



NEWS RELEASE – December 14, 2017

Amendments to *The Freedom of Information and Protection of Privacy Act* and *The Local Authority Freedom of Information and Protection of Privacy Act* Proclaimed

The government of Saskatchewan has proclaimed Bill No. 30, An Act to amend *The Freedom of Information and Protection of Privacy Act* and Bill No. 31, An Act to amend *The Local Authority Freedom of Information and Protection of Privacy Act* effective January 1, 2018. My office made proposals for the amendments of these Acts in June 2015. I am most pleased these amendments were passed by the Legislative Assembly in May 2017 and now proclaimed.

The highlights of the amendments to both Acts are:

- Obligations of government institutions and local authorities to provide breach notification to affected individuals if it is believed the incident creates a real risk of significant harm;
- The Duty to Protect is now explicit for both government institutions and local authorities;
- The Duty to Assist those requesting information is now provided for in the legislation;
- Police services are now a local authority for purposes of the legislation;
- There is now an obligation of government institutions and local authorities to enter into written agreements with information management service providers (IMSP);
- MLAs and Ministers' offices are obliged to protect personal information in accordance with the legislation;
- The manner of access to records includes giving access in electronic form;
- The offence provisions have been updated and expanded;
- Government institutions and local authorities must take reasonable steps to post manuals, policies, guidelines and procedures to its websites; and
- Categories of records are to be established that can be provided to the public without an application.

In addition, the Regulations to both Acts have been amended. Some highlights of the Regulation amendments are:

- Generally now fees do not have to be charged if under \$100 or if the records involve the applicant's personal information;
- If records are provided to an applicant via a portable storage device (PSD), the cost of the electronic copies is the price of the PSD;
- Consent requirements are expanded; and
- Clarification is provided on what elements must be included in written agreements with IMSPs.

The amendments to the Acts and the Regulations are the most significant amendments to this legislation since its introduction in 1992 and 1993.

My office will be working on updating its resources on its website to reflect the changes that are in the amendments.

For copies of amendments to FOIP and LA FOIP, go to www.oipc.sk.ca under the *Legislation* tab. The amendments to the Regulations will soon be available on my office's website and the Queen's printer website.

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