

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" x10")
	(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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