

**EVERGREEN REGIONAL WASTE
MANAGEMENT SERVICES COMMISSION**

BYLAW NO. 6

A Bylaw of the Evergreen Regional Waste Management Services Commission to Regulate the Provision of Information.

WHEREAS, in accordance with the Municipal Government Act, M26, RSA 2000, and amendments thereto; and the Freedom of Information and Protection of Privacy Act, F25, RSA 2000, an Applicant has the right to access their own personal information and other Commission records, unless there is reason why the information should not be disclosed;

NOW THEREFORE, the Board of the Evergreen Regional Waste Management Services Commission, duly assembled, enacts as follows:

PART I: BY-LAW TITLE

1. This Bylaw shall be known as the "Access to Information" Bylaw.

PART II: PURPOSE OF BY-LAW

- a) The purpose of this Bylaw is to facilitate access to information in the possession of the Evergreen Regional Waste Management Services Commission and to ensure personal information is protected from unauthorized collection, use or disclosure.

PART III: DEFINITIONS

Active Dissemination:	routine disclosure of information by the Commission in bulk quantities. Records the Commission provides for the public on a regular basis.
Applicant:	the individual making a request for information in accordance with this Bylaw.
Commission:	the Corporation of the Evergreen Regional Waste Management Services Commission
Record:	information recorded in any form, including books, documents, maps, drawings, photographs, letters, vouchers and papers, and any other information that is written, photographed, recorded or stored in any manner, but does not include software or any other mechanism that produces records, except as this term may otherwise be defined in the Freedom of Information and Protection of Privacy Act from time to time.

Routine
Disclosure: release of specific information on a regular basis, without the requirement of a written request.

PART IV: RIGHT TO INFORMATION

1. On request, provided the Applicant pays the applicable fees as set out in Part V of this Bylaw, each Applicant has a right to:
 - a) access a **Record** that is in the possession of the Commission
 - b) view a **Record** in the possession of the Commission;
 - c) request copies of a **Record** that is in the possession of the Commission;
 - d) request corrections to personal information maintained by the Commission; and
 - e) receive a copy of a **Record** maintained by the Commission in a format that is reasonably available, unless the **Record is Exempt Information** pursuant to the Freedom of Information Protection of Privacy Act.

PART V: INFORMATION REQUESTS AND RESPONSES

1. **Formal Requests** relate to information not routinely provided. Formal requests are required to be in writing and must provide enough information to enable the Commission to identify the record. If the record request falls under the Freedom of Information Protection of Privacy Act, the initial fee set out in the Act must be submitted before the request process will begin.
2. **Informal Requests** are requests for information which the Commission routinely discloses or provides via **Active Dissemination**. At the Commission's discretion, informal requests may be required to be in writing and must provide enough information to enable the Commission to identify the record.
3. **Third Party Information Requests** are requests for information relating to a person, group of persons, or an organization other than the Applicant or the Commission. This information may directly impact, involve, or belong to the originating party, and cannot be released without the originating party's permission.
4. **Responses** to all requests, complaints, appeals and reviews are regulated by the Freedom of Information and Protection of Privacy Act and will be handled by the Commission accordingly.

PART VI: FEES

1. Where an applicant is required to pay a fee for services, the fee is payable in accordance with Section 9 of the Freedom of Information and Protection of Privacy Regulation 200/95 and attached 'Schedule A'.

THIS Bylaw shall come into force and effect upon the date of the passing of the Third and Final Reading and signing thereof.

Read a first time this 24 day of April, A.D. 2008.

Read a second time this 24 day of April, A.D. 2008.

Read a third time and passed this 24 day of April, A.D. 2008.



Robert Bouchard
Chairman



Dennis Bergheim
Manager

SCHEDULE A
ACCESS TO INFORMATION FEES

- A. The fee for all records and data requests addressed by the Freedom of Information and Protection of Privacy Act shall be in accordance with Section 9 of the Freedom of Information and Protection of Privacy Regulation 200/95.
- B. The fee for all requests of records and data which are not addressed by the Freedom of Information and Protection of Privacy Act, and are not readily available for public release, shall be as follows:
1. Provision of In-house information i.e. Copies of minutes, policies, bylaws and records:
 - a. Time and cost required to search, locate and retrieve the record
 - Hourly rate of \$10.00 per quarter hour with a minimum charge of \$ 10.00.
 - b. Cost of reproducing the record
 - Photocopy fee \$0.25/page for each additional page; \$0.50/page for double sided pages
 - Electronic copy fee (provided on CD or DVD) - \$ 5.00
 - Outside retrieval fee – cost of retrieval + 10%
- Application fee of \$ 50.00 must be submitted with request. Payment of any additional fees is required prior to the release of the information.***
2. Provision of Off-Site Information (i.e. Consultant Documentation belonging to the Commission)
 - a. Actual costs incurred by Commission to obtain the information

Approved at August 31, 2011 Commission Meeting