

**POLICY NO. 13/96**

**POLICY TITLE:** RELEASE OF INFORMATION

**DATE ADOPTED:** November 26, 1996

**PURPOSE:** To provide for the direction and guidelines for the release of information in the possession of the Village of Bentley, in accordance with Sections 216, 217 and 218, of the Municipal Government Act, being Chapter M-26.1, R.S.A. 1994.

**POLICY**

**STATEMENT:** 1. All requests for information must be submitted in writing and must state the reason for the request.

2. All requests for information will be responded to by the Chief Administrative Officer or designated officer, in writing, within fifteen (15) days from the receipt of the written request and upon payment of a fee set by By-law in accordance with Section 217 of the Municipal Government Act.

3. In accordance with Section 218 of the Municipal Government Act, a written appeal for information may be made to Council

a) by a person who receives a written notice that the information is withheld, within fifteen (15) days of receiving the notice, (for the purposes of this section, a written notice will be deemed received by the individual, as per the Interpretation Act, seven (7) days after mailing) or

b) by a person who does not receive the requested information and does not receive a written notice that the information is withheld, within thirty (30) days of requesting the information.

4. The only grounds for an appeal are

a) that the released information was not complete, or

b) the information has been withheld without any reason being stated, or

c) the reason for withholding the information was insufficient or wrong.

5. Council will hear the appeal as soon as is practicable after receipt of the appeal.

6. The Administration will provide the appellant and any other person to whom the information relates notice of the date of the appeal hearing by Council.

7. Council may not consider an appeal unless the persons to whom the information relates and the persons who would be affected by the release of the information have been notified or reasonable attempts have been made to notify them of the appeal.

8. Council will hear the appeal in the following order:

- a) the position of the Administration
- b) the position of the Appellant
- c) the position of any person to whom the information relates
- d) Council may exclude the Administrator, the Appellant and any other person from the hearing, prior to Council deliberation and decision on the appeal.

9. Council's written decision will be mailed to the appellant and any person to whom the information relates as soon as is practicable after the appeal hearing:

- a) if Council refuses the appeal, the decision will state the reason for the refusal
- b) if Council approves the release of information, the information will be attached to the written decision.

10. Council's decision to withhold or release any information must be in writing and is final.

  
MAYOR

  
CHIEF ADMINISTRATIVE OFFICER