**FREEDOM OF INFORMATION AND PROTECTION OF PRIVACY ACT**  
**TABLE OF CONCORDANCE FOR REVISED PROVISIONS**

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<th>S.A.1994, Chapter F-18.5, as amended to December 31, 2001</th>
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<td>49 Office of the commissioner</td>
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<td>89 Power to make by-laws</td>
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<td><strong>1(1)(a) “adjudicator” means a person designated under section 71:</strong></td>
<td><strong>1(a) “adjudicator” means a person designated under section 75:</strong></td>
</tr>
<tr>
<td><strong>1(1)(e) “Commissioner” means the Information and Privacy Commissioner appointed under Part 3:</strong></td>
<td><strong>1(c) “Commissioner” means the Information and Privacy Commissioner appointed under Part 4:</strong></td>
</tr>
<tr>
<td><strong>1(1)(f)(i.1) if the public body is an agency, board, commission, corporation, office or other body designated as a public body in the regulations, the person designated by the Minister responsible for that body to act as the head of that body or, if a head is not so designated, the person who acts as the chief officer and is charged with the administration and operation of that body,</strong></td>
<td><strong>1(f)(ii) if the public body is an agency, board, commission, corporation, office or other body designated as a public body in the regulations, the person designated by the member of the Executive Council responsible for that body to act as the head of that body or, if a head is not so designated, the person who acts as the chief officer and is charged with the administration and operation of that body,</strong></td>
</tr>
<tr>
<td><strong>1(1)(f)(ii) if the public body is a local public body, the person or group of persons designated under section 89(a) as the head, and</strong></td>
<td><strong>1(f)(iii) if the public body is a local public body, the person or group of persons designated under section 95(a) as the head, and</strong></td>
</tr>
<tr>
<td><strong>1(1)(i)(xi) a board established under the Irrigation Act.</strong></td>
<td><strong>1(i)(vi) a board established under the Irrigation Districts Act.</strong></td>
</tr>
<tr>
<td><strong>1(1)(i)(xii) a management body established under the Alberta Housing Act, a housing authority continued under section 37 of the Alberta Housing Act and a foundation continued as a management body under section 38 of the Alberta Housing Act.</strong></td>
<td><strong>1(i)(vii) a management body established under the Alberta Housing Act,</strong></td>
</tr>
<tr>
<td><strong>1(1)(i)(xviii) any board, committee, commission, panel, agency or corporation that is created or owned by a body referred to in subclauses (i) to (xvii) and all the members or officers of which are appointed or chosen by that body, but does not include EPCOR Utilities Inc. or ENMAX Corporation or any of their respective subsidiaries</strong></td>
<td><strong>1(i)(xii) any board, committee, commission, panel, agency or corporation that is created or owned by a body referred to in subclauses (i) to (xi) and all the members or officers of which are appointed or chosen by that body, but does not include EPCOR Utilities Inc. or ENMAX Corporation or any of their respective subsidiaries</strong></td>
</tr>
<tr>
<td><strong>1(1)(k) “Minister” means the member of the Executive Council charged by the Lieutenant Governor in Council with the administration of this Act;</strong></td>
<td><strong>1(k) “Minister” means the Minister determined under section 16 of the Government Organization Act as the Minister responsible for this Act;</strong></td>
</tr>
<tr>
<td><strong>3(e)(ii) in accordance with a by-law, resolution or other legal instrument by which a local public body acts or, if a local public body does not have a by-law, resolution or other legal instrument in respect of the transfer, storage or destruction of a record, as authorized by the governing body of the local public body.</strong></td>
<td><strong>3(e)(ii) in accordance with a bylaw, resolution or other legal instrument by which a local public body acts or, if a local public body does not have a bylaw, resolution or other legal instrument in respect of the transfer, storage or destruction of a record, as authorized by the governing body of the local public body.</strong></td>
</tr>
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<tr>
<td>4(1)(o) a record of the information referred to in section 119(3) of the Credit Union Act or respecting loans made by a credit union that are subsequently assumed by the Credit Union Deposit Guarantee Corporation;</td>
<td>4(1)(t) a record of the information referred to in section 120(3) of the Credit Union Act or respecting loans made by a credit union that are subsequently assumed by the Credit Union Deposit Guarantee Corporation;</td>
</tr>
<tr>
<td>4(1.1) In this section and sections 22(1)(b) and 88(1)(k), “governing body”</td>
<td>4(2) In this section and sections 23(1)(b) and 94(1)(n), “governing body”</td>
</tr>
<tr>
<td>4(3) For the purposes of subsection (1)(m) and (n), a non-arm’s length transaction is any transaction that has been approved</td>
<td>4(4) For the purposes of subsection (1)(r) and (s), a non-arm’s length transaction is any transaction that has been approved</td>
</tr>
<tr>
<td>7.1(2) A notice under subsection (1) must state that the applicant may ask for a review under Part 4.</td>
<td>8(2) A notice under subsection (1) must state that the applicant may ask for a review under Part 5.</td>
</tr>
<tr>
<td>10(1)(a) that time limit is extended under section 13, or</td>
<td>11(1)(a) that time limit is extended under section 14, or</td>
</tr>
<tr>
<td>10(1)(b) the request has been transferred under section 14 to another public body</td>
<td>11(1)(b) the request has been transferred under section 15 to another public body</td>
</tr>
<tr>
<td>11(1) In a response under section 10, the applicant must be told</td>
<td>12(1) In a response under section 11, the applicant must be told</td>
</tr>
<tr>
<td>11(2)(a) a record containing information described in section 17 or 19, or</td>
<td>12(2)(a) a record containing information described in section 18 or 20, or</td>
</tr>
<tr>
<td>12(1) If an applicant is told under section 11(1) that access will be granted, the head of the public body must comply with this section.</td>
<td>13(1) If an applicant is told under section 12(1) that access will be granted, the head of the public body must comply with this section.</td>
</tr>
<tr>
<td>13(1)(b) a large number of records are requested or must be searched and responding within the period set out in section 10 would unreasonably interfere with the operations of the public body.</td>
<td>14(1)(b) a large number of records are requested or must be searched and responding within the period set out in section 11 would unreasonably interfere with the operations of the public body.</td>
</tr>
<tr>
<td>13(1)(d) a third party asks for a review under section 62(2) or 73(3).</td>
<td>14(1)(d) a third party asks for a review under section 65(2) or 77(3).</td>
</tr>
<tr>
<td>13(3) Despite subsection (1), where the head of a public body is considering giving access to a record to which section 29 applies, the head of the public body may extend the time for responding to the request for the period of time necessary to enable the head to comply with the requirements of section 30.</td>
<td>14(3) Despite subsection (1), where the head of a public body is considering giving access to a record to which section 30 applies, the head of the public body may extend the time for responding to the request for the period of time necessary to enable the head to comply with the requirements of section 31.</td>
</tr>
<tr>
<td>14(2)(b) the head of the public body to which the request is transferred must make every reasonable effort to respond to the request not later than 30 days after receiving the request unless that time limit is extended under section 13.</td>
<td>15(2)(b) the head of the public body to which the request is transferred must make every reasonable effort to respond to the request not later than 30 days after receiving the request unless that time limit is extended under section 14.</td>
</tr>
<tr>
<td>16(2)(d) the disclosure is for research purposes and is in accordance with section 40 or 41.</td>
<td>17(2)(d) the disclosure is for research purposes and is in accordance with section 42 or 43.</td>
</tr>
<tr>
<td>19(1.1) Subsection (1)(d.3) does not apply to information that has been in existence for 10 years or more.</td>
<td>20(2) Subsection (1)(g) does not apply to information that has been in existence for 10 years or more.</td>
</tr>
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<td>S.A. 1994, Chapter F-18.5 as amended to December 31, 2001</td>
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<tr>
<td><strong>19(4)(b)</strong> a report, including statistical analysis, on the degree of success achieved in a law enforcement program unless disclosure of the report could reasonably be expected to interfere with or harm any of the matters referred to in subsection (1) or (2).</td>
<td><strong>20(5)(b)</strong> a report, including statistical analysis, on the degree of success achieved in a law enforcement program unless disclosure of the report could reasonably be expected to interfere with or harm any of the matters referred to in subsection (1) or (3).</td>
</tr>
<tr>
<td><strong>22(1)(a)</strong> a draft of a resolution, by-law or other legal instrument by which the local public body acts, or</td>
<td><strong>23(1)(a)</strong> a draft of a resolution, bylaw or other legal instrument by which the local public body acts, or</td>
</tr>
<tr>
<td><strong>22(2)(a)</strong> the draft of the resolution, by-law or other legal instrument or the subject-matter of the deliberation has been considered in a meeting open to the public, or</td>
<td><strong>23(2)(a)</strong> the draft of the resolution, bylaw or other legal instrument or the subject-matter of the deliberation has been considered in a meeting open to the public, or</td>
</tr>
<tr>
<td><strong>29(1)(a)</strong> that affects the interests of a third party under section 15, or</td>
<td><strong>30(1)(a)</strong> that affects the interests of a third party under section 16, or</td>
</tr>
<tr>
<td><strong>29(1)(b)</strong> the disclosure of which may be an unreasonable invasion of a third party’s personal privacy under section 16,</td>
<td><strong>30(1)(b)</strong> the disclosure of which may be an unreasonable invasion of a third party’s personal privacy under section 17,</td>
</tr>
<tr>
<td><strong>29(1)</strong>...the head must, subject to section 28, where practicable and as soon as practicable, give written notice to the third party in accordance with subsection (3),</td>
<td><strong>30(1)</strong>...the head must, subject to section 29, where practicable and as soon as practicable, give written notice to the third party in accordance with subsection (4),</td>
</tr>
<tr>
<td>**29(1.1) Subsection (1) does not apply to a record containing information described in section 16(2)(j).</td>
<td>**30(2) Subsection (1) does not apply to a record containing information described in section 17(2)(j).</td>
</tr>
<tr>
<td><strong>29(2)</strong> If the head of a public body does not intend to give access to a record that contains information excepted from disclosure under section 15 or 16, the head may give written notice to the third party in accordance with subsection (3),</td>
<td>**30(3) If the head of a public body does not intend to give access to a record that contains information excepted from disclosure under section 16 or 17, the head may give written notice to the third party in accordance with subsection (4),</td>
</tr>
<tr>
<td><strong>30(1)</strong> Within 30 days after notice is given pursuant to section 29(1) or (2), the head of the public body must decide whether or not to give access to the record or to part of the record, but no decision may be made before the earlier of</td>
<td><strong>31(1)</strong> Within 30 days after notice is given pursuant to section 30(1) or (2), the head of the public body must decide whether to give access to the record or to part of the record, but no decision may be made before the earlier of</td>
</tr>
<tr>
<td><strong>30(3)</strong> If the head of the public body decides to give access to the record or part of the record, the notice under subsection (2) must state that the applicant will be given access unless the third party asks for a review under Part 4 within 20 days after that notice is given.</td>
<td><strong>31(3)</strong> If the head of the public body decides to give access to the record or part of the record, the notice under subsection (2) must state that the applicant will be given access unless the third party asks for a review under Part 5 within 20 days after that notice is given.</td>
</tr>
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<td><strong>30(4)</strong> If the head of the public body decides not to give access to the record or part of the record, the notice under subsection (2) must state that the applicant may ask for a review under Part 4.</td>
<td><strong>31(4)</strong> If the head of the public body decides not to give access to the record or part of the record, the notice under subsection (2) must state that the applicant may ask for a review under Part 5.</td>
</tr>
<tr>
<td>**33(1)(iii) the Commissioner under section 51(1)(h) of this Act.</td>
<td>**34(1)(iii) the Commissioner under section 53(1)(h) of this Act.</td>
</tr>
</tbody>
</table>
**S.A. 1994, Chapter F-18.5 as amended to December 31, 2001**

<table>
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<tr>
<th>Section</th>
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<tbody>
<tr>
<td>35(2)</td>
<td>If no correction is made in response to a request under subsection (1), or if because of subsection (1.1) no correction may be made, the head of the public body must annotate or link the personal information with that part of the requested correction that is relevant and material to the record in question.</td>
</tr>
<tr>
<td>35(3.1)</td>
<td>Despite subsection (3), the head of a public body may dispense with notifying any other public body or third party that a correction, annotation or linkage has been made if</td>
</tr>
<tr>
<td>35(4)</td>
<td>On being notified under subsection (3) of a correction, annotation or linkage of personal information, a public body must make the correction, annotation or linkage on any record of that information in its custody or under its control.</td>
</tr>
<tr>
<td>35(5)(b)</td>
<td>an annotation or linkage has been made pursuant to subsection (2).</td>
</tr>
<tr>
<td>35(6)</td>
<td>Section 13 applies to the period set out in subsection (5).</td>
</tr>
<tr>
<td>35.1(1)</td>
<td>Within 15 days after a request to correct personal information under section 35(1) is received by a public body, the head of the public body may transfer the request to another public body if</td>
</tr>
<tr>
<td>35.1(2)(b)</td>
<td>the head of the public body to which the request is transferred must make every reasonable effort to respond to the request not later than 30 days after receiving the request unless the time limit is extended pursuant to section 35(6).</td>
</tr>
<tr>
<td>35.2(1)</td>
<td>If a request is made under section 35(1) to correct personal information that contains information to which the Health Information Act applies, the part of the request that relates to that information is deemed to be a request under section 13(1) of the Health Information Act and that Act applies as if the request had been made under section 13(1) of that Act.</td>
</tr>
<tr>
<td>37(1)(c)</td>
<td>for a purpose for which that information may be disclosed to that public body under section 38, 40 or 41.</td>
</tr>
<tr>
<td>38(1)(a.1)</td>
<td>if the disclosure would not be an unreasonable invasion of a third party’s personal privacy under section 16.</td>
</tr>
<tr>
<td>38(1)(r)</td>
<td>in accordance with section 40 or 41.</td>
</tr>
<tr>
<td>38(1)(s)</td>
<td>to an expert for the purposes of section 17(2).</td>
</tr>
<tr>
<td>38(2)</td>
<td>A public body may disclose personal information only to the extent necessary to enable the public body to carry out the purposes described in subsections (1), (1.1) and (1.2) in a reasonable manner.</td>
</tr>
</tbody>
</table>

**RSA 2000, Chapter F-25, as amended to January 1, 2002**

<table>
<thead>
<tr>
<th>Section</th>
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<tr>
<td>36(3)</td>
<td>If no correction is made in response to a request under subsection (1), or if because of subsection (2) no correction may be made, the head of the public body must annotate or link the personal information with that part of the requested correction that is relevant and material to the record in question.</td>
</tr>
<tr>
<td>36(5)</td>
<td>Despite subsection (4), the head of a public body may dispense with notifying any other public body or third party that a correction, annotation or linkage has been made if</td>
</tr>
<tr>
<td>36(6)</td>
<td>On being notified under subsection (4) of a correction, annotation or linkage of personal information, a public body must make the correction, annotation or linkage on any record of that information in its custody or under its control.</td>
</tr>
<tr>
<td>36(7)(b)</td>
<td>an annotation or linkage has been made pursuant to subsection (3).</td>
</tr>
<tr>
<td>36(8)</td>
<td>Section 14 applies to the period set out in subsection (7).</td>
</tr>
<tr>
<td>37(1)</td>
<td>Within 15 days after a request to correct personal information under section 36(1) is received by a public body, the head of the public body may transfer the request to another public body if</td>
</tr>
<tr>
<td>37(2)(b)</td>
<td>the head of the public body to which the request is transferred must make every reasonable effort to respond to the request not later than 30 days after receiving the request unless the time limit is extended pursuant to section 36(8).</td>
</tr>
<tr>
<td>37.1(1)</td>
<td>If a request is made under section 36(1) to correct personal information that contains information to which the Health Information Act applies, the part of the request that relates to that information is deemed to be a request under section 13(1) of the Health Information Act and that Act applies as if the request had been made under section 13(1) of that Act.</td>
</tr>
<tr>
<td>39(1)(c)</td>
<td>for a purpose for which that information may be disclosed to that public body under section 40, 42 or 43.</td>
</tr>
<tr>
<td>40(1)(b)</td>
<td>if the disclosure would not be an unreasonable invasion of a third party’s personal privacy under section 17.</td>
</tr>
<tr>
<td>40(1)(t)</td>
<td>in accordance with section 42 or 43.</td>
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<tr>
<td>40(1)(u)</td>
<td>to an expert for the purposes of section 18(2).</td>
</tr>
<tr>
<td>40(4)</td>
<td>A public body may disclose personal information only to the extent necessary to enable the public body to carry out the purposes described in subsections (1), (2) and (3) in a reasonable manner.</td>
</tr>
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</tr>
<tr>
<td>39 For the purposes of sections 37(1)(a) and 38(1)(b), a use or disclosure of personal information is consistent with the purpose for which the information was collected or compiled if the use or disclosure</td>
<td>41 For the purposes of sections 39(1)(a) and 40(1)(c), a use or disclosure of personal information is consistent with the purpose for which the information was collected or compiled if the use or disclosure</td>
</tr>
<tr>
<td>41(1)(a)(i)(A) would not be an unreasonable invasion of personal privacy under section 16, or</td>
<td>43(1)(a)(i)(A) would not be an unreasonable invasion of personal privacy under section 17, or</td>
</tr>
<tr>
<td>41(1)(a)(i)(B) is in accordance with section 40.</td>
<td>43(1)(a)(i)(B) is in accordance with section 42.</td>
</tr>
<tr>
<td>41(b)(i) the disclosure of the information would not be harmful to the business interests of a third party within the meaning of section 15.</td>
<td>43(1)(b)(i) the disclosure of the information would not be harmful to the business interests of a third party within the meaning of section 16.</td>
</tr>
<tr>
<td>41(b)(ii) the disclosure of the information would not be harmful to a law enforcement matter within the meaning of section 19.</td>
<td>43(1)(b)(ii) the disclosure of the information would not be harmful to a law enforcement matter within the meaning of section 20.</td>
</tr>
<tr>
<td>41(b)(iii) the information is not subject to any type of legal privilege under section 26. and</td>
<td>43(1)(b)(iii) the information is not subject to any type of legal privilege under section 27, and</td>
</tr>
<tr>
<td>44(1) Except as provided for in section 45, the Commissioner holds office for a term of 5 years.</td>
<td>46(1) Except as provided for in section 47, the Commissioner holds office for a term of 5 years.</td>
</tr>
<tr>
<td>46(1)(c) the Commissioner is removed or suspended or the office of the Commissioner becomes vacant when the Legislative Assembly is sitting, but no recommendation is made by the Assembly under section 43(1) before the end of the session.</td>
<td>48(1)(c) the Commissioner is removed or suspended or the office of the Commissioner becomes vacant when the Legislative Assembly is sitting, but no recommendation is made by the Assembly under section 45(1) before the end of the session.</td>
</tr>
<tr>
<td>46(3)(a) a person is appointed under section 43(1).</td>
<td>48(3)(a) a person is appointed under section 45(1).</td>
</tr>
<tr>
<td>50(3)... the Lieutenant Governor in Council may order a special warrant to be prepared to be signed by himself authorizing the expenditure of the amount estimated to be required.</td>
<td>52(3)... the Lieutenant Governor in Council may order a special warrant to be prepared to be signed by the Lieutenant Governor authorizing the expenditure of the amount estimated to be required.</td>
</tr>
<tr>
<td>50(4) When the Legislative Assembly is adjourned for a period of more than 14 days, then, for the purposes of subsection (3), the Assembly shall be deemed not to be in session during the period of the adjournment.</td>
<td>52(4) When the Legislative Assembly is adjourned for a period of more than 14 days, then, for the purposes of subsection (3), the Assembly is deemed not to be in session during the period of the adjournment.</td>
</tr>
<tr>
<td>51(1) In addition to the Commissioner’s powers and duties under Part 4 with respect to reviews, the Commissioner is generally responsible for monitoring how this Act is administered to ensure that its purposes are achieved, and may</td>
<td>53(1) In addition to the Commissioner’s powers and duties under Part 5 with respect to reviews, the Commissioner is generally responsible for monitoring how this Act is administered to ensure that its purposes are achieved, and may</td>
</tr>
<tr>
<td>51(1)(a)(ii) set out in a by-law, resolution or other legal instrument by which a local public body acts or, if a local public body does not have a by-law, resolution or other legal instrument setting out rules related to the destruction of records, as authorized by the governing body of a local public body,</td>
<td>53(1)(a)(ii) set out in a bylaw, resolution or other legal instrument by which a local public body acts or, if a local public body does not have a bylaw, resolution or other legal instrument setting out rules related to the destruction of records, as authorized by the governing body of a local public body,</td>
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<tr>
<td>51(1)(b) make an order described in section 68(3) whether or not a review is requested,</td>
<td>53(1)(b) make an order described in section 72(3) whether or not a review is requested,</td>
</tr>
<tr>
<td>51(1)(i) bring to the attention of the head of a public body any failure by the public body to assist applicants under section 9, and</td>
<td>53(1)(i) bring to the attention of the head of a public body any failure by the public body to assist applicants under section 10, and</td>
</tr>
<tr>
<td>51(2)(a) a duty imposed by section 9 has not been performed,</td>
<td>53(2)(a) a duty imposed by section 10 has not been performed,</td>
</tr>
<tr>
<td>51(2)(b) an extension of time for responding to a request is not in accordance with section 13.</td>
<td>53(2)(b) an extension of time for responding to a request is not in accordance with section 14.</td>
</tr>
<tr>
<td>51(2)(d) a correction of personal information requested under section 35(1) has been refused without justification, and</td>
<td>53(2)(d) a correction of personal information requested under section 36(1) has been refused without justification, and</td>
</tr>
<tr>
<td>51(2)(e) personal information has been collected, used or disclosed by a public body in violation of Part 2.</td>
<td>53(2)(e) personal information has been collected, used or disclosed by a public body in contravention of Part 2.</td>
</tr>
<tr>
<td>53 If the head of a public body asks, the Commissioner may authorize the public body to disregard one or more requests under section 7(1) or 35(1) if</td>
<td>55 If the head of a public body asks, the Commissioner may authorize the public body to disregard one or more requests under section 7(1) or 36(1) if</td>
</tr>
<tr>
<td>54(1) In conducting an investigation under section 51(1)(a) or an inquiry under section 66 or in giving advice and recommendations under section 52, the Commissioner has all the powers, privileges and immunities of a commissioner under the Public Inquiries Act and the powers given by subsection (2) of this section.</td>
<td>56(1) In conducting an investigation under section 53(1)(a) or an inquiry under section 69 or in giving advice and recommendations under section 54, the Commissioner has all the powers, privileges and immunities of a commissioner under the Public Inquiries Act and the powers given by subsection (2) of this section.</td>
</tr>
<tr>
<td>57(5) The Commissioner may disclose, or may authorize anyone acting for or under the direction of the Commissioner to disclose, information in the course of a prosecution, application or appeal referred to in section 55.</td>
<td>59(5) The Commissioner may disclose, or may authorize anyone acting for or under the direction of the Commissioner to disclose, information in the course of a prosecution, application or appeal referred to in section 57.</td>
</tr>
<tr>
<td>58 No proceedings lie against the Commissioner, or against a person acting for or under the direction of the Commissioner, for anything done, reported or said in good faith in the exercise or performance or the intended exercise or performance of a duty, power or function under this Part or Part 4.</td>
<td>60 No proceedings lie against the Commissioner, or against a person acting for or under the direction of the Commissioner, for anything done, reported or said in good faith in the exercise or performance or the intended exercise or performance of a power, duty or function under this Part or Part 5.</td>
</tr>
<tr>
<td>61(1)(c) such other matters relating to freedom of information and protection of personal privacy as the Commissioner considers appropriate.</td>
<td>63(1)(c) any other matters relating to freedom of information and protection of personal privacy that the Commissioner considers appropriate.</td>
</tr>
<tr>
<td>62(2) A third party notified under section 30 of a decision by the head of a public body to give access may ask the Commissioner to review that decision.</td>
<td>65(2) A third party notified under section 31 of a decision by the head of a public body to give access may ask the Commissioner to review that decision.</td>
</tr>
<tr>
<td>62(3) A person who believes that the person’s own personal information has been collected, used or disclosed in violation of Part 2 may ask the Commissioner to review that matter.</td>
<td>65(3) A person who believes that the person’s own personal information has been collected, used or disclosed in contravention of Part 2 may ask the Commissioner to review that matter.</td>
</tr>
<tr>
<td>S.A. 1994, Chapter F-18.5 as amended to December 31, 2001</td>
<td>RSA 2000, Chapter F-25, as amended to January 1, 2002</td>
</tr>
<tr>
<td>---</td>
<td>---</td>
</tr>
<tr>
<td><strong>62(3.1)</strong> A relative of a deceased individual may ask the Commissioner to review a decision of a head of a public body under <a href="https://example.com">section 38(1)(aa)</a> not to disclose personal information.</td>
<td><strong>65(4)</strong> A relative of a deceased individual may ask the Commissioner to review a decision of a head of a public body under <a href="https://example.com">section 40(1)(cc)</a> not to disclose personal information.</td>
</tr>
<tr>
<td><strong>62(4)(a)</strong> to a decision, act or failure to act of the Commissioner when acting as the head of the office of the Information and Privacy Commissioner,</td>
<td><strong>65(5)(a)</strong> to a decision, act or failure to act of the Commissioner when acting as the head of the Office of the Information and Privacy Commissioner,</td>
</tr>
<tr>
<td><strong>63(2)(a)</strong> if the request is pursuant to <strong>62(1)</strong>, (3) or (3.1), within</td>
<td><strong>66(2)(a)</strong> if the request is pursuant to <strong>65(1)</strong>, (3) or (4), within</td>
</tr>
<tr>
<td><strong>63(2)(b)</strong> if the request is pursuant to <strong>62(2)</strong>, within 20 days after the person asking for the review is notified of the decision.</td>
<td><strong>66(2)(b)</strong> if the request is pursuant to <strong>65(2)</strong>, within 20 days after the person asking for the review is notified of the decision.</td>
</tr>
<tr>
<td><strong>66(1)</strong> Unless section <strong>66.1</strong> applies, if a matter is not settled under <strong>65</strong>, the Commissioner must conduct an inquiry and may decide all questions of fact and law arising in the course of the inquiry.</td>
<td><strong>69(1)</strong> Unless section <strong>70</strong> applies, if a matter is not settled under <strong>68</strong>, the Commissioner must conduct an inquiry and may decide all questions of fact and law arising in the course of the inquiry.</td>
</tr>
<tr>
<td><strong>66.1</strong> The Commissioner may refuse to conduct an inquiry pursuant to <strong>66</strong> if in the opinion of the Commissioner the subject-matter of a request for a review under section <strong>62</strong> has been dealt with in an order or investigation report of the Commissioner.</td>
<td><strong>70</strong> The Commissioner may refuse to conduct an inquiry pursuant to <strong>69</strong> if in the opinion of the Commissioner the subject-matter of a request for a review under section <strong>65</strong> has been dealt with in an order or investigation report of the Commissioner.</td>
</tr>
<tr>
<td><strong>68(1)</strong> On completing an inquiry under <strong>66</strong>, the Commissioner must dispose of the issues by making an order under this section.</td>
<td><strong>72(1)</strong> On completing an inquiry under <strong>69</strong>, the Commissioner must dispose of the issues by making an order under this section.</td>
</tr>
<tr>
<td><strong>68(3)(b)</strong> confirm or reduce the extension of a time limit under <a href="https://example.com">section 13</a>;</td>
<td><strong>72(3)(b)</strong> confirm or reduce the extension of a time limit under <a href="https://example.com">section 14</a>;</td>
</tr>
<tr>
<td><strong>68(3)(e)</strong> require a public body to stop collecting, using or disclosing personal information in violation of Part 2;</td>
<td><strong>72(3)(e)</strong> require a public body to stop collecting, using or disclosing personal information in contravention of Part 2;</td>
</tr>
<tr>
<td><strong>68(3)(f)</strong> require the head of a public body to destroy personal information collected in violation of this Act.</td>
<td><strong>72(3)(f)</strong> require the head of a public body to destroy personal information collected in contravention of this Act.</td>
</tr>
<tr>
<td><strong>71(1)(a)</strong> to investigate complaints made against the Commissioner as the head of the Office of the Information and Privacy Commissioner with respect to any matter referred to in <strong>51(2)</strong>.</td>
<td><strong>75(1)(a)</strong> to investigate complaints made against the Commissioner as the head of the Office of the Information and Privacy Commissioner with respect to any matter referred to in <strong>53(2)</strong>.</td>
</tr>
<tr>
<td><strong>71(1)(a.1)</strong> if the person who is appointed as the Commissioner is, at the same time, appointed as any other officer of the Legislature, to investigate complaints respecting any matter referred to in <strong>51(2)</strong> made against that person when acting as the head of that office,</td>
<td><strong>75(1)(b)</strong> if the person who is appointed as the Commissioner is, at the same time, appointed as any other officer of the Legislature, to investigate complaints respecting any matter referred to in <strong>53(2)</strong> made against that person when acting as the head of that office,</td>
</tr>
<tr>
<td>S.A. 1994, Chapter F-18.5 as amended to December 31, 2001</td>
<td>RSA 2000, Chapter F-25, as amended to January 1, 2002</td>
</tr>
<tr>
<td>--------------------------------------------------------</td>
<td>--------------------------------------------------------</td>
</tr>
<tr>
<td><strong>71(1)(a.2)</strong> to investigate complaints respecting any matter referred to in section 51(2) made against a head of a public body and the Commissioner had been a member, employee or head of that public body or, in the Commissioner’s opinion, the Commissioner has a conflict with respect to that public body.</td>
<td><strong>75(1)(c)</strong> to investigate complaints respecting any matter referred to in section 53(2) made against a head of a public body and the Commissioner had been a member, employee or head of that public body or, in the Commissioner’s opinion, the Commissioner has a conflict with respect to that public body.</td>
</tr>
<tr>
<td><strong>71(1)(a.3)</strong> to review, if requested under section 73.1, a decision, act or failure to act of a head of a public body and the Commissioner had been a member, employee or head of that public body or, in the Commissioner’s opinion, the Commissioner has a conflict with respect to that public body.</td>
<td><strong>75(1)(d)</strong> to review, if requested under section 78, a decision, act or failure to act of a head of a public body and the Commissioner had been a member, employee or head of that public body or, in the Commissioner’s opinion, the Commissioner has a conflict with respect to that public body.</td>
</tr>
<tr>
<td><strong>71(1)(b)</strong> to review, if requested under section 73, any decision, act or failure to act of the Commissioner as the head of the Office of the Information and Privacy Commissioner, and</td>
<td><strong>75(1)(e)</strong> to review, if requested under section 77, any decision, act or failure to act of the Commissioner as the head of the Office of the Information and Privacy Commissioner, and</td>
</tr>
<tr>
<td><strong>71(1)(c)</strong> if the person who is appointed as the Commissioner is, at the same time, appointed as any other officer of the Legislature, to review, if requested under section 73, any decision, act or failure to act of that person when acting as the head of that office.</td>
<td><strong>75(1)(f)</strong> if the person who is appointed as the Commissioner is, at the same time, appointed as any other officer of the Legislature, to review, if requested under section 77, any decision, act or failure to act of that person when acting as the head of that office.</td>
</tr>
<tr>
<td><strong>71(3)(b)</strong> to a person whose services are retained under subsection (2), remuneration for those services.</td>
<td><strong>75(4)(b)</strong> to a person whose services are retained under subsection (3), remuneration for those services.</td>
</tr>
<tr>
<td><strong>72(1)</strong> For the purposes of section 71, an adjudicator has the powers, duties and functions given to the Commissioner by sections 51(2)(a) to (d), 53, 54 and 57(1), (2)(a) and (3) to (5).</td>
<td><strong>76(1)</strong> For the purposes of section 75, an adjudicator has the powers, duties and functions given to the Commissioner by sections 53(2)(a) to (d), 55, 56 and 59(1), (2)(a) and (3) to (5).</td>
</tr>
<tr>
<td><strong>72(2)</strong> Sections 55, 56, 58 and 60 apply for the purposes of an investigation, inquiry or review by an adjudicator.</td>
<td><strong>76(2)</strong> Sections 57, 58, 60 and 62 apply for the purposes of an investigation, inquiry or review by an adjudicator.</td>
</tr>
<tr>
<td><strong>73(3)</strong> A third party notified under section 30 of a decision by the Commissioner to give access may ask an adjudicator to review that decision.</td>
<td><strong>77(3)</strong> A third party notified under section 31 of a decision by the Commissioner to give access may ask an adjudicator to review that decision.</td>
</tr>
<tr>
<td><strong>73(4)</strong> A person who believes that the person’s own personal information has been collected, used or disclosed in violation of Part 2 may ask an adjudicator to review that matter.</td>
<td><strong>77(4)</strong> A person who believes that the person’s own personal information has been collected, used or disclosed in contravention of Part 2 may ask an adjudicator to review that matter.</td>
</tr>
<tr>
<td><strong>73.1(1)</strong> This section applies where the Commissioner is asked under section 62(1), (2), (3) or (3.1) to review a decision, act or failure to act of a head of a public body and the Commissioner had been a member, employee or head of that public body or, in the Commissioner’s opinion, the Commissioner has a conflict with respect to that public body.</td>
<td><strong>78(1)</strong> This section applies where the Commissioner is asked under section 65(1), (2), (3) or (4) to review a decision, act or failure to act of a head of a public body and the Commissioner had been a member, employee or head of that public body or, in the Commissioner’s opinion, the Commissioner has a conflict with respect to that public body.</td>
</tr>
<tr>
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</tr>
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<td>---------------------------------------------------------</td>
</tr>
<tr>
<td><strong>73.1(3)</strong> A third party notified under section 30 of a decision by the head of a public body to give access may ask an adjudicator to review that decision.</td>
<td><strong>78(3)</strong> A third party notified under section 31 of a decision by the head of a public body to give access may ask an adjudicator to review that decision.</td>
</tr>
<tr>
<td><strong>73.1(4)</strong> A person who believes that the person’s own personal information has been collected, used or disclosed in violation of Part 2 may ask an adjudicator to review that matter.</td>
<td><strong>78(4)</strong> A person who believes that the person’s own personal information has been collected, used or disclosed in contravention of Part 2 may ask an adjudicator to review that matter.</td>
</tr>
<tr>
<td><strong>74(2)(a)</strong> if the request is pursuant to section 62(1), (3) or (3.1), within</td>
<td><strong>79(2)(a)</strong> if the request is pursuant to section 65(1), (3) or (4), within</td>
</tr>
<tr>
<td><strong>74(2)(b)</strong> if the request is pursuant to section 62(2), within 20 days after the person asking for the review is notified of the decision.</td>
<td><strong>79(2)(b)</strong> the request is pursuant to section 65(2), within 20 days after the person asking for the review is notified of the decision.</td>
</tr>
<tr>
<td><strong>76(1)</strong> An adjudicator has the powers and duties given to the Commissioner by sections 65 and 66(1) and (2), and sections 66(3) to (6) and 67 apply to an inquiry conducted by an adjudicator.</td>
<td><strong>81(1)</strong> An adjudicator has the powers and duties given to the Commissioner by sections 68 and 69(1) and (2), and sections 69(3) to (6) and 71 apply to an inquiry conducted by an adjudicator.</td>
</tr>
<tr>
<td><strong>76(2)</strong> On completing an inquiry, an adjudicator has the same duty to dispose of the issues, the same power to make orders and the same duty to notify others of those orders as the Commissioner has under section 68(1) to (5).</td>
<td><strong>81(2)</strong> On completing an inquiry, an adjudicator has the same duty to dispose of the issues, the same power to make orders and the same duty to notify others of those orders as the Commissioner has under section 72(1) to (5).</td>
</tr>
<tr>
<td><strong>76(4)</strong> Section 70 applies to an order of an adjudicator.</td>
<td><strong>81(5)</strong> Section 74 applies to an order of an adjudicator.</td>
</tr>
<tr>
<td><strong>77(1)(a)</strong> ought to be disclosed by a head under section 31, or</td>
<td><strong>82(1)(a)</strong> ought to be disclosed by a head under section 32, or</td>
</tr>
<tr>
<td><strong>77(1)(b)</strong> is being collected, used or disclosed in violation of Part 2.</td>
<td><strong>82(1)(b)</strong> is being collected, used or disclosed in contravention of Part 2.</td>
</tr>
<tr>
<td><strong>77(7)</strong> In carrying out an investigation and review under this section, the Commissioner has all of the powers and duties set out in sections 54, 57, 65, 66 and 68(1) to (5), and sections 55, 56, 58 and 60 apply.</td>
<td><strong>82(7)</strong> In carrying out an investigation and review under this section, the Commissioner has all of the powers and duties set out in sections 56, 59, 68, 69 and 72(1) to (5), and sections 57, 58, 60 and 62 apply.</td>
</tr>
<tr>
<td><strong>85.1(2)</strong> A person who violates subsection (1) is guilty of an offence and liable to a fine of not more than $10 000.</td>
<td><strong>91(2)</strong> A person who contravenes subsection (1) is guilty of an offence and liable to a fine of not more than $10 000.</td>
</tr>
<tr>
<td><strong>86(1)(a)</strong> collect, use or disclose personal information in violation of Part 2,</td>
<td><strong>92(1)(a)</strong> collect, use or disclose personal information in contravention of Part 2,</td>
</tr>
<tr>
<td><strong>86(1)(a.1)</strong> attempt to gain or gain access to personal information in violation of this Act,</td>
<td><strong>92(1)(b)</strong> attempt to gain or gain access to personal information in contravention of this Act,</td>
</tr>
<tr>
<td><strong>86(1)(d)</strong> fail to comply with an order made by the Commissioner under section 68 or by an adjudicator under section 76(2), or</td>
<td><strong>92(1)(f)</strong> fail to comply with an order made by the Commissioner under section 72 or by an adjudicator under section 81(2), or</td>
</tr>
<tr>
<td><strong>86(2)</strong> A person who violates subsection (1) is guilty of an offence and liable to a fine of not more than $10 000.</td>
<td><strong>92(2)</strong> A person who contravenes subsection (1) is guilty of an offence and liable to a fine of not more than $10 000.</td>
</tr>
</tbody>
</table>
### S.A. 1994, Chapter F-18.5 as amended to December 31, 2001

#### 87(4.1)
If an applicant has requested the head of a public body to excuse the applicant from paying all or part of a fee and the head of a public body has refused the applicant’s request, the head must notify the applicant that the applicant may ask for a review under Part 4.

#### 88(1)(f)
authorizing the disclosure of information relating to the mental or physical health of individuals to medical or other experts to determine, for the purposes of section 17(2), if disclosure of that information could reasonably be expected to result in grave and immediate harm to the safety of or the mental or physical health of those individuals;

#### 88(1)(i)
respecting the manner of giving consent for the purposes of sections 37(1)(b) and 38(1)(c);

#### 88(1)(k)
authorizing, for the purposes of section 22(1)(b), a local public body to hold meetings of its elected officials, or of its governing body or a committee of its governing body, to consider specified matters in the absence of the public unless another Act

#### 89
A local public body, by by-law or other legal instrument by which the local public body acts,

### RSA 2000, Chapter F-25, as amended to January 1, 2002

#### 93(5)
If an applicant has requested the head of a public body to excuse the applicant from paying all or part of a fee and the head of a public body has refused the applicant’s request, the head must notify the applicant that the applicant may ask for a review under Part 5.

#### 94(1)(g)
authorizing the disclosure of information relating to the mental or physical health of individuals to medical or other experts to determine, for the purposes of section 18(2), if disclosure of that information could reasonably be expected to result in immediate and grave harm to the safety of or the mental or physical health of those individuals;

#### 94(1)(i)
respecting the manner of giving consent for the purposes of sections 39(1)(b) and 40(1)(d);

#### 94(1)(n)
authorizing, for the purposes of section 23(1)(b), a local public body to hold meetings of its elected officials, or of its governing body or a committee of its governing body, to consider specified matters in the absence of the public unless another Act

#### 95
A local public body, by bylaw or other legal instrument by which the local public body acts,

#### 95(b)
may set any fees the local public body requires to be paid under section 93, which must not exceed the fees provided for in the regulations.

#### 97
A special committee of the Legislative Assembly must begin a comprehensive review of this Act by May 18, 2002 and must submit to the Legislative Assembly, within one year after beginning the review, a report that includes any amendments recommended by the committee.