

# FOIP News

Issue No. 12, August 2003



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"FOIP News" is an electronic newsletter produced by Information Management, Access and Privacy (IMAP), to highlight news relating to Alberta's *Freedom of Information and Protection of Privacy (FOIP) Act*. FOIP News is issued as needed. Web site links are provided to allow you to easily obtain more information on a news item.

## FOIP Act and Regulation

A new office consolidation of the FOIP Act and Regulation is available from the Queen's Printer. It contains amendments made to the FOIP Act and Regulation as a result of the proclamation of the FOIP Amendment Act, 2003 and the FOIP Amendment Regulation (A.R. 198/2003). Click on <http://www.gov.ab.ca/qp> to order.

## Requests for Personal Information from Canada Customs and Revenue Agency

A representative from Canada Customs and Revenue Agency (CCRA) contacted IMAP requesting assistance in communicating to local public bodies, specifically municipalities, on how to deal with requests for personal information from CCRA Collections Officers or their superiors under the FOIP Act. In consultation with CCRA, the following question was drafted and will be added to the Frequently Asked Questions for Municipalities.

### **Can personal information about a municipal resident be disclosed to Canada Customs and Revenue Agency (formerly known as Revenue Canada)?**

Yes. Sections 40(1)(e) and (f) allow for disclosure to comply with another Act of Alberta or Canada, such as the *Income Tax Act*. That Act authorizes the collection of personal information by employees of Canada Customs and Revenue Agency ("CCRA") for certain purposes. For example, section 231.1(1) of that Act authorizes an inspection, audit, or examination of records of any person (including a municipality) that relate or may relate to information that is or should be in the books or records of a taxpayer or to any amount payable by the taxpayer under the Act.

If section 231.1(1) is the basis for the request for information, the individual making the request would need to demonstrate that he or she is a duly authorized employee of CCRA. CCRA advises that requests to examine records pertaining to taxpayers, under the authority of the *Income Tax Act*, typically come from Collections Officers or their superiors, during site visits. To verify identity, the municipality can request the Collections Officer to provide a business card or show his or her identification card.

The *Income Tax Act* also allows CCRA to require the production of information and documents by written demand under section 231.2. Information may be disclosed in response to these requests under the same provisions of the *Freedom of Information and Protection of Privacy Act*, as set out above.

The advice would be the similar for other local public bodies that receive requests for personal information from CCRA.

## OIPC Orders and Investigation Reports

Since the last newsletter, the following orders have been released by the OIPC that relate to local public bodies.

City of Edmonton	F2003-007	July 24, 2003
Grant MacEwan College	F2003-008	July 24, 2003
City of Calgary	F2002-016	August 5, 2003
Mount Royal College	F2002-017	August 12, 2003

## FOIP Training

The first sessions for the fall 2003 FOIP training are September 24, 25, and 26 in Edmonton and October 6, 7, and 8 in Calgary. For more information and additional course dates please see the training calendar or contact Janet Cummings at (780) 415-2407 or e-mail [janet.cummings@gov.ab.ca](mailto:janet.cummings@gov.ab.ca). The training calendar and registration form are available at [www3.gov.ab.ca/foip/other\\_resources/training/index.cfm](http://www3.gov.ab.ca/foip/other_resources/training/index.cfm).

## Meeting Calendar

Health Sector Information Access and Privacy Network	September 15, 2003	Edmonton
Municipal - Southern Alberta FOIP Regional Alliance	September 16, 2003	Lethbridge
Municipal – Edmonton Regional FOIP Alliance	September 18, 2003	Sherwood Park
Municipal - Central Alberta Network of Information Management	September 18, 2003	Ponoka
Post-Secondary FOIP Network	October 3, 2003	Olds
School Jurisdictions FOIP Network	October 17, 2003	Nisku

## Did You Know...

...October 4, 2003 is the 10th anniversary of British Columbia's *Freedom of Information and Protection of Privacy Act*. To mark the occasion, the Office of the Information Privacy Commissioner is hosting a two-day national conference on **September 25 & 26, 2003**. The theme is *The State of Accountable Government in a Surveillance Society* and the location is the Victoria Conference Centre. More information is available at <http://www.oipc.bc.ca/anniversary/>.

...**October 2 & 3, 2003** are the dates for Ontario's access and privacy conference in Toronto. More information is available at <http://www.ellisriley.on.ca/mbs/2003/home.htm>

...**November 27 & 28, 2003** are the dates for the Canadian Institute's *Meeting your Obligations for Privacy Compliance in Western Canada* conference in Calgary. The conference will offer advice on "How to Comply with Federal and Provincial Privacy Legislation in Time for January 1, 2004... and Beyond." More information is available at <http://www.CanadianInstitute.com>.

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