

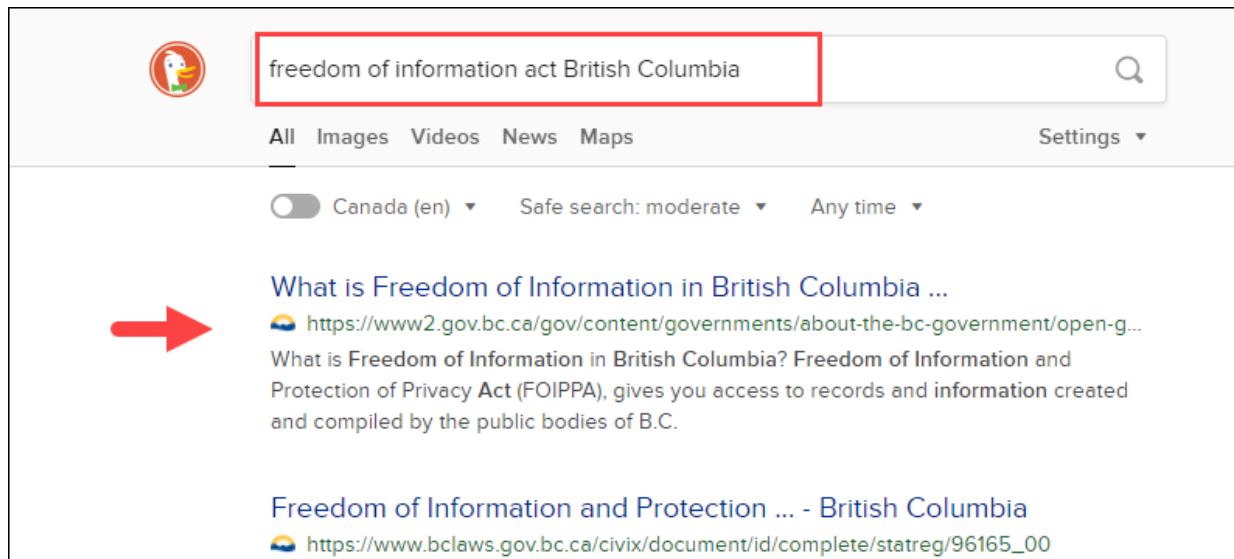
Freedom of Information

Topics

- Freedom of Information Act (FOIA)
- Access to Information Act (ATIA)
- Provincial vs. Federal
- The Process
- Sample Template
- Communications with Information Officers
- When to contact the Information Commissioner
- What to Expect

FOIA and ATIA

- Each province has a Freedom of Information act (FOIA)
- Federally, it is called Access to Information act (ATIA)
- Allows us to gain access to records and information created and compiled by public bodies
- Perform a search to learn more



Provincial

Freedom of Information Act (FOIA)

Examples of Provincial Entities:

- Health
- Education
- Public Safety
- Attorney General
- Worksafe
- Office of the Premier

Information Officer:

- reports to legislature
- paid by the entity, however they are an independent office

Information Commissioner:

- contact for complaints
- use when the Information Officer is not providing requested information
- reports to legislature
- paid by the entity, also an independent office

Examples of Exclusions:

- Personal private information
- Cabinet confidences
- Security issues
- Etc. (outlined in Act)

Federal

Access to Information Act (ATIA)

Examples of Federal Entities:

- PHAC
- CBSA
- RCMP
- Any government ministry or office

Information Officer:

- reports to parliament
- paid by the entity, however they are an independent office

Information Commissioner:

- contact for complaints
- use when the Information Officer is not providing requested information
- reports to parliament
- paid by the entity, also an independent office

Examples of Exclusions:

- Personal private information
- Cabinet confidences
- Privy Counsel
- Security issues
- Etc. (outlined in Act)

The FOI Process

(Provincial Examples)

<https://www2.gnb.ca/content/dam/gnb/Departments/tb-ct/pdf/ripp-dipp/DirectoryofPublicBodie>

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Request records from the B.C. Government

1. Getting Started
2. Your Request
3. Contact Info
4. Review & Submit

What ministry or agency has the records you are looking for?

- Advanced Education and Skills and Training
- Agriculture, Food, and Fisheries
- Attorney General (and Minister Responsible for Housing)
- BC Public Service Agency
- Children and Family Development
- Citizens' Services
- Education
- Emergency Management BC
- Energy, Mines and Low Carbon Innovation (and Minister Responsible for the Consular Corps of British Columbia)
- Environment and Climate Change Strategy (and Minister Responsible for Translink)
- Environmental Assessment Office
- Finance
- Forests, Lands, Natural Resource Operations and Rural Development
- Government Communications and Public Engagement
- Health (and Minister Responsible for Francophone Affairs)
- Indigenous Relations and Reconciliation
- Jobs, Economic Recovery and Innovation
- Labour
- Mental Health and Addictions
- Municipal Affairs
- Office of the Premier
- Public Safety and Solicitor General
- Social Development and Poverty Reduction
- Tourism, Arts, Culture and Sport
- Transportation and Infrastructure

Select one or more ministries or agencies.
Learn more about what each ministry or agency does before submitting your request.

Go back
Continue

More information

Is some information already available?

[Open Information](#)
[Open Data](#)

Why aren't some organizations listed?

This list only includes B.C. Government ministries and agencies. Other organizations, including Crown Corporations (like ICBC, BC Transit, or BC Ferries), have their own record request processes.

What is a record?

Records are any thing on which information is recorded or stored. They can be graphic, electronic, mechanical or any other means, and include books, documents, maps, drawings, letters, vouchers and papers.

The ATI Process (Federal)

Government of Canada / Gouvernement du Canada

Search Canada.ca

MENU

Home > [Access to Information and Privacy Online Request](#)

Access to Information and Privacy (ATIP) Online Request

[FAQ](#) | [Security](#) | [Privacy Notice](#)

Requester Information → Act & Record Selection → Attach Documents → Review and Validate

Continue

Fields with * must be filled in. [Print](#)

Only Departments shown in the list accept online access to information and privacy request. For request to other Departments please follow the instructions provided on that Department's web site. Requests received on holidays, weekends, or after 5:00 pm Eastern Standard Time, will be processed the following business day.

***Please select the Department where you would like to submit an Access to Information or Privacy request.**

Royal Canadian Mounted Police

The Royal Canadian Mounted Police (RCMP) is Canada's national police service and an agency of Public Safety Canada. The RCMP provides federal policing services across the country as well as provincial, territorial and municipal policing services under contract to eight provinces (other than Ontario and Quebec), three territories, 150-plus municipalities, 600 Aboriginal communities and three international airports.

\$5 dollar fee

Examples of other entities:

- Public Health Agency of Canada
- Canada Border Services Agency
- Health Canada
- Department of Finance Canada

Sample Template

I am writing to obtain information from the Health Department of the government of New Brunswick regarding the Path to Green reopening plan. Specifically, I am seeking any requirements concerning required vaccination against COVID-19 (or any other infectious disease) for persons living, travelling, going to schools, or moving to New Brunswick.

The information being sought might be from within the New Brunswick Health or from any other government of New Brunswick body in communication with New Brunswick Health.

The information I am seeking may be in any of the following forms:

- memos or other documents;
- written submissions;
- powerpoint presentations;
- transcripts or recordings of discussions on Zoom or other platforms;
- briefing notes;
- e-mails;
- letters;
- telephone transcripts or recordings;
- or any other source of communication.

I will look forward to your response at the earliest opportunity in accord with the Right to Information and Protection of Privacy Act.

Sincerely yours,

- Make your request and work with the information officer to refine the topic or scope
- Request specific records (ex: briefing notes, e-mails, etc.)
- Determine the public body most likely to have the records you are looking for

Communications with Information Officers

- The information officer acknowledges receipt of request (email, letter, etc.)
- They may ask for assistance in narrowing the scope with key search words
- They may state you are required to pay fees for hours involved in searching for requested records
 - This is a standard tactic and many people will cease their request at this point; but don't pay and don't quit;
 - Instead, complain immediately to the information commissioner for that level of government.

Communications with Information Officers

- Some may try to transfer to a different department
 - It is not their prerogative to move your request. Instead, get them to state in writing that they do not have the information requested
 - If they fail to assist with your request, complain to the information commissioner

When to contact the Information Commissioner

- When the information officer is not acting in good faith or is throwing obstacles in your way that seem unreasonable
- Be patient, this is not a rapid process. Be polite, but firm.
 - If you complain, the information commissioner may ask for particulars of the request and why you think it in the public interest that the material be made available.
 - The commissioner may ask how you plan to disseminate the information, so explain. In many instances, the excuses made get overturned by the commissioner.
 - The entity may still resist and may even ignore the commissioner...it happens, be persistent.

What to Expect

- Delays repeatedly, fees, more delays. Be patient, polite and persistent. Government typically doesn't like to disclose what they are doing – delays and fees are a tactic.
- You may end up with something heavily redacted.
- Sometimes you may be pleasantly surprised.

FREEDOM RISING

**DEBOUT LIBRE
STAND UP  STAND FREE**
