financial, commercial, scientific or technical information

(a) the disclosure of which could reasonably be expected to result in information of the same kind no longer being supplied to the government institution, where the information was supplied to a government institution on the basis that the information be kept confidential and where it is in the public interest that information of that type continue to be supplied to the government institution;

(b) the disclosure of which could reasonably be expected to prejudice significantly the competitive position, or interfere significantly with contractual or other negotiations, of a person, group of persons, organization or government institution; or

(c) the disclosure of which could reasonably be expected to result in undue financial loss or gain by a person, group of persons, organization or government institution.

(2) The head of a government institution may, notwithstanding (1), refuse to disclose a record under the control of the institution that contains the results of product or environmental testing or research

(a) by means of which by the government institution as a service or for a fee, or

(b) the disclosure of the product testing or research would, in the reasonable opinion of the head of the institution, be misleading.

Cabinet records

Conditions of disclosure

21. (1) The head of a government institution shall refuse to disclose a record requested under this Act if it falls within any of the following classes:

(a) records containing proposals or recommendations submitted, or prepared for submission, by a Minister of the Crown to Council;

(b) records containing agenda of Council or recording deliberations or decisions of Council;

(c) records used for or reflecting consultations among Ministers of the Crown on matters relating to the making of government decisions or the formulation of government policy;

(d) records containing policy options or recommendations submitted, or prepared for submission, to Council;

(e) records containing draft legislation;

(f) records containing information about a confidence of Council, including any part of a record prepared for Council to take notice of, or a record of a decision by Council to withhold from a Minister or any other person, a matter because of the matter's confidential character or because of the purpose of disclosing the matter or any other matter to Council;

(g) records the disclosure of which would reveal the substance of deliberations of Council, provided that three years have elapsed from the making of a decision or resolution by Council on the matter to which the record pertains;

(h) records the disclosure of which would reveal a communication between Ministers of the Crown on a matter involving the exercise of the prerogative of pardon;

(i) records the disclosure of which would reveal the substance of deliberations of Council for an session of Council that has been terminated or adjourned for more than ten days;

(j) records the disclosure of which would reveal a communication between Ministers of the Crown on a matter involving the management of the affairs of Council;

(k) records the disclosure of which would reveal communications between Ministers of the Crown on matters relating to the ongoing operation of the Cabinet;

(l) records the disclosure of which would reveal communications between Ministers of the Crown on matters relating to the political management of Council;

(m) records the disclosure of which would reveal communications between Ministers of the Crown on matters relating to the management of the affairs of Council;

(n) records the disclosure of which would reveal communications between Ministers of the Crown on matters relating to the conduct of proceedings before Council;

(o) records the disclosure of which would reveal communications between Ministers of the Crown on matters relating to the conduct of proceedings before a court, tribunal or commission;

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