

March 22, 2018

CONFIDENTIAL

28(1) Personal

Dear <sup>28(1)</sup> :

Re: Access to Information Request #2018-011 – Municipal Taxation Powers

This is further to your access to information request received by the City on March 1, 2018, quoted as follows:

**“On Feb. 15, 2018, CBC reported this statement by Mayor Michael Fougere: “We’re discussing through SUMA and the city mayor’s caucus the whole issue of new sources of revenue for municipalities.” Please provide all documents regarding new municipal taxation powers produced between Nov. 1, 2017 and Feb. 21, 2018.”**

We have processed your access request and records relevant to the request are attached. Pursuant to section 8 of *The Local Authority Freedom of Information and Protection of Privacy Act* (LA FOIP), some of the information contained in the attached has been deleted for the following reason(s): it involves consultations or deliberations involving officers or employees of the City and is information where disclosure could reasonably be expected to interfere with contractual or other negotiations pursuant to s. 16(1)(b) and 17(1)(d) of LA FOIP. I have included a copy of all above-noted sections of the Act.

If you wish to exercise your right to request a review of this decision, you may complete a Request for Review form and forward it to the Saskatchewan Information and Privacy Commissioner within one year of this notice. A copy of this form can be found at <http://www.qp.gov.sk.ca/documents/Forms/L27-1R1-B.pdf> or you may contact the Saskatchewan Information and Privacy Commissioner at 306-787-8350.

Please be advised responses to requests may be published on the Regina Open Data website at the City’s discretion. All information/data is handled in accordance with *The Local Authority Freedom of Information and Protection of Privacy Act*. Your identity as the applicant is protected. Published requests will be available on the Open Data website at <http://open.regina.ca/> a minimum of three business days following release to you.

If you have any questions, please contact Darlene Loucks at 306-777-7070 or by email at [lafoip@regina.ca](mailto:lafoip@regina.ca).

Yours truly,

A handwritten signature in black ink, appearing to read 'Jim Nicol', with a stylized flourish at the end.

Jim Nicol  
City Clerk

JN/del

Enclosure(s)

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- (l) reveal technical information relating to weapons or potential weapons; or
  - (m) reveal the security arrangements of particular vehicles, buildings or other structures or systems, including computer or communication systems, or methods employed to protect those vehicles, buildings, structures or systems.
- (2) Subsection (1) does not apply to a record that:
- (a) provides a general outline of the structure or programs of a law enforcement agency; or
  - (b) reports, by means of statistical analysis or otherwise, on the degree of success achieved in a law enforcement program.

1990-91, c.L-27.1, s.14; 2003, c.29, s.33 2017,  
c.17, s.8.

Documents of a local authority

15(1) A head may refuse to give access to a record that:

- (a) contains a draft of a resolution or bylaw; or
- (b) discloses agendas or the substance of deliberations of meetings of a local authority if:
  - (i) an Act authorizes holding the meetings in the absence of the public; or
  - (ii) the matters discussed at the meetings are of such a nature that access to the records could be refused pursuant to this Part or Part IV.

(2) Subject to section 29, a head shall not refuse to give access pursuant to subsection (1) to a record where the record has been in existence for more than 25 years.

1990-91, c.L-27.1, s.15.

Advice from officials

16(1) Subject to subsection (2), a head may refuse to give access to a record that could reasonably be expected to disclose:

- (a) advice, proposals, recommendations, analyses or policy options developed by or for the local authority;
- (b) consultations or deliberations involving officers or employees of the local authority;
- (c) positions, plans, procedures, criteria or instructions developed for the purpose of contractual or other negotiations by or on behalf of the local authority, or considerations that relate to those negotiations;
- (d) plans that relate to the management of personnel or the administration of the local authority and that have not yet been implemented; or
- (e) information, including the proposed plans, policies or projects of the local authority, the disclosure of which could reasonably be expected to result in disclosure of a pending policy or budgetary decision.

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- (2) This section does not apply to a record that:
- (a) has been in existence for more than 25 years;
  - (b) is an official record that contains a statement of the reasons for a decision that is made in the exercise of a discretionary power or an adjudicative function;
  - (c) is the result of product or environmental testing carried out by or for a local authority, unless the testing was conducted:
    - (i) as a service to a person, a group of persons or an organization other than the local authority, and for a fee; or
    - (ii) as preliminary or experimental tests for the purpose of:
      - (A) developing methods of testing; or
      - (B) testing products for possible purchase;
  - (d) is a statistical survey;
  - (e) is the result of background research of a scientific or technical nature undertaken in connection with the formulation of a policy proposal; or
  - (f) is:
    - (i) an instruction or guide-line issued to the officers or employees of a local authority; or
    - (ii) a substantive rule or statement of policy that has been adopted by a local authority for the purpose of interpreting an Act, regulation, resolution or bylaw or administering a program or activity of the local authority.
- (3) A head may refuse to give access to any report, statement, memorandum, recommendation, document, information, data or record, within the meaning of section 10 of *The Evidence Act*, that, pursuant to that section, is not admissible as evidence in any legal proceeding.

1990-91, c.L-27.1, s.16; 2006, c.19, s.10.

**Economic and other interests**

- 17(1) Subject to subsection (3), a head may refuse to give access to a record that could reasonably be expected to disclose:
- (a) trade secrets;
  - (b) financial, commercial, scientific, technical or other information:
    - (i) in which the local authority has a proprietary interest or a right of use; and
    - (ii) that has monetary value or is reasonably likely to have monetary value;
  - (c) scientific or technical information obtained through research by an employee of the local authority, the disclosure of which could reasonably be expected to deprive the employee of priority of publication;

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- (d) information, the disclosure of which could reasonably be expected to interfere with contractual or other negotiations of the local authority;
  - (e) positions, plans, procedures, criteria or instructions developed for the purpose of contractual or other negotiations by or on behalf of the local authority, or considerations that relate to those negotiations;
  - (f) information, the disclosure of which could reasonably be expected to prejudice the economic interest of the local authority; or
  - (g) information, the disclosure of which could reasonably be expected to result in an undue benefit or loss to a person.
- (2) A head shall not refuse, pursuant to subsection (1), to give access to a record that contains the results of product or environmental testing carried out by or for the local authority, unless the testing was conducted:
- (a) as a service to a person, a group of persons or an organization other than the local authority, and for a fee; or
  - (b) as preliminary or experimental tests for the purpose of:
    - (i) developing methods of testing; or
    - (ii) testing products for possible purchase.
- (3) The head of the University of Saskatchewan, the University of Regina or a facility designated as a hospital or a health centre pursuant to *The Provincial Health Authority Act* may refuse to disclose details of the academic research being conducted by an employee of the university, hospital or health centre, as the case may be, in the course of the employee's employment.
- (4) Notwithstanding subsection (3), where possible, the head of the University of Saskatchewan, the University of Regina or a facility designated as a hospital or a health centre pursuant to *The Provincial Health Authority Act* shall disclose:
- (a) the title of; and
  - (b) the amount of funding being received with respect to;
- the academic research mentioned in subsection (3).

1990-91, c.L-27.1, s.17; 2002, c.R-8.2, s.105;  
2017, c.P-30.3, s.11-1.

**Third party information**

18(1) Subject to Part V and this section, a head shall refuse to give access to a record that contains:

- (a) trade secrets of a third party;
- (b) financial, commercial, scientific, technical or labour relations information that is supplied in confidence, implicitly or explicitly, to the local authority by a third party;

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LOCAL AUTHORITY FREEDOM OF INFORMATION  
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- (d) information, the disclosure of which could reasonably be expected to interfere with contractual or other negotiations of the local authority;
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