



ACCESS TO DOCUMENTS

Your rights

Among other things, the **Act Respecting Access to Documents Held by Public Bodies and the Protection of Personal Information**:

- gives you, in principle, the right of access to all documents that the Town holds to carry out its duties;
- makes provision for a series of restrictions to the right of access;
- requires the Town to protect the confidentiality of personal information contained in the documents it holds;
- applies only to documents that exist when the request is made. The request must be for the document as it exists and may not require any computation, comparison or manipulation;
- applies to documents irrespective of their form (paper, computerized, audio, video, etc.);
- applies only to documents; it does not confer a right to information or explanations.

The Cities and Towns Act provides that all documents contained in municipal archives are public.



Submit a request

Your request may be made orally or in writing. However, if you are not satisfied with the decision of the person in charge of access to documents, only a written request allows you subsequently to apply to the Commission d'accès à l'information to have the decision reviewed.

The Town has prepared a **form** that it encourages you to use for submitting a request for access to a document. The form is available at Town Hall and online at town.mount-royal.qc.ca.

You can submit your request in person or by mail, email or fax:

90 Roosevelt Avenue
Mount Royal, Quebec H3R 1Z5
email address: townclerk@town.mount-royal.qc.ca
Fax : 514 734-3092

At a minimum, the request must include:

- The last and first names of the requester;
- The requester's complete contact information (mailing address and telephone numbers);
- An accurate, detailed description of the requested document.



Processing your request

ACKNOWLEDGEMENT OF RECEIPT

On receiving your request, the Town will send you an acknowledgement of receipt stating the date on which your request was received, the date by which the Town must reply to you and a summary of your rights. A mandatory notice of recourse will also be enclosed.



APPLICABLE DEADLINES

The Town must reply to you in the 20 days following receipt of your request, unless it decides to postpone the deadline by 10 additional days. If the Town fails to reply to you by the applicable deadline, it is deemed to have refused to give you access to the requested document.



LOCATING AND ANALYZING THE REQUESTED DOCUMENT

The person in charge of access to documents will first identify and then locate the document concerned. The sending of the document from one of the municipal departments to the Clerk's office may entail an additional delay.

After receiving the document, the person in charge then determines its accessibility status, i.e. whether the entire document is confidential or whether only certain passages are. In the latter case, the confidential information will be redacted and the document provided in that form.

DECISION

Once the accessibility status of the information in the requested document has been determined, the person in charge of access to documents will make and send you a written and reasoned decision. Among other things and depending on the circumstances, the decision will inform you:

- that you are granted access to all, part of or none of the requested document;
- of the legal provisions on which the person in charge of access to documents has based the refusal to grant you access to all or part of the document;
- that the Town does not hold, within the meaning of the law, the requested document;
- that the requested document falls under the jurisdiction of another organization, in which case the decision will include the contact information of the person in charge of access to documents at the organization concerned;
- of the amount of any fees payable to obtain copies;
- of your rights and recourses.

Fees

The fees applicable to a request for access to a document are set by the Quebec government and detailed in the Regulation Respecting Fees for the Transcription, Reproduction or Transmission of Documents or Personal Information. The fees are subject to change at the discretion of the provincial government.

EXAMINING DOCUMENTS

You may come to Town Hall during regular office hours to examine the released document, free of charge. To ensure the document is ready for examination (especially if the document has been redacted), you must make an **appointment** with the person in charge of access to documents.

OBTAINING COPIES

On payment of the applicable fees, you can obtain a copy of the released document. The fees apply regardless of whether you receive the copy by email, mail or in person.

For reference purposes, as at January 1, 2018:

- \$15.75 is charged to obtain a copy of an incident or accident report (from Public Security, for example);
- \$0.38 is charged per printed or photocopied page of a document.

Review

Under the act, when a person's written request has been entirely or partly refused or when the prescribed deadline has passed, the person may apply to the Commission d'accès à l'information to have the decision reviewed. The review request must be sent to the Commission in the 30 days following the date of the decision or the deadline for issuing it.

The review request must be made in writing and can briefly describe why the decision should be reviewed.

Reasons for review include, among other things, the decision per se, the time taken to process the request, the mode of access to a document or to information or the fees charged.

This text has no legal or official value. It summarizes the basic points of the rules governing access to documents held by Town of Mount Royal but is not a substitute for obtaining legal advice.

Information

Town Clerk's office
90 Roosevelt Avenue
Mount Royal, Quebec H3R 1Z5
townclerk@town.mount-royal.qc.ca
Telephone : 514 734-2988

TOWN.MOUNT-ROYAL.QC.CA