Index to Fundamentals of Privacy and Freedom of Information in Canada

(All references are to paragraph numbers.)

access procedure (freedom of information), see also access to records (freedom of information); bars to disclosure (freedom of information)

- copies of records, 159, 160
- copy vs. examination of record, 125
- description of record sought, 121, 124, 125, 127–130
- duty to assist, 124, 126, 131
- failure to respond to request, 158
- fees, 121
- frivolous application (Quebec), 146
- language of record, 159
- liability for disclosure, 160
- notice of refusal, 155–158, 161
- notice to affected parties, 148–154, 161
- refusal, generally, 140–146, 155, 156
- request in writing, 121–125
- request to person in charge of public body (Quebec), 122
- request to records manager (Yukon), 123
- sensory disabilities of applicant, 159
- time for responding, 125, 127, 135–139, 154
- transfer of request to another institution, 132–136
- use of records by applicant, 160

- appeals, 75, see also bars to disclosure (freedom of information); review of decisions
- bars to disclosure (freedom of information), see also access procedure (freedom of information); access to records (freedom of information)
- advice to government, 47-50
- appeals, 42, 80
- cabinet records, 43-46
- confidentiality/third-party rights, 72-80, 147-154
- defence information, 68–71
- economic interests, protection of, 81–89
- fish/wildlife, protection of, 110, 111, 117
- foreign entity, 67, 69
- frivolous/vexatious requests, 37, 141
- general, 42
- government relations, preservation of, 60–67
- heritage sites, 117
- individual safety, 96, 97
- information already/soon to be published, 112–117
- interference with government operations, 120
- investigations, 52
- law enforcement issues, 51-59
- local government confidences, 118

FUNDAMENTALS OF PRIVACY AND FREEDOM OF INFORMATION IN CANADA

bars to disclosure (freedom of information) (*cont'd*)

- personal information, protection of, 98–109, 147–154
- repetitive requests, 142, 143
- solicitor-client privilege, 91-95
- testing/auditory procedures, 90
- bars to disclosure (personal information), see also bars to disclosure (freedom of information); privacy protection (personal information)
- abortion services (British Columbia), 119, 231
- advice to government, 222, 223
- cabinet records, 221
- confidential government information, 210–212
- confidentiality/third-party rights, 224, 225
- correctional institution records, 216
- defence information, 209, 212
- economic interests, protection of, 225
- educational institutions and awards, 229
- general, 177, 209
- government benefits, eligibility for, 228
- individual safety, 217
- information already/soon to be published, 226
- international affairs, 209, 210, 212
- law enforcement, 209, 213, 214
- medical records, 220
- privacy of individuals to who information relates, 227

- privacy of persons other than applicant, 218, 227
- prohibited information, 218
- research/statistical records, 230
- security clearance, 215
- solicitor-client privilege, 219
- commissioner, *see* information and privacy commissioner
- common law rights, 13

definitions, 6–13

- exemptions, see bars to disclosure
- "government agency" (Manitoba), 11
- "government agency" (Quebec), 11
- **"government institution" (federal)**, 11
- "head" (of institution), see also access procedure (freedom of information); access to records (freedom of information); bars to disclosure (freedom of information); privacy protection (personal information); review of decisions
- Alberta, 7, 32
- British Columbia, 7, 32
- federal, 6, 33, 35
- Manitoba, 8
- New Brunswick, 9
- Newfoundland and Labrador, 8
- Northwest Territories, 7
- Nova Scotia, 8
- Ontario, 6, 32, 33, 35
- Prince Edward Island, 10
- Quebec, 9
- reports of, 35, 36
- Saskatchewan, 10, 32

INDEX

information and privacy commissioner

- Alberta, 21, 25, 28
- British Columbia, 21, 25, 28
- federal, 22, 25, 31, 276
- Manitoba, 23, 25
- Newfoundland and Labrador, 21, 25
- Northwest Territories, 26
- Ontario, 21, 25, 29
- Prince Edward Island, 21, 25, 28
- Quebec, 21, 24, 27
- Saskatchewan, 21, 25, 30
- Yukon, 23, 25

"institution" (municipal), 11

"institution" (Ontario), 11

legislation, purpose of

- federal, 1–4
- provincial, 1, 3–5

list of institutions, 18, see also directory of records

"local government body", 12

manuals/guidelines/procedures, availability of, 32, 33

ministers, powers/duties of

- Alberta, 17, 19
- British Columbia, 17, 19
- federal, 14, 15, 18
- Manitoba, 17
- Newfoundland and Labrador, 19
- Nova Scotia, 19
- Ontario, 16, 18
- Quebec, 20
- Saskatchewan, 17, 19
- Yukon, 19

motor vehicle services, 279-288

ombudsman (Manitoba), 23

- ombudsman (Yukon), 23
- personal information, see privacy protection (personal information)
- privacy protection (personal information), see also access procedure (freedom of information); bars to disclosure (personal information)
- access to information/procedure re oneself, 199–208
- accuracy/currency/completeness, 176, 200, 201
- direct collection from individual, 171–174
- disclosure, authorized, 177–195
- disclosure, consent to, 208
- disclosure, foreign demand for, 167
- information banks/indexes, 196–198
- law enforcement, 169
- medical/health information, 162, 169
- obligation to protect, 163
- "personal information", 162, 170
- retention of personal information, 176, 177
- uses of information, general, 177
- whistleblowers, protection of, 166, 168

private sector, collection of personal information

- bars to disclosure (exemptions), 255–258
- foreign service provider, use of (Alberta), 243
- generally, 232–240
- internet service providers, 233
- manner of collection, 241–249
- "organization", 237

FUNDAMENTALS OF PRIVACY AND FREEDOM OF INFORMATION IN CANADA

private sector, collection of personal information (*cont'd*)

- "personal health information", 240
- "personal employee information" (Alberta/British Columbia), 239
- "personal information", 238
- protection, 251–253
- retention, 250
- right of access by persons to whom information relates, 254
- severance of information, 256
- third parties, 257
- trade union (Alberta), 248

"public body", 112

- **public interest/safety**, 41, 47, 60, 79, 83, 96, 225
- records, *see* access procedure (freedom of information); access to records (freedom of information); bars to disclosure (freedom of information)

review of decisions

- appeal/review from commissioner, 42, 152, 266–270, 276
- burden of proof, 264
- compliance with commissioner's order, 267–269
- judicial review, 270–278
- motor vehicle services, re, 279-288
- notice of request for, 262
- notice of right to, 155
- options of commissioner after request, 263
- order of commissioner, 265, 266
- right of review, 259, 260
- written request for, 261

third parties, rights of, 72–80, 147–151, 154, 218, 224, 227, 257