

## ATIPPAReview

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**From:** Chris Dalton [REDACTED]  
**Sent:** Wednesday, September 16, 2026 6:11 PM  
**To:** ATIPPAReview  
**Subject:** Submission: ATIPPA 2015 Statutory Review – Supporting Small Municipalities While Protecting Taxpayer Access Rights

**Categories:** Submission

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Dear Committee Members,

Please accept the following submission regarding the statutory review of the *Access to Information and Protection of Privacy Act, 2015 (ATIPPA, 2015)*.

As a local taxpayer, I strongly support public transparency and government accountability. Access to information is an essential democratic right that ensures citizens can monitor municipal spending and hold elected officials accountable. However, the legislation must operate fairly for the roughly 90% of municipalities in Newfoundland and Labrador with populations under 2,500 that manage operations with small administrative teams of 1 to 4 employees.

I do not believe larger municipalities—or any public body—should be permitted to charge taxpayers for access to information, as fees can easily be weaponized as a roadblock to shield spending from public oversight. Instead, the Province should leverage centralized resources to provide cost-effective operational support to small towns while keeping access strictly free for local residents across the board.

## SUBMISSION TO THE ATIPPA, 2015 STATUTORY REVIEW COMMITTEE

### 1. Core Principles

- **Free Access for Taxpayers:** Local taxpayers, residents, and journalists must retain \$0 fee access and **15 free search hours** for public records across every municipality. Fees must never be used to stifle public scrutiny.
- **Recognizing Small-Town Realities:** Approximately 90% of NL municipalities serve populations under 2,500, operating with 1 to 4 administrative staff. Small offices cannot be expected to absorb extensive search workloads without operational impact.
- **Shared Provincial Efficiency:** The Province enacted *ATIPPA, 2015* and can achieve significant taxpayer savings by providing shared operational tools—such as bulk software licensing and centralized processing backup—to help small towns fulfill these statutory duties efficiently.

### 2. Specific Recommendations for Legislative & Procedural Reform

- **Recommendation 1: Expand Free Search Buffer to 15 Hours for Taxpayers & Limit Fees to Commercial Users**
  - **15 Free Search Hours:** Reaffirm that local taxpayers, residents, and journalists retain **15 free search hours** (up from 10) and \$0 fees across all municipalities. Prohibit any municipality from charging administrative or search fees to local residents.
  - **Justification for Increasing to 15 Hours:**
    1. *Ensures Meaningful Oversight:* Inquiries into multi-year contracts, infrastructure projects, or extensive email records routinely exceed 10 hours. A 10-hour cap forces legitimate citizen requests into fee estimates prematurely, creating a financial barrier to public scrutiny.
    2. *Establishes a Predictable Ceiling:* Expanding the free buffer to 15 hours provides citizens with roughly two full workdays of search time while setting a clear cap that prevents unmanageable, open-ended requests from consuming a small town's workweek.
    3. *Protected by Shared Backend Support:* To prevent this 5-hour increase from overburdening small administrative teams, search hours beyond the 10-hour mark in towns under 2,500 population are supported with operational assistance from the proposed provincial backend framework.
  - **Commercial Exception Only:** Permit municipalities to recover full operational costs exclusively from out-of-province corporate entities, commercial land developers, or corporate legal discovery searches starting from hour one.
- **Recommendation 2: Maximize Fiscal Efficiency via Centralized "Shared Support"**
  - Amend Section 109 of *ATIPPA, 2015* to expand the operational scope of the **existing provincial ATIPP Office** (or leverage existing divisions within Municipal and Community Affairs) to assist municipalities under 2,500 population—avoiding the creation of new administrative infrastructure.
  - **Bulk Software Procurement:** Provide small towns with access to provincially negotiated enterprise software for document review and redaction. A single provincial license pool eliminates wasteful municipal spending on outside legal counsel or piecemeal software.
  - **Shared Operational Assistance:** Provide shared provincial processing backup when local taxpayer requests in small towns exceed 10 hours, preserving local municipal capacity without incurring additional local administrative costs.
- **Recommendation 3: Amend Section 21 Timelines to Protect Small Staffs**
  - Amend Section 21 so that filing an application to the Information and Privacy Commissioner (OIPC) to disregard an abusive or unmanageable request automatically **pauses the statutory 20-day response clock** until the OIPC rules.
  - Extend the Section 21 application filing window from 5 business days to 10 business days for municipalities under 2,500 population.
- **Recommendation 4: Mandatory Proactive Disclosure Standards**
  - Supply small municipalities with standardized, auto-publishing web templates for routine operational records (e.g., approved meeting minutes, annual financial audits, and vendor payments over \$5,000). Proactive disclosure eliminates up to 60% of routine reactive ATIPP requests while increasing public trust.

**3. Conclusion** Taxpayers have an absolute right to know how public money is spent, and fees must never restrict that right. By expanding the free search standard to 15 hours alongside cost-effective, centralized provincial support for small towns, the Province can protect small-town operational capacity without compromising citizen oversight.

Thank you for your time and consideration.

Sincerely,

Chris