

Our file: A-2011-00132/PA

SEP 21 2012

Mr. Tyler Sommers
Democracy Watch
P.O. Box 821, Station B
Ottawa, Ontario
K1P 5P9

Dear Mr. Sommers:

This is in response to your request under the *Access to Information Act* received on March 19, 2012 for:

“All rulings, decisions letters, emails, and other documents sent to anyone who filed a complaint since April 1, 2004, with complainants' personal information removed and the personal information of anyone who was complained about removed. We are seeking the date the complaint was received, what the complaint alleged, when the complaint was investigated, summary of evidence gathered, ruling that was issued, and the ruling.”

In an e-mail dated April 13, 2012 you clarified that your request is for: *copies of all communications sent to every complainant advising them of the final decision to complaints filed since 1997.*

This response is subsequent to our disclosure made to you on August 8, 2012. Enclosed you will find additional records relevant to your request; another response will be sent to you once the processing of your request is complete. You will note that some information is being withheld in accordance with section 16.3 and subsection 19(1) of the *Act* which state:

16.3 – Subject to section 541 of the Canada Elections Act, the Chief Electoral Officer may refuse to disclose any record requested under this Act that contains information that was obtained or created by or on behalf of a person who conducts an investigation, examination or review in the performance of their functions under the Canada Elections Act.

19. (1) – Subject to subsection (2), the head of a government institution shall refuse to disclose any record requested under this Act that contains personal information as defined by section 3 of the Privacy Act.

Consistent with our previous letter dated August 8, 2012 (copy enclosed); please note that some of the records relevant to your request are being withheld in their entirety in accordance with section 16.3 of the *Act* for the reasons provided in paragraphs 4 and 5 of that letter.

This concludes our search through files relating to complaints for the 41st, 40th, and 39th general elections. The records relevant to complaints for the 38th, 37th, and 36th general elections are included with files presently boxed and stored away; some of these files have been archived and are being stored at an off-site location. For these letters, we estimate that it will take a significant amount of time to search, gather and prepare records for disclosure. Please note that the time needed to complete the processing of your request is not an indicator of the volume of records that will be disclosed.

Please be advised that you are entitled to complain to the Information Commissioner concerning the processing of your request within sixty days of the receipt of this notice. In the event you decide to avail yourself of this right, your notice of complaint should be addressed to:

Information Commissioner of Canada
Place de Ville, Tower B, 22nd Floor
112 Kent Street
Ottawa, ON
K1A 1H3

Should you have any questions regarding this request, please contact Prince Afram by telephone at 613-949-1571 or by email at prince.afram@elections.ca. Please quote the above file number in future correspondence on this request.

Yours truly,



Michèle Babin
Manager and Coordinator
Access to Information and Privacy

Enclosures: 9 pages