Re: Request for access to information under Part 2 of The Freedom of Information and Protection of Privacy Act: Application Number 18 01 115

On January 24, 2018, the City of Winnipeg received your request for access and on February 8, 2018, you revised your request to be for the following:

Emails from December 1, 2016 to January 10, 2018 between Kenny Boyce & Jon Lutz (WPS Inspector), Kenny Boyce & Brian Bowman, and Kenny Boyce & communications staff within the Mayor’s Office regarding the use of Air 1 (WPS helicopter) in the filming of a movie.

Your request for access has been granted in part, with severing, under the following exceptions to disclosure in the Act. As discussed, we searched the email records of Kenny Boyce and our search resulted in 2 responsive email records.

Disclosure harmful to a third party’s business interests
18(1) The head of a public body shall refuse to disclose to an applicant information that would reveal
(a) a trade secret of a third party;
(b) commercial, financial, labour relations, scientific or technical information supplied to the public body by a third party, explicitly or implicitly, on a confidential basis and treated consistently as confidential information by the third party; or
(c) commercial, financial, labour relations, scientific or technical information the disclosure of which could reasonably be expected to
(i) harm the competitive position of a third party,
(iv) 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

Section 18(1) is a mandatory exception intended to protect the business interests of third parties. As outlined in my email sent on March 20, 2018, we consulted with the third party whose business information was included in the responsive records. Since then, they have provided representations that the information would harm their business interests and we agree with their assessment. Therefore, information has been severed in order to protect their business interests.

Advice to a public body
23(1) The head of a public body may refuse to disclose information to an applicant if disclosure could reasonably be expected to reveal
(a) advice, opinions, proposals, recommendations, analyses or policy options developed by or for the public body or a minister

March 22, 2018
Section 23(1)(a) is a discretionary exception intended to protect the capacity of City employees for requesting and receiving full and frank advice within the public body. In this record, we have exercised our discretion to sever information that, if disclosed could reveal the substance of advice and proposals.

**Disclosure harmful to security of property**

26 The head of a public body may refuse to disclose information to an applicant if disclosure could reasonably be expected to harm or threaten the security of any property or system, including a building, a vehicle, an electronic information system or a communications system.

Section 26 is a discretionary exception intended to protect the City’s communications system. In this record, we have exercised our discretion to sever the unlisted cell phone numbers of its employees.

In each case of severing, as required by section 7(2) of the Act, we have severed information that is excepted from disclosure and have provided you with as much information as possible. As you requested a copy of these records, and as they can reasonably be reproduced, in accordance with section 14(1)(a) of the Act, a copy is enclosed.

Section 59(1) of the Act provides that you may make a complaint about this decision to the Manitoba Ombudsman. You have 60 days from the receipt of this letter to make a complaint on the prescribed form to the Manitoba Ombudsman (Mail: 750-500 Portage Avenue, Winnipeg MB R3C 3X1; Telephone 204-982-9130 or 1-800-665-0531).

If you have any questions, please call me at (204) 986-3141.

Sincerely,

[Signature]

Denise Jones
Access and Privacy Coordinator
Kim Carswell and myself can be the contact for contract, costing purposes. Inspector Jon Lutz will be the operational contact.

In my last email I requested a general contract proposal from the production company.
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From: Perrier, Gord  
Sent: November-04-17 7:59 PM  
To: Smyth, Danny  
Cc: Boyce, Kenny  
Subject: Re: 18(1)(a) REQUEST

Chief,

23(1)(a)

I will draw up the needed legal releases and fees schedules.

23(1)(a) As long as maintenance and emergencies don’t conflict.

Spoke with Kenny and I’ll finalize Thursday Friday next week.

Gordon T. Perrier | Deputy Chief,  
Executive Offices - Operations

Winnipeg Police Service | Tel: 204.986.6024 | www.winnipeg.ca/police

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On Nov 1, 2017, at 14:25, Smyth, Danny <DSmyth@winnipeg.ca> wrote:

Gord...

This program falls under your authority. Please review the request for the hiring of our helicopter for this film project. Let me know what you think.

Danny Smyth  
Chief of Police  
Winnipeg Police Service
Good morning Sirs!

Please see the request below and kindly advise if a local film company could rent the WPS helicopter for a ...

It would be treated similar to a special duty situation where they would pay for WPS members and use of our heli.

Please call me with any questions you may have.

Thanks very much for the consideration.

Very best,
Kenny

Kenny Boyce
Manager
Film and Special Events, Office of the Chief Administrative Officer
City of Winnipeg

Phone: 204-986-3058
Mobile:
Email: Boyce
Website: winnipeg.ca
Address: 510 Main St., Winnipeg, MB R3B 1B9

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please notify the sender and permanently delete the complete message and any attachments. Thank you.

From: 18(1)(c)(l)(iv)
Sent: October-31-17 9:42 PM
To: Boyce, Kenny
Cc: 18(1)(c)(l)(iv)
Subject: 18(1)(a) REQUEST

Dear Mr. Boyce,
Excellent thanks

Gordon T. Perrier | Deputy Chief,
Operations - Executive Offices

Winnipeg Police Service | Tel: 204 986.6024 | 26
P.O. Box 1680 Winnipeg, MB Canada R3C 2Z7
www.winnipeg.ca/police

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From: Boyce, Kenny
Sent: Friday, November 10, 2017 1:33 PM
To: Perrier, Gord <GPerrier@winnipeg.ca>
Subject: FW: 18(1)(a) REQUEST

Gord please below!

Kenny Boyce
Manager
Film and Special Events, Office of the Chief Administrative Officer
City of Winnipeg

Phone: 204-986-3058
Mobile:
Email: Boyce
Website: winnipeg.ca
Address: 510 Main St., Winnipeg, MB R3B 1B9

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From: 18(1)(c)(i)(iv)
Sent: November-10-17 12:34 PM
To: Boyce, Kenny
Cc: 18(1)(c)(i)(a)
Subject: Re: 18(1)(a) REQUEST

Dear Kenny,
On Nov 1, 2017, at 10:34 AM, Boyce, Kenny <KBoyce@winnipeg.ca> wrote:

SENT ON!!

From: [Redacted]
Sent: October-31-17 9:42 PM
To: Boyce, Kenny
Cc: [Redacted]
Subject: [Redacted]

Dear Mr. Boyce,

[Redacted]