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Nova Scotia: Amendments Would Undermine Access to Information Act

The Centre for Law and Democracy (CLD) today released its analysis of the impact on access to information of the omnibus Bill No. 1, An Act Respecting Government Organization and Administration, tabled in parliament earlier this week by the Government of Nova Scotia, Canada. The analysis shows that despite claims by the government that the amendments “address long-standing inefficiencies” in the local access to information legislation, in fact they mostly give the government greater control over requests for information and the release of key reports by the Auditor General.

“It is extremely disappointing that a government which originally came into office promising positive reforms to the local access law is in fact seeking to obstruct access,” said Toby Mendel, Executive Director of CLD. *“The Progressive Conservatives won a super-majority in the November 2024 elections and, in such circumstances, it is incumbent upon them to show the greatest respect for democratic checks and balances, including access to information and the office of the Auditor General, instead of trying to hobble them.”*

CLD has serious concerns with most of the proposed amendments as they impact access to information, of which the most important are:

- Unnecessarily requiring more specific details about the information being sought in a request for information, which could be abused by officials.
- Granting public bodies broad, discretionary powers to “disregard” requests for information, and not limiting this to “vexatious” requests or requiring the prior approval of the Information and Privacy Commissioner, as better practice jurisdictions do.
- Giving the Attorney General, who is also the Minister of Justice, conclusive power to declare certain information as being subject to solicitor-client privilege.
- Giving ministers the power to block the public release of reports by the Auditor General on the vague grounds that this is “in the public interest”.

The analysis is available [here](#) and the Bill is available [here](#).

For further information, please contact:

Toby Mendel
Executive Director
Centre for Law and Democracy
Email: toby@law-democracy.org
+1 902 431-3686
www.law-democracy.org
X: [@law_democracy](#)