

Guidelines With Regard To Access to Information and the Confidentiality of Personal Information

Bill 65, An Act respecting Access to documents held by public bodies and the Protection of personal information, has been in force in Québec since 1982. It contains a number of provisions that affect the way information is handled within the University. Some of these are summarized below:

Access

1. All students and employees of the University have a right to examine any file holding documents relating to them, and to ask that any errors be corrected.

Exception: the University may refuse to release information about an individual when it is contained in an opinion or recommendation where a final decision has not been made on the matter which is the subject of the opinion or recommendation.

In cases where a document in a file contains information which would identify a third person (for example letters of reference or assessment), the document may be released with this information deleted.

2. In general, documents held by the University are public documents, and may be consulted during regular office hours. This applies only to documents which can be released without requiring computation or comparison of information. However, information which would provide personal information about an individual will be deleted before such documents are released, unless that individual has consented to have the information made public.

Exception: The right to access does not extend to personal notes written on a document, or to drafts, preliminary notes, or outlines of documents.

The University may refuse to release information if its disclosure would hamper negotiations with another public body; if it would hamper negotiations in view of a contract; if it would unduly benefit or harm a person; or if it could affect a police or judicial proceeding.

Protection

1. The University may not collect information about an individual if the information is not necessary for its purposes.
2. Any information about an individual is confidential unless he or she has given permission for it to be made public.

Exception: the University may release information without permission when it is required for police or judicial proceedings, or if the health or safety of the individual is at stake.

3. Information about an individual can be made available without special permission to those persons in the institution who need it in order to do their job.

Complete copies of the Act are available for consultation in the Registrar's Office (in both English and French).

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