

NOTICE OF RECOURSE

(Pursuant to a decision rendered in accordance with the *Act respecting Access to documents held by public bodies and the Protection of personal information*)

REVIEW

a) Power

Article 135 of the Act stipulates that every person whose request has been denied in whole or in part by the person in charge of access to documents or of the protection of personal information may apply to the Commission d'accès à l'information for a review of the decision. An appeal may also be brought for a failure to respond within the applicable time limit.

The application for review must be made in writing; it may state briefly the reasons for which the decision should be reviewed (article 137).

The Commission d'accès à l'information may be reached at the following addresses :

QUÉBEC

525, boulevard René-Lévesque Est
Bureau 2.36
Québec (Québec) G1R 5S9

Phone : (418) 528-7741
Fax : (418) 529-3102

MONTRÉAL

2045, rue Stanley
Bureau 900
Montréal (Québec) H3A 2V4

Phone : (514) 873-4196
Fax : (514) 844-6170

b) Grounds

An application for review may be based, for examples, on grounds pertaining to the decision, the time prescribed for processing the request, the mode of access to a document or information or the fees payable.

c) Time limit

The application for review must be made to the Commission d'accès à l'information within thirty (30) days of the date of the decision or of the time granted by the Act to the person in charge for processing a request (Article 135).

The Act specifically provides that the Commission d'accès à l'information may, for any serious reason, release the applicant from a failure to respect the thirty-day time limit (Article 135).

APPEAL TO THE COUR DU QUÉBEC

a) Power

Article 147 of the Act stipulates that a person directly interested may bring an appeal from the final decision of the Commission before a judge of the Court of Québec on a question of law or jurisdiction, including an order of the Commission issued following an investigation, or, with leave of a judge of that Court, from an interlocutory decision that will not be remedied by the final decision.

b) Time limit

Under Article 149 of the Act, the notice of appeal must be filed in the office of the Cour du Québec, in Montréal or in Québec, within thirty (30) days of receipt of the decision of the Commission d'accès à l'information by the parties.

Notice of appeal must mention only the questions of law or jurisdiction that will be examined in appeal.

c) Procedure

Notice to the parties and to the Commission must be given within ten (10) days of the filing in the office of the Cour du Québec.