

CAPITAL REGIONAL DISTRICT
BYLAW NO. 3945

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

WHEREAS, under section 77 of the *Freedom of Information and Protection of Privacy Act*, a local government:

- (a) must designate a person or group of persons as the head of the local public body for the purposes of the *Freedom of Information and Protection of Privacy Act*; and
- (b) may set any fees the local public body requires to be paid under section 75 of the *Freedom of Information and Protection of Privacy Act*;

WHEREAS, under section 66 of the *Freedom of Information and Protection of Privacy Act*, the Head of a public body may delegate to any person any duty, power or function of the Head under the Act, except the power to delegate;

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

1.0 Definitions and Interpretation

1.1 The definitions contained in Schedule A of the Act shall apply to this bylaw except where the context requires otherwise.

1.2 In this bylaw:

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

"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.

"Corporate Officer" means the person assigned the responsibility of corporate administration under section 198 of the *Local Government Act* and for the purposes of this bylaw does not by default include the Deputy Corporate Officer in the absence of the Corporate Officer;

"Head" means the person or group of persons designated as the Head of the Regional District under section 2 of this Bylaw.

"Regional District" means the Capital Regional District.

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

2.0 Administration

- 2.1 The Corporate Officer is designated as the Head for the purposes of the Act;
- 2.2 In the absence of the Corporate Officer, the Manager, Information Services is designated as the Head for the purposes of the Act;
- 2.3 In the absence of both of the Heads specified in 2.1 and 2.2, the Deputy Corporate Officer is designated as the Head for the purposes of the Act;
- 2.4 The Head shall perform the duties of the head specified in the Act.

3.0 Fees

A person who makes an application to request access to a record must pay the fees set out in Schedule A to the Regional District. Fees may be charged for the purpose of:

- (a) locating, retrieving and producing the record;
- (b) preparing the record for disclosure;
- (c) shipping and handling the record;
- (d) providing a copy of the record.

- 4.0 Bylaw 2257, "Capital Regional District Freedom of Information Bylaw No. 1, 1994" is hereby repealed.

- 5.0 This Bylaw may be cited as "Freedom of Information and Protection of Privacy Bylaw No. 1, 2014".

READ A FIRST TIME THIS	12 th	day of	March	2014
READ A SECOND TIME THIS	12 th	day of	March	2014
READ A THIRD TIME THIS	12 th	day of	March	2014
ADOPTED THIS	12 th	day of	March	2014



CHAIR



CORPORATE OFFICER

CAPITAL REGIONAL DISTRICT BYLAW NO. 3945
Schedule A

SCHEDULE OF MAXIMUM FEES

1. For applicants other than commercial applicants:

	Description of Service	Management Fees
(a)	for locating and retrieving a record	\$7.50 per 1/4 hour after the first three hours
(b)	for producing a record manually	\$7.50 per 1/4 hour
(c)	for producing a record from a machine readable record from a server or computer	\$7.50 per 1/4 hour for developing a computer program to produce the record
(d)	for preparing a record for disclosure and handling a record	\$7.50 per 1/4 hour
(e)	for shipping copies	actual cost of shipping method chosen by applicant
(f)	for copying records	
	(i) photocopies and computer printouts	\$.25 per page (8.5" x 11" & 8.5" x 14") \$.30 per page (11" x 17")
	(ii) floppy disks	\$2 per disk
	(iii) CDs and DVDs, recordable or rewritable	\$4 per disk
	(iv) computer tapes	\$40 per tape, up to 2400 feet
	(v) microfiche	\$3 per fiche
	(vi) 16 mm microfilm duplication	\$25 per roll
	(vii) 35 mm microfilm duplication	\$40 per roll
	(viii) microfiche or microfilm to paper duplication	\$.50 per page (8.5"x11")
	(ix) photographs (colour or black and white)	\$5 to produce a negative \$12 each for 16" x 20" \$9 each for 11" x 14" \$4 each for 8" x 10" \$3 each for 5" x 7" \$12.50 each (8" x 10")
	(x) photographic print of textual, graphic or cartographic record (B/W)	
	(xi) dot matrix, ink jet, laser print or photocopy, B/W	\$.25 per page (8.5"x11", 8.5"x14" or 11"x17")
	(xii) dot matrix, ink jet, laser print or photocopy, colour	\$1.65 per page (8.5"x11", 8.5"x14" or 11"x17")
	(xiii) scanned electronic copy of a paper record	\$.10 per page
	(xiv) photomechanical reproduction of 105 mm cartographic record/plan	\$3 each
	(xv) slide duplication	
	(xvi) plans	\$0.95 each
	(xvii) audio cassette tape duplication (90 minutes or fewer)	\$1 per square metre \$5 per cassette plus \$7 per ¼ hour of recording

	(xvii) video cassette recorder (VHS) tape duplication	\$5 per cassette plus \$7 per ¼ hour of recording
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2. For commercial applicants:

	For each service listed in Item 1	The actual cost to the public body of providing that service
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