



Province of Alberta

ENVIRONMENTAL PROTECTION AND
ENHANCEMENT ACT

**DISCLOSURE OF INFORMATION
REGULATION**

Alberta Regulation 273/2004

With amendments up to and including Alberta Regulation 119/2013

Office Consolidation

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Note

All persons making use of this consolidation are reminded that it has no legislative sanction, that amendments have been embodied for convenience of reference only. The official Statutes and Regulations should be consulted for all purposes of interpreting and applying the law.

(Consolidated up to 119/2013)

ALBERTA REGULATION 273/2004

Environmental Protection and Enhancement Act

DISCLOSURE OF INFORMATION REGULATION

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Definition

1 In this Regulation,

- (a) “Act” means the *Environmental Protection and Enhancement Act*;
- (b) “appropriate person” means, in respect of documents or information referred to in section 2(4), the appropriate applicant, approval holder, licensee, registration holder, certificate of variance holder or person carrying on an activity that is the subject of a code of practice.

Provision of information

2(1) The Director or other person in charge of keeping or distribution of a document or information referred to in section 35(1) of the Act or considered by the Minister to be public information under the authority of section 35(3) of the Act may publish the document or information in any form and manner the Director or other person considers appropriate, regardless of whether there is a request for the document or information.

(2) Subject to subsection (4), within 30 days after receipt of a request in writing for a document or information referred to in subsection (1), the Director or other person in charge of keeping or distribution of the document or information shall in writing notify the person making the request of the time by which and the manner in which the document or information will be released.

(3) A document or information must be released within a reasonable time after the request is made and must be released by one or more of the following means:

- (a) by making the document or information available for inspection by the person making the request during normal business hours in an office of the Department;
- (b) by providing a copy or summary or excerpt of the document or information to the person making the request;
- (c) by publishing the document or information in any form and manner that the Director or other person considers appropriate.

(4) Where a request relates in whole or part to a document or information referred to in section 35(1)(a)(iii), (iv), (v) or (vi) of the Act or information considered by the Minister to be public information under the authority of section 35(3) that has been provided to the Department in the administration of the Act, the Director or other person in charge of keeping or distribution of the document or information may refuse to comply with subsection (2) unless the Director or other person is satisfied that the person requesting the document or information has first made the request to the appropriate person in respect of the document or information and that

- (a) the request was refused or was not complied with,
- (b) the appropriate person has failed to, within 30 days after the request was made, notify the person requesting the document or information of the time by which and the manner in which the document or information will be released or the appropriate person has failed to release the document or information in accordance with such a notification, or
- (c) the person requesting the document or information was unable to contact the appropriate person in respect of the document or information.

(5) Where a person makes a request under subsection (2) and the Director or other person in charge of keeping or distribution of the document or information is of the opinion that the document or information has already been provided to a group, organization, association or other body of which the person making the request is a member or with which that person is otherwise affiliated, the Director or other person in charge may refuse to comply with subsection (2).

(6) The Director or other person in charge of keeping or distribution of a document or information referred to in subsection (1) may refuse to provide any document or information that is available for purchase by the public.

Form of request

3 A request under section 2 must be made in a form acceptable to the Director or other person in charge of keeping or distribution of the document or information and must contain the following information:

- (a) the name, mailing address and telephone number of the person requesting the document or information;
- (b) the details of the document or information being requested;
- (c) in a case to which section 2(4) applies, the date on which the request was made to the appropriate person in respect of the document or information, and the result of the request.

Fees

4 The Department may charge fees for the release of documents and information under this Regulation in amounts not to exceed the amounts set out in Schedule 2 of the *Freedom of Information and Protection of Privacy Regulation* (AR 200/95).

Repeal

5 The *Disclosure of Information Regulation* (AR 116/93) is repealed.

Expiry

6 For the purpose of ensuring that this Regulation is reviewed for ongoing relevancy and necessity, with the option that it may be repassed in its present or an amended form following a review, this Regulation expires on June 30, 2015.

AR 273/2004 s6;119/2013

Coming into force

7 This Regulation comes into force on April 1, 2005.



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