

Office of the Information and Privacy Commissioner
March 18, 2020

Operation of the Office of the Information and Privacy Commissioner's Office during Covid-19 pandemic

As the provincial government has implemented its Business Continuity Plan to respond to the Covid-19 pandemic, the Office of the Information and Privacy Commissioner is taking the following steps:

The Office is reduced to very limited staff working in rotation, though designated staff are working remotely. Voice mail on telephones is being checked by staff on a regular basis and inquiries will be responded to as capacity allows and subject to prioritization. If your matter is urgent please call 729-6309 as these messages will be checked daily.

The Office is preparing an application to the Supreme Court to extend the 65 business day time limit for conclusion of OIPC access to information investigations and issuance of Commissioner's Reports, including any new access to information complaints that may come in during this period. The application will request an extension until such time that public bodies either return to normal operations or return to a state of operations that allows for the conduct of investigations. A further notice will be issued when the Court decides on our application. Other investigations are not subject to the same statutory deadlines as those related to access complaints, but given the present limitations, we are also suspending these investigations as well.

The Office will process public body applications for time extensions or disregards in accordance with the extraordinary circumstances provision of *ATIPPA, 2015*, in relation to active access requests as well as any new requests received until public bodies return to normal operations or return to a state of operations that allows for the processing of access requests. Public bodies wishing to make such applications or having questions may do so by emailing commissioner@oipc.nl.ca. Please be advised these applications can be made at such time that public bodies either return to normal operations or return to a state of operations that allows them to make these applications. We appreciate that this may seem open-ended at this point and we will provide greater certainty when circumstances allow.

The public should be aware that public bodies will have a limited capacity to respond to ATIPP requests and will be seeking extensions from the OIPC and we will, in general, be granting these extensions until public bodies are reasonable able to respond. We recognize and regret that this is a limitation on the public's right to access and will be carefully monitoring the situation to restore this right, as much as possible, as circumstances allow

The requirements under *ATIPPA, 2015* and *PHIA* to report privacy breaches remains; we do not have the authority to vary these requirements. You may wish to consult the guidance on Privacy in Emergencies that we recently released, available here: <https://www.oipc.nl.ca/guidance/documents/emergencies/>

- 30 -

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