

# Access to Information

Under Ontario's Information and Privacy Acts



[www.ipc.on.ca](http://www.ipc.on.ca)

## Introduction

Ontario's *Freedom of Information and Protection of Privacy Act* (the provincial *Act*) and *Municipal Freedom of Information and Protection of Privacy Act* (the municipal *Act*) give you the right to request access to **government-held information**, including information about you. It is the responsibility of the Information and Privacy Commissioner of Ontario to ensure your right of access is protected.

A third law, the *Personal Health Information Protection Act, 2004 (PHIPA)*, gives you the right to request access to your own personal health information held by health information custodians. (See the IPC brochure entitled *The Personal Health Information Protection Act and Your Privacy* for more information about *PHIPA*.)

## THE FOLLOWING ARE ANSWERS TO QUESTIONS MOST FREQUENTLY ASKED ABOUT THE RIGHT OF ACCESS TO GOVERNMENT-HELD INFORMATION UNDER ONTARIO'S FREEDOM OF INFORMATION LEGISLATION.

### To which public institutions do the Acts apply?

The provincial *Act* came into effect on January 1, 1988. It applies to all provincial ministries and most provincial agencies, boards and commissions, as well as colleges of applied arts and technology, universities and hospitals (as of January 1, 2012).

The municipal *Act* came into effect on January 1, 1991. It applies to local government institutions, including municipalities, police services boards, public library boards, school boards, conservation authorities, boards of health, transit commissions, certain municipal electricity corporations and certain local housing corporations.

The *Directory of Institutions*, which lists all of the public institutions covered by the *Acts*, can be accessed online at [www.mgs.gov.on.ca](http://www.mgs.gov.on.ca).

### What kind of information may I request?

The *Acts* give everyone a general right of access to general records held by public institutions. The information may be recorded in printed form, on film, by electronic means or otherwise and it includes things like photographs and maps. You also have the right to request access to, and correction of, your personal information held by public institutions. Your personal information includes your address, sex, age, education and other recorded information about you.

### May I use the Acts to request information from non-governmental organizations?

No. These two *Acts* apply only to provincial and local government institutions. They do not apply to private companies, banks, credit bureaus or federal government institutions.

### Where can I see copies of the Acts?

Copies of the provincial *Act* are generally available for viewing throughout Ontario at the freedom of information offices of all ministries and other provincial government institutions. Copies of the municipal *Act* are available at the offices of most local government institutions. Copies of both *Acts* are also accessible via the IPC's website at [www.ipc.onca](http://www.ipc.onca).

If you wish, you may purchase copies of either *Act* by visiting Service Ontario Publications Online Ordering at [www.serviceontario.ca](http://www.serviceontario.ca).

## How do I find out what records provincial and local government institutions have?

First, you need to know whether the information you want is held by a provincial or local government institution.

### Provincial Records

A *Directory of Records* is available for viewing online at [www.mgs.gov.on.ca](http://www.mgs.gov.on.ca).

Consult the *Directory of Records* to find out the kinds of records held by ministries and other public institutions covered by the provincial *Act*. The Directory, maintained by the province, describes these provincial institutions and the types of records they maintain, and it provides the telephone number and address of each such institution's Freedom of Information and Protection of Privacy Co-ordinator.

### Municipal Records

Municipalities and other local government institutions covered by the municipal *Act* have prepared their own directories, which are generally available at their respective offices.

## Ok, I know what information I want — how do I ask for it?

You can obtain the information you want, in many cases, just by calling or visiting the appropriate public institution. (If you are unsure of an address or telephone number, consult the Blue Pages in your telephone directory.)

### That didn't work — now what?

If you did not obtain the information you want, make a written freedom of information request.

### That sounds complicated. Is it?

Not at all. Simply follow these steps:

**Step 1:** Complete a request form, or write a letter stating that you are requesting information under one of the two *Acts*. (Request forms are available from public institutions across the province. A generic request form is also available on the IPC's website, [www.ipc.on.ca](http://www.ipc.on.ca), under Forms.)

**Step 2:** Forward the completed request form or letter to the Freedom of Information and Privacy Co-ordinator at the public institution most likely to have the information you are looking for. Please note: A \$5 application fee must accompany your request, payable to "The Minister of Finance" (provincial *Act*) or the appropriate local government institution (municipal *Act*).

### Are there any other costs?

No fees are charged for the time required to manually search records containing your personal information, or to prepare such records for disclosure. However, you may be charged certain other fees, including photocopying fees. For all other records, you may be charged fees for photocopying, shipping costs, the costs of manually searching the records you have requested or preparing them for disclosure, or any other costs incurred in responding to your request.

### **How long must I wait for a response to my request?**

Once a public institution receives your request and the application fee, you are generally entitled to a response within 30 calendar days.

### **Will I receive everything I ask for?**

Not necessarily. While both *Acts* provide a general right of access to government-held information, certain exemptions may apply. Exemptions are provisions in the *Acts* that either permit or require a public institution to deny access to requested information, in whole or in part, if specific requirements are met.

### **And if access is denied?**

If a public institution denies you access to information that you requested under the provincial *Act* or the municipal *Act*, it must give you written notice of its decision, and inform you of your right to appeal to the Information and Privacy Commissioner.

### **Do I have to pay to make an appeal?**

Yes, in most cases. If you requested access to your personal information or correction of your personal information, the appeal fee is \$10. The appeal fee associated with any other requests for information is \$25. The correct fee must accompany your appeal and may be paid by cheque or money order, payable to “The Minister of Finance.”

### **Is there a time limit for making an appeal?**

Yes. You must make your appeal within 30 calendar days after the public institution has given you notice of its decision.

(For more information on your right to appeal, see the IPC brochure entitled *The Appeal Process & Ontario’s Information and Privacy Commissioner*.)

### **I have more questions. Who can answer them?**

If you have questions of a general nature about access to government-held information or about the freedom of information and protection of privacy *Acts*, please contact an IPC Information Officer at [info@ipc.on.ca](mailto:info@ipc.on.ca).





For more information:

**Information and Privacy Commissioner  
Ontario, Canada**

2 Bloor Street East, Suite 1400  
Toronto, Ontario M4W 1A8 CANADA

Tel: 416-326-3333 or 1-800-387-0073

Fax: 416-325-9195 TTY: 416-325-7539

info@ipc.on.ca www.ipc.on.ca

## About the IPC

The role of the Information and Privacy Commissioner is set out in three statutes: the *Freedom of Information and Protection of Privacy Act*, the *Municipal Freedom of Information and Protection of Privacy Act* and the *Personal Health Information Protection Act*. The Commissioner is appointed by the Legislative Assembly of Ontario and is independent of the government of the day.

Other brochures available from the IPC:

- *The Appeal Process & Ontario's Information and Privacy Commissioner*
- *Your Privacy & Ontario's Information and Privacy Commissioner*
- *Ontario's Freedom of Information and Protection of Privacy Act: A Mini Guide*
- *Ontario's Municipal Freedom of Information and Protection of Privacy Act: A Mini Guide*
- *The Personal Health Information Protection Act and Your Privacy*



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