

Bill #82
Halifax Regional Municipality Charter (amended)

CHANGES RECOMMENDED TO THE LAW AMENDMENTS COMMITTEE

PAGE 2 - add after Clause 5 the following Clause:

6 Chapter 55 of the Acts of 2007, the *Halifax Regional Water Commission Act*, is amended by adding immediately after Section 5 the following Section:

5A (1) Except as otherwise provided in this Section, meetings of the Commission Board and meetings of its committees are open to the public.

(2) The Commission Board or any of its committees may meet in closed session to discuss matters relating to

(a) acquisition, sale, lease and security of Commission property;

(b) personnel matters;

(c) labour relations;

(d) contract negotiations;

(e) litigation or potential litigation;

(f) legal advice eligible for solicitor-client privilege;

(g) public security; and

(h) any subject, the discussion of which could, in the opinion of the Commission Board or the committee, as the case may be, violate the confidentiality of information obtained from

(i) the Government of Canada or the Government of the Province,

(ii) an agency of the Government of Canada or the Government of the Province,

(iii) the Halifax Regional Municipality, or

(iv) a public body.

(3) No decision may be made at a private meeting of the Commission Board except a decision concerning procedural matters or to give direction to staff of, or solicitors for, the Commission.

(4) A record that is open to the public must be made, noting the fact that the Commission Board met in private, the type of matter that was discussed, as set out in subsection (2) and the date, but no other information.

(5) Subsections (3) and (4) apply to committee meetings or parts of them that are not public.

(6) Any Commissioner or employee of the Commission who discloses any report submitted to, or details of matters discussed at, a private meet-

ing of the Commission Board or a committee, as a result of which the Commission has lost financially or the Commissioner or employee of the Commission has gained financially, is liable in damages to the Commission for the amount of the loss or gain.

- (7) Subsection (6) does not apply to
 - (a) information disclosed pursuant to subsection (4);
 - (b) information in a record that has been in existence for ten or more years; or
 - (c) background information in a record, the purpose of which is to present explanations or analysis to the Commission or committee for its consideration in making a decision, if
 - (i) the decision has been made public,
 - (ii) the decision has been implemented, or
 - (iii) five or more years have passed since the decision was made or considered.
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