

PEACE RIVER REGIONAL DISTRICT
Bylaw No. 2452, 2021

A bylaw for the administration of
the *Freedom of Information and Protection of Privacy Act*

WHEREAS the *Freedom of Information and Protection of Privacy Act*, RSBC 1996, c.165, as amended, requires that a public body designate an FOI Head, and set any fees applicable to services provided under the *Act*;

NOW THEREFORE the Regional Board of the Peace River Regional District, in open meeting assembled, enacts as follows:

Title

1. This Bylaw may be cited for all purposes as the "Freedom of Information and Protection of Privacy Administration Bylaw No. 2452, 2021."

Definitions and Interpretation

2. In this bylaw, the following terms have the following meaning:

Act means the *Freedom of Information and Protection of Privacy Act*, RSBC 1996, c. 165, as amended;

Board means the Board of Directors of the Peace River Regional District;

Commercial applicant means a person who makes a request for access to a record to obtain information for use in connection with a trade, business profession or other venture for profit;

Coordinator means the person designated in section 5 of this bylaw as the Information and Privacy Coordinator;

Head means the person designated as the head of the public body for the purposes of *the Act* in accordance with Section 77 of the *Act*;

Public Body means the Peace River Regional District;

Regional District means the Peace River Regional District;

Request means a request under section 5 of the *Act*.

3. The definitions contained in the *Act* shall apply to this bylaw.

Administration

4. For the purpose of administration of the *Act*, the Corporate Officer is designated as the Head of the Peace River Regional District, and the Deputy Corporate Officer is authorized to act as the Head in the absence of the Corporate Officer.
5. For the purpose of administration of the *Act*, the Corporate Services Coordinator is designated as the Information and Privacy Coordinator.

6. For the purposes of the Act, the Head and the Coordinator shall act in their respective capacities for the Regional Board, including all Commissions and Committees of the Regional District.

Powers of the Coordinator

7. The Head may delegate any of the Head’s duties under the Act, to the Coordinator.
8. Notwithstanding Section 7, the power to delegate may not be delegated to the Coordinator.

Fees

9. An applicant making a request shall pay to the Regional District the fees set out in Schedule ‘A’ to this bylaw for the purposes of:
 - a) locating, retrieving and producing a record;
 - b) preparing a record for disclosure;
 - c) shipping and handling a record; and
 - d) providing a copy of a record.

General Administrative Provisions

10. The headings used in this bylaw are for convenience only and do not form part of this bylaw, and are not to be used in the interpretation of this bylaw.
11. If any portion of this bylaw is declared invalid by a court, the invalid portion shall be severed and the remainder of the bylaw is deemed valid.
12. Schedule A – Fees Applicable to Processing Requests, is attached to and forms part of this bylaw.
13. “Freedom of Information Bylaw No. 958, 1994” and “Freedom of Information Amendment Bylaw No. 969, 1994” are hereby repealed.

READ A FIRST TIME THIS 24th day of June, 2021.

READ A SECOND TIME THIS 24th day of June, 2021.

READ A THIRD TIME THIS 24th day of June, 2021.

ADOPTED THIS 24th day of June, 2021.

Original signed by

Chair

Original signed by

Corporate Officer

(Corporate Seal has been affixed to the original bylaw)

I hereby certify this to be a true and correct copy of "Freedom of Information and Protection of Privacy Administration Bylaw No. 2452", 2021 as adopted by the Peace River Regional District Board on the 24th day of June, 2021.

Original signed by

Corporate Officer

SCHEDULE 'A' – Fees Applicable to Processing Requests

Activity	For Applicants other than Commercial Applicants:	For Commercial Applicants:
a) For locating and retrieving a record	\$7.50 per ¼ hour after the first 3 hours	Actual cost
b) For producing a record manually	\$7.50 per ¼ hour	Actual cost
c) for producing a record from a machine readable record from a server or computer	\$7.50 per ¼ hour for developing a computer program to produce the record	Actual cost
d) For preparing a record for disclosure	\$7.50 per ¼ hour	Actual cost
e) For shipping copies	actual costs of shipping method chosen by the applicant	Actual cost
f) For copying records		Actual cost
i) Photocopies and computer printouts black and white	\$0.25 per page (8.5 x 11) and \$0.30 per page (11 x 17)	Actual cost
ii) USB	\$10.00 per USB	Actual cost
iii) Photographs (colour or black and white)	\$5.00 to produce a negative \$12.00 each for 16"x 20" \$9.00 each for 11"x 14" \$4.00 each for 8" x 10" \$3.00 each for 5"x7"	Actual cost
iv) Photographic print of textual, graphic or cartographic record	\$12.50 each (8" x 10" black and white)	Actual cost
v) Hard copy laser print, colour	\$1.65 each	Actual cost
vi) Plans	\$1.00 per square metre	Actual cost