

PUBLIC ACCESS TO INFORMATION REQUEST FORM



DETAILS OF REQUESTER

Title: Mr. Mrs. Ms. Other

Surname: STRANGLAY

First name: SAMANTHA

Middle name: JANE

Postal address: 40 THE ROYAL CARRIAGE,
7 PAR-LA-LILLE ROAD,
HAMILTON PARISH

Postal code: F104

E-Mail: sstrangelay@stjohnsgazette.com

Telephone: 278-0155

PUBLIC AUTHORITY USE ONLY

Name of Public Authority accepting the request: _____

Date received: _____

Request number: _____

Request transferred: Yes No

Transferred to which Public Authority: _____

Information Officer: _____

Identity verified: Yes No

Type of identification: _____

DETAILS OF RECORD(S) REQUESTED (Please print)

Is this a request for: Access to a record? A request for personal record? A change in personal record?

Please describe the record(s) you are requesting. Be as specific as possible as this would assist the request process. Include details on the subject matter of the request and the time frame to which the request refers. Include dates and any known documents. If you are making a request for personal information, please include the following: The full name of the person to whom the information relates - OR - The authority which entitles you to apply on behalf of the person (if a third party).

Please provide:

Records showing the most recent "grade" given to each of the island's food and beverage premises in relation to their compliance with health, hygiene and safety standards. The grades are given by environmental health inspectors following a site inspection.

I wish to be communicated with by: Letter E-mail: Other (please specify)

I wish to receive a copy/copies of the record(s) in the following format(s):

Photocopy Electronic (via e-mail) Number of copies required: _____

Compact disc (audio / video format) Transcript

Other (please specify) _____ Decoded copy

The requester must complete this section (tick appropriate circle):

I want physical copies of the record(s) to be:

Delivered to me Available for pick-up

I want to inspect / view / listen to the record(s)

I want to have the record(s) e-mailed to me



GOVERNMENT OF BERMUDA
Ministry of Health and Seniors

Department of Health

Reference Number: 400

Samantha Strangeways
The Royal Gazette
2 Par-La-Ville Road
Hamilton HM 08

October 6, 2016

Dear Ms. Strangeways,

Re: Public Access to Information Act 2010 – Decision Notice

Thank you for your application dated August 25, 2016, received by us on August 25, 2016.

The purpose of this letter is to give you a decision about access to records that you requested under the Public Access to Information Act 2010 (the Act).

Summary

I, Verlina Bishop, am an information officer appointed under section 62 of the Act and authorised under regulation 17(j) of the Public Access to Information Regulations 2014 to make decisions in relation to PATI requests.

Description of the Records

You requested access to records relating to Food and Beverage Site Inspections. Specifically your request was made in the following terms:

1. Records showing the most recent "grade" given to each of the island's food and beverage premises in relation to their compliance with health, hygiene and safety standards. It was further indicated that grades are given by environmental health inspectors following a site inspection.

Decision Regarding the Records

I identified related documents which fell within the scope of your request. I consulted with Mrs. Susan Hill-Davidson, Acting Chief Environmental Health Officer regarding the records that are maintained in the Environmental Health Section relating to Food and Beverage Site Inspections.

With regard to the records you requested, I have decided to deny access to the records requested as outlined below. More information, including reasons for my decision, are set out below:

P.O. Box HM 1195, Hamilton HM EX, Bermuda.
25 Church Street, Continental Building,
Hamilton, HM-12

Material Taken into Account

I have taken the following material into account in making my decision:

1. The content of the records that fall within the scope of your request;
2. The Act, specifically Section 16(1)(c), Section 23(1), Section 25(1)(c) and Section 26(1)(a)(i) and (ii);
3. Public Health (Food) Regulations 1950
4. Public Health Act 1949

Your Options for a Review of this Decision

Under [Section 41] of the PATI Act, you may ask for an Internal Review of a decision regarding your request including:

- (a) refusing to grant access to the record(s) specified in your application.

You have 6 weeks from the date of receipt of this notice to request an Internal Review by writing to the public authority in question and including:

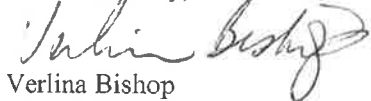
- (a) your name, address and telephone number;
- (b) a copy of your application and/or the reference number assigned to your application;
- (c) a copy of this letter; and
- (d) if so inclined, the basis on which you are requesting a review of the decision indicated.

If upon Internal Review, the decision is still not favourable to you, you have the right under section 45 of the Act to apply in writing to the Information Commissioner for a review of:

- (a) any decision made by the head of a public authority on an internal review, within 6 weeks after being notified of that decision; or
- (b) any failure by the head of a public authority to make a decision on review, within 6 weeks after the date when the decision was required to be made.

If you have any queries about this letter please contact me and ensure that you quote the reference number above.

Yours sincerely,



Verlina Bishop
Information Officer
Department of Health

Definition of personal information

24 (1) Subject to subsection (2), “personal information” means information recorded in any form about an identifiable individual, including—

- (a) information relating to the race, national or ethnic origin, religion, age, sex or marital status of the individual;
- (b) information relating to the education or the medical, criminal or employment history of the individual or information relating to financial transactions in which the individual has been involved;
- (c) any identifying number or other particular assigned to the individual;
- (d) the address, fingerprints or blood type of the individual;
- (e) the name of the individual where it appears with other personal information relating to the individual or where the disclosure of the name itself would reveal information about the individual;

Commercial information

25 Subject to subsections (2) and (3), a record that consists of the following information is exempt from disclosure—

- (a) trade secrets of any person;
- (b) information, the commercial value of which would be, or could reasonably be expected to be, destroyed or diminished by disclosure;
- (c) information, the disclosure of which would have, or could reasonably be expected to have, an adverse effect on the commercial interests of any person to whom the information relates; or

Information received in confidence

26 (1) Subject to subsection (2), a record that consists of the following information is exempt from disclosure—

- (a) information—
 - (i) that is given to a public authority by a third party (other than another public authority) in confidence on the understanding that it would be treated as confidential; and
 - (ii) the disclosure of which would be likely to prevent the authority from receiving further similar information required by the authority to properly fulfil its functions; or
 - (b) information, the disclosure of which would constitute a breach of a duty of confidence provided for by a provision of law.
- (2) A record shall be disclosed if disclosure of it is in the public interest.