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Freedom of Information and Protection of Privacy Regulations
made under Section 49 of the
Freedom of Information and Protection of Privacy Act
S.N.S. 1993, c. 5
O.I.C. 94-537 (June 28, 1994, effective July 1, 1994), N.S. Reg. 105/94
as amended to O.I.C. 2015-102 (March 31, 2015, effective April 1, 2015), N.S. Reg. 185/2015

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Citation

1 These regulations may be cited as the “Freedom of Information and Protection of Privacy Regulations”.

Definitions

2 In these regulations

- (a) “Act” means the *Freedom of Information and Protection of Privacy Act*;
- (b) “appellant” means a person who appeals to the Supreme Court pursuant to Section 41 of the Act;
- (c) “applicant” means a person who makes a request pursuant to subsection 6(1) of the Act for access to a record or pursuant to subsection 25(1) of the Act for correction of personal information;
- (d) “application” means a request for access to a record pursuant to subsection 6(1) of the Act.

Application for access to records

3 (1) An application

- (a) must state that the application is made pursuant to the Act;
 - (b) may be in Form 1.
- (2) If an individual familiar with the subject matter is unable to identify a record for which an application is made, the head of the public body shall so advise the applicant and permit the applicant to amend the application to provide additional particulars.

Request for correction of personal information**4 (1) A request for correction of personal information pursuant to subsection 25(1) of the Act**

- (a) must
 - (i) be made in writing,
 - (ii) state that the request is made pursuant to the Act, and
 - (iii) provide sufficient detail to enable an individual familiar with the subject matter to identify the personal information and the proposed correction of the personal information;
 - (b) may be in Form 2.
- (2) If an individual familiar with the subject matter is unable to identify the personal information with respect to which a request for correction is made, the head of the public body shall so advise the applicant and permit the applicant to amend the application to provide additional particulars.

Anthropological and heritage sites**5 For the purposes of Section 19 of the Act,**

- (a) a site has anthropological value if it contains an artifact or other physical evidence of past habitation or use that has research value; and
- (b) a site has heritage value if it is the location of a traditional societal practice for a living community or it has historical, cultural, aesthetic, educational, scientific or spiritual meaning or value for the Province or for a community, including an aboriginal people.

Fees**6 (1) An applicant who makes a request for access to a record pursuant to subsection 6(1) of the Act must pay to the public body an application fee in the amount of \$5.00.**

Subsection 6(1) amended: O.I.C. 2009-343, N.S. Reg. 262/2009.

- (2) When no search fee or reproduction fee is determined by an enactment other than the Act, the fees payable for services under the Act shall be the actual costs to the public body of providing the following services:
- (a) locating, retrieving and producing the record;
 - (b) preparing the record for disclosure;
 - (c) shipping and handling the record;
 - (d) providing a copy of the record.
- (3) Despite subsection (2), the fees for services mentioned in subsection (2) shall not exceed the following amounts:
- (a) for locating and retrieving a record, \$15.00 for each half-hour of person time after the first 2 hours, rounded down to the nearest half-hour;

Clause 6(3)(a) amended: O.I.C. 2002-163, N.S. Reg. 52/2002; O.I.C. 2002-351, N.S. Reg. 101/2002; O.I.C. 2007-474, N.S. Reg. 378/2007.

- (b) for producing a record manually, \$15.00 for each half-hour of person time, rounded down to the nearest half-hour;

Clause 6(3)(b) amended: O.I.C. 2002-163, N.S. Reg. 52/2002.

- (c) for producing a record from a machine readable record, the actual cost incurred for computer usage and for developing a computer program to produce the record;
- (d) for preparing a record for disclosure and handling a record, \$15.00 for each half-hour of person time, rounded down to the nearest half-hour;

Clause 6(3)(d) amended: O.I.C. 2002-163, N.S. Reg. 52/2002.

- (e) for shipping a record, the actual costs of shipping method chosen by applicant;
 - (f) where the record is stored or recorded in printed form and can be copied on conventional photocopying equipment, twenty cents a page for providing a copy of the record;
 - (g) where the record is stored or recorded in a manner other than that referred to in clause (f) or cannot be reproduced on conventional photocopying equipment, the actual cost of reproduction for providing a copy of the record.
- (4) Subsections (1) and (2) do not apply to a request for the applicant's own personal information.
- (5) Where an enactment other than the Act determines that a search fee or reproduction fee must be charged respecting access to a record, the head of the public body to whom an application is made must charge the applicant the search fee or reproduction fee under the enactment.
- (6) Where an applicant is not required to pay and has not paid an estimated fee in advance pursuant to subsection 11(6) of the Act and the head of the public body has not waived the payment of the fee, the applicant must pay the fee for services when access to a record is given or refused.

Subsection 6(6) amended: O.I.C. 95-591, N.S. Reg. 130/95.

- (7) A head of a public body shall refund to an applicant any fee paid for services pursuant to subsection 6(2) of the Act that is subsequently waived.
- (8) Where the actual cost of responding to an application is less than the estimated fee paid by an applicant pursuant to subsection 11(6) of the Act, the head of the public body that responds to the application must refund the difference to the applicant.
- (9) The following are prescribed as additional circumstances in which a head of a public body may waive the payment of all or any part of a prescribed fee:
- (a) whether the applicant is given access to the record;
 - (b) if the amount of the payment would be five dollars or less, whether the amount of the payment is too small to justify requiring payment.

Subsection 6(10) added: O.I.C. 2002-351, N.S. Reg. 101/2002; repealed: O.I.C. 2007-474, N.S. Reg. 378/2007.

Consent to disclosure of information

- 7 (1) The consent of a third party to a public body disclosing information pursuant to subsection 21(4) of the Act may be in Form 3.
- (2) The consent of an individual to a public body disclosing any of the individual's personal information pursuant to clause 27(b) of the Act may be in Form 3.

Consent to use of personal information

8 For the purposes of clause 26(b) of the Act, the consent of an individual to a public body using personal information

- (a) must
 - (i) be in writing,
 - (ii) identify the information, and
 - (iii) specify to whom the information may be disclosed and how the information may be used;
- (b) may be in Form 4.

Disclosure for research purpose

9 An agreement pursuant to clause 29(d) of the Act must be in Form 5 and include the following conditions:

- (a) the person shall use the information only for a research purpose set out in the agreement or for which the person has written authorization from the public body;
- (b) the person shall name in the agreement any other persons who will be given access to personal information in a form in which the individual to whom it relates can be identified;

- (c) before disclosing personal information to other persons under clause (b), the person shall enter into an agreement with those persons to ensure that they will not disclose it to any other person;
- (d) the person shall keep the information in a physically secure location to which access is given only to the person and to the persons given access under clause (b);
- (e) the person shall destroy all individual identifiers in the information by the date specified in the agreement;
- (f) the person shall not contact any individual to whom personal information relates, directly or indirectly, without the prior written authority of the public body;
- (g) the person shall ensure that no personal information will be used or disclosed in a form in which the individual to whom it relates can be identified without the written authority of the public body;
- (h) the person shall notify the public body in writing immediately if the person becomes aware that any of the conditions set out in this section have been breached.

Notice of disclosure

10 A notice of disclosure pursuant to subsection 31(3) of the Act must be in Form 6.

Request for review

11 (1) A written request by an applicant for a review pursuant to subsection 32(1) of the Act may be in Form 7.

(2) A written request by a third party for a review pursuant to subsection 32(2) of the Act may be in Form 8.

Subsections 11(1) and 11(2) amended: O.I.C. 95-591, N.S. Reg. 130/95.

Appeal to Supreme Court

12 (1) An appeal to the Supreme Court pursuant to Section 41 of the Act by

- (a) an applicant mentioned in subsection 32(3) of the Act shall be in Form 9;
 - (b) an applicant mentioned in subsection 41(1) of the Act shall be in Form 10;
 - (c) a third party mentioned in subsection 41(1) of the Act shall be in Form 11.
- (2)** The appellant must complete Part A of Form 9, 10 or 11 and must file it with the prothonotary of the Supreme Court of Nova Scotia who must complete Part B and issue the Form.
- (3)** When the prothonotary has issued a Form pursuant to subsection (2), the appellant must within ten days serve a copy of the issued Form on the head of the public body referred to in the Form.
- (4)** An appeal shall be heard in accordance with the Act and the Nova Scotia Civil Procedure Rules apply with the necessary changes in details.

Notice to Third Parties

13 For the purposes of subsections 22(1) and 31(2) of the Act, it is deemed to be practicable to give the third party a notice where the third party can reasonably be located.

Section 13 added: O.I.C. 95-591, N.S. Reg. 130/95.

14 Where a third party is a corporation registered to carry on business in the Province, a notice to the third party pursuant to subsection 22(1) of the Act or a notice of disclosure to the third party pursuant to subsection 31(3) of the Act shall be given by registered mail addressed to the last known address of the recognized agent of the corporation or if the corporation does not have a recognized agent, by registered mail addressed to the last known address of the corporation.

Section 14 added: O.I.C. 95-591, N.S. Reg. 130/95.

Interpretation of administrative proceeding

15 For the purposes of clause 4(3)(a) of the Act, “administrative proceeding” includes the alternative dispute resolution mechanism provided for in the Memorandum of Understanding Regarding Compensation For Survivors of Institutional Abuse made effective June 17, 1996, between the Province and the Survivors.

Section 15 added: O.I.C. 96-610, N.S. Reg. 133/96; heading added: O.I.C. 2000-602, N.S. Reg. 193/2000.

Interpretation of terms with respect to local public bodies

16 For the purpose of the Act, “enactment” includes, in the case of a university, any legal authority pursuant to which the university acts.

Section 16 added: O.I.C. 2000-602, N.S. Reg. 193/2000.

17 For the purpose of clause 4(2)(d) of the Act, a “person acting in a judicial or quasi-judicial capacity” includes, in the case of a university,

- (a) a person; or
- (b) a member or a chair of a committee

authorized, under the enactment of the university, to act in a judicial or quasi-judicial capacity.

Section 17 added: O.I.C. 2000-602, N.S. Reg. 193/2000.

18 For the purpose of clause 4(2)(e) of the Act, “Ombudsman” includes, in the case of a university, an officer of the university responsible, under the enactment of the university, for making inquiries and recommendations respecting complaints against the university.

Section 18 added: O.I.C. 2000-602, N.S. Reg. 193/2000.

19 For the purpose of Section 19A of the Act, “governing body” includes, in the case of a university, the faculties and the senate of the university.

Section 19 added: O.I.C. 2000-602, N.S. Reg. 193/2000.

20 For the purpose of subsection 19B(2) of the Act, “employee of the local public body” includes

- (a) an employee of the employee of the local public body;
- (b) an individual engaged by the employee of the local public body under contract whether as an independent contractor or otherwise;
- (c) an individual engaged under a contractual arrangement by or with the local public body;
- (d) a student attending or providing services to a local public body; and
- (e) a visiting professor at the local public body,

and the “employee’s employment” shall be read accordingly.

Section 20 added: O.I.C. 2000-602, N.S. Reg. 193/2000.

21 For the purpose of Section 19D of the Act, the definition of “hospital” in clause 3(1)(ca) of the Act is enlarged to include a university, or part of a university, associated with a hospital for the purpose of medical care.

Section 21 added: O.I.C. 2000-602, N.S. Reg. 193/2000.

Time limit for compliance by public body

22 For the purpose of subsection 38(2) of the Act, the time within which a public body shall comply with a requirement imposed by the Review Officer pursuant to that subsection, shall be 15 days from the date of receipt by the public body of notice by the Review Officer of the requirement.

Section 22 added: O.I.C. 2000-602, N.S. Reg. 193/2000.

Compliance by public body with time limit

23 For greater certainty, where a public body is required pursuant to the Act to provide a written communication or notification within a prescribed time limit, it is sufficient compliance with the time limit if the public body deposits the communication or notification in the postal service within the time limit.

Section 23 added: O.I.C. 2000-602, N.S. Reg. 193/2000.

Definitions of words and expressions with respect to the definition of “background information”

- 24 (1)** For the purpose of subclause 3(1)(a)(i) of the Act, “factual material” means a coherent body of facts, separate and distinct from interpretations of, reactions to or advice and recommendations in respect of facts.
- (2)** For the purpose of subclause 3(1)(a)(iv) of the Act, “appraisal” means a report prepared by a qualified appraiser that estimates the value of property or sets a price on an asset or liability.
- (3)** For the purpose of subclause 3(1)(a)(v) of the Act, “economic forecast” means a prediction of the performance of a national, provincial or local economy over a specified period of time prepared by an economist.
- (4)** For the purpose of subclause 3(1)(a)(vi) of the Act, “environmental-impact statement” means a detailed written statement of an assessment of environmental effects of a proposed project or activity, as required by law.
- (5)** For the purpose of subclause 3(1)(a)(vii) of the Act,
- (a) “performance” means an action, task or operation, seen in terms of how successfully it was performed in relation to expected outcomes;
 - (b) “efficiency” means the quality of achieving maximum productivity with minimum wasted effort or expense;

(c) “public body” means a public body as it existed on or before the making of the final report or final audit was begun;

(d) “programs or policies” means programs or policies as they existed on or before the making of the final report or final audit was begun.

- (6) For the purpose of subclause 3(1)(a)(ix) of the Act, “feasibility study” means a study, the fundamental purpose of which is to advise a public body on the practicability of a specific proposed project, that includes an evaluation of whether the project, or specific proposals for that project, are capable of being accomplished with a reasonable assurance of success and in accordance with established standards including specified financial limits.

Section 24 added: O.I.C. 2002-427, N.S. Reg. 117/2002.

Definition of expression “officers of the public body”

25 For the purposes of Section 44 of the Act, “officers of the public body” includes, in the case of any government department or office, officers of the Department of Internal Services.

Section 25 added: O.I.C. 2015-102, N.S. Reg. 185/2015.

Form 1—Application for Access to a Record Province of Nova Scotia Freedom of Information and Protection of Privacy Act Subsection 6(1)

TO: _____ *(Address to the Deputy Minister or senior administrative officer of the public body where the record is filed or deposited.)*

1. This is an application pursuant to the Freedom of Information and Protection of Privacy Act for access to:

Check one

- _____ (a) applicant’s own personal information; or
 _____ (b) other information; or
 _____ (c) both applicant’s own personal information and other information.

2. I am applying for access to the following record:

(Below, identify the material applied for precisely by including such particulars as the specific event or action to which it refers, the date of the record or the date or period to which it relates, the type of record (document, report, letter et cetera), names of department personnel who prepared or may have knowledge of the information, or citations to newspapers or publications which are known to have referred to the record.)

.

3. I wish to:

Check one

- _____ (a) examine the record; or
 _____ (b) receive a copy of the record.

4. I understand that I may be required to pay a fee before obtaining access to the record.

Date: _____

Signature of Applicant: _____

Print Full Name of Applicant: _____

Mailing Address of Applicant: _____

(Street/Apartment No./R.R. No.)

(Community/County)

(Postal Code)

Telephone Numbers of Applicant: _____

(Residence)

(Business)

Fax Number of Applicant: _____

Request to Waive Fees

I hereby request to be excused from paying fees related to the above application because:

(a) I cannot afford to pay fees; or

(b) (specify any other reason)

For office use only

Date Received

Application No.

Form 2—Request for Correction of Personal Information
Province of Nova Scotia
Freedom of Information and Protection of Privacy Act
Subsection 25(1)

TO:

(Address to the Deputy Minister or
 senior administrative officer of the
 public body where the information is
 filed or deposited.)

1. This is a request pursuant to the Freedom of Information and Protection of Privacy Act for correction of personal information.

2. The details of the personal information requested to be corrected are as follows:

- (a) last name appearing on personal information to be corrected: _____;
 (b) department or institution maintaining personal information: _____;
 (c) name of personal information bank or record: _____;
 (d) description of personal information to be corrected: _____
 _____.

3. The correction requested is as follows: _____
 _____.

Date: _____

Signature of Requester: _____

Print Full Name of Requester: _____

Mailing Address of Requester: _____

(Street/Apartment No./R.R. No.)

(Community/County)

(Postal Code)

Telephone Numbers of Requester: _____

(Residence)

(Business)

Fax Number of Requester: _____

For office use only

Date Received

Request No.

Form 3—Consent to Disclosure of Information
Province of Nova Scotia
Freedom of Information and Protection of Privacy Act
Subsection 21(4) and Clause 27(b)

TO:

(Address to the Deputy Minister or
 senior administrative officer of the
 public body where the information is
 filed or deposited.)

1. This Consent arises out of an Application for Access to Records submitted to the
 _____ (specify public body) on the _____ day of _____, 19____,
 for information relating to _____, a copy of which Application is attached as Schedule "A" to this
 Consent.

2. I, _____ (specify name of person consenting), hereby give consent to the _____ (specify name of public body) and the head thereof to disclose to _____ (specify name of applicant) information listed in Schedule "B" attached to this Consent. (List in Schedule "B" in detail full particulars of information with respect to which consent to disclose is given.)

Date: _____

Signature of Person Consenting: _____

Print Full Name of Person Consenting: _____

Mailing Address of Person Consenting: _____

(Street/Apartment No./R.R. No.)

(Community/County)

(Postal Code)

Telephone Numbers of Person Consenting: _____

(Residence)

(Business)

Fax Number of Person Consenting: _____

Form 4—Consent to use of Personal Information
Province of Nova Scotia
Freedom of Information and Protection of Privacy Act
Clause 26(b)

TO: _____ (Address to Deputy Minister or senior administrative officer of the public body requesting consent.)

1. I, _____ (name of consenting individual), of _____ (address), do hereby give consent to the _____ (name of public body) and the head thereof to disclose to _____ (name of person or body), of _____ (address), the following information about me _____

 (if insufficient space, list additional information on separate page); and

(b) to use the information for the following purposes: _____

Date: _____

Signature of Consenting Individual: _____

Print Full Name of Consenting Individual: _____

Mailing Address of Consenting Individual: _____

(Street/Apartment No./R.R. No.)

(Community/County)

(Postal Code)

Telephone Numbers of Consenting Individual: _____

(Residence)

(Business)

Fax number of Consenting Individual: _____

Form 5—Agreement
Province of Nova Scotia
Freedom of Information and Protection of Privacy Act
Clause 29(d)

This agreement is made between _____ (name of researcher), referred to below as the researcher, and _____ (name of public body), referred to below as the public body.

The researcher has requested access to the following records that contain personal information and are in the custody or under the control of the public body: (Describe the records below)

1. The researcher will not use the information in the records for any purpose other than the following research purpose unless the researcher has the public body's written authorization to do so: *(Describe the research purpose below)*

_____.
2. The researcher will give access to personal information in a form in which the individual to whom it relates can be identified only to the following persons: *(Name the persons below)*

_____.
3. Before disclosing personal information to persons mentioned above, the researcher will enter into an agreement with those persons to ensure that they will not disclose it to any other person.
4. The researcher will keep the information in a physically secure location to which access is given only to the researcher and to the persons mentioned above.
5. The researcher will destroy all individual identifiers in the information by _____ *(date)*.
6. The researcher will not contact any individual to whom personal information relates, directly or indirectly, without the prior written authority of the public body.
7. The researcher will ensure that no personal information will be used or disclosed in a form in which the individual to whom it relates can be identified without the written authority of the public body.
8. The researcher will notify the public body in writing immediately upon becoming aware that any of the conditions set out in this agreement have been breached.

Fax Number: _____

9/14

The information disclosed was:

Check if applicable

- ☐ (a) about a risk of significant harm to the environment;
☐ (b) about a risk of significant harm to the health or safety of the public;
☐ (c) about a risk of significant harm to *(specify affected group of people)* _____;
☐ (d) disclosed in the public interest because *(state any other public interest reason for disclosure)* _____

Dated at _____, Nova Scotia, this ____ day of _____, 19__.

Signature of Head of Public Body

Schedule "A"

Particulars of the information disclosed are as follows:

Form 7—Request for Review
Province of Nova Scotia
Freedom of Information and Protection of Privacy Act
Subsection 32(1)
(Applicant)

TO: Review Officer

_____ *(Specify name and address of Review Officer.)*

1. This Request for Review arises out of an Application for Access to a Record or Request for Correction of Personal Information submitted to _____ *(specify public body)* on the ____ day of _____, 19__, a copy of which Application or Request is attached to this Request for Review.
2. The applicant requests that the review officer review the following decision, act or failure to act of the head of the public body;

Check where applicable

- ☐ (a) decision dated or made on the ____ day of _____, 19__, a copy of which is attached to this Request for Review;
☐ (b) *(specify act or failure to act)* _____

3. The applicant requests that the review officer recommend that

Check where applicable

- ☐ (a) the head of the public body give access to the record as requested in the Application for Access to a Record;
☐ (b) the head of the public body correct the personal information as requested in the Request for Correction of Personal Information;
☐ ~~(b)~~(c) *(specify other recommendation or recommendations, if any, you consider appropriate)* _____

Date: _____

Signature of Applicant: _____
 Print Full Name of Applicant: _____
 Mailing Address of Applicant: _____
(Street/Apartment No./R.R. No.)

(Community/County)

(Postal Code)

Telephone Numbers of Applicant: _____
 (Residence) (Business)

Fax Number of Applicant: _____

Form 8—Request for Review
Province of Nova Scotia
Freedom of Information and Protection of Privacy Act
Subsection 32(2)
(Third Party)

TO: Review Officer

 (Specify name and address
 of Review Officer.)

1. This Request for Review arises out of an Application for Access to a Record submitted to _____ (specify public body) on the _____ day of _____, 19____, and a decision of the head of the public body to give access to the record or part of the record, which decision is contained in a written notice given by the head of the public body pursuant to subsection 23(2) of the Act.
2. A copy of the written notice and decision of the head of the public body are attached to this Request for Review.
3. The Third Party requests that the review officer recommend that the head of the public body not give access to any part of the records requested in the Application for Access to a Record that contains information the disclosure of which may affect the interests or invade the personal privacy of the Third Party.

Date: _____

Signature of Third Party: _____

Print Full Name of Third Party: _____

Mailing Address of Third Party: _____

(Street/Apartment No./R.R. No.)

(Community/County)_____
(Postal Code)

Telephone Numbers of Third Party: _____
 (Residence) (Business)

Fax Number of Third Party: _____

Form 9—Appeal
Province of Nova Scotia
Freedom of Information and Protection of Privacy Act
Subsection 32(3)

IN THE SUPREME COURT OF NOVA SCOTIA
and
IN THE MATTER OF AN APPEAL PURSUANT TO SECTION 41 OF THE
FREEDOM OF INFORMATION AND PROTECTION OF PRIVACY ACT,
S.N.S. 1993, c. 5

TO: The Prothonotary of the Supreme Court of Nova Scotia

1. The Appellant's name and address are: _____.
2. This Appeal arises out of an Application for Access to a Record or Request for Correction of Personal Information submitted to _____ (specify public body) on the _____ day of _____, 19____, a copy of which Application or Request is attached as Appendix 1 to this Appeal.
3. The Appellant appeals the following decision, act or failure to act of the head of the public body relating to the attached Application or attached Request:

Check where applicable

- _____ (a) decision dated or made on the ____ day of _____, 19____, a copy of which is attached as Appendix 2 to this Appeal;
- _____ (b) (specify any act or failure to act) _____

4. Check where applicable

- _____ (a) no third party has been notified pursuant to Section 22 of the *Freedom of Information and Protection of Privacy Act*; or
- _____ (b) any third party notified pursuant to Section 22 of the *Freedom of Information and Protection of Privacy Act* has consented to this Appeal, a copy of which Consent is attached as Appendix 3 to this Appeal.

5. No person has filed a Request for Review in relation to the attached Application or attached Request.

6. The Appellant hereby requests that the head of the public body be ordered

Check where applicable

- _____ (a) to give the Appellant access to the records requested in Appendix 1;
- _____ (b) to correct the personal information as requested in Appendix 1;
- _____ (b)(c) (specify other order sought, if any, relating to any decision, act or failure to act of the head of the public body that relates to the attached Application or attached Request) _____

Dated at _____, Nova Scotia, this ____ day of _____, 19__.

Signature of Appellant

Part B Notice of Appeal

Let the Appellant and _____ attend before this Honourable Court at _____ on the ____ day of _____, 19__ at the hour of ____ o'clock in the ____ noon on the hearing of the above Appeal.

Dated at _____, Nova Scotia, this ____ day of _____, 19__.

Prothonotary

Form 10—Appeal Province of Nova Scotia Freedom of Information and Protection of Privacy Act Subsection 41(1)

IN THE SUPREME COURT OF NOVA SCOTIA and IN THE MATTER OF AN APPEAL PURSUANT TO SECTION 41 OF THE FREEDOM OF INFORMATION AND PROTECTION OF PRIVACY ACT, S.N.S. 1993, c. 5

TO: The Prothonotary of the Supreme Court of Nova Scotia

Part A Statement of Facts

1. The Appellant's name and address are: _

2. This Appeal arises out of an Application for Access to a Record or Request for Correction of Personal Information submitted to _____ (*specify public body*) on the ____ day of _____, 19____, a copy of which Application or Request is attached as Appendix 1 to this Appeal.
3. A Request for Review was filed with a review officer on the ____ day of _____, 19____, a copy of which Request for Review is attached as Appendix 2 to this Appeal.
4. The review officer conducted a review and prepared a report setting out the review officer's recommendations with respect to the matter and the reasons for those recommendations, a copy of which report is attached as Appendix 3 to this Appeal.
5. The head of the public body made a decision dated the ____ day of _____, 19____, a copy of which decision is attached as Appendix 4 to this Appeal.

OR

The head of the public body did not give written notice of a decision within the time required by subsection 40(1) of the *Freedom of Information and Protection of Privacy Act*.

6. The Appellant appeals the decision of the head of the public body.
7. The Appellant hereby requests that the head of the public body be ordered

Check where applicable

_____ (a) to give the Appellant access to the records requested in Appendix 1;

_____ (b) to correct the personal information as requested in Appendix 1;

_____ ~~(b)~~(c) (*specify other order sought, if any, relating to any decision, act or failure to act of the head of the public body that relates to the Application or Request attached as Appendix 1 to this Appeal*) _

Dated at _____, Nova Scotia, this ____ day of _____, 19____.

Signature of Appellant

Part B Notice of Appeal

Let the Appellant and _____ attend before this Honourable Court at _____ on the ____ day of _____, 19____ at the hour of ____ o'clock in the ____ noon on the hearing of the above Appeal.

Dated at _____, Nova Scotia, this ____ day of _____, 19____.

Prothonotary

Form 11—Appeal Province of Nova Scotia *Freedom of Information and Protection of Privacy Act* Subsection 41(1)

IN THE SUPREME COURT OF NOVA SCOTIA and IN THE MATTER OF AN APPEAL PURSUANT TO SECTION 41 OF THE FREEDOM OF INFORMATION AND PROTECTION OF PRIVACY ACT, S.N.S. 1993, c. 5

TO: The Prothonotary of the Supreme Court of Nova Scotia

Part A Statement of Facts

1. The Appellant's name and address are: _

_____.

2. This appeal arises out of an Application for Access to a Record submitted to _____ (*specify public body*) on the _____ day of _____, 19____, a copy of which Application is attached as Appendix 1 to this Appeal.
3. The Appellant was notified pursuant to Section 22 of the Freedom of Information and Protection of Privacy Act, a copy of which notification is attached as Appendix 2 to this Appeal.
4. A Request for Review was filed with a review officer on the _____ day of _____, 19____, a copy of which Request for Review is attached as Appendix 3 to this Appeal.
- 4-[5.] The review officer conducted a review and prepared a report setting out the review officer's recommendations with respect to the matter and the reasons for those recommendations, a copy of which report is attached as Appendix 4 to this Appeal.
- 5-[6.] The head of the public body made a decision dated the _____ day of _____, 19____, a copy of which is attached as Appendix 5 to this Appeal.

OR

The head of the public body did not give written notice of a decision within the time required by subsection 40(1) of the Freedom of Information and Protection of Privacy Act.

6-[7.] The Appellant appeals the decision of the head of the public body.

7-[8.] The Appellant hereby requests that the head of the public body be ordered

Check where applicable

- _____ (a) not to give the applicant access to any part of the records requested in Appendix 1 that contains information the disclosure of which may affect the interests or invade the personal privacy of the Appellant;
- _____ (b) (*specify other order sought, if any, respecting any decision made by the head of the public body about the Application attached as Appendix 1 to this Appeal*) _____

Dated at _____, Nova Scotia, this _____ day of _____, 19____.

Signature of Appellant

Part B Notice of Appeal

Let the Appellant and _____ attend before this Honourable Court at _____ on the _____ day of _____, 19____ at the hour of _____ o'clock in the _____ noon on the hearing of the above Appeal.

Dated at _____, Nova Scotia, this _____ day of _____, 19____.

Prothonotary

Last updated: 10-12-2017