

March 1, 2022



Sent via e-mail to: [REDACTED]

Dear [REDACTED]:

Re: Notice to Applicant of Third-Party Notice– OUR FILE# NSHA-2022-044

On February 10, 2022, Nova Scotia Health (NSH) received a request under the *Freedom of Information and Protection of Privacy Act (FOIPOP Act)*.

We understand your request to be for the following:

Contracts for our lab to perform COVID testing on a fee for service basis.

Your request may affect the interests of a third party under section 21(1) of the *FOIPOP Act*. Section 21(1) of the *FOIPOP Act* exempts confidential business information from disclosure when the following criteria are met:

- 1) *The head of a public body shall refuse to disclose to an applicant information*
 - a) *that would reveal*
 - i) *trade secrets of a third party, or*
 - ii) *commercial, financial, labour relations, scientific or technical information of a third party*
 - b) *that is supplied implicitly or explicitly, in confidence; and*
 - c) *the disclosure of which could reasonably be expected to*
 - i) *harm significantly the competitive position or interfere significantly with the negotiating position of the third party*
 - ii) *result in similar information no longer being supplied to the public body when it is in the public interest that similar information continue to be supplied,*
 - iii) *result in undue financial loss or gain to any person or organization or*
 - iv) *reveal information supplied to, or the report of, an arbitrator, mediator, labour relations officer or other person or body appointed to resolve or inquire into a labour relations dispute.*

The third party has 14 calendar days from today to consent to the disclosure of this request or to make written representations explaining why the information should not be disclosed under section 22(1)(c) of the *FOIPOP Act*. We are notifying you of the third party's rights under section 22(2) of the *FOIPOP Act*.

Should you have any questions, please do not hesitate to contact me.



Privacy Office; Legal Services
1-031 Centennial Building
1276 South Park Street
Halifax, NS B3H 2Y9
foipop@nshealth.ca

You have the right to seek a review with the Review Officer within 60 days of receiving this decision. Complete details of the process are outlined on the website of the Office of the Information & Privacy Commissioner: <https://foipop.ns.ca/request-a-review>.

Sincerely,

Katie Smith
Freedom of Information Officer
Nova Scotia Health Authority
Halifax, Nova Scotia