

## **ATP16-004AR Summary**

The Applicant made a request to access records in the custody or control of the Department. These records contained the results of a survey of visitors to Yukon in the summer of 2012 and winter of 2012/13. The records contain information from over 4000 visitors, have over 700 columns, and more than two million fields of data. The Department refused access citing paragraphs 16 (4)(b) and 17 (1)(b) as their authority. The IPC found the Department had not established their authority to refuse access under these paragraphs. She then went on to evaluate if subsection 25 (1), a mandatory exception, applied to information in the records even though she had received no submissions from the Department on the application of this subsection, nor its views on what personal information should be severed to avoid disclosing personal information that would be an unreasonable invasion of the survey respondents' personal privacy. The IPC found some of the survey respondents to be identifiable and that subsection 25 (1) applied to some of the personal information in the records. She provided guidelines on severing due to the amount of information in the records and their nature. She recommended the Department disclose the records to the Applicant after severing personal information from them according to the guidelines. The IPC also reminded the Department that properly applying exceptions, particularly those that are mandatory, is part of their duty to assist an applicant and the failure to cite an exception that may apply to information in records requested under the ATIPP Act impacts on applicants' rights including their right to effective review by the IPC.