

What records can you see?

You can see information about yourself in the records of a public body and any other record in its custody or control, with some exceptions. These exceptions to disclosure are listed in Part 1 of the Act. You cannot generally get a record of personal information about someone else. Records are also generally not released when disclosure could

- cause **financial harm** to another person or organization,
- interfere with **public health or safety**, or
- harm **law enforcement** efforts.

What about corrections to your records?

If you believe the information that a public body has about you is misleading or incorrect, you can submit a written request for a correction. A form to request correction of personal information is available on our website or from the FOIP Coordinator. If you are writing a letter instead of using a form, **please indicate that you are making the request under the Freedom of Information and Protection of Privacy Act.**

What do information requests cost?

- *For your own personal information*

No fee, unless the cost of producing copies of records exceeds \$10. You are then billed the full amount for copying the records.

- *For general, non-personal information*

There is a \$25 initial fee. There are no additional charges unless the total cost for processing your request is over \$150. If costs exceed \$150, you are asked to pay a 50 percent deposit once you have accepted the estimate. The records are provided when the fee is paid in full.

- *For continuing requests (the same request processed periodically, at pre-determined time intervals)*

The initial fee is \$50. When the total cost for processing your request over the time period is estimated to exceed \$150, additional fees must be paid for each installment.

- For any request involving fees in addition to the initial fee, a cost estimate will be given before processing begins.
- Fees may be waived if an applicant cannot afford to pay, or if the information in the record deals with a significant matter of public interest (for example, the environment, public health or safety).

Other publications:

For more information about the administration or operation of the Act, refer to the *Freedom of Information and Protection of Privacy: A Guide* and other publications available on our website, or call or write:

Policy and Governance

Service Alberta

3rd Floor, 10155 - 102 Street NW
Edmonton, Alberta T5J 4L4

Phone: 780-427-5848

Toll free dial 310-0000 first

E-mail: foiphelpdesk@gov.ab.ca

Website: foip.alberta.ca

All publications we produce, as well as the FOIP Act and Regulation, are available on our website. You can also purchase the consolidated *Freedom of Information and Protection of Privacy Act* and the *Freedom of Information and Protection of Privacy Guidelines and Practices* publication from the Alberta Queen's Printer at www.qp.alberta.ca or call 780-427-4952.



FREEDOM OF INFORMATION AND
PROTECTION OF PRIVACY ACT

The right to
information
and the right
to privacy

Government
of Alberta ■

The *Freedom of Information and Protection of Privacy Act* (the FOIP Act) aims to strike a balance between the **public's right to know** and the **individual's right to privacy**, as these rights relate to information held by public bodies in Alberta.

The Act covers all provincial government departments, agencies, boards and commissions. The Act also covers what are referred to as **local public bodies**, including municipalities, universities, colleges, school boards and others.

The Act does not apply to private businesses or associations.

This brochure describes the Act's underlying principles and the steps you can take to identify and request information held by the Government of Alberta and local public bodies within Alberta.

The Act's five principles

- The public has a **right of access** to records held by public bodies, subject to narrow and specific exceptions. This right of access is the cornerstone of openness and accountability of public bodies.
- **Personal information is protected** by rules that public bodies must follow when collecting, using and disclosing personal information.
- Individuals have **the right to see personal information about themselves**. This is a broad right of access with few exceptions.
- Individuals have **the right to request correction** of their personal information if it is not accurate.
- The Act provides for **an independent review** of decisions about disclosure of information and possible violations of individual privacy. The Office of the Information and Privacy Commissioner conducts these reviews.

You may never need this Act ...

Most information held by public bodies is one simple phone call away. Contacting the department or organization concerned usually gets you the help or referral you need.

Each public body has a Freedom of Information and Privacy (FOIP) Coordinator (or contact person) who is responsible for overall management of its freedom of information and protection of privacy function. If you are uncertain which public body has the information you need, contact the FOIP Coordinator of the public body that seems most likely to have the information. If that public body does not have the information, the FOIP

Coordinator may be able to refer you to the public body that does. Contact information for FOIP Coordinators is available on our website at foip.alberta.ca.

General information about government departments, programs and activities can be found on the Government of Alberta website at alberta.ca, and many local public bodies also have websites.

Remember that public bodies already routinely release information. For the vast majority of information, you do not need to use the *Freedom of Information and Protection of Privacy Act*. The information is already available.

... but if you do ...

If your information request does not give you what you require, you can make a **request for access to information** under the Act. This can be done by completing the official form, available on our website, or you can write to the public body indicating that you are making the request under the *Freedom of Information and Protection of Privacy Act*. Be as precise as possible when making your request and include specific dates, time periods or locations of the records.

You can also ask to speak to the FOIP Coordinator for the public body holding the information you want. The FOIP Coordinator may be able to suggest an alternative information source or help you complete your request. An oral request may be accepted in certain circumstances if you cannot make one in writing.

The more specific your request, the more quickly and accurately it can be answered. The law requires public bodies to respond within 30 calendar days of receiving your request. The response will either provide

the requested records or explain why they cannot be disclosed. The 30-day time limit may be extended if, for example, large volumes of records are involved.

... and if you have concerns ...

You have the right to a review by the Information and Privacy Commissioner who will uphold, require reconsideration of, or overrule the decision of the public body involved. The Commissioner's decision is binding.

You may request a review by completing the **Request for Review** form available on the Commissioner's website. The Commissioner does not become involved until a request has been made to a public body or unless you believe there was a breach of your privacy. The Commissioner has extensive powers to investigate and may assign someone in his office to mediate between you and the public body. If you do not reach agreement, the Commissioner may hold an inquiry.

To request a review, complain about a breach of privacy or obtain more information about the role of the Information and Privacy Commissioner, call or write:

Office of the Information and Privacy Commissioner

410, 9925 - 109 Street NW
Edmonton, Alberta T5K 2J8

Phone: 780-422-6860

Toll free: 1-888-878-4044

E-mail: generalinfo@oipc.ab.ca

Website: www.oipc.ab.ca