

**Subject:** RE: November Election-request for information

**From:** "Agnes Hilsen" <Agnes\_Hilsen@dnv.org>

**Date:** Wed, 10 May 2006 17:01:42 -0700

**To:** "Corrie Kost" <kost@triumf.ca>, "Cathy Adams" <CathyAdams@Canada.com>

**CC:** <fonvca@fonvca.org>

Corrie:

The information that I provided Cathy in my May 9 email is based on a legal opinion, so I'm afraid we may have to agree to disagree on this one. Those are the rules and until the legislation is changed, we'll have to comply with them.

Agnes

-----Original Message-----

From: Corrie Kost [<mailto:kost@triumf.ca>]

Sent: Wednesday, May 10, 2006 8:40 AM

To: Cathy Adams

Cc: Agnes Hilsen; [fonvca@fonvca.org](mailto:fonvca@fonvca.org)

Subject: RE: November Election-request for information

Hi Cathy,

This is really interesting - just the kind of thing I like to get my teeth into. Let's start with some points:

a) There are no explicit requirements to keep the information confidential - in fact the media regularly publishes much of the information and I don't believe they have any special privileges.

b) Much of the information kept by government (including municipal - which is really provincila - have time limits as to how long the records must be retained - but - and here is the point - they don't necessarily have limits to being copied - unless it EXPLICITLY does not allow that. In Canada the default is that all public records are available to the public.

In conclusion - since there appears to be no statement explicitly saying these records may not be copied (in fact I believe there is a section which requires that all members of council be given a copy) they can be - and copies should be made freely available to the public.

The Community Charter did bring about some changes - which may not be fully understood by all.

Since I am currently in Ottawa I will have more on this later.

Corrie Kost

Hi Agnes

Thank you for your response.

The Community Charter deals with the issue of copies being available. I refer to Section 95 (3), which states that a person may have a copy of any municipal record which is available for public inspection. Section 194 (3) says that fees may not be imposed for items in relation to Parts 3 or 4 of the Local Government Act, the portions of the LGA dealing with elections.

Would you please take a look at these sections specifically? As I have done in the past, I could come in and try to make notes from the records. A concern when doing that is the possibility of transcription errors, so copies would always be preferable.

Thanks very much  
Cathy Adams

At 03:22 PM 5/4/2006, Agnes Hilsen wrote:

Hi Cathy:

We're not able to make make copies of the disclosure statements (Local Government Act rules), but they are available for inspection in the Clerk's Office.

Agnes

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Original Message-----

From: Cathy Adams [<mailto:CathyAdams@Canada.com>]

Sent: Thu 5/4/2006 1:25 PM

To: Agnes Hilsen

Cc: [fonvca@fonvca.org](mailto:fonvca@fonvca.org)

Subject: November Election-request for information

Hello Agnes

Please refer this request to whoever in your department should receive it.

I would like to obtain a copy of the candidates' Disclosure Statements and Supplementary Reports for last November's election. Please advise regarding this.

Thank you.  
Cathy Adams