

Email: 28(1) Personal

August 2, 2017

28(1) Personal

Dear 28(1) :

Re: Access to Information Request #2017-075- Billing Records

This is further to your access to information request received by the City on July 25, 2017, quoted as follows:

“Re 28(1) , Regina – Please provide the billing records for this home effective 2004 when 28(1) moved into 28(1) , Regina”

In your email of July 28, 2017 your request for records regarding 28(1) effective 2004 was: revised to

“Please give us a list of names for billing and the corresponding period.”

We acknowledge that the City has records which are relevant to your request. We have reviewed the records requested and are denying access to them pursuant to section 28(1) of *The Local Authority Freedom of Information and Protection of Privacy Act* (LAFOIPP). The release of these records is denied as this is personal financial information protected by LAFOIPP. I have included a copy of all above-noted sections of LAFOIPP.

To release the information, the City would first require the consent of the individual named in your request as well as any other customer billed at this address during the timeframe of your request. Your other option would be to seek a court order authorizing release of the information by the City.

If you wish to exercise your right to request a review of this decision, you may do so by completing a Request for Review form and forwarding 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 Office of the Information and Privacy Commissioner at 306-787-8350.

Please be advised responses to requests are published on the Regina Open Data website at the City's discretion. All information/data is handled in accordance with LAFOIPP. Your identity as the applicant is protected. Published requests will be available on the Open Data website at <http://open.regina.ca/> after a minimum of three business days following release to you.

If you have any questions, please contact Ms. Loucks at 306-777-7070 or by email at lafoipp@regina.ca.

Yours truly,

A handwritten signature in black ink, appearing to read 'Jim Nicol', written in a cursive style.

Jim Nicol
City Clerk

JN/del

Enclosure(s)

LOCAL AUTHORITY FREEDOM OF INFORMATION
AND PROTECTION OF PRIVACY

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Purpose of information

24 No local authority shall collect personal information unless the information is collected for a purpose that relates to an existing or proposed program or activity of the local authority.

1990-91, c.L-27.1, s.24.

Manner of collection

25(1) A local authority shall, where reasonably practicable, collect personal information directly from the individual to whom it relates.

(2) A local authority that collects personal information that is required by subsection (1) to be collected directly from an individual shall, where reasonably practicable, inform the individual of the purpose for which the information is collected.

(3) Subsections (1) and (2) do not apply where compliance with them might result in the collection of inaccurate information or defeat the purpose or prejudice the use for which the information is collected.

1990-91, c.L-27.1, s.25.

Standard of accuracy

26 A local authority shall ensure that personal information being used by the local authority for an administrative purpose is as accurate and complete as is reasonably possible.

1990-91, c.L-27.1, s.26.

Use of personal information

27 No local authority shall use personal information under its control without the consent, given in the prescribed manner, of the individual to whom the information relates, except:

- (a) for the purpose for which the information was obtained or compiled, or for a use that is consistent with that purpose; or
- (b) for a purpose for which the information may be disclosed to the local authority pursuant to subsection 28(2).

1990-91, c.L-27.1, s.27.

Disclosure of personal information

28(1) No local authority shall disclose personal information in its possession or under its control without the consent, given in the prescribed manner, of the individual to whom the information relates except in accordance with this section or section 29.

(2) Subject to any other Act or regulation, personal information in the possession or under the control of a local authority may be disclosed:

- (a) for the purpose for which the information was obtained or compiled by the local authority or for a use that is consistent with that purpose;

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- (b) for the purpose of complying with:
 - (i) a subpoena or warrant issued or order made by a court, person or body that has the authority to compel the production of information; or
 - (ii) rules of court that relate to the production of information;
- (c) to the Attorney General for Saskatchewan or to his or her legal counsel for use in providing legal services to the Government of Saskatchewan or a government institution;
- (d) to legal counsel for a local authority for use in providing legal services to the local authority;
- (e) for the purpose of enforcing any legal right that the local authority has against any individual;
- (f) for the purpose of locating an individual in order to collect a debt owing to the local authority by that individual or make a payment owing to that individual by the local authority;
- (g) to a prescribed law enforcement agency or a prescribed investigative body:
 - (i) on the request of the law enforcement agency or investigative body;
 - (ii) for the purpose of enforcing a law of Canada or a province or territory or carrying out a lawful investigation; and
 - (iii) if any prescribed requirements are met;
- (h) pursuant to an agreement or arrangement between the local authority and:
 - (i) the Government of Canada or its agencies, Crown corporations or other institutions;
 - (ii) the Government of Saskatchewan or a government institution;
 - (iii) the government of another province or territory of Canada, or its agencies, Crown corporations or other institutions;
 - (iv) the government of a foreign jurisdiction or its institutions;
 - (v) an international organization of states or its institutions; or
 - (vi) another local authority;for the purpose of administering or enforcing any law or carrying out a lawful investigation;
- (h.1) for any purpose related to the detection, investigation or prevention of an act or omission that might constitute a terrorist activity as defined in the *Criminal Code*, to:
 - (i) a government institution;
 - (ii) the Government of Canada or its agencies, Crown corporations or other institutions;

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- (iii) the government of another province or territory of Canada, or its agencies, Crown corporations or other institutions;
 - (iv) the government of a foreign jurisdiction or its institutions;
 - (v) an international organization of states or its institutions; or
 - (vi) another local authority;
- (i) for the purpose of complying with:
- (i) an Act or a regulation;
 - (ii) an Act of the Parliament of Canada or a regulation made pursuant to an Act of the Parliament of Canada; or
 - (iii) a treaty, agreement or arrangement made pursuant to an Act or an Act of the Parliament of Canada;
- (j) where disclosure is by a law enforcement agency:
- (i) to a law enforcement agency in Canada; or
 - (ii) to a law enforcement agency in a foreign country;
- pursuant to an arrangement, a written agreement or treaty or to legislative authority;
- (k) to any person or body for research or statistical purposes if the head:
- (i) is satisfied that the purpose for which the information is to be disclosed is not contrary to the public interest and cannot reasonably be accomplished unless the information is provided in a form that would identify the individual to whom it relates; and
 - (ii) obtains from the person or body a written agreement 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;
- (l) where necessary to protect the mental or physical health or safety of any individual;
- (m) in compassionate circumstances, to facilitate contact with the next of kin or a friend of an individual who is injured, ill or deceased;
- (n) for any purpose where, in the opinion of the head:
- (i) the public interest in disclosure clearly outweighs any invasion of privacy that could result from the disclosure; or
 - (ii) disclosure would clearly benefit the individual to whom the information relates;
- (o) to the Government of Canada or the Government of Saskatchewan to facilitate the auditing of shared cost programs;

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- (p) where the information is publicly available;
- (q) to the commissioner;
- (r) for any purpose in accordance with any Act or regulation that authorizes disclosure; or
- (s) as prescribed in the regulations.

1990-91, c.L-27.1, s.28; 2003, c.29, s.34.

Personal information of deceased individual

29(1) Subject to subsection (2) and to any other Act, the personal information of a deceased individual shall not be disclosed until 25 years after the death of the individual.

(2) Where, in the opinion of the head, disclosure of the personal information of a deceased individual to the individual's next of kin would not constitute an unreasonable invasion of privacy, the head may disclose that personal information before 25 years have elapsed after the individual's death.

1990-91, c.L-27.1, s.29.

Individual's access to personal information

30(1) Subject to Part III and subsections (2) and (3), an individual whose personal information is contained in a record in the possession or under the control of a local authority has a right to, and:

- (a) on an application made in accordance with Part II; and
- (b) on giving sufficient proof of his or her identity;

shall be given access to the record.

(2) A head may refuse to disclose to an individual personal information that is evaluative or opinion material compiled solely for the purpose of determining the individual's suitability, eligibility or qualifications for employment or for the awarding of contracts and other benefits by the local authority, where the information is provided explicitly or implicitly in confidence.

(3) The head of the University of Saskatchewan or the University of Regina may refuse to disclose to an individual personal information that is evaluative or opinion material compiled solely for the purpose of:

- (a) determining the individual's suitability for:
 - (i) appointment, promotion or tenure as a member of the faculty of the University of Saskatchewan or the University of Regina;
 - (ii) admission to an academic program; or
 - (iii) receipt of an honour or award; or
- (b) evaluating the individual's research projects or materials for publication;

where the information is provided explicitly or implicitly in confidence.

1990-91, c.L-27.1, s.30.