

EXEMPTIONS TO OPEN MEETINGS

In determining what types of matters it may consider during an *in camera* session, the Board must be guided by the provisions of subsection 35(4) of the *Police Services Act*, which are incorporated into the Board's Procedure By-law, as follows:

Board Procedure By-Law No. 3 of 2014:

30. (1) The Board may, by resolution, close a meeting or part of a meeting to members of the public in accordance with the provisions of section 35(4) of the *Police Services Act* if the Board is of the opinion that:
- (a) Matters involving public security may be disclosed, and having regard to the circumstances, the desirability of avoiding their disclosure in the public interest outweighs the desirability of adhering to the principle that proceedings be open to the public; or
 - (b) Intimate financial or personal matters or other matters may be disclosed of such a nature, having regard to the circumstances, that the desirability of avoiding their disclosure in the interest of any person affected or in the public interest outweighs the desirability of adhering to the principle that proceedings be open to the public. Such matters could include, but are not limited to:
 - i. personal matters about an identifiable individual, including employees;
 - ii. labour relations or employee negotiations;
 - iii. litigation or potential litigation, including matters before administrative tribunals, affecting the board or its employees;
 - iv. advice that is subject to solicitor-client privilege, including communications necessary for that purpose;
 - v. the security of the property of the City or Board;
 - vi. a proposed or pending acquisition or disposal of land;
 - vii. a matter in respect of which the board may hold a closed meeting under another Act;
 - viii. education or training sessions for the benefit of Members.

Reference may also be had to the *Municipal Information and Protection of Privacy Act (MFIPPA)*, for guidance as to the types of financial matters that may warrant protection

from public disclosure and, therefore, consideration *in camera*. The relevant portions of *MFIPPA* are set out below:

Section 11: Economic and other interests:

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- (c) information whose disclosure could reasonably be expected to prejudice the economic interests of an institution or the competitive position of an institution;
- (d) information whose disclosure could reasonably be expected to be injurious to the financial interests of an institution;
- (e) positions, plans, procedures, criteria or instructions to be applied to any negotiations carried on or to be carried on by or on behalf of an institution;
- (f) plans relating to the management of personnel or the administration of an institution that have not yet been put into operation or made public;
- (g) information including the proposed plans, policies or projects of an institution if the disclosure could reasonably be expected to result in premature disclosure of a pending policy decision or undue financial benefit or loss to a person.