



**Finance**

Freedom of Information and Protection of Privacy  
200-386 Broadway, Winnipeg, Manitoba R3C 3R6  
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December 22, 2016

**Re: Application for Access under The Freedom of Information and Protection of Privacy Act (FIPPA) – Our File Number 77-16FIN.**

Your FIPPA application was received by Manitoba Finance on October 26, 2016 and seeks access to the following records:

*“According to the CBC article, titled "New phone rates in Manitoba jails create barriers for inmates, advocate says," (October 17, 2016) the Manitoba government has entered into a five-year contract with Synergy Inmate Phones. We request the tender, terms of reference, contract, and cost of said contract.”*

On November 25, 2016 you were advised that Manitoba Finance is taking a 30-day extension until December 25, 2016 to complete your request, as authorized under subsection 15(1)(c) of FIPPA.

Please be advised that your request is granted in part. Enclosed is a copy of the agreement between the Government of Manitoba, as represented by the Minister of Finance, and Synergy Inmate Phone Solutions, Inc. (Synergy) for a Justice Telephone System. The information that is protected falls under specific exception to disclosure provisions of FIPPA, and is therefore withheld.

Subsection 18(1)(b)(c)(i)(ii)(iii) protects the commercial, financial and technical information that was provided by Synergy to the government explicitly in confidence, and whose disclosure could result in financial loss to, prejudice the competitive position of, or prejudice the contractual or other negotiations of Synergy.

Subsection 28(1)(b)(c)(i)(ii)(iii) protects the financial information that government has a proprietary interest and right of use, the disclosure of which could harm its economic interest as it could reasonably be expected to prejudice government's competitive position, prejudice future contractual negotiations of government, therefore harm its economic and financial interests.

Section 59(1) of FIPPA states that you may make a complaint about this decision respecting your application for access to the Manitoba Ombudsman. You have 60 days from the receipt of this letter to make a complaint on the prescribed form to:

Manitoba Ombudsman  
750 – 500 Portage Avenue  
Winnipeg MB R3C 3X1  
(204) 982-9130 or 1-800-665-0531

Enc.

**Relevant provisions of  
*The Freedom of Information & Protection of Privacy Act (FIPPA)***

**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

(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

**Disclosure harmful to economic and other interests of a public body**

28(1) The head of a public body may refuse to disclose information to an applicant if disclosure could reasonably be expected to harm the economic or financial interests or negotiating position of a public body or the Government of Manitoba, including the following information:

(b) financial, commercial, scientific, technical or other information in which a public body or the Government of Manitoba has a proprietary interest or right of use;

(c) information the disclosure of which could reasonably be expected to

(i) result in financial loss to,

(ii) prejudice the competitive position of, or

(iii) interfere with or prejudice contractual or other negotiations of,  
a public body or the Government of Manitoba;