The following is a consolidated copy of the Freedom of Information and Privacy Bylaw and includes the following bylaws:

Bylaw No.	Bylaw Name	Adopted	Purpose
747	Comox Valley Regional District Information Access & Protection of Privacy Bylaw No. 747, 2023	April 18, 2023	For the administration of the *Freedom of Information and Protection of Privacy Act*

COMOX VALLEY REGIONAL DISTRICT

BYLAW NO. 747

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 (R.S.B.C. 1996, c.165)* requires that the Comox Valley Regional District:

(a) be accountable to the public and to protect personal privacy

(b) designate a person or group of persons as the head of the local government for the purposes of the Act; and

(c) set any fees the local public body requires to be paid for addressing requests for information; and

(d) have in place a privacy management program; and

(e) report to affected individuals and the Office of the Privacy Commissioner (OIPC) any privacy breach involving personal information in the custody or under the control of a public body.

NOW THEREFORE the board of the Comox Valley Regional District in open meeting assembled enacts as follows:

Definitions and interpretation

1.   (1) In this bylaw, the following terms shall have the following respective meanings:

"Act" means the *Freedom of Information and Protection of Privacy Act, (R.S.B.C. 1996, c.165),* as amended;

"applicant" means a person who makes a request for access to a record under the Act;

"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 2(2) of this Bylaw as the information and privacy coordinator;

"Head" means the person designated under section 2(1) of this Bylaw as the head for the purposes of the administration of the Act under section 2(1) of this bylaw;

"privacy breach" the theft or loss, or unauthorized collection, use or disclosure, of personal information in the custody or under the control of a public body as defined in the Act.

"regional district" means the Comox Valley Regional District;

"request" means a request for information under section 5 of the Act.

(2) References in this bylaw to statutes, regulations, bylaws or policies, and to positions, titles or ministries, includes the same as may be amended, supplemented or replaced from time to time.

Administration

2.   (1)   The corporate legislative officer or deputy is designated as the Head for the purposes of the Act.

      (2)   The Manager of Corporate Records and Information or, in the absence of the Manager of Corporate Records and Information the corporate legislative officer or deputy, is designated as the Coordinator for the purposes of the Act.

      (3)   For the purposes of the Act, the Head and the Coordinator shall act in their respective capacities for all boards, commissions and committees of the regional district that are within its scope and jurisdiction.

Powers of coordinator

3.   The Head may delegate any of the head's duties and functions under the *Act* to the Coordinator.

Fees

4.   (1)   An applicant making a request shall pay to the Regional District a non-refundable application fee as set out in Schedule 1.

      (2)   The application fee in Section 4(1) does not apply to a request for the applicant's own personal information.

5.   (1)   An applicant making a request shall pay to the Regional District the fees set out in Schedule 1 for the purposes of:

            (a)   Location, 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.

      (2)   The service fees in Section 5(1) do not apply to a request for the applicant's own personal information.

Repeal

6.   Bylaw No. 462, being the "Comox Valley Regional District Freedom of Information Bylaw No. 462, 2017" and any amendments thereto are hereby repealed.

Citation

This Bylaw No. 747, 2023 may be cited for all purposes as the "Comox Valley Regional District Information Access & Protection of Privacy Bylaw No. 747, 2023".

Schedule 1

Schedule of Maximum Fees

All files will be provided in an electronic format unless otherwise specified by the applicant.

Fees – Applicants Other Than Commercial Applicants

Section	Services Provided	Fee
4(1)	Application fee	$10.00 (non-refundable)
5(1)(a)	Locating, retrieving and producing a record	$7.50 per ¼ hour (Note: the first 3 hours are free of charge)
5(1)(b)	Preparing a record for disclosure	$7.50 per ¼ hour
5(1)(c)	Shipping and handling a record	Actual cost of shipping method chosen by applicant
5(1)(d)	Copying format: Black and white electronic copy or photocopy of a record Colour electronic copy or photocopy of a record DVD/CD Scanned electronic copy of a paper record Digitized microfiche to paper duplication	 $0.25 per page (8.5" x 11", 8.5" x 14", or 11" x 17") $1.65 per page (8.5" x 11", 8.5" x 14", or 11" x 17") $4.00 per disk $0.10 per page $0.50 per page (8.5" x 11")

Fees – Commercial Applicants

For each service listed above, the cost will be the actual cost of providing that service, in addition to the non-refundable application fee of $10.00.

Routine Release Records

The above fees do not apply to records routinely available for release. In the case of routine release records, the applicable administrative fees apply.

All fees are subject to applicable taxes.