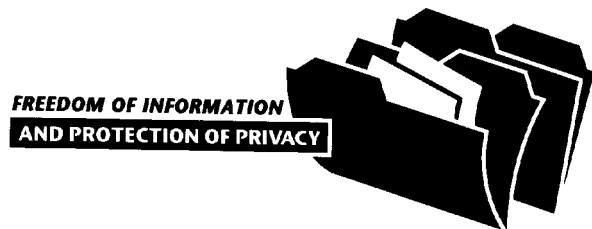

Annual Report 1996-97



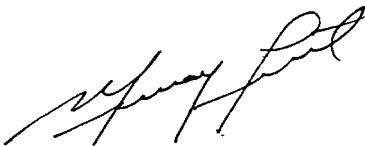
December 1997

Honourable Ken Kowalski
Speaker
Legislative Assembly of Alberta
325 Legislature Building
Edmonton, Alberta

Dear Sir:

In accordance with Section 81 of the *Freedom of Information and Protection of Privacy Act*, I have the honour to submit the second annual report on the operation of said *Act* for the fiscal year ended March 31, 1997.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Murray Smith', written in a cursive style.

Murray Smith, MLA
Minister


Contents

| | | |
|-------------|--|---|
| I. | Table of Contents | 1 |
| II. | Message From the Minister | 2 |
| III. | Overview and Key Activities | 2 |
| IV. | Results Analysis | |
| | a) Requests Received under the Act | 3 |
| | b) Access to General Information | 3 |
| | c) Access to Personal Information | 4 |
| | d) Distribution of Requests by Public Body | 5 |
| | e) Exceptions and Exclusions | 6 |
| | f) Response Times | 7 |
| V. | Financial Information | |
| | a) Revenues Collected in 1996/97 | 8 |
| | b) Fees for FOIP Requests | 8 |

Section 2

MINISTER'S MESSAGE

The *Freedom of Information and Protection of Privacy Act* reflects the government's commitment to open, accountable and accessible government. The Act was passed in 1994, following an intensive public consultation process, and came into effect on October 1, 1995. This is the second annual report on the operation of Alberta's *Freedom of Information and Protection of Privacy Act*. I would like to thank the Information and Privacy Commissioner, government staff, and elected officials for their support in the administration of this important legislation.



Murray Smith, MLA

Minister of Labour

Section 3

Overview and Key Activities

Alberta Labour coordinates the administration of the *Freedom of Information and Protection of Privacy Act* with other ministries. Each ministry has an appointed Freedom of Information and Privacy (FOIP) Coordinator to administer the Act.

Planning has commenced to extend the Act to include local public bodies defined in the Act. These include: health care bodies, school jurisdictions, other education institutions and local governments. The Act will apply first to school jurisdictions and health care bodies in the fall of 1998. All other local public bodies will have the legislation apply to them in 1999.

To assist local public bodies to prepare for implementation of the legislation, guidelines and training materials have been developed for local public bodies. During the course of the past year, training also continued for Alberta government employees.

In April 1996, the second annual Information and Privacy Conference was co-hosted with the Office of the Information and Privacy Commissioner in Edmonton. The conference attracted 282 registrants and offered presentations from 21 speakers over two days.

In the fall of 1996, a home page was established on the World Wide Web to provide information about the FOIP Act. The home page provides electronic access to the full text of the FOIP Act and Regulation, the Alberta Directory, and the Orders issued by the Information and Privacy Commissioner. In addition, the site also provides general information about how FOIP legislation applies to government records, a contact list, and links to other freedom of information and protection of privacy websites of Canadian jurisdictions.

The website can be found at:
<http://www.gov.ab.ca/foip/>

Section 4a)**Requests Received Under the Act**

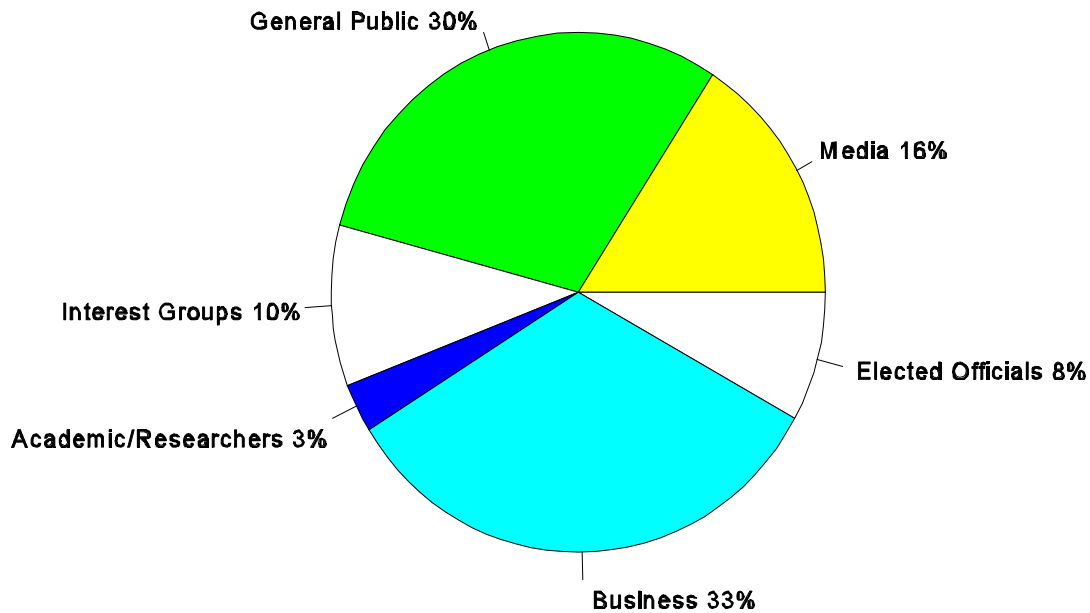
A total of 1270 requests were received in the year April 1, 1996 to March 31, 1997. Of these, 848 were from individuals requesting access to their own personal information, and 421 were requests for access to general information. Only one request was made to correct personal information.

One-hundred and nine requests were carried over from the previous reporting period for a total of 1379 active requests. Of these, a total of 1230 requests were completed in the period and 149 were still open at the end of the reporting period.

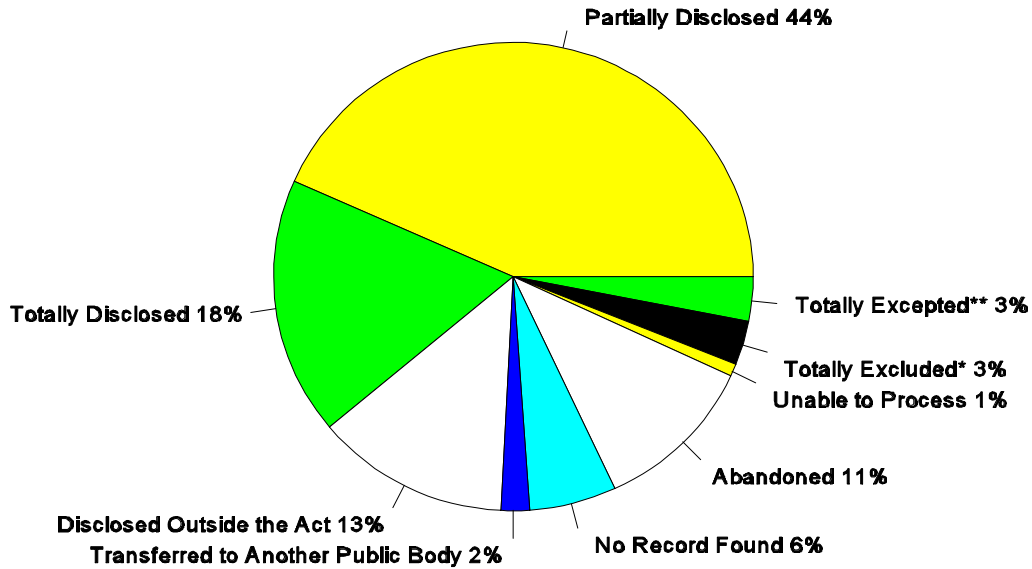
| <i>Type of requests</i> | <i>Received in Period</i> | <i>Carried from Previous Year</i> | <i>Carried to Next Year</i> | <i>Completed in Period</i> | <i>Proportion Completed</i> |
|-------------------------|---------------------------|-----------------------------------|-----------------------------|----------------------------|-----------------------------|
| Personal Information | 848 | 61 | 88 | 821 | 90% |
| General Information | 421 | 48 | 61 | 408 | 87% |
| Correction | 1 | 0 | 0 | 1 | 100% |
| Total | 1270 | 109 | 149 | 1230 | 90% |

Section 4b)**Access to General Information**

Source of Requests



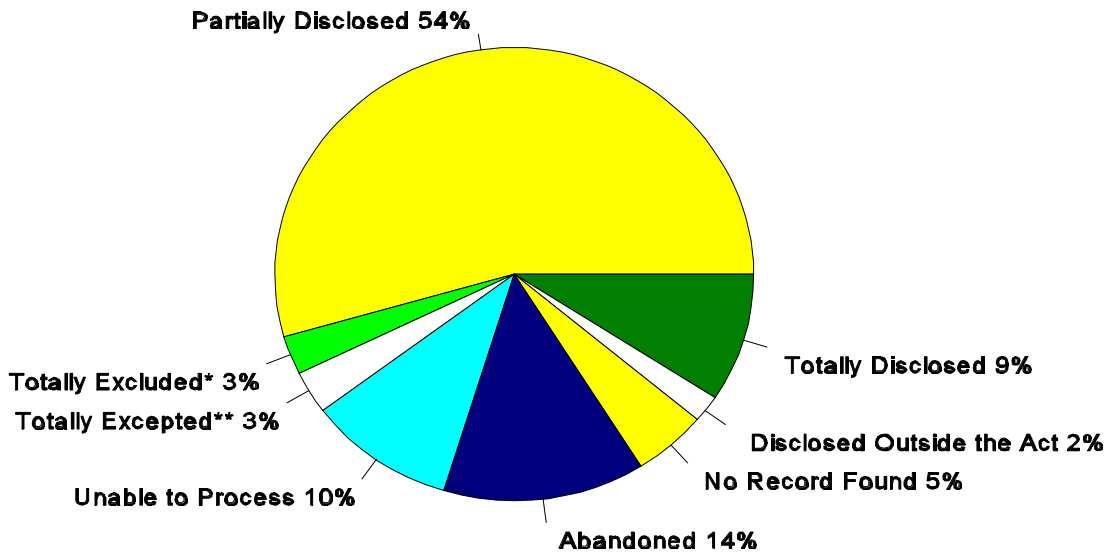
Access Decisions - General Information Requests



Section 4c)

Access to Personal Information

Access Decisions - Personal Information Requests



* Excluded refers to records defined in sections 4 and 5 of the Act and are not covered by the Act. They include such things as court records, personal records of Executive Council Members, and non-government related records of a Treasury Branch.

** Excepted refers to records that are subject to the Act, but contain records excepted under sections 15 to 28 of the Act.

Section 4d)

Distribution of Requests by Public Body

**Freedom of Information and Protection of Privacy Requests Received
April 1, 1996 to March 31, 1997 by Ministry**

| | <i>General Information Requests</i> | <i>Personal Information Requests</i> | <i>Total Requests</i> |
|--|---|--|---------------------------|
| Advanced Education and Career Development | 5 | 5 | 10 |
| Agriculture, Food and Rural Development | 15 | 2 | 17 |
| Agriculture Financial Services Corporation | 0 | 1 | 1 |
| Community Development | 6 | 7 | 13 |
| Economic Development and Tourism | 13 | 2 | 15 |
| Alberta Gaming and Liquor Commission | 9 | 0 | 9 |
| Education | 14 | 10 | 24 |
| Energy | 10 | 0 | 10 |
| Alberta Energy and Utilities Board | 2 | 0 | 2 |
| Environmental Protection | 120 | 1 | 121 |
| Family and Social Services | 26 | 635 | 661 |
| Federal and Intergovernmental Affairs | 6 | 0 | 6 |
| Health | 33 | 28 | 61 |
| Justice | 44 | 86 | 130 |
| Labour | 28 | 18 | 46 |
| Labour Relations Board | 1 | 1 | 2 |
| Workers' Compensation Board | 13 | 29 | 42 |
| Municipal Affairs | 11 | 14 | 25 |
| Office of the Premier/General Administration | 2 | 1 | 3 |
| Personnel Administration Office | 1 | 0 | 1 |
| Public Works, Supply and Services | 15 | 0 | 15 |
| Science and Research | 0 | 0 | 0 |
| Transportation and Utilities | 19 | 5 | 24 |
| Treasury | 17 | 1 | 18 |
| Credit Union Deposit Guarantee Corporation | 8 | 0 | 8 |
| Legislative Assembly Office / Offices of the Legislature | 3 | 0 | 3 |
| Office of the Ombudsman | 0 | 2 | 2 |
| Correction of Personal Information | | | |
| WCB | 0 | 1 | 1 |
| TOTAL REQUESTS | 421 | 849 | 1270 |

Section 4e)**Exceptions and Exclusions**

The following tables summarize the sections of the Act referenced when records were not completely disclosed. In most cases, the protection of privacy of third parties was the exception to disclosure of information.

| <i>Section</i> | <i>Exceptions Invoked</i> | <i>Number of Requests</i> |
|----------------|---------------------------------------|---------------------------|
| 15 | Business information of a third party | 50 |
| 16 | Personal information of a third party | 650 |
| 17 | Public Safety | 15 |
| 18 | Confidential Evaluations | 7 |
| 19 | Law Enforcement | 101 |
| 20 | Intergovernmental Affairs | 33 |
| 21 | Cabinet Confidences | 10 |
| 23 | Advice from Officials | 189 |
| 24 | Economic harm to the government | 21 |
| 26 | Privileged Information | 45 |
| 28 | Otherwise available to the public | 6 |

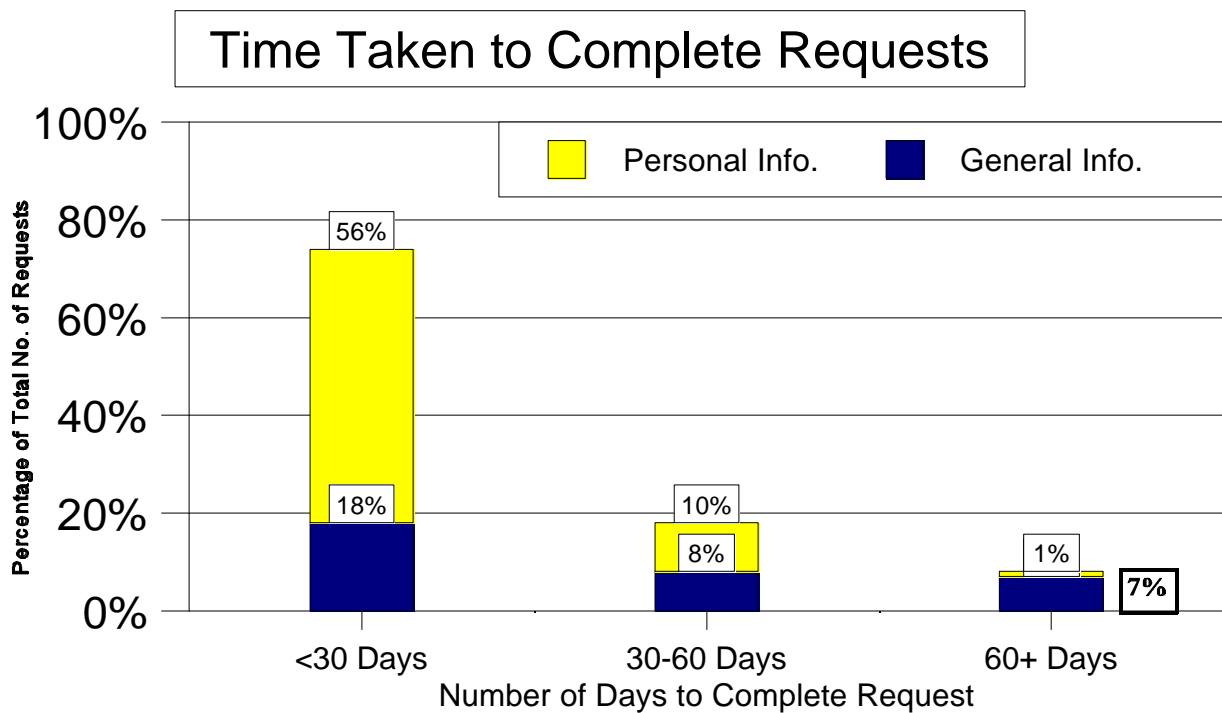
| <i>Section</i> | <i>Requests for Excluded Records</i> | <i>Number of Requests</i> |
|----------------|--------------------------------------|---------------------------|
| 4(1)a | Court File | 5 |
| 4(1)b | Judicial Record | 2 |
| 4(1)c | Officer of the Legislature | 6 |
| 4(1)g | Prosecution Record | 6 |
| 4(1)h | Registry Record | 1 |
| 4(1)k | Legislative Assembly Record | 1 |
| 4(1)l | MLA Record | 14 |
| 4(1)n | Credit Union Record | 1 |
| 5 | Restricted in another enactment | 7 |

Section 4f)

Response Times

The Act stipulates that public bodies must respond to a request within 30 days of receiving it. Extensions to the 30 days are allowed if the applicant does not provide sufficient detail to allow identification of the requested record, if a large number of

records are involved, or if more time is required to consult with another ministry or with a third party. Over 92 per cent of all requests were completed within 60 days. A breakdown of the time taken to complete requests is shown below.



Response times are shown with a breakdown between Personal and General Information Requests. Overall, 74 per cent of all requests were completed within the required time-frame of 30 days. A further 18 per cent of all requests were responded to between 30 and 60 days of receiving the request, and only 8 per cent of requests took more than 60 days to respond to.

REVENUE COLLECTED

| <i>Type of Charge</i> | <i>Amount Collected</i> |
|-------------------------------|-------------------------|
| General Information Requests | |
| Initial Fees | \$ 7,350.00 |
| Recoverable Costs | |
| Labour | 8,877.77 |
| Copying | 6,570.66 |
| Other | 352.08 |
| Personal Information Requests | |
| Copying | 6,763.63 |
| Total Collected | \$ 29,914.14 |

EXPENDITURES

In 1996-97, expenditures for the Information Management and Privacy Branch were \$712,900. Additional costs were incurred by individual ministries responding to information requests. These costs are not precisely calculated, and therefore are not included in this report. Additional costs are also incurred by the Information and Privacy Commissioner's office.

FEES FOR REQUESTS AND WAIVERS

The fee schedule for FOIP requests is set out in Schedule 2 of the FOIP Regulation.

General Information Requests

For general information requests, a \$25 initial fee is required and payable with the request. Additional charges apply for: labour for locating, retrieving and preparing records for disclosure; computer programming and

processing; and copying records. There is no charge for reviewing records in response to a request, and if the estimated charge for a request is less than \$150, nothing is collected beyond the initial fee.

The initial fee for a continuing request (one that continues to have effect for a specified period of up to two years) is \$50.00. Three such requests were received in the reporting year.

Personal Information Requests

For applicants requesting their own personal information, only copying costs are charged and only if the cost exceeds \$10.

Waivers

Fees may be waived by the public body or the Information and Privacy Commissioner if the applicant cannot afford the payment, the record relates to a matter of public interest, or for any other reason it is fair to excuse payment. Fees may also be reduced if they do not exceed the above-mentioned thresholds or if the request can be narrowed or clarified so that fees are only charged for the records actually required by the applicant.

Fees Waived/Reduced in 1996-**97**

| <i>Type of Request</i> | <i>Fees Waived</i> |
|-------------------------------|--------------------|
| General Information Requests | \$ 1,572.18 |
| Personal Information Requests | 1,064.75 |
| Total Fees Waived | \$ 2,636.93 |

For more information:

Alberta Labour
Information Management and Privacy Branch
2nd Floor, 10808 - 99 Avenue
Edmonton, Alberta
T5K 0G5

telephone: 403/422-2657
facsimile: 403/427-1120
E-mail: FOIP.Inquiries@gov.ab.ca
Web Site: <http://www.gov.ab.ca/foip/>

Copies of this report are available from:

Alberta Labour
Communications
10th floor, 10808 - 99 Avenue
Edmonton, Alberta
T5K 0G5

telephone: 403/427-5585
facsimile: 403/427-5988
E-mail: commshare@lab.gov.ab.ca
Web Site: <http://www.gov.ab.ca/~lab>

