

MEDICINE HAT PUBLIC BOARD OF EDUCATION OPERATES AS MEDICINE HAT PUBLIC SCHOOL DIVISION, AND FOR THE PURPOSE OF THIS DOCUMENT WILL BE REFERRED TO AS "MHPSD" AND/OR "DIVISION"

SECTION 400 – Business Administration

ADMINISTRATIVE PROCEDURE - EXHIBIT: FOIP REQUEST FEE SCHEDULE

<i>EXHIBIT CODE:</i>	<i>412 E 002</i>
Policy Reference: 412 – Access to Information	

EXHIBIT

1. Freedom of Information and Protection of Privacy Act (FOIP) Request Fee Schedule

An important FOIP Act principle underlying the is the use of fees to help offset the cost of providing access to records to applicants under the legislation.

The Act provides for a reasonable and fair fee structure that is intended to support effective provision of FOIP services. Section 93 establishes that:

- 1.1. a public body may require an applicant to pay fees for services as provided for in the FOIP Regulation (section 93(1)).

2. Fee Waiver

The public body or the Information and Privacy Commissioner may excuse an applicant from paying all or part of a fee if, in the opinion of the public body or the Commissioner:

- 2.1. the applicant cannot afford the payment or for any other reason it is fair to excuse the payment;
- 2.2. the record relates to a matter of public interest, including the environment or public health or safety (section 93(4)).

3. Personal Information

For personal information, such fees shall be restricted to the cost of providing a copy of the information. (section 93(2)).

4. Non-Personal Information

The provision is discretionary in nature but it is government policy that fees will normally be charged for all requests under the FOIP Act, subject to the fee waiver provisions.

Subject to fee waiver provisions (section 93(4)), a person who makes a request for access to a record, which is not a record of an applicant's own personal information, shall:

- 4.1. pay an initial fee of \$25.00 at the time that a non-continuing request is made; or
- 4.2. pay an initial fee of \$50.00 when a continuing request is made.

This initial fee covers the work involved in registering the request, locating and retrieving records, and in some instances producing the record. For simple straightforward request it will be the only fee paid.

Fees, including hourly rates, shall be levied as is allowed under Schedule 2 of the FOIP Act. Upon payment of the initial fee, no additional fee shall be charged unless the amount of fees required to process the request, as calculated by the public body to which the request has been made, exceeds \$150.00.

Subject to the fee waiver provision (section 93(4)), where the amount estimated exceeds \$150.00, the total amount shall be charged to the applicant.

REFERENCES

Freedom of Information and Protection of Privacy Act
Freedom of Information and Protection of Privacy Regulation

Approved: November 7, 2016
Revised: _____

