

ADMINISTRATIVE REPORT

TO: Board of Directors

FROM: J. Zaffino, Chief Administrative Officer

DATE: December 19, 2024

RE: **Freedom of Information and Protection of Privacy Bylaw Amendment**

Administrative Recommendation:

THAT Bylaw No. 2519.03, 2024 being a bylaw to amend the Freedom of Information and Protection of Privacy Bylaw, be read a first, second, and third time and be adopted.

Purpose:

To remove definitions of Board and Coordinator and to add a definition for Commercial Applicant.

Reference:

Bylaw No. 2519, 2011

Freedom of Information and Protection of Privacy Act (the "Act")

Business Plan Objective:

2.2.1 By improving bylaws, policy and process within the organization

Background:

Amendment Bylaw No. 2519.02, 2024, which was adopted by the Board of Directors on December 21, 2023, designated the Corporate Officer as the Head for the purpose of the Act and removed the "Powers of Coordinator" section.

Analysis:

The proposed amendments to the bylaw would update the Definitions section in order to remove two definitions ("Board" and "Coordinator") which no longer appear anywhere else in the bylaw and are therefore no longer needed.

It is also proposed to add a definition for "Commercial Applicant". Under the Act, local governments are permitted to charge the actual cost to the public body of providing services required to respond to Freedom of Information requests from commercial applicants. For all other applicants the Act specifies the fees that may be charged, which typically do not cover the costs incurred by local governments to provide those services.

Adding a definition for commercial applicants would provide clarity for the public and many other local governments in BC have included it in their Freedom of Information Bylaws.

Financial Implications:

Financial implications have been considered and none were found.

Alternatives:

That the bylaw not be amended at this time.

Communication Strategy:

The Regional Bylaws webpage will be updated to reflect changes to the bylaw.

Respectfully submitted:

"Marc Aucoin"

M. Aucoin, Legislative Services Coordinator

Endorsed by:

"Christy Malden"

C. Malden, Corporate Officer