

April 25, 2024

David Piccini, MPP  
Northumberland-Peterborough South  
Minister of Labour, Immigration, Training and Skills Development  
117 Peter Street,  
Port Hope, ON L1A 1C5

Dear Sir:

**RE: Support of Resolution – Municipal Freedom of Information and Protection of Privacy Act**

This is to advise that the Council of the Corporation of the Township of Alwicks/Haldimand at their Regular Council Meeting on September 5th, 2023, passed the following resolution supporting the resolutions of the Municipality of South Huron, the Municipality of Chatham-Kent and the Municipality of Shuniah regarding amendments to the Municipal Freedom of Information and Protection of Privacy Act:

Moved by Councillor Mike Ainsworth, seconded by Deputy Mayor Joan Stover;

*"Whereas Council reviewed the correspondence 'Support Time for Change - Municipal Freedom of Information and Protection of Privacy Act' from the Municipality of South Huron, the Resolution from the Municipality of Chatham-Kent and the Resolution from the Municipality of Shuniah;*

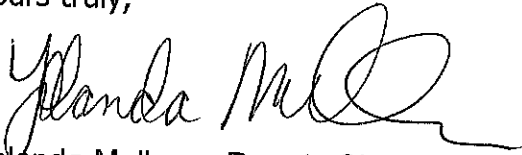
*Be it resolved that the Council of the Township of Alwicks/Haldimand support amendments to the Municipal Freedom of Information and Protection of Privacy Act to address societal and technological changes in addition to global privacy concerns and consistency across provincial legislation; and*

*Further that Council direct staff to forward a copy of this resolution to local MPP David Piccini, the Ministry of Government and Consumer Services, the Information and Privacy Commissioner of Ontario, AMO, and all Ontario municipalities."*

CARRIED

A copy of the above noted resolutions from the Municipality of South Huron, Municipality of Chatham-Kent and the Municipality of Shuniah are attached for your reference.

Yours truly,

A handwritten signature in black ink, appearing to read 'Yolanda Melburn', with a long horizontal flourish extending to the right.

Yolanda Melburn, Deputy Clerk  
Township of Alnwick/Haldimand  
905-349-2822 ext. 32  
[ymelburn@ahwp.ca](mailto:ymelburn@ahwp.ca)

Encl.

Cc: (via email)  
Ross Romano, Minister of Government and Consumer Services  
Patricia Kosseim, Information and Privacy Commissioner of Ontario  
Association of Municipalities of Ontario (AMO)  
All Ontario Municipalities



**CORPORATION OF THE MUNICIPALITY OF SOUTH HURON**

322 Main Street South P.O. Box 759

Exeter Ontario

NOM 1S6

Phone: 519-235-0310 Fax: 519-235-3304

Toll Free: 1-877-204-0747

[www.southhuron.ca](http://www.southhuron.ca)

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August 2, 2023

Via email: [Kaleed.Rasheed@ontario.ca](mailto:Kaleed.Rasheed@ontario.ca)

Honourable Rasheed  
Minister of Public and Business Service Delivery (MPBSD)

**Re: Support Time for Change – Municipal Freedom of Information and Protection of Privacy Act**

South Huron Council passed the following resolution at their July 17, 2023 Regular Council Meeting:

**Motion:** 284-2023

**Moved by:** T. Oke

**Seconded by:** M. Denomme

**That South Huron Council support the June 26, 2023 resolution of the Municipality of Chatham-Kent regarding Time for Change - Municipal Freedom of Information and Protection of Privacy Act.**

**Disposition: Carried**

Please find attached the originating correspondence for your reference.

Respectfully,

Sue Johnson, Administrative Assistant

Municipality of South Huron

[sjohnson@southhuron.ca](mailto:sjohnson@southhuron.ca)

519-235-0310 ext 225

Encl.

cc: Judy Smith, Clerk/Freedom of Information Coordinator, Municipality of Chatham-Kent [ckclerk@chatham-kent.ca](mailto:ckclerk@chatham-kent.ca)

Lisa Thompson MPP [lisa.thompsonco@pc.ola.org](mailto:lisa.thompsonco@pc.ola.org)

Ben Lobb, MP [ben.lobb@parl.gc.ca](mailto:ben.lobb@parl.gc.ca)

Information and Privacy Commissioner of Ontario [info@ipc.on.ca](mailto:info@ipc.on.ca)

AMCTO Legislative and Policy Advisory Committee [amcto@amcto.com](mailto:amcto@amcto.com)

Amo [amo@amo.on.ca](mailto:amo@amo.on.ca)

All Municipalities in Ontario



**Municipality of Chatham-Kent**

*Corporate Services*

Municipal Governance

315 King Street West, P.O. Box 640

Chatham ON N7M 5K8

July 5, 2023

Via Email: [Kaleed.Rasheed@ontario.ca](mailto:Kaleed.Rasheed@ontario.ca)

Minister of Public and Business Service Delivery (MPBSD)

Honourable Rasheed:

**Re: Time for Change  
Municipal Freedom of Information and Protection of Privacy Act**

Please be advised the Council of the Municipality of Chatham-Kent at its regular meeting held on June 26, 2023 passed the following resolution:

WHEREAS the Municipal Freedom of Information and Protection of Privacy Act R.S.O. 1990 (MFIPPA) dates back 30 years;

AND WHEREAS municipalities, including the Municipality of Chatham-Kent, practice and continue to promote open and transparent government operations, actively disseminate information and routinely disclose public documents upon request outside of the MFIPPA process;

AND WHEREAS government operations, public expectations, technologies, and legislation surrounding accountability and transparency have dramatically changed and MFIPPA has not advanced in line with these changes;

AND WHEREAS the creation, storage and utilization of records has changed significantly, and the Municipal Clerk of the Municipality is responsible for records and information management programs as prescribed by the Municipal Act, 2001;

AND WHEREAS regulation 823 under MFIPPA continues to reference antiquated technology and does not adequately provide for cost recovery, and these financial shortfalls are borne by the municipal taxpayer;

AND WHEREAS the threshold to establish frivolous and/or vexatious requests is unreasonably high and allows for harassment of staff and members of municipal councils, and unreasonably affects the operations of the municipality;

AND WHEREAS the Act fails to recognize how multiple requests from an individual, shortage of staff resources or the expense of producing a record due to its size, number or physical location does not allow for time extensions to deliver requests and unreasonably affects the operations of the municipality;

AND WHEREAS the name of the requestor is not permitted to be disclosed to anyone other than the person processing the access request, and this anonymity is used by requesters to abuse the MFIPPA process and does not align with the spirit of openness and transparency embraced by municipalities;

AND WHEREAS legal professionals use MFIPPA to gain access to information launch litigation against institutions, where other remedies exist;

AND WHEREAS there are limited resources to assist administrators or requestors to navigate the legislative process;

AND WHEREAS reform is needed to address societal and technological changes in addition to global privacy concerns and consistency across provincial legislation;

BE IT RESOLVED THAT the Ministry of Government and Consumer Services be requested to review the MFIPPA, and consider recommendations as follows:

1. That MFIPPA assign the Municipal Clerk, or designate to be the Head under the Act;
2. That MFIPPA be updated to address current and emerging technologies;
3. That MFIPPA regulate the need for consistent routine disclosure practices across institutions;
4. That the threshold for frivolous and/or vexatious actions be reviewed, and take into consideration the community and available resources in which it is applied;
5. That the threshold for frivolous and/or vexatious also consider the anonymity of requesters, their abusive nature and language in requests to ensure protection from harassment as provided for in Occupational Health and Safety Act;
6. That the application and scalability of fees be designed to ensure taxpayers are protected from persons abusing the access to information process;
7. That administrative practices implied or required under the Act, including those of the IPC, be reviewed and modernized;
8. That the integrity of the Act be maintained to protect personal privacy and transparent governments.



If you have any questions or comments, please contact Judy Smith at [ckclerk@chatham-kefn.ca](mailto:ckclerk@chatham-kefn.ca)

Sincerely,

**Judy Smith**

Digitally signed by  
Judy Smith  
Date: 2023.07.05  
10:48:27 -04'00'

Judy Smith, CMO  
Director Municipal Governance  
Clerk /Freedom of Information Coordinator

c.

Lianne Rood, MP  
Dave Epp MP  
Trevor Jones, MPP  
Monte McNaughton, MPP  
Information and Privacy Commissioner of Ontario  
Association of Municipalities of Ontario  
AMCTO Legislative and Policy Advisory Committee  
Ontario municipalities



MUNICIPALITY OF SHUNIAH

# COUNCIL RESOLUTION

Date: Aug 8, 2023

Resolution No.: 309-23

Moved By: \_\_\_\_\_ *[Signature]*

Seconded By: \_\_\_\_\_ *[Signature]*

THAT Council receives and supports the resolutions from Chatham-Kent and South Huron regarding changes to MFIPPA;

AND THAT Council directs the Clerk to forward a copy of this resolution to MP Marcus Powlowski, MP Patty Hajdu, MPP Lise Vaugeois, MPP Kevin Holland, Information and Privacy Commissioner of Ontario, Association of Municipalities of Ontario, AMCTO Legislative and Policy Advisory Committee and Ontario Municipalities.

Carried

Defeated

Amended

Deferred

\_\_\_\_\_  
*Wendy Lantry*  
Signature

Municipality of Shuniah, 420 Leslie Avenue, Thunder Bay, Ontario, P7A 1X8