

**SOUTH PENDER ISLAND LOCAL TRUST COMMITTEE
FREEDOM OF INFORMATION AND PROTECTION OF PRIVACY
BYLAW NO. 128**

A Bylaw to designate the head of the South Pender Island Local Trust Committee for the purposes of, and to set fees under, the *Freedom of Information and Protection of Privacy Act*, RSBC 1996, c. 165, as amended.

GIVEN THAT:

- A. Section 77(a) of the *Freedom of Information and Protection of Privacy Act*, RSBC 1996, c. 165, as amended (the "Act"), gives the South Pender Island Local Trust Committee the authority to designate a person as the head of the South Pender Island Local Trust Committee for the purposes of the Act, and
- B. Section 77(c) of the Act gives the South Pender Island Local Trust Committee the authority to set any fees the South Pender Island Local Trust Committee requires to be paid under section 75 of the Act,

THE SOUTH PENDER ISLAND LOCAL TRUST COMMITTEE ENACTS AS FOLLOWS:

Citation

- 1. This bylaw may be cited as "South Pender Island Local Trust Committee Freedom of Information and Protection of Privacy Bylaw No. 128, 2023".

Definitions and Interpretation

- 2. In this Bylaw:

“Act”	means the <i>Freedom of Information and Protection of Privacy Act</i> , RSBC 1996, Chapter 165, as amended.
“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.
“Head”	means the person designated under Section 3 of this Bylaw as the head of the of the South Pender Island Local Trust Committee for the purposes of the Act.
“Request”	means a request for information under Section 5 of the Act.
“Records”	includes books, documents, maps, drawings, photographs, letters, vouchers, papers and any other thing on which information is recorded or stored by graphic, electronic, mechanical or other means, but does not include a computer program or any other mechanism that produces records.

Designation of Head

- 3. The person from time to time appointed to the position of Secretary of the Islands Trust is designated as the Head of the South Pender Island Local Trust Committee for the purposes of the Act.
- 4. The person from time to time appointed to the position of Deputy Secretary of the Islands Trust and the person from time to time appointed to the position of Deputy Treasurer of the Islands Trust, each are authorized to perform any duty or exercise any function of the Head who is designated under Section 3.

Policies and Procedures

- 5. The Heads authorized to perform the duties of the Head shall operate in accordance with the Act and the Freedom of Information and Protection of Privacy policies, guidelines, and procedures, as set by the Islands Trust Council from time to time.

Fees

- 6. The fees that are payable by applicants under the Act are those set out in Schedule A to this bylaw.

Interpretation

- 7. Any word or expression used in this bylaw that is not defined in this bylaw has the meaning given to it in the Act on the date of final adoption of this bylaw.

Repeal

- 8. "South Pender Island Local Trust Committee Freedom of Information and Protection of Privacy Bylaw No. 63, 1994", is hereby repealed and replaced by this bylaw.

READ A FIRST TIME this	5 TH	DAY OF	MAY	2023.
READ A SECOND TIME this	5 TH	DAY OF	MAY	2023.
READ A THIRD TIME this	5 TH	DAY OF	MAY	2023.
APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST THIS	24 TH	DAY OF	MAY	2023.
ADOPTED THIS	1 ST	DAY OF	SEPTEMBER	2023.

CHAIR

SECRETARY

**South Pender Island Local Trust Committee
Freedom of Information and Protection of Privacy
Bylaw No. 128 - Schedule 'A'**

Schedule of Maximum Fees

Item	Description of Services	Fees
1	(a) Application Fee	\$10.00 (non-refundable)
	(b) An applicant's request for his/her own personal information is not subject to any fees.	
2	For applicants other than commercial applicants:	
	(a) for locating and retrieving a record	\$7.50 per ¼ hour after the first 3 hours
	(b) for producing a record manually	\$7.50 per ¼ hour
	(c) for producing a record from a machine readable record from a server or computer	\$7.50 per ¼ hour for developing a computer program to produce the record
	(d) for preparing a record for disclosure and handling a record	\$7.50 per ¼ hour
	(e) for shipping copies	actual costs of shipping method chosen by applicant
	(f) for copying records	
	(i) floppy disks	\$2 per disk
	(ii) CDs and DVDs, recordable or rewritable	\$4 per disk
	(iii) computer tapes	\$40 per tape, up to 2 400 feet
	(iv) microfiche	\$3 per fiche
	(v) microfilm duplication	\$25 per roll for 16mm microfilm \$40 per roll for 35mm microfilm
	(vi) microfiche or microfilm to paper duplication	\$0.50 per page (8.5" x 11")
	(vii) photographs, colour or black and white	\$5 to produce a negative
		\$12 each for 16" x 20" photograph
		\$9 each for 11" x 14" photograph
		\$4 each for 8" x 10" photograph \$3 each for 5" x 7" photograph
	(viii) photographic print of textual, graphic or cartographic record, black and white	\$12.50 each (8" x 10")
	(ix) dot matrix, 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")
	(x) dot matrix, ink jet, laser print or photocopy, colour	\$1.65 per page (8.5" x 11", 8.5" x 14" or 11" x 17")
	(xi) scanned electronic copy of a paper record	\$0.10 per page
	(xii) photomechanical reproduction of 105 mm cartographic record/plan	\$3 each
	(xiii) slide duplication	\$0.95 each
	(xiv) audio cassette tape (90 minutes or fewer) duplication	\$5 per cassette plus \$7 per ¼ hour of recording
	(xv) video cassette recorder (VHS) tape (120 minutes or fewer) duplication	\$5 per cassette plus \$7 per ¼ hour of recording
3	For commercial applicants for each service listed in Item 2	the actual cost to the public body of providing that service