



## Municipal Freedom of Information and Protection of Privacy Act

The *Municipal Freedom of Information and Protection of Privacy Act* applies to municipalities, local boards, agencies and commissions. This may include information held by a city clerk, a school board, board of health, public utility or police service.

The *Act* requires that local government organizations protect the privacy of an individual's personal information existing in government records. It also gives individuals the right to request access to municipal government information, including most general records and records containing their own personal information.

### Privacy Protection

The *Act* creates a privacy protection scheme which the municipality must follow to protect an individual's right to privacy. The scheme includes rules regarding the collection, retention, use, disclosure and disposal of personal information in its custody or control.

If an individual feels his or her privacy has been compromised by a government organization governed by the *Act*, he or she may complain to the Information and Privacy Commissioner who may investigate the complaint.

Individuals who are given access to their personal information have the right to request a correction to the information where they believe there is an error or omission. Where this request is refused, individuals may require that a statement of disagreement be attached to the information. Individuals may also require that all parties to whom the information has been disclosed in the preceding year be notified of the correction or statement of disagreement.

### Access

If you want access to records held by the municipality, begin by contacting the Legal Department. You shall be provided with a Freedom of Information Request Form, which is also available on the City's Website. Fill out the form and provide it to the Legal Department along with the application fee.

The City shall, within 30 days of the receipt of a request and payment of the application fee, make the records available, deny access or cite extraordinary circumstances resulting in delay.

Please note: Section 52 of the *Act* outlines specific types of recorded information that are not subject for release under the *Act*. Additionally, the *Act* sets out mandatory exemptions to access.

**Mandatory exemptions** require a government organization to not disclose a record. The list includes:

- Information about inter-governmental relations, if the information was received in confidence;
- Third party information if supplied in confidence and where disclosure could prejudice a third party; and
- Personal information about individuals other than the requester.

### Fees

#### **Requests:**

A \$5.00 application fee is required to begin the process of releasing information. This fee is non-refundable. Once the request has been processed, the additional fees shall be paid by the requester prior to the information being released:

- Photocopies: 20 cents per page;
- Preparation and search time: \$7.50 per 15 minutes;
- Copies of Plans and Maps: \$11.00 each; and
- Postage, as required.

Payments may be made in cash, debit or cheque payable to The Corporation of the City of Sault Ste. Marie

#### **Appeals:**

If you wish to dispute a decision made by the municipality, you must pay an application fee to the Information and Privacy Commissioner when you file your appeal:

- Requests related to access to or correction of your personal information: \$10.00; or
- Requests related to access to general records: \$25.00.

The fee must accompany your appeal and may be paid by cheque or money order, payable to "THE MINISTER OF FINANCE."

*Please note:* Work on requests or appeals will not begin until the fee is received.

Further information is available from the office of the Information and Privacy Commissioner at <http://www.ipc.on.ca> or toll free at 1-800-387-0073.

### **Contact Information**

For any questions or concerns please contact:  
The Corporation of the City of Sault Ste. Marie Legal  
Department - 4th Floor  
Phone: (705) 759-5400  
Fax: (705) 759-5405  
99 Foster Drive  
Sault Ste. Marie, ON P6A 5X6    amended Aug 2021