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- Bill ensures access to government information, 1
- Canada/U.S. air pollution pact, 2
- High Commission marks centenary, 3
- International two-way TV systems show case in Canada, 3
- Offenders treaty signed with Peru, 3
- Commonwealth meeting, 3
- Maritime conference in Montreal, 3
- A portrait of Saskatchewan, granary of the world, 4
- Whoopers want wet weather, 6
- Ontario's new lieutenant-governor, 6
- Alcan expands in Australia, 6
- Job vacancies at record levels, 6
- Researcher produces harmless antiviral vaccine, 6
- News of the arts — films, exhibits, tour, 7
- News briefs, 8

Bill ensures access to government information

Secretary of State Francis Fox introduced an information bill in the House of Commons on July 17 that would create a public right of access to government information and at the same time would extend the individual's right of access to and protection of personal information in government files.

The bill would provide an independent review process — by an Information Commissioner (or in the case of privacy, by the Privacy Commissioner) with broad investigative powers and by judicial review in the Federal Court — to put the burden of proof on the government and to enable a judge to overrule a decision of the government to withhold information and order the release of a document.

"This bill is the culmination of years of discussion and attempts to draft such legislation by all sides of the House," Mr. Fox said. "We believe the balance is now about right, so that information that should be available to the public will be available."



Secretary of State Francis Fox

Information available

Under the legislation, Canadians would have access to a wide range of government documents including Cabinet discussion papers, program evaluations, product testing results, internal government directives, salary ranges of officials, details of government contracts and factual details of every variety on government operations.

"This bill would override the Official Secrets Act and no public servant who released information in good faith under this legislation could be made to suffer for his or her action," the Minister said.

"Once the bill passes, it will require the best efforts of everyone — government, media and public interest groups — to ensure that the spirit of the law soaks into every part of the federal administration," he added.

Right of access

The bill would provide a right of access to information in government records "in

accordance with the principle that government information should be available to the public, that necessary exemptions to the right of access should be limited and specific, and that decisions on the disclosure of government information should be reviewed independently of government".

The second part of the bill, dealing with personal information in government files, would reaffirm the right of individuals to see and amend personal information and broaden that category to include all personal information, not only personal information used for decision-making purposes as contained in part IV of the Human Rights Act.

As promised in the Speech from the Throne, the bill would abolish section 41 of the Federal Court Act so that the government would no longer have the absolute right to withhold information from the courts during any litigation. A minister's objections to disclosure on public interest grounds would be subject to re-

Seventy-five years ago this week...
The provinces of Alberta and Saskatchewan entered Confederation.