

College Update

Are You Properly Authorized to Make that Freedom of Information Decision?

Date: May 15, 2017

This is a short reminder to our college contacts about an often overlooked feature of the *Freedom of Information and Protection of Privacy Act* (FIPPA) – the assignment of formal powers and duties to the Chair of the Board of Governors. These powers and duties include those related to the processing of freedom of information requests.

Almost always, freedom of information requests are handled completely by persons other than the Chair. This is permitted by a provision in FIPPA that allows a Chair to make a *written* delegation of powers and duties. If a proper delegation has not been made, however, certain actions taken in processing freedom of information requests may be rendered invalid.

We encourage our college contacts who are responsible for processing freedom of information requests to confirm that a proper written delegation is in place. We would be pleased to assist in addressing any problems. Please contact [Paul Broad](#) at 519.931.5604 or [your regular Hicks Morley lawyer](#) for more information.

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