



CENTRE FOR LAW
AND DEMOCRACY

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Newfoundland and Labrador: Analysis of Access to Information Act

Today, the Centre for Law and Democracy (CLD) provided a written Submission to the five-year review of the Canadian province of Newfoundland and Labrador's Access to Information and Protection of Privacy Act, 2015. This is the first review since the law was substantially overhauled in 2015, after which it earned 111 out of a possible 150 on the Right to Information Rating (www.rti-rating.org) and became by far the strongest right to information law in Canada. Despite these strengths, CLD has identified a number of areas where improvements are needed to bring the law into line with global best practice.

“This review is an opportunity for Newfoundland and Labrador to make its good access to information law even better,” said Toby Mendel, CLD's Executive Director. *“Having already provided leadership within Canada on this important issue, we urge those responsible, starting with the Statutory Review Committee, which will recommend changes, to take the bold steps needed to prove that Canada can position itself among the best in the world on this key democratic and human rights issue.”*

Some of the key recommendations in the CLD Submission were as follows:

- The positive aspects of the law, namely the robust Information Commissioner and strong procedural rules, should be maintained and even further improved upon.
- The weakest area of the law, the regime of exceptions, should be carefully reviewed and revised so that exceptions are narrowly defined to serve a legitimate interest, are subject to harm tests, a public interest override and sunset clauses, and prevail over any conflicting provisions in other laws.
- The scope of public bodies covered by the law should be expanded to cover the judicial branch and any private body which undertakes a public function or operates with significant public funding.

CLD's Submission is available at: <https://www.law-democracy.org/live/newfoundland-and-labrador-analysis-of-access-to-information-act/>

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