



CITY OF COLWOOD

BYLAW NO. 1746

A BYLAW FOR THE ADMINISTRATION OF THE FREEDOM OF INFORMATION AND PROTECTION OF PRIVACY ACT.

WHEREAS the purposes of the *Freedom of Information and Protection of Privacy Act, R.B.S.C., 1996, Chapter 165* (the “Act”) are to make public bodies more accountable to the public and to protect personal privacy;

AND WHEREAS the Act provides that a local public body must designate a person or group of persons as the Head of the public body for the purposes of this Act;

AND WHEREAS the Act provides authority for the Head of a public body to delegate to any person, in writing with any conditions or restrictions the Head considers appropriate, any duty, power or function of the Head of the public body under this Act, except the power to delegate under this section;

AND WHEREAS the Act authorizes the local public body to set any fees the local public body requires to be paid for information requests processed under the Act;

NOW THEREFORE, the Municipal Council of the City of Colwood, in open meeting assembled, hereby enacts as follows:

1. CITATION

This bylaw may be cited for all purposes as the “**Freedom of Information and Protection of Privacy Bylaw No. 1746, 2018**”.

2. REPEAL

Freedom of Information and Protection of Privacy Bylaw No. 1561, 2015, is repealed on adoption of this bylaw.

3. DEFINITIONS AND INTERPRETATION

3.1 The definitions contained in Schedule 1 of the *Freedom of Information and Protection of Privacy Act* shall apply to this Bylaw except where the context requires otherwise.

3.2 In this Bylaw:

“Act” means the *Freedom of Information and Protection of Privacy Act*, R.S.B.C., 1996, Chapter 165, as amended from time to time;

“Council” means the Council of the City of Colwood;

“Head” means the person designated under Section 4.1 of this bylaw;

“Local Government Body” means the City of Colwood;

“Request” means a request under section 5 of the Act.

4. ADMINISTRATION

4.1. HEAD

As required under section 77 of the Act, the Corporate Officer is designated as the “Head” for the purposes of the Act and is responsible for making decisions under the Act and for ensuring compliance. The Head is ultimately responsible for any decision or action taken and the final decision whether to disclose or withhold a requested record rests with the Head.

4.2. BOARDS, COMMITTEES, OTHER BODIES CREATED OR OWNED BY COLWOOD

Under the Act, boards committees, commissions, task forces, agencies, panels or other corporations created or owned by the City (as defined in the Act) are a separate local government body and must comply with section 77(a) of the Act and designate a Head for Freedom of Information and Protection of Privacy purposes.

For the purposes of the Act, the Head shall act in their respective capacities for all City Council, Boards (excluding West Shore Parks and Recreation Society), Committees, Commissions, Task Forces, Panels or other corporations of the City of Colwood.

5. MAXIMUM FEE SCHEDULE

An applicant making a request processed under the Act shall pay to the City of Colwood the fees set out in “Schedule 1 - Schedule of Maximum Fees” as established by British Columbia Regulation 155/2012 as amended from time to time, for the purposes of:

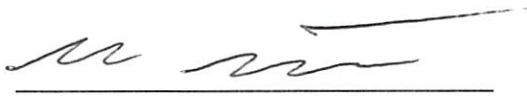
- 5.1 Locating, retrieving and producing a record;
- 5.2 Preparing a record for disclosure;
- 5.3 Shipping and handling a record; and
- 5.4 Providing a copy of a record.

Read a first time this 10th day of December, 2018.

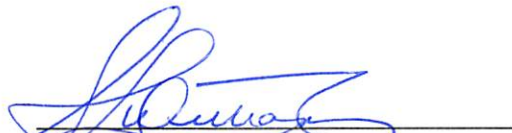
Read a second time this 10th day of December, 2018.

Read a third time this 10th day of December, 2018.

Adopted by the Municipal Council of the City of Colwood this 14th day of January, 2019.



Mayor



Corporate Officer