

October 8, 2026

ATIPPA Statutory Review Committee 2025
2nd Floor, Beothuck Building
20 Crosbie Place
St. John's, NL
A1B 3Y8

Attention: Keri-Lynn Power – Committee Chair

Dear Commissioner Power:

Re: Submission of the Seniors' Advocate

The Office of the Seniors' Advocate (OSA) is an independent statutory office of the House of Assembly that is going through a period of significant transition which will likely result in an increase of access to information requests to our office.

On June 2, 2026, the Seniors' Advocate Act, 2026 received Royal Assent. A significant aspect of this new legislation is that the OSA will be able to investigate matters relating to seniors' services provided by a department, agency of the government or service provider on behalf of a senior or seniors. Prior to this legislative change, the OSA was limited to systemic advocacy and we anticipate, given the growing demographic of seniors in the province, that we will be busy in conducting individual investigations.

Similar to other statutory offices with investigative powers, it is likely that the OSA will have custody or control of records containing personal and sensitive information of seniors, care providers, and other third parties. To preserve the integrity of our investigative processes, and more importantly, to protect personal information, it is imperative that s.41(c) of ATIPPA, 2015, protect these important objectives. Therefore, the OSA recommends that language be added to s.41(c) in the case of the Office of the Seniors' Advocate, as follows:

The Speaker of the House of Assembly, the officer responsible for a statutory office, or the head of a public body shall refuse to disclose to an applicant information, in the case of the Office of the Seniors' Advocate, as defined in the House of Assembly Accountability, Integrity and Administration Act, any records, whether or not an investigation has been commenced or occurred, related to or connected with the investigatory functions of that office.

The above language ensures that when individuals contact the OSA and request an investigation any records related to the initial contact which help to inform the decision to investigate will be protected from disclosure while at the same time upholding the independence of our office. In addition, as these records will also likely contain sensitive personal information the privacy rights of seniors in our province will continue to be protected.

If you have any questions regarding the above, please do not hesitate to contact me.

Sincerely,



Pamela Dawe, MEd

Seniors' Advocate NL (A)