



NEWS RELEASE

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The time for change is now – Nova Scotia’s Information and Privacy Commissioner releases 2021-2022 Annual Report

HALIFAX – Today, Tricia Ralph, Nova Scotia’s Information and Privacy Commissioner, released her annual report for 2021-2022.

The annual report focuses on 34 recommendations to strengthen and modernize Nova Scotia’s access and privacy laws. These recommendations were originally made in the Office of the Information and Privacy Commissioner (OIPC)’s 2017 Special Report titled [*Accountability for the Digital Age – Modernizing Nova Scotia’s Access & Privacy Laws*](#). This year’s annual report builds upon that work by updating the recommendations based on changes in legislation across the country and experience gained by the OIPC since then.

“Access to information and privacy rights are critical components of a healthy democracy. Major changes to Nova Scotia’s access and privacy laws are needed to bring our access and privacy rights into the 21st century. The time for change is now,” says Commissioner Ralph.

Commissioner Ralph makes recommendations to strengthen the laws by focusing on four core areas.

The first area addresses organization and coverage. There is a confusing array of laws governing access and privacy in Nova Scotia. Commissioner Ralph recommends that the access and privacy rules in these laws be combined into one single access and privacy law to fill current troublesome gaps in coverage. She also recommends regular reviews of new laws that override the application of the *Freedom of Information and Protection of Privacy Act*.

Second, Commissioner Ralph recommends modernizing access rights by taking steps such as strengthening the weak public interest override provision, creating a duty to document and giving the Information and Privacy Commissioner the ability to disregard frivolous or vexatious requests.

Third, Commissioner Ralph recommends a range of changes to privacy laws to respond to the growing collection of large databases of personal information and to bring the standards of privacy protection up to those enjoyed in other Canadian jurisdictions.

Finally, Commissioner Ralph recommends improvements to Nova Scotia’s oversight model. These include making the Commissioner an independent officer of the House of Assembly and



strengthening the Commissioner's recommendation power so that public bodies and municipalities can no longer choose to ignore her recommendations.

The Commissioner also recommends that government consider private sector privacy rules to cover such organizations as not-for-profits, unions, political parties and professional regulatory bodies, because "Nova Scotians' privacy is not well protected where whole sectors that collect, use and disclose personal information are not subject to any privacy laws."

"All around Nova Scotia, provinces, territories and the federal government have acted to incrementally modernize their laws in the years since Nova Scotia's laws were first enacted," explains Commissioner Ralph. "Where Nova Scotia has not followed suit, this leaves Nova Scotians with fewer protections and less effective access and privacy rules than their counterparts across the country. Nova Scotians deserve better, and now is the time to correct the widening gap with respect to Nova Scotia's access to information and privacy laws."

The recommendations are meant to serve as a road map for the current Government of Nova Scotia and the Legislature in taking steps forward to modernize Nova Scotia's access and privacy laws.

In addition to recommendations for improvement, the annual report outlines the work of the OIPC in 2021-2022. The OIPC continues to take steps to reduce its backlog.

The report also highlights that the 74% acceptance rate of the Commissioner's recommendations by public bodies, health custodians and municipalities almost doubled in 2021-2022 over the previous year.

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