

BY-LAW NO. 11451

A By-law to Provide for the Administration of the Freedom of Information and Protection of Privacy Act for the City of Vancouver

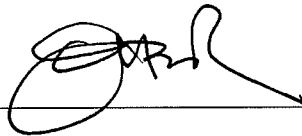
Whereas in the Freedom of Information and Protection of Privacy Act, Section 77 requires that Council designate a person or group of persons as the "head" for the purposes of the Act, Section 66 of the Act authorizes the "head" to delegate to any person any duty, power or function of the head and section 13 of the Freedom of Information and Protection of Privacy Regulation sets out the maximum fees for services provided pursuant to the Act;

THE COUNCIL OF THE CITY OF VANCOUVER, in public meeting, enacts as follows:

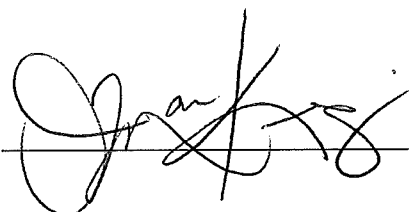
1. The name of this By-law, for reference, is the "Freedom of Information and Protection of Privacy By-law".
2. In this By-law:
 - "Act" means the Freedom of Information and Protection of Privacy Act;
 - "Head" means the person designated as the head of the public body for the purposes of the Act in accordance with Section 77 of the Act; and
 - "Public body" means the City of Vancouver.
3. The City Manager is designated as the Head for the purposes of the Act.
4. The Head is authorized to delegate to any person any duty, power or function of the head, except that the delegation:
 - (a) must be in writing;
 - (b) may be subject to such conditions or restrictions as the head considers appropriate; and
 - (c) must comply with Section 66 of the Act.
5. Fees must be in accordance with Schedule 1.
6. Council repeals By-law No. 7364.
7. A decision by a court that any part of this By-law is illegal, void, or unenforceable severs that part from this By-law, and is not to affect the balance of this By-law.

8. This By-law is to come into force and take effect on the date of enactment.

ENACTED by Council this 24th day of February, 2016



Mayor



City Clerk

Schedule 1

Schedule of Fees

Item	Description of Services	Management Fees
1	For applicants other than commercial applicants:	
	(a) for locating and retrieving a record	\$7.50 per 1/4 hour after the first 3 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 costs of shipping method chosen by applicant
	(f) for copying records	
	(i) CDs and DVDs, recordable or rewritable	\$4 per disk
	(ii) microfiche or microfilm to paper duplication	\$0.50 per page (8.5" x 11")
	(iii) photographs	Digital file - \$17 per image
	(iv) ink jet, laser print or photocopy, black and white	\$0.25 per page (8.5" x 11", 8.5" x 14" or 11" x 17")
	(v) ink jet, laser print or photocopy, colour	\$1.65 per page (8.5" x 11", 8.5" x 14" or 11" x 17")
	(vi) scanned electronic copy of a paper record	\$0.10 per page
	(vii) slide duplication	Digital file - \$17 per image
2	For commercial applicants for each service listed in Item 1	the actual cost to the public body of providing that service

Note: In keeping with the City of Vancouver's Greenest City goals, the FOI office does not provide hard copies of responsive records unless there are exceptional circumstances. All responsive records are provided in electronic formats

Delegation by the Head of the City of Vancouver

Whereas in the *Freedom of Information and Protection of Privacy Act* (the “Act”), Section 77 requires that Council designate a person or group of persons as the “head” for the purpose of the Act and Section 66 of the Act authorizes the “head” to delegate to any person any duty, power or function of the head;

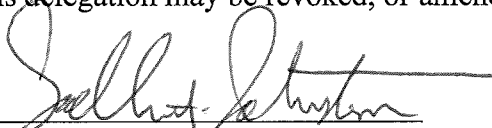
Whereas in By-Law No. 11451 – A By-law to Provide for the Administration of the Freedom of Information and Protection of Privacy Act for the City of Vancouver – (the “By-law”), Section 3 designates the City Manager as the Head for the purposes of the Act, and Section 4 authorizes the Head to delegate to any person any duty, power or function of the head, except that the delegation must be in writing, may be subject to such conditions or restrictions as the head considers appropriate, and must comply with Section 66 of the Act;

Pursuant to Section 66 of the Act, and Section 4 of the By-law, the City Manager hereby delegates the powers, duties and functions as head of the City of Vancouver to the Director, Access to Information, subject to the following conditions and restrictions:

1. that powers, duties and functions of the head set out under Section 25 of the Act shall not be delegated and shall be exercised exclusively by the City Manager;
2. that the persons to whom the powers, duties or functions are delegated are bound in the exercise of those powers, duties or functions by the jurisdictional, legislative and administrative limitations to which the head is subject;
3. that the powers, duties or functions delegated to any person may also be exercised by another person who holds the person’s position in an acting capacity to which he or she has been duly appointed; and
4. that, notwithstanding the delegation of the powers, duties or functions, the City Manager may exercise at any time any of the powers, duties or functions delegated.

This delegation is effective on and from October 11, 2017 and shall remain in effect until revoked.

This delegation may be revoked, or amended from time to time.


Sadhu Johnston, City Manager
City of Vancouver