

SUNSHINE COAST REGIONAL DISTRICT

Bylaw No. 736

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 local public body designate a Head of that public body for the purposes of this Act, and set any fees for services;

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

1. Citation

This bylaw may be cited as the *Sunshine Coast Regional District Freedom of Information Bylaw No. 736, 2022*.

2. Definitions and Interpretation

(1) The definitions contained in Schedule 1 of the *Freedom of Information and Protection of Privacy Act* shall apply to this bylaw; and

(2) In this bylaw:

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

“**Board**” means the Board of the Sunshine Coast 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 3(2) of this bylaw as the Information and Privacy Coordinator;

“**Head**” means the person designated under section 3(1) of this bylaw as the Head;

“**Regional District**” means the Sunshine Coast Regional District; and

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

3. Administration

(1) The Corporate Officer is designated as the Head for the purposes of the Act;

(2) The Sunshine Coast Regional District Information and Privacy Coordinator is designated as the Information and Privacy Coordinator for the purposes of the Act; and

(3) The Head and the Coordinator shall perform their duties in their respective capacities for all Boards, Committees, and Commissions of the Regional District for the purposes of the Act.

4. Powers and Duties of the Coordinator

- (1) The Head may delegate any of the Head’s duties under the Act to the Coordinator; and
- (2) The Coordinator must refuse to disclose information to an applicant or commercial applicant if the disclosure is prohibited or restricted by or under another Act.

5. Fees

An applicant or a commercial applicant making a request may be charged a fee by the Regional District as permitted under the Act and set out in the Schedule of Maximum Fees established by British Columbia Regulation 155/2012, as amended from time to time, for the purposes of:

- (a) a prescribed application fee;
- (b) locating, retrieving, and producing a record;
- (c) preparing a record for disclosure, except for the time spent severing information;
- (d) shipping and handling a record; and
- (e) providing a copy of a record.

6. Severability

If any portion of this bylaw is found to be invalid by a court of competent jurisdiction, then the invalid portion will be severed and the remainder of the bylaw will remain in effect.

7. Repeal

Sunshine Coast Regional District Freedom of Information Bylaw No. 409, 1994 is hereby repealed.

READ A FIRST TIME this	14 th	day of	April, 2022
READ A SECOND TIME this	14 th	day of	April, 2022
READ A THIRD TIME this	14 th	day of	April, 2022
ADOPTED this	14 th	day of	April, 2022



[Signature]
 CORPORATE OFFICER

[Signature]
 CHAIR