# File: 292-30/[REQUESTNUMBER]

# [TODAYDATE]

# Sent via email: Third party’s email

Third Party

Address

Address

Dear Third Party:

# Re: Third Party Notification

# *Freedom of Information and Protection of Privacy Act* (FOIPPA)

The Ministry of Agriculture and Food received a request under FOIPPA for quote or paraphrase request as appropriate*.* The enclosed record(s) were located in response to the request and may affect your personal privacy. We would appreciate receiving your views regarding disclosure of your personal information contained in the record(s).

As the enclosed description of section 22 of FOIPPA indicates, the Ministry is required to withhold your personal information if disclosure of that information would be an unreasonable invasion of your personal privacy. FOIPPA defines personal information as “recorded information about an identifiable individual other than contact information.”

You have three options:

1. Consent to the disclosure of **all** of your personal information; or
2. Request that the Ministry withhold **all** of your personal information; or
3. Request that the Ministry withhold **some** of your personal information.

Please review the enclosed record(s) on a line by line basis. If you object to the release of your personal information, please identify it by drawing a box around it and provide, for each instance, your reasons for wanting it withheld. It is important that you be as clear and specific as possible about your reasons. I have enclosed a Third Party Response Form for your convenience. Please return this form and a marked copy of the record(s) to me by Date (calculate 20 days from date of letter).

If we have not received your written response by the date indicated above, we are required under FOIPPA to make a decision based on the information that we have available. I will write to you by Date (Calculate 30 days from the date of this letter) to inform you of the Ministry's decision on the release of this information. You will have the right to request a review of the Ministry's decision. Information about requesting a review will be provided to you with the decision letter.

Delete the paragraph below if this is a personal request or if you have received confirmation from Open Information that this request is exempt from publication:

Please also be advised that records released in response to Freedom of Information requests (subject to limited exemptions) will be published on the Open Information website. To find out more about Open Information, please access the Open Information website at: <http://www.openinfo.gov.bc.ca/ibc/index.page>

If you have any questions regarding your request, please contact [PRIMARYUSERNAME], the analyst assigned to your request, at [PRIMARYUSERPHONE]. This number can also be reached toll-free at 1 833 283-8200. Please provide the FOI request number, found at the top right of the first page of this letter, in any communications.

Sincerely,

[PRIMARYUSERNAME], [PRIMARYUSERTITLE]

Information Access Operations

Enclosures

**Third Party Response Form**

To: [PRIMARYUSERNAME]

Information Access Operations

Ministry of Citizens’ Services

PO Box 9569 Stn Prov Govt

Victoria BC V8W 9K1

Re: Consent/Objection to Disclosure of my Personal Information

Request for Information [REQUESTNUMBER]

I, , (your name)

* Consent to the disclosure of **all** of my personal information in the attached record(s).
* Object to the disclosure of my personal information and request that the Ministry withhold **all** of my personal information in its entirety because:

*Please continue overleaf if more space is required.*

* Consent to the disclosure of **some** of my personal information, as indicated on the attached record(s). I object to the disclosure of **some** of my personal information and request that the Ministry withhold **portions** of my personal information because:

*Please continue overleaf if more space is required.*

*\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_*

Signature Date

**Disclosure harmful to personal privacy**

22  (1) The head of a public body must refuse to disclose personal information to an applicant if the disclosure would be an unreasonable invasion of a third party's personal privacy.

(2) In determining under subsection (1) or (3) whether a disclosure of personal information constitutes an unreasonable invasion of a third party's personal privacy, the head of a public body must consider all the relevant circumstances, including whether

(a) the disclosure is desirable for the purpose of subjecting the activities of the government of British Columbia or a public body to public scrutiny,

(b) the disclosure is likely to promote public health and safety or to promote the protection of the environment,

(c) the personal information is relevant to a fair determination of the applicant's rights,

(d) the disclosure will assist in researching or validating the claims, disputes or grievances of aboriginal people,

(e) the third party will be exposed unfairly to financial or other harm,

(f) the personal information has been supplied in confidence,

(g) the personal information is likely to be inaccurate or unreliable, and

(h) the disclosure may unfairly damage the reputation of any person referred to in the record requested by the applicant.

(3) A disclosure of personal information is presumed to be an unreasonable invasion of a third party's personal privacy if

(a) the personal information relates to a medical, psychiatric or psychological history, diagnosis, condition, treatment or evaluation,

(b) the personal information was compiled and is identifiable as part of an investigation into a possible violation of law, except to the extent that disclosure is necessary to prosecute the violation or to continue the investigation,

(c) the personal information relates to eligibility for income assistance or social service benefits or to the determination of benefit levels,

(d) the personal information relates to employment, occupational or educational history,

(e) the personal information was obtained on a tax return or gathered for the purpose of collecting a tax,

(f) the personal information describes the third party's finances, income, assets, liabilities, net worth, bank balances, financial history or activities, or creditworthiness,

(g) the personal information consists of personal recommendations or evaluations, character references or personnel evaluations about the third party,

(h) the disclosure could reasonably be expected to reveal that the third party supplied, in confidence, a personal recommendation or evaluation, character reference or personnel evaluation,

(i) the personal information indicates the third party's racial or ethnic origin, sexual orientation or religious or political beliefs or associations, or

(j) the personal information consists of the third party's name, address, or telephone number and is to be used for mailing lists or solicitations by telephone or other means.

(4) A disclosure of personal information is not an unreasonable invasion of a third party's personal privacy if

(a) the third party has, in writing, consented to or requested the disclosure,

(b) there are compelling circumstances affecting anyone's health or safety and notice of disclosure is mailed to the last known address of the third party,

(c) an enactment of British Columbia or Canada authorizes the disclosure,

(d) the disclosure is for a research or statistical purpose and is in accordance with section 35,

(e) the information is about the third party's position, functions or remuneration as an officer, employee or member of a public body or as a member of a minister's staff,

(f) the disclosure reveals financial and other details of a contract to supply goods or services to a public body,

(g) public access to the information is provided under the *Financial Information Act*,

(h) the information is about expenses incurred by the third party while travelling at the expense of a public body,

(i) the disclosure reveals details of a licence, permit or other similar discretionary benefit granted to the third party by a public body, not including personal information supplied in support of the application for the benefit, or

(j) the disclosure reveals details of a discretionary benefit of a financial nature granted to the third party by a public body, not including personal information that is supplied in support of the application for the benefit or is referred to in subsection (3) (c).

(5) On refusing, under this section, to disclose personal information supplied in confidence about an applicant, the head of the public body must give the applicant a summary of the information unless the summary cannot be prepared without disclosing the identity of a third party who supplied the personal information.

(6) The head of the public body may allow the third party to prepare the summary of personal information under subsection (5).