**(16)** **Notification under Section 33 to Third Party Regarding Section 18 Records – Records Contain Third Party Information**

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| ***NOTE TO DRAFTER:*** *The purpose of this letter is to notify a third party that an access to information request has been made for records that* *contain third party information as referred to in section 18(1) but which you intend to give access to pursuant to subsection 18(3) . This letter also provides an opportunity for the third party to make representations whether access to the records should be denied.**For greater certainty in calculating the length of time a third party has to respond, consider sending the notice to the third part by registered mail or other method (such as hand delivery) where receipt may be predictable and/or documented.**THIS TEXT BOX SHOULD BE REMOVED PRIOR TO SENDING THE LETTER.* *RED SQUARE BRACKETED TEXT ARE INSTRUCTIONS TO THE DRAFTER AND SHOULD BE REPLACED OR REMOVED PRIOR TO SENDING THE LETTER.****Disclaimer:*** *The information in this document does not constitute legal advice.  Please consult with your own legal counsel for legal advice related to either The Freedom of Information and Protection of Privacy Act or The Local Authority Freedom of Information and Protection of Privacy Act.* |

[Date]

[Third Party Contact Name, Organization and Address]

Dear [Third Party Contact Name]:

**RE: Third Party Notification - Access to Information Request [Application Number]**

Our office has received an access to information request under *The Local Authority Freedom of Information and Protection of Privacy Act* (the Act). We have identified the attached records as being responsive to that request. *[NOTE: Attach a copy of the record(s) or other clear identification of it and, if it is just part of the record, make a note of the portion of the record in question.]*  These records contain [this record contains] information that affects your interests as described in subsection 18(1) of the Act.

We intend to give access to these records [or the part of the record(s) noted]to the applicant pursuant to subsection 18(3) of the Act, however, section 33 of the Act requires that you are first given notice and an opportunity to make representations as to why access should be denied. The basis on which we intend to give access to these records pursuant to subsection 18(3) is [set out basis as described in subsection 18(3) and also fully set out the reasons why that applies]**.**

**(16) Notification under Section 33 to Third Party Regarding Section 18 Records – Records Contain Third Party Information…Continued**

If you object to the release of this information, you must provide to me in writing within 20 days of this notice your representations as to why access should not be given on the basis set out above. Allowing time for deliver of this notice, the 20 days will expire on approximately [approximate expiry date for representations – 20 days from date the third

party would be expected to receive the letter]**.** You will be notified when a decision has been made.

For your information, I have enclosed copies of sections 18 and 33 to 36 of the Actwhich relate to this process. *[NOTE: Enclose copies of sections 18 and 33 to 36 of LAFOIP.]* If we do not receive your objection and representations by [expiry date], we will proceed with releasing the records to the applicant.

If you have any questions, please contact [name of the Access Co-ordinator]at [phone number].

Yours truly,

[Name of the Access Officer]

Access Officer *[NOTE: or other appropriate title]*

Enclosures

cc: [Name of the Access Co-ordinator]