

Email: 28(1)

July 11, 2019

CONFIDENTIAL

28(1)

Dear 28(1)

Re: Access to Information Request #2019-031 – Billboards in City

This is further to your access to information request received by the City on May 17, 2019, and revised on June 4, 2019, quoted as follows:

- 1.) The total number of permanent billboards located on city owned property and the monthly revenue generated by those leases. I would like that information to be disclosed in two different categories. The number of permanent billboards on city property. In addition and in a separate category the number of permanent billboards located on City of Regina setback and the monthly revenue they generate for the city.
- 2.) I am also requesting a copy of the winning tender for advertising in relation to the bus benches and bus shelters located on city property.

We have processed your access request and records relevant to the request have been released to you. This request is now closed. Pursuant to section 8 of *The Local Authority Freedom of Information and Protection of Privacy Act* (LA FOIP), some of the information released has had redactions applied. The redaction is pursuant to s. 18(1)(b). I have included a copy of all above-noted sections of the Act.

With regard to processing fees, we have determined that the estimate provided to you was higher than the actual costs. Your 50% processing fee deposit will be reimbursed, for a total refund of **\$146.95**. You can expect to receive a phone call to arrange for refund by credit card within the next week.

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.

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 LA FOIP. 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 Melissa Munro at 306-777-7070 or by email at 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

Enclosure(s)

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(2) The head shall provide the applicant with a notice advising that the application is deemed to be abandoned.

(3) A notice provided pursuant to subsection (2) is to state that the applicant may request a review by the commissioner within one year after the notice is given.

2017, c17, s.6.

Severability

8 Where a record contains information to which an applicant is refused access, the head shall give access to as much of the record as can reasonably be severed without disclosing the information to which the applicant is refused access.

1990-91, c.L-27.1, s.8.

Fee

9(1) An applicant who is given notice pursuant to clause 7(2)(a) is entitled to obtain access to the record on payment of the prescribed fee.

(2) Where the amount of fees to be paid by an applicant for access to records is greater than a prescribed amount, the head shall give the applicant a reasonable estimate of the amount, and the applicant shall not be required to pay an amount greater than the estimated amount.

(3) Where an estimate is provided pursuant to subsection (2), the time within which the head is required to give written notice to the applicant pursuant to subsection 7(2) is suspended until the applicant notifies the head that the applicant wishes to proceed with the application.

(4) Where an estimate is provided pursuant to subsection (2), the head may require the applicant to pay a deposit of an amount that does not exceed one-half of the estimated amount before a search is commenced for the records for which access is sought.

(5) Where a prescribed circumstance exists, the head may waive payment of all or any part of the prescribed fee.

1990-91, c.L-27.1, s.9.

Manner of access

10(1) If an applicant is entitled to access pursuant to subsection 9(1), a head shall provide the applicant with access to the record in accordance with this section.

(2) Subject to subsection (3), if a record is in electronic form, a head shall give access to the record in electronic form if:

- (a) it can be produced using the normal computer hardware and software and technical expertise of the local authority;
- (b) producing it would not interfere unreasonably with the operations of the local authority; and
- (c) it is reasonably practicable to do so.

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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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- (d) does not affect the power of any court or tribunal to compel a witness to testify or to compel the production of documents;
- (e) does not prevent access to a registry operated by a local authority where access to the registry is normally allowed to the public.

1990-91, c.L-27.1, s.4.

**PART II
Access to Records**

Right of access

5 Subject to this Act and the regulations, every person has a right to and, on an application made in accordance with this Part, shall be permitted access to records that are in the possession or under the control of a local authority.

1990-91, c.L-27.1, s.5.

Duty of local authority to assist

5.1(1) Subject to this Act and the regulations, a local authority shall respond to a written request for access openly, accurately and completely.

(2) On the request of an applicant, the local authority shall:

- (a) provide an explanation of any term, code or abbreviation used in the information; or
- (b) if the local authority is unable to provide an explanation in accordance with clause (a), endeavour to refer the applicant to a person who is able to provide an explanation.

2017, c.17, s.4.

Application

6(1) An applicant shall:

- (a) make the application in the prescribed form to the local authority in which the record containing the information is kept; and
- (b) specify the subject matter of the record requested with sufficient particularity as to time, place and event to enable an individual familiar with the subject-matter to identify the record.

(2) Subject to subsection (4) and subsection 11(3), an application is deemed to be made when the application is received by the local authority to which it is directed.

(3) Where the head is unable to identify the record requested, the head shall advise the applicant, and shall invite the applicant to supply additional details that might lead to identification of the record.

(4) Where additional details are invited to be supplied pursuant to subsection (3), the application is deemed to be made when the record is identified.

1990-91, c.L-27.1, s.6; 2015, c.21, s.64.