CBRM *A Community of Communities*

Cape Breton Regional Municipality

Office of Deborah Campbell Ryan, BBA, MPA
Municipal Clerk/FOIPOP Administrator

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May 2, 2019

Ms. Mary Campbell
P.O. Box 386
Sydney, NS B1P 6H2

Re: Request for Information under Part XX of the MGA - FOIPOP Application #137

Dear Ms. Campbell,

I am writing to acknowledge receipt of your Freedom of Information and Protection of Privacy (FOIPOP) letter which was received by my office on April 15, 2019, in which you are requesting a copy of the following records:

1. Travel and expenses for Mayor Cecil Clarke from 1 November 2018 to present (11 April 2019).

2. Travel and expenses for Mark Bettens, executive assistant to Mayor Clarke, from 1 November 2018 to the present (11 April 2019).

3. Travel and expenses for John Phalen, CBRM economic development manager, from 1 November 2019 to the present (11 April 2019).

- Please note: the information should include the travel destination as well as a detailed description of the purpose of the travel.

I have now received responses from the CBRM Finance Department with an estimate of the person time required to locate, retrieve, produce and prepare the requested records for disclosure, including necessary redaction.

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As noted in my earlier correspondence, in accordance with Section 471 of the *Municipal Government Act* (MGA) and Section 6 of the FOIPOP Regulations, the Municipality is permitted to charge a fee to locate, retrieve, produce and prepare the records for release, namely $15 for each half-hour of person time (i.e. $30 per hour) after the first 2 hours, rounded down to the nearest half-hour. The Municipality is also permitted to charge a fee for the shipping and handling costs, plus the cost of providing a photocopy of the records (i.e. $0.20 per page).

The total estimated person time is **fifteen (15) hours**, less the first 2 hours = **13 hours** x $30/hour = **$390.00**. Since you are requesting a digital copy of the records, there will be no charge for photocopies or shipping and handling.

As per Section 471(6) of the MGA, CBRM will require that you pay one-half of the estimated fee (i.e. **$195.00**) prior to providing the service. Upon receipt, the records will be prepared for release and the actual costs will be determined at that time. The balance of the fee will then be adjusted accordingly and will be due and payable prior to release of the records.

I would note that once a fee estimate is issued, the time period for responding to the request is suspended. It does not resume until the applicant provides agreement in writing to accept the fee estimate amount and pays the fee deposit noted above.

You have the right to request a review of CBRM's decision on the fee estimate as per Section 487(1) of the *Municipal Government Act.* To do so, use Form 7, a copy of which is attached. Send the completed form to:

Ms. Catherine Tully, Privacy Commissioner
Office of the Information & Privacy Commissioner
P.O. Box 181
Halifax, NS B3J 2M4
Tel: 902-424-4684; Fax: 902-424-8303
Toll-free: 1-866-243-1564

You may contact me at the address above or by telephone if you have any questions regarding this matter.

Yours truly,

Deborah Campbell Ryan

Deborah Campbell Ryan
Municipal Clerk/ FOIPOP Administrator

Encl.
copy: Marie Walsh, Chief Administrative Officer