

Excerpts from New Brunswick's Local Governance Act

Acts and decisions of council

64(1) All decisions of a council shall be

- (a) made in a regular or special meeting of the council, and
- (b) adopted by a by-law or a resolution of council.

64(2) No act or decision of a council is valid unless it is authorized or adopted by a by-law or resolution at a council meeting.

64(3) A council may not transact any business at a special meeting other than the business specified in the notice of the special meeting, unless all members of the council present at the special meeting agree.

Open meetings

67 Subject to subsection **68(1)**,

- (a) all regular and special meetings of a council shall be open to the public, and
- (b) all meetings of a committee of council shall be open to the public.

Closed meetings

68(1) A council meeting or a committee of council meeting may be closed to the public for the duration of the discussion if it is necessary to discuss

- (a) information of which the confidentiality is protected by law,
- (b) personal information as defined in the *Right to Information and Protection of Privacy Act*,
- (c) information that could cause financial loss or gain to a person or the local government or could jeopardize negotiations leading to an agreement or contract,
- (d) the proposed or pending acquisition or disposition of land,
- (e) information that could violate the confidentiality of information obtained from the Government of Canada or from the government of a province or territory,

- (f) information concerning legal opinions or advice provided to the local government by its solicitor or privileged communications between solicitor and client in a matter of local government business,
- (g) litigation or potential litigation affecting the local government or any corporation referred to in subsection 8(1), the local government's agencies, boards or commissions including a matter before an administrative tribunal,
- (h) the access to or security of buildings and other structures occupied or used by the local government or access to or security of systems of the local government, including computer or communication systems,
- (i) information gathered by the police, including the Royal Canadian Mounted Police, in the course of investigating any illegal activity or suspected illegal activity, or the source of that information,
- (j) labour and employment matters, including the negotiation of collective agreements.

68(2) If a meeting is closed to the public under subsection (1), no decision shall be made at the meeting except for decisions related to the following matters:

- (a) procedural matters;
- (b) directions to an officer or employee of the local government;
- (c) directions to a solicitor for the local government.

68(3) If a meeting is closed to the public under subsection (1), a record shall be made containing only the following information:

- (a) the type of matter under subsection (1) that was discussed during the meeting; and
- (b) the date of the meeting.