

ORAL QUESTION—KEVIN O'REILLY, MLA FRAME LAKE

QUESTION 776-18(3):

ACCESS TO INFORMATION AND PROTECTION OF PRIVACY IMPLEMENTATION

June 6 , 2019

MR. O'REILLY: Merci, Monsieur le President. Last week, this Assembly passed the historic changes to the Access to Information and Protection of Privacy Act that had been in the works since 2012. The Minister worked well with standing committee, and we now have very good legislation. The next step is to follow through on some of the other changes recommended during the public consultation as documented in the "what we heard" report. Can the Minister of Justice explain what the next steps are in following up on the November 2016 "what we heard" report from public consultations and flowing from the changes we made to the Access to Information Protection of Privacy Act? Thank you, Mr. Speaker.

DEPUTY SPEAKER: Thank you, Member. Minister of Justice.

HON. LOUIS SEBERT: Thank you, Mr. Speaker. The comprehensive review of the ATIPP Act involved extensive consultation with GNWT departments, public bodies, the Information and Privacy Commissioner, as well as the public. Feedback received during the course of these consultations, including the IPC's extensive submission, and recommendations identified by the standing committee were thoroughly considered and informed the development of the bill. The amendments will serve to address a number of concerns raised through the comprehensive review of the act. The focus for the department will now be on implementation. I agree with the Member opposite that this legislation is excellent legislation, worked on every a very long period of time by Members of this House and the public.

MR. O'REILLY: A number of areas for further work flow from the public consultation and changes that we made to the legislation, including fee reductions, training, identification of classes of records that do not require an ATIPP application and so on. Can the Minister give us a sense of the priorities and timing of this work?

HON. LOUIS SEBERT: Generally speaking, it is expected that the majority of amendments proposed are expected to come into force by April 1, 2020. The department will need to work with other departments and public bodies to prepare for the implementation of the new provisions and provide training as is necessary. Planning for this work has already begun and will remain a priority for the department.

MR. O'REILLY: One of the major irritants we have heard about the current administration of access to information and protection of privacy are the fees that are charged to applicants. These are set by regulation. Can the Minister tell us what action he is going to take with regard to fee reduction and/or elimination?

HON. LOUIS SEBERT: Yes. Based on what we heard, the regulations will be revised to lower the fees related to the processing of access to information requests. The changes being contemplated are: firstly, decreasing the initial fee for general requests from \$25

to \$10; secondly, providing for 10 free hours of processing for general requests; thirdly, maintaining the charge of \$27 an hour for general requests after the initial 10 free hours; decreasing costs of photocopy charges to 10 cents per page; and maintaining personal information charges of \$25, but increasing the number of free pages from 100 to 200.

Of course, the ATIPP regulations will continue to allow public bodies the discretion to waive fees where they present financial hardship to the applicant.

DEPUTY SPEAKER: Thank you, Minister. Final oral question. Member for Frame Lake.

MR. O'REILLY: Merci, Monsieur le President. I want to thank the Minister for those details. I was trying to scribble them all down. Can the Minister give us a sense of timing as to when these fees are going to be reduced and/or eliminated under Access to Information and Protection of Privacy regulations?

HON. LOUIS SEBERT: This work will require some time, but it does remain a priority. Understandably, the focus of the department has been on the development of the new act. With the passage of the act, the attention of the department will turn to successfully implementing this work, including the development of new regulations. This work is already under way. Thank you.