

**THE NOVA SCOTIA FREEDOM OF INFORMATION
AND PROTECTION OF PRIVACY ACT**

A **REQUEST FOR REVIEW** of a decision of the **DEPARTMENT OF HEALTH** with respect to a request for records containing personal information.

REVIEW OFFICER: Darce Fardy

REPORT DATE: **June 29, 2004**

ISSUE: Whether an adequate search was conducted by the Department.

In a Request for Review dated June 14, 2004, the Applicant questioned whether the Department of Health (the Department) had done an adequate search for the records he requested. The Applicant had asked for “Full disclosure update of any or all electronic or otherwise communications” collected on him by the Department from the last time it provided him with similar information.

The Department provided him with an MSI Patient History Report for the period March 4, 2003 to May 24, 2004 and said his request had been granted.

It appears from his request for review that the Applicant also wants copies of all of his own correspondence with the Department.

Conclusions:

Section 7 of the **Act** expects public bodies to “make every reasonable effort to assist the applicant and to respond without delay to the applicant openly, accurately and completely.” The public body is also obliged to respond to an application within thirty days of receiving it, except under certain circumstances.

In this case, the Applicant was provided with the records within ten days of the application. If the Applicant is looking for copies of his own correspondence, he did not say so specifically in his application. This Applicant has made similar requests to many other government departments and agencies. I have concluded that the **Act**, does not require public bodies to return copies of correspondence to those who initiated them.

As far as the adequacy of the search is required, the Department explained that it sent the Applicant copies of all his MSI records created from the date it last responded to a similar application from the same applicant, to the date the current application was received.

I am satisfied the Department conducted its search in accordance with the requirements of Section 7.

Dated at Halifax, Nova Scotia this 29th day of June, 2004.

Darce Fardy, Review Officer