

Email: [REDACTED]

September 8, 2022



Dear [REDACTED]:

Re: Access to Information Request #2022-066 – Homelessness & Indigenous Culture

This is further to your access to information request received by the City on July 8, 2022 quoted as follows:

“Time Period June 15, 2022 to July 4, 2022.

Please provide all correspondence received by members of Regina city council, including Mayor Sandra Masters, regarding Coun. Terina Shaw's comments on homelessness and Indigenous culture during the June 15 meeting of city council.

Include all inter-council emails and do not include duplicated messages.”

We are providing you with a partial release of the records, Release #1. Attached are the records for Release #1.

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 redacted. The redaction is pursuant to section 28(1) personal information of another individual. I have included a copy of the above-noted section of the Act.

Further to my letter August 3, 2022 in which you were advised that pursuant to Section 33(1) of *The Local Authority Freedom of Information and Protection of Privacy Act* (LA FOIP), third party notification was required.

As noted in section 35 of LA FOIP; any third party has 20 days following that notification, to agree to release or make representations to the City as to why access should not be provided to a record or part of a record.

In the event any third party provides representations the City disagrees with, or if any third party does not respond to the notification, section 36(1)(a) states that the City is required to make a decision on whether to give access to the record(s). Any third party, and the applicant, must be advised of that decision.

The City did not receive a response from multiple third parties. Pursuant to sections 36 (2) (a) and 38 of LA FOIP you, as the applicant, and any third party are entitled to an additional 20 days, after being provided with this notice of decision, to request a review of the City's decision by the Office of the Information and Privacy Commissioner.

You will be given access to the final release of records in accordance with the decision after 20 days have elapsed unless you or any third party requests a review under section 38 of LA FOIP. Allowing time for delivery of this notice, the 20 days will expire on September 26, 2022. If a review is requested, the records will be withheld until after the review is complete.

To request a review, complete a Request for Review form and forward it to the Saskatchewan Information and Privacy Commissioner You can contact the Saskatchewan Information and Privacy Commissioner at 306-787-8350.

A copy of all noted sections of the Act is attached. 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. 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 Cindy Howden at 306-777-7263 or by email at lafoip@regina.ca.

Yours truly,



Amber Ackerman
Interim City Clerk

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Enclosure

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(4) Where an application is made with respect to a record that is exempt from access pursuant to this Act, the head may refuse to confirm or deny that the record exists or ever did exist.

(5) A head who fails to give notice pursuant to subsection (2) is deemed to have given notice, on the last day of the period set out in that subsection, of a decision to refuse to give access to the record.

1990-91, c.L-27.1, s.7.

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

(2) A head may give access to a record:

(a) by providing the applicant with a copy of the record; or

(b) where it is not reasonable to reproduce the record, by giving the applicant an opportunity to examine the record.

(3) A head may give access to a record that is a microfilm, film, sound recording, machine-readable record or other record of information stored by electronic means:

(a) by permitting the applicant to examine a transcript of the record;

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Waiver of notice

34(1) A third party to whom a notice is required to be given pursuant to subsection 33(1) may waive the requirement for notice.

(2) A third party who consents to the giving of access to a record containing information described in subsection 33(1) is deemed to have waived the requirement for notice.

1990-91, c.L-27.1, s.34.

Right to make representations

35(1) A third party who is given notice pursuant to subsection 33(1):

(a) is entitled to make representations to the head as to why access to the record or part of the record should not be given; and

(b) within 20 days after the notice is given, shall be given the opportunity to make those representations.

(2) Representations made by a third party pursuant to clause (1)(b) shall be made in writing unless the head waives that requirement, in which case they may be made orally.

1990-91, c.L-27.1, s.35.

Decision

36(1) After a third party has been given an opportunity to make representations pursuant to clause 35(1)(b), the head shall, within 30 days after the notice is given:

(a) decide whether or not to give access to the record or part of the record; and

(b) give written notice of the decision to the third party and the applicant.

(2) A notice given pursuant to clause (1)(b) is to include:

(a) a statement that the third party and applicant are entitled to request a review pursuant to section 38 within 20 days after the notice is given; and

(b) in the case of a decision to give access, a statement that the applicant will be given access to the record or to the part of it specified unless, within 20 days after the notice is given, the third party requests a review pursuant to section 38.

(3) Where, pursuant to clause (1)(a), the head decides to give access to the record or a specified part of it, the head shall give the applicant access to the record or the specified part unless, within 20 days after a notice is given pursuant to clause (1)(b), a third party requests a review pursuant to section 38.

(4) A head who fails to give notice pursuant to clause (1)(b) is deemed to have given notice, on the last day of the period set out in subsection (1), of a decision to refuse to give access to the record.

1990-91, c.L-27.1, s.36.