

*The  
Local Authority  
Freedom of  
Information and  
Protection of Privacy  
Regulations*

*being*

Chapter L-27.1 Reg 1 (effective July 1, 1993)  
as amended by Saskatchewan Regulations 51/94, 58/97  
77/99, 33/2001, 7/2002, 41/2003 and 53/2004.

**NOTE:**

This consolidation is not official. Amendments have been incorporated for convenience of reference and the original statutes and regulations should be consulted for all purposes of interpretation and application of the law. In order to preserve the integrity of the original statutes and regulations, errors that may have appeared are reproduced in this consolidation.

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## CHAPTER L-27.1 REG 1

### *The Local Authority Freedom of Information and Protection of Privacy Act*

#### **Title**

**1** These regulations may be cited as *The Local Authority Freedom of Information and Protection of Privacy Regulations*.

#### **Interpretation**

**2** In these regulations:

(a) “**Act**” means *The Local Authority Freedom of Information and Protection of Privacy Act*;

(b) “**employment reference**” means personal information that is evaluative or opinion material compiled solely for the purpose of describing an individual’s suitability, eligibility or qualifications for employment.

16 Jly 93 cL-27.1 Reg 1 s2.

#### **Local Authorities prescribed**

**3(1)** For the purposes of subclause 2(f)(v) of the Act, the bodies set out in Part I of the Appendix are prescribed as local authorities.

**(2)** For the purposes of subclause 2(f)(xvii) of the Act, the bodies set out in Part II of the Appendix are prescribed as local authorities.

16 Jly 93 cL-27.1 Reg 1 s3; 11 Jly 97 SR 58/97 s3.

#### **Applications**

**4** For the purposes of clause 6(1)(a) of the Act, Form A of Part III of the Appendix is the form prescribed for applications for access to records.

16 Jly 93 cL-27.1 Reg 1 s4.

#### **Fees**

**5(1)** An application fee of \$20 is payable at the time an application for access to a record is made.

**(2)** Where access to a record or part of a record is given by providing the applicant with a copy of the record, the following fees are payable at the time when access is given:

(a) for a photocopy, \$0.25 per page;

(b) for a computer printout, \$0.25 per page;

(c) for a paper print from microfilm, \$0.50 per page;

(d) for 16 millimetre microfilm duplication, non-silver, \$32 per 30.5 metre reel;

(e) for 35 millimetre microfilm duplication, non-silver, \$35 per 30.5 metre reel;

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- (f) for microfiche duplication, non-silver, \$0.50 per fiche;
  - (g) for a print of a photograph or slide:
    - (i) \$3 per 3 1/2" x 5" black and white print;
    - (ii) \$6 per 3 1/2" x 5" colour print;
    - (iii) \$5 per 4" x 6" black and white print;
    - (iv) \$8 per 4" x 6" colour print;
    - (v) \$7 per 5" x 7" black and white print;
    - (vi) \$10 per 5" x 7" colour print;
    - (vii) \$9 per 8" x 10" black and white print;
    - (viii) \$12 per 8" x 10" colour print;
    - (ix) \$18 per 11" x 14" black and white print;
    - (x) \$21 per 11" x 14" colour print;
  - (h) for a print mentioned in clause (g) for which a negative must be made:
    - (i) \$9 per 3 1/2" x 5" black and white print;
    - (ii) \$12 per 3 1/2" x 5" colour print;
    - (iii) \$11 per 4" x 6" black and white print;
    - (iv) \$14 per 4" x 6" colour print;
    - (v) \$13 per 5" x 7" black and white print;
    - (vi) \$16 per 5" x 7" colour print;
    - (vii) \$15 per 8" x 10" black and white print;
    - (viii) \$18 per 8" x 10" colour print;
    - (ix) \$24 per 11" x 14" black and white print;
    - (x) \$27 per 11" x 14" colour print;
  - (i) for an audio cassette, \$15 for each hour or portion of an hour;
  - (j) for a one-half inch video cassette, \$35 for each hour or portion of an hour;
  - (k) for a floppy disk, \$10;
  - (l) for a form of record not mentioned in clauses (a) to (k), the actual cost of copying the record.
- (3) Where time in excess of one hour is spent in searching for a record requested by an applicant or in preparing it for disclosure, a fee of \$15 for each half-hour or portion of a half-hour of that excess time is payable at the time when access is given.
- (4) Where a search and retrieval of electronic data is required to give access to a record requested by an applicant, a fee equal to the actual cost of the search and retrieval, including machinery and operator costs, is payable at the time when access is given.

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**Estimate**

**6(1)** For the purposes of subsection 9(2) of the Act, the amount of fees beyond which an estimate must be given by the head is \$50 in excess of the fee set out in subsection 5(1).

(2) Where the amount of an estimate exceeds the actual amount of fees determined pursuant to this Act, the actual amount of fees is the amount payable by the applicant.

16 Jly 93 cL-27.1 Reg 1 s6.

**Fees where access refused**

**7(1)** No fees are payable pursuant to subsections 5(2) to 5(4) where access to a record is refused.

(2) Where a deposit has been paid pursuant to subsection 9(4) of the Act and access to the record requested is refused, the amount of the deposit in excess of the fee set out in sub-section 5(1) is to be refunded to the applicant.

16 Jly 93 cL-27.1 Reg 1 s7.

**Waiver of fees**

**8** For the purposes of subsection 9(5) of the Act, the following circumstances are prescribed as circumstances in which a head may waive payment of fees:

- (a) with respect to the fee set out in subsection 5(1), where the application involves the personal information of the applicant;
- (b) with respect to the fees set out in subsections 5(2) to 5(4):
  - (i) where the actual cost of responding to an application varies from the total of the prescribed fees that are applicable to the application;
  - (ii) where payment of the prescribed fees will cause a substantial financial hardship for the applicant and:
    - (A) in the opinion of the head, giving access to the record is in the public interest; or
    - (B) the application involves the personal information of the applicant.

16 Jly 93 cL-27.1 Reg 1 s8.

**Confidentiality provisions in other enactments**

**8.1** For the purposes of clause 22(3)(a) of the Act, section 38 of *The Mental Health Services Act* is prescribed as a provision to which subsection 22(1) of the Act does not apply.

5 Nov 99 SR 77/1999 s2.

**Disclosure of personal information to law enforcement agencies**

9 For the purposes of clause 28(2)(g) of the Act, the following law enforcement agencies and investigative bodies are prescribed as law enforcement agencies or investigative bodies to which personal information may be disclosed:

- (a) the Royal Canadian Mounted Police;
- (b) a police service or regional police service within the meaning of *The Police Act, 1990*;
- (c) the Canadian Security Intelligence Service;
- (d) the Department of Environment and Resource Management, with respect to the conduct of investigations pursuant to the Acts and regulations that it administers and any laws of Canada that are enforced by its officers and employees;
- (e) the Department of Highways and Transportation, with respect to the conduct of investigations pursuant to the Acts and regulations that it administers and any laws of Canada that are enforced by its officers and employees;
- (f) the Liquor and Gaming Authority, with respect to the conduct of investigations pursuant to the Acts and regulations that it administers and any laws of Canada that are enforced by its officers or employees;
- (g) the Canadian National (CN) Police, with respect to the conduct of investigations pursuant to the Acts and regulations that it administers and any laws of Canada that are enforced by its officers or employees;
- (h) the Canadian Pacific (CP) Police, with respect to the conduct of investigations pursuant to the Acts and regulations that it administers and any laws of Canada that are enforced by its officers or employees;
- (i) the Canadian Parks Service, with respect to the conduct of investigations pursuant to the Acts and regulations that it administers and any laws of Canada that are enforced by its officers or employees;
- (j) the chief coroner or a coroner appointed pursuant to *The Coroners Act*, with respect to the conduct of an inquiry or inquest pursuant to that Act or the regulations made pursuant to that Act;
- (k) the Consumer Protection Branch of the Department of Justice, with respect to the conduct of investigations pursuant to the Acts and regulations that it administers and any laws of Canada that are enforced by its officers and employees;
- (l) the Saskatchewan Financial Services Commission with respect to the conduct of an investigation pursuant to any financial services legislation, as defined in *The Saskatchewan Financial Services Commission Act*, or pursuant to any law of Canada that is enforced by the officers and employees of the Saskatchewan Financial Services Commission;
- (m) the Director of Community Operations and the inspectors appointed pursuant to *The Safer Communities and Neighbourhoods Act* with respect to the conduct of an investigation pursuant to that Act.

**Other disclosure of personal information**

**10** For the purposes of clause 28(2)(s) of the Act, personal information may be disclosed:

- (a) to another local authority or a government institution for the purposes of:
  - (i) determining the eligibility of an individual to participate in a program of, or receive a product of service from, a local authority, the Government of Saskatchewan or a government institution, in the course of processing an application made by or on behalf of the individual to whom the information relates;
  - (ii) verifying the eligibility of an individual who is or was participating in a program of, or receiving a product or service from, a local authority, the Government of Saskatchewan or a government institution;
  - (iii) verifying the accuracy of personal information held by the other local authority or government institution;
  - (iv) collecting a debt or assisting in the collection of a debt owing to a local authority, Her Majesty in right of Saskatchewan or a government institution;
- (b) to an individual or body providing consulting or other services to a local authority if the individual or body agrees not to make a subsequent disclosure of the information in a form that could reasonably be expected to identify the individual to whom it relates;
- (c) where disclosure may reasonably be expected to assist in the provision of services for the benefit of the individual to whom the information relates;
- (d) to a professional association or professional regulatory body for the purpose of carrying out the lawful activities of the association or body;
- (e) for the purpose of providing an employment reference with respect to a person who is or was employed by a local authority;
- (f) for the purpose of commencing or conducting a proceeding or possible proceeding before a court or tribunal;
- (g) to any person where the information pertains to:
  - (i) the performance of any function or duty or the carrying out of any responsibility by an officer or employee of a local authority; or
  - (ii) the terms or circumstances under which a person ceased to be an employee of a local authority, including the terms of any settlement or award resulting from the termination of employment;
- (h) with respect to health care information, in compassionate circumstances, unless the person to whom the information relates requests that the information not be disclosed;

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- (i) to another local authority or a third party in order to obtain information from that local authority or third party to respond to an inquiry from the individual to whom the information relates, to the extent necessary to respond to that inquiry;
- (j) to another local authority or a government institution to enable that local authority or government institution to respond to an inquiry from the individual to whom the information relates, to the extent necessary to respond to that inquiry; or
- (k) by forwarding to another local authority or government institution a correspondence received from an individual to enable that government institution or local authority to reply directly to the individual where a direct reply is considered more appropriate;
- (l) in the case of names, dates of birth, telephone numbers and addresses of individuals under the age of seven years, by a district health board to a board of education or the conseil scolaire, as defined in *The Education Act, 1995*, for the planning or administrative purposes of that board of education or the conseil scolaire.

16 Jly 93 cL-27.1 Reg 1 s10; 11 Jly 97 SR 58/97  
s5; 8 Feb 2002 SR 7/2002 s2.

**Consent**

**11** Where the Act requires the consent of an individual to be given, the consent is to be in writing unless, in the opinion of the head, it is not reasonably practicable to obtain the written consent of the individual.

16 Jly 93 cL-27.1 Reg 1 s11.

**Application for review**

**12** For the purposes of subsections 38(1) and (3) of the Act, Form B of Part III of the Appendix is the form prescribed for applications for review by the commissioner.

16 Jly 93 cL-27.1 Reg 1 s12.

**Appendix**

## PART I

**Boards, Commissions and Other Bodies  
Prescribed as Local Authorities**

[Subclause 2(f)(v) of the Act]

A board, association, commission or other organization established pursuant to *The Cities Act*

A board, association, commission or other organization appointed pursuant to subsection 47.6(1) of *The Northern Municipalities Act*

A recreation board appointed pursuant to subclause 107(1)(b)(i) of *The Northern Municipalities Act*

A board created pursuant to subsection 131(1) of *The Northern Municipalities Act*

A broadcasting board appointed pursuant to clause 134(a) of *The Northern Municipalities Act*

A board of revision appointed pursuant to subsection 203(1) of *The Northern Municipalities Act*

A board, association, commission or other organization appointed pursuant to subsection 172(1) of *The Rural Municipality Act, 1989*

A community advisory committee established pursuant to section 172.2 of *The Rural Municipality Act, 1989*

A public utility board appointed pursuant to subsection 228.1(1) of *The Rural Municipality Act, 1989*

A transportation board appointed pursuant to subsection 241(2) of *The Rural Municipality Act, 1989*

A board appointed pursuant to subsection 254(2) of *The Rural Municipality Act, 1989*

A board of revision appointed pursuant to section 306 of *The Rural Municipality Act, 1989*

A municipal wards commission appointed pursuant to section 26 of *The Urban Municipality Act, 1984*. A board, association, commission or other organization appointed pursuant to subsection 51(1) of *The Urban Municipality Act, 1984*

A community advisory committee established pursuant to section 51.1 of *The Urban Municipality Act, 1984*

A board of management for a business improvement district appointed pursuant to subsection 108(1) of *The Urban Municipality Act, 1984*

A board created pursuant to subsection 175(2) of *The Urban Municipality Act, 1984*

A broadcasting board appointed pursuant to clause 176.1(a) of *The Urban Municipality Act, 1984*

A board of revision appointed pursuant to subsection 252(1) of *The Urban Municipality Act, 1984*

## PART II

**Boards, Commissions and Other Bodies  
Prescribed as Local Authorities**  
[Subclause 2(f)(xvii) of the Act]

1. Associations as defined in *The Mutual Medical and Hospital Benefit Associations Act*
2. Community clinics as defined in section 263 of *The Co-operatives Act, 1996*
3. Persons who operate hospitals, nursing homes or other institutions approved pursuant to subsection 3(1) of *The Hospital Standards Act*
4. Regional health authorities as defined in *The Regional Health Services Act*
5. The Health Quality Council
6. The Saskatchewan Assessment Management Agency
7. The Saskatchewan Cancer Foundation
8. The Saskatchewan Health Research Foundation
9. The St. Louis Alcoholism Rehabilitation Centre

23 May 2003 SR 41/2003 s5.

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## PART III

## Form A

## Access to Information Request Form

Note: Please direct the request to the appropriate local authority for response.

Access to Information  
Request Form

(Please Print)

## Applicant Information

Last Name		First Name	
Address		City or Town	Province
Postal Code	Telephone ( <i>Residence</i> )	Telephone ( <i>Work</i> )	Facsimile

## Details of Requested Information

General Information Request <input type="checkbox"/>	Personal Information Request <input type="checkbox"/>
Name of Local Authority	
Name of Record ( <i>if known</i> )	
Detailed Description of Record: _____ _____ _____	

I understand that an application fee of \$20 is to be submitted with this request unless, with respect to a request for personal information, the fee is waived under the terms of the Act.

I also understand that there may be a processing fee to process this request and that, prior to receiving access to the records that I have requested, I am required to pay that fee unless it is waived.

**Check if requesting waiver of processing fee:**

I request that payment of the processing fee related to this request be waived because payment will cause me substantial financial hardship. Details are as follows: (*Use reverse of form if additional space is required.*)

\_\_\_\_\_  
*Signature of Applicant*

## For Office Use Only

Date Received _____	Application No. _____
Application Fee Received Yes <input type="checkbox"/>	No <input type="checkbox"/>
Expiry Date _____	

White – Local Authority    Yellow – Co-ordinator    Pink – Applicant

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**Form B**



Government of Saskatchewan Freedom of Information

**Request For Review**

Send this form to: Information and Privacy Commissioner  
#700, 1914 Hamilton Street  
Regina, Sask.  
S4P 3N6

Application No.: \_\_\_\_\_ (For Commissioner's Use)

**Reason For Request**

- I have been refused access to all or part of the record.
- I have been notified that the record does not exist/cannot be found.
- I have been notified that the existence of the record shall neither be confirmed nor denied.
- I have not received a reply to my application, which I submitted \_\_\_\_\_ days ago.
- I disagree with the need to extend the 30-day response period.
- My correction to a personal information record was not accepted as correct/verifiable.
- I am a third party, and I wish to request a review of a decision to give access to a record that affects my interests.

**Details Of Request**

Local Authority	Date of Application	Application Number
Please explain the details of your request, attaching supporting documentation if possible. Use additional pages if required.		
_____ _____ _____ _____		

**Applicant Information**

Name	Telephone
Address	Postal Code
Signature	Date

White - Commissioner      Yellow - Government institution      Pink - Applicant

16 Jly 93 cL-27.1 Reg 1.