

ATIPPA, 2015 Policy

Decision to File an Order with Court

Policy

Where recommendations of the type set out in sections 51(2) and 80(2) of ATIPPA, 2015 have been accepted, but not followed by the public body, the Commissioner may file an order with the Supreme Court of Newfoundland and Labrador, General Division, as set out in sections 51 or 80 of ATIPPA, 2015.

It can be generally expected that the Commissioner will file an order where there has been acceptance but no implementation of recommendations as set out in sections 52(2) and 80(2) of ATIPPA, 2015. However, this may not always be the case. For example, the Commissioner may determine the matter at issue is moot, trivial, or otherwise not in the public interest.

Purpose

This policy recognizes that filing an order may not be appropriate in all cases.

Scope

This policy applies to all recommendations of the type set out in sections 51(2) and 80(2) of ATIPPA, 2015.

Approved by Information and Privacy Commissioner



Commissioner

February 20, 2024

Date