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## Fees for Services under the Freedom of Information and Protection of Privacy Act Procedures

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<b>Policy Sponsor:</b>	The Governors of Athabasca University
<b>Name of Parent Policy:</b>	<a href="#">Fees for Services under the Freedom of Information and Protection of Privacy Act Policy</a>
<b>Policy Contact:</b>	FOIP/Policy Coordinator
<b>Procedure Contact:</b>	FOIP/Policy Coordinator
<b>Effective Date of Procedures:</b>	June 10, 2011
<b>Review Date:</b>	These procedures will be reviewed annually.

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### Purpose

To outline the fees that may be charged to an Applicant for Formal Access Requests, provide direction on fee estimates and payment of fees and to provide a schedule of maximum amounts that may be charged to an Applicant.

### Definitions

<b>Record</b>	A record of information in any form and includes notes, images, audiovisual recording, x-rays, books, documents, maps, drawings, photographs, letters, written, photographed, recorded or stored in any manner but does not include software or any mechanism that produces records ( <i>FOIP Act</i> definition).
<b>Continuing Request</b>	A Formal Request made under section 9(1) of the <i>FOIP Act</i> that continues to have effect for a specified period of up to 2 years.
<b>Applicant</b>	A person who makes a Formal Access Request to the University.
<b>Formal Access Request</b>	A written request to the University under section 7(1) of the <i>FOIP Act</i> to access (a) record(s) that is in the custody or under the control of Athabasca University containing general or personal information.



<b>Head</b>	The person designated under section 95(a) of the <i>FOIP Act</i> as the Head of Athabasca University for the purposes of the <i>FOIP Act</i> .
<b>Informal Request for Information</b>	A request that is not a Formal Access Request for a copy of an individual's personal information or for general records and that is subject to Athabasca University's regular reproduction and service fees.
<b>Personal Information</b>	Means recorded information about an identifiable individual as specified in section 1(n) of the <i>FOIP Act</i> .

### **Procedure**

1. Where an Applicant is required to pay a fee for services, the fee is payable in accordance with sections 9, 10, 11, 12 and 13 of the Freedom of Information and Protection of Privacy Regulation (FOIP Regulation) (A.R. 200/1995, as amended).
2. For a request for access to a record that is not a record of the personal information of the Applicant,
  - (a) an Applicant is required to pay:
    - (i) an initial fee of \$25 when a non-continuing request is made, or
    - (ii) an initial fee of \$50 when a continuing request is made.
  - (b) Processing of a Formal Request will not commence until the initial fee has been paid.
3. (a) In addition to the initial fee, fees in accordance with Schedule 2 of the FOIP Regulation (shown below) may be charged if the amount of the fees, as estimated by Athabasca University (AU), exceeds \$150.
  - (b) Where the amount exceeds \$150, the total amount is to be charged.
  - (c) A fee may not be charged for the time spent in reviewing a record.
4. Where a request for access to a record is for the personal information of the Applicant,
  - (a) only fees for copying in accordance with item 6 of Schedule 2 may be charged if the amount of the fees as estimated by AU exceeds \$10;
  - (b) where the amount estimated exceeds \$10, the total amount is to be charged.
5. An estimate provided under section 95(3) of the Act must set out:
  - (a) the time and cost required to search, locate and retrieve the record;



- (b) the cost of computer processing and related charges to produce the record from an electronic record;
  - (c) the time and cost for computer programming to produce the record from an electronic record;
  - (d) the cost to produce a copy of the record;
  - (e) the time and cost for preparing and handling the record for disclosure;
  - (f) the cost of supervising an applicant who wishes to examine the original record, when applicable;
  - (g) the cost of shipping the record or a copy of the record.
6. An estimate for access to a record of the personal information of the Applicant only needs to include the time and cost of copying the record.
  7. In the case of a continuing request, the estimate will include the total fees payable over the course of the continuing request.
  8. An Applicant has up to 20 days to indicate if the fee estimate is accepted or to modify the request to change the amount of fees assessed.
  9. Processing of a request stops once a notice of estimate has been forwarded to an Applicant and starts again immediately on the receipt of an agreement to pay the fee, and on the receipt
    - (a) of at least 50% of any estimated fee that exceeds \$150, and
    - (b) in the case of a continuing request, if the estimated fee for the entire request exceeds \$150, of at least 50% of the portion of the estimate applicable to the delivery of the first installment of the request.
  10. The balance of any fee owing is payable at the time the information is delivered to the Applicant.
  11. Fees, other than an initial fee, or any part of those fees will be refunded if the amount paid is higher than the actual fees required to be paid.
  12. The amount of fees set out in Schedule 2 of the FOIP Regulation (shown below) is the maximum amount that can be charged to Applicants.
  13. Informal Requests for Information from individuals for a copy of their Personal Information are not subject to these Procedures or the related Policy. They are subject to AU's regular reproduction and service fees. AU has a fee schedule for routinely available records such as



transcripts. These requests do not require an individual to submit a Formal Access Request and AU may continue to charge its regular fees for such records.

14. Informal Requests for Information relating to general records are not subject to the fees set out in these Procedures or the related Policy. They are subject to AU's regular reproduction and service fees.

#### Schedule 2 Freedom of Information and Protection of Privacy Act: Fee Schedule

1. For searching for, locating and retrieving a record: \$6.75 per ¼ hour.
2. For producing a record from an electronic record
  - a. Computer processing and related charges: Actual amount charged to public body
  - b. Computer programming: \$20.00/per ¼ hr.
3. For preparing and handling a record for disclosure: \$6.75 per ¼ hr.
4. For supervising the examination of a record: \$6.75 per ¼ hr.
5. For shipping a records or a copy: Actual amount charged to public body.
6. For copying a record:
  - a. photocopies, hard copy laser print and computer printouts: \$0.25 per page
  - b. floppy disks: \$5.00 per disk
  - c. computer tapes: actual cost to public body
  - d. microfiche (diaz film): \$0.50 per fiche
  - e. duplication of 16 mm microfilm: actual cost to public body
  - f. duplication of 35 mm microfilm: actual cost to public body
  - g. duplication microfilm or microfiche to paper: actual cost to public body
  - h. photographs (color or black and white from negative): 4" x 6" - \$3.00 5" x 7" - \$6.00 8" x 10" - \$10.00 11" x 14" - \$20.00 16" x 20" - \$30.00
  - i. plan and blueprints: actual cost to public body
  - j. duplication of slide: \$2.00 per slide



- k. duplication of audio cassette: actual cost to public body
- l. duplication of video cassette (¼", ½" or 8 mm - 1 hour): actual cost to public body
- m. duplication of video cassette (¼", ½" or 8 mm - 1 hour): actual cost to public body
- n. duplication of video cassette (¾" - 30 minutes): actual cost to public body
- o. duplication of video cassette (¾" - 1 hour): actual cost to public body
- p. any other media not listed above: actual cost to public body

### **Applicable Legislation and Regulations**

[Freedom of Information and Protection of Privacy Act, R.S.A. 2000, c. F-25](#)  
[Freedom of Information and Protection of Privacy Regulation, A.R. 200/1995, as amended](#)

### **Related References, Policies, Procedures and Forms**

[Fees for Services Under the Freedom of Information and Protection of Privacy Act Policy](#)  
[Designation of Head for the Purposes of the Freedom of Information and Protection of Privacy Act](#)  
[Freedom of Information and Protection of Privacy Act Delegation of Authority](#)  
[Access to Information Policy](#)

### **History**

Athabasca University Governing Council, June 10, 2011, Motion # 173-14, (associated policy approved)