

Supreme Court of Nova Scotia

Between:

[name]

Appellant

and

[name of head of public body or,  
if it is a corporation, public body itself]

Respondent

**Notice of Appeal of a Refusal  
of a request for Access to Information**

**To:** [name of respondent]

**And to:** The Information and Privacy Commissioner

**And to:** The Minister of Justice

**Appellant appeals**

The appellant appeals under sections 40 and 41 of the *Freedom of Information and Protection of Privacy Act* from the decision of [name of head of public body or the public body], which decision refused a request for access to [describe requested information].

**Decision being appealed**

The decision was made on [date], 20 [year]. It was made at [location], Nova Scotia. It was communicated to the appellant on [date], 20 [year]. A [copy of/summary of] the decision is attached.

**No other review**

There is no review of this decision currently before the Office of the Information and Privacy Commissioner for Nova Scotia.

**Grounds of appeal**

The appellant says that the refusal is in error for the following reasons:

1 [state grounds concisely]

2

3

### **Order requested**

The appellant says that the court should allow the appeal and order that [name] provide the appellant with access to [describe records in contention] .

### **Record of appellant**

The appellant files with this notice an appeal book containing all documents in the possession of the appellant about the request, recommendation, and refusal.

### **Record of public body**

The respondent head, or public body, must deliver copies of the documents for which access has been refused to the prothonotary before the motion for directions is heard. The prothonotary is required by *Civil Procedure Rule 85.07* to keep the documents sealed. The judge who gives directions may make provisions for delivery of the sealed package to the judge who hears the appeal. The judge who hears the appeal may wish to hear argument before deciding whether to examine the record *in camera* under subsection 42(1) of the statute.

### **Filing and delivering documents**

Any documents you file with the court must be filed at the office of the prothonotary  
Street, , Nova Scotia (telephone # ).

When you file a document you must immediately deliver a copy of it to each other party entitled to notice, unless the document is part of an *ex parte* motion, the parties agree delivery is not required, a judge orders it is not required, or the document is protected by Rule 85.07.

### **Contact information**

The appellant designates the following address:

Documents delivered to this address are considered received by the appellant on delivery. Further contact information is available from the prothonotary.

**Motion for directions**

At [a.m./p.m.] on \_\_\_\_\_, 20\_\_\_\_, the appellant will appear before a judge in Chambers at the [Law Courts/Courthouse] \_\_\_\_\_, Street, \_\_\_\_\_, Nova Scotia to make a motion for an order giving directions for the appeal and setting a date and time for the hearing of it. The judge may make an order or provide directions in your absence if you or your counsel fail to attend, and the court may determine the appeal without further notice to you.

**Signature**

Signed \_\_\_\_\_, 20\_\_\_\_

\_\_\_\_\_  
Signature of appellant  
Print name:

[or]

\_\_\_\_\_  
Signature of counsel  
[name] as counsel  
for [name]

**Prothonotary's certificate**

I certify that this notice of appeal was filed with the court on \_\_\_\_\_, 20\_\_\_\_.

Prothonotary

[attach copy of decision under appeal or summary]