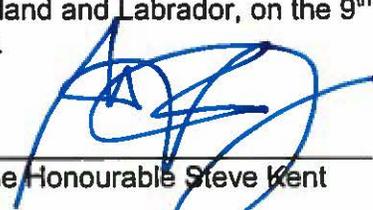


**Establishment of Fees for  
the *Access to Information and Protection of Privacy Act***

Pursuant to Section 21 of the *Executive Council Act*, Section 68 of the *Access to Information and Protection of Privacy Act* and all other powers enabling him in this regard, the Minister of the Office of Public Engagement has been pleased to establish the fees, effective from the 9<sup>th</sup> day of March, 2015.

Dated at St. John's in the Province of Newfoundland and Labrador, on the 9<sup>th</sup> day of March, 2015.

  
\_\_\_\_\_  
The Honourable Steve Kent

Minister of the Office of Public Engagement

**FEES**

1. In this fee schedule "applicant" refers to a person who makes a request for access to a record pursuant to the *Access to Information and Protection of Privacy Act*.
2. A public body shall not charge an applicant:
  - (a) an application fee for making an access to information request;
  - (b) for identifying, retrieving, reviewing, severing or redacting a record;
  - (c) for creating an electronic copy of the record, such as a PDF or dataset.
3. A public body may charge an applicant:
  - (a) \$25.00 for each hour spent locating a record after the first ten (10) hours, where the request is made to a local government body; or
  - (b) \$25.00 for each hour spent locating a record after the first fifteen (15) hours, where the request is made to another public body.
4. A public body may charge an applicant:
  - (a) 25 cents a page for providing a copy or print of the record, where the record is stored or recorded in printed form and can be reproduced or printed using conventional equipment;
  - (b) the actual cost of reproducing or providing a record, where a record cannot be reproduced or printed on conventional equipment then in use by the public body; and
  - (c) The actual cost of shipping a record using the method chosen by the applicant.
5. A person who requests access to his or her own personal information shall not be required to pay any costs for access to that personal information.
6. (a) Where costs are to be charged, the public body is required to give the applicant an estimate of the total cost before providing the service. The public body will require the applicant to pay 50 percent of the cost estimate prior to commencing the work required to respond to the request, with the remaining 50 percent to be paid upon completion of the services.

- (b) Upon being provided with a cost estimate, the applicant has 30 days from the day the estimate is sent to:
    - (i) accept the estimate and pay 50 percent of the costs;
    - (ii) modify the request in order to change the amount of the cost;
    - (iii) apply to the public body to waive all or part of the costs; or
    - (iv) submit a complaint to the commissioner about the costs.
  - (c) Where an estimate is given to an applicant under (b), the time within which the head of the public body is required to respond is suspended until the applicant notifies the head to proceed with the request.
  - (d) If the applicant does not respond to the cost estimate as set out in (b), the applicant is considered to have abandoned the request.
  - (e) The costs charged to the applicant shall not exceed either the actual cost of the services or the estimate given to the applicant.
7. (a) The head of a public body may, upon receipt of an application from an applicant, waive the payment of all or part of the costs payable where the head is satisfied that:
- (i) payment would impose an unreasonable financial hardship on the applicant; or
  - (ii) it would be in the public interest to disclose the record.
- (b) Where an applicant applies for a waiver, the head of the public body shall inform the applicant in writing as to the head's decision about waiving all or part of the costs.
- (c) The head shall refund any amount paid by an applicant that is subsequently waived.
8. Any new cost estimate for access to information requests shall be calculated in accordance with this fee schedule effective immediately.