

The processing of your request is now complete. We have determined that the Part 2 Records are exempt from disclosure pursuant to sections 10 the Act. A copy of this MFIPPA section has been enclosed for your reference.

The Township now considers your request to be complete. You may request that this decision be reviewed by writing to the Information and Privacy Commissioner/Ontario at 1400-2 Bloor Street East, Toronto, Ontario, M4W 1A8.

Please note that you have thirty (30) days from the receipt of this letter to request a review from the Commissioner. If you decide to request a review of this decision, please provide the Commissioner's office with the following:

- The file number listed at the beginning of this letter
- A copy of this decision letter
- A copy of the original request for information you sent to our institution

In addition, you must send an appeal fee to the Commissioner's office. The appeal fee for requests for general information is twenty-five dollars (\$25.00). Please include the fee with your letter of appeal. Appeal fees should be in the form of either a cheque or money order, payable to the Minister of Finance. If we do not receive an appeal within thirty (30) days we will consider this matter closed.

Please do not hesitate to contact the undersigned with any questions.

Sincerely,



Gail Jeremy  
CAO/Clerk  
Township of Hornepayne

**Sections of the *Municipal Freedom of Information and Protection of Privacy Act***

**Third Party Information**

10(1) A head shall refuse to disclose a record that reveals a trade secret or scientific, technical commercial, financial or labour relations information, supplied in confidence implicitly or explicitly, if the disclosure could reasonably be expected to,

(a) prejudice significantly the competitive position or interfere significantly with the contractual or other negotiations of a person, group of persons, or organization;

(b) result in similar information no longer being supplied to the institution where it is in the public interest that similar information continue to be so supplied;

(c) result in undue loss or gain to any person, group, committee or financial institution or agency;  
or

(d) reveal information supplied to or the report of a conciliation officer, mediator, labour relations officer or other person appointed to resolve a labour relations dispute.

The Office of the Information and Privacy Commissioner,  
November 30<sup>th</sup>, 2021.

Re: MFIPPA Request No. M2021-04

To the recipient, please find enclosed a decision letter from the CAO/clerk of Township of Hornepayne. I wish to appeal that part of her decision, circled on page one.

Please find also one APPEAL form completed, and a cheque for 25 dollars made to the Minister of Finance for Ontario.

Anticipating a possible suggestion from your office to consolidate this APPEAL with a previous appeal sent to your office on October 21<sup>st</sup> 2021, I have no objection to the same. That Appeal MFIPPA Request No. M2021-03, was in regard to the same subject matter, or a previous decision by this CAO/clerk of Hornepayne.

Should you require further info? Please do not hesitate to contact me either by phone, or by email.

Thanking you for your attention to these matters.

Sincerely,  
George Collins.

# Appeal Form

*Nov 30th - 2021*

Appeal under the  
**Freedom of Information and Protection of Privacy Act (FIPPA)**  
or the  
**Municipal Freedom of Information and Protection of Privacy Act (MFIPPA)**

**Note:** An appeal must be sent in writing to the Registrar within 30 days after the institution has given notice of its decision.

The government organization which dealt with your request is referred to as an "institution" under the Acts.

## Your Information

MR.    MRS.    MS.    MISS

SURNAME OR \_\_\_\_\_ COLLINS \_\_\_\_\_  
NAME OF COMPANY, ASSOCIATION OR ORGANIZATION

GIVEN NAME \_\_\_\_\_ GEORGE \_\_\_\_\_ INITIALS J

ADDRESS \_\_\_\_\_ 121 FOURTH ST. \_\_\_\_\_ UNIT \_\_\_\_\_

CITY \_\_\_\_\_ Nipigon \_\_\_\_\_ PROVINCE \_\_\_\_\_ Ont \_\_\_\_\_ POSTAL CODE \_\_\_\_\_ P0T 2S0

TELEPHONE DAYTIME \_\_\_\_\_ 807-889 1497 \_\_\_\_\_ EVENING \_\_\_\_\_ N/A

If this appeal is not being made in a personal capacity, please provide the following information:

NAME OF CONTACT \_\_\_\_\_

TITLE \_\_\_\_\_ TELEPHONE \_\_\_\_\_

E-MAIL ADDRESS\* \_\_\_\_\_ grampabug7@hotmail.com \_\_\_\_\_

\*I consent to being contacted at this e-mail address or through that of my representative on my behalf. I acknowledge that sending e-mail over the Internet is not secure, in that it can be intercepted and/or manipulated and retransmitted.

Please select **one** of the following:

- I made a request for access to a general record, and have enclosed the required \$25.00 appeal fee.
- I made a request for access to my own personal information and have enclosed the required \$10.00 appeal fee.
- I made a request to correct my own personal information and have enclosed the required \$10.00 appeal fee.
- I received a notice that the institution intends to disclose a record/personal information that may relate to me. (No appeal fee required.)