

File No. 04-1000-20-2012-026

February 27, 2012

s.22(1)

Dear s.22(1) :

Re: Request for Access to Records under the Freedom of Information and Protection of Privacy Act (the "Act")

I am writing in response to your request of December 14, 2011 under the *Freedom of Information and Protection of Privacy Act, (the Act)*, for:

- All responses from the City of Vancouver to FOI requesters who requested fee waivers for their requests, along with summary/redacted version of their fee waiver requests over the past six months (August, 2011 to January, 2012);
- Any policy, regulation, or communiqué that guides or informs how the City evaluates FOI fee waiver request and the responses to them.

A table has been compiled to provide a majority of the requested information. However, you may wish to see this information in context. My office processed 410 formal FOI requests in 2011. Of those, only 20 were charged fees for service. Out of the 20; 8 requests were abandoned, 11 paid the fees and one applicant asked the Information and Privacy Commissioner to review the fee.

Other than the fee estimate statistics provided in the table, you also asked what "policy, regulation or communiqué" the FOI Office uses as a guide to evaluate requests for fee waivers. The Freedom of Information and Protection of Privacy Act is the only guide we use. There are very clear criteria in the Act and supporting precedence rulings by OIPC Commissioners for the application of a s. 75(5)(b) fee waiver.

Please do not hesitate to contact me if you have any questions.

Yours truly,



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June 1, 2011 to December 31, 2011 Freedom of Information Requests for Fee Waivers

Request Number	Fee	Reason for Fee	Summary of Request for Fee Waiver	Final Disposition of Request
2011-219	\$ 540.00	Very large number of records requested - Applicant did not want to refine or clarify request. Applicant preferred the request "All Records..." The initial search and compilation estimate was for 21 hours of staff time.	No reason provided - detailed letter speaking about applicant's point of view on neighbourhood planning	Abandoned
2011-343	\$ 2035.00	Applicant did not want to discuss other possibilities, request as provided required a hard copy search by Prosecutor's Office of approximately 700 files: 70 hours of staff time minus first 3 hours free.	Public Interest Fee Waiver s. 75(5)(b)	Requested OIPC review. Currently FOI Office is proceeding to provide the less detailed information without a fee. A "Special Interest" group is not the same as "Public Interest" and a public interest fee waiver could not be applied.
2011-356	\$ 985.00	Very large number of records requested - Applicant did not want to refine or clarify request, preferred the request "Any and all Records regarding..." The initial search and compilation estimate was for 35 hours of staff time.	Public Interest Fee Waiver s. 75(5)(b)	Abandoned A "Special Interest" group is not the same as "Public Interest" and a public interest fee waiver could not be applied.