

Deep Bay Improvement District

Freedom of Information Policy

Policy Number: 13-11-01

1. INTRODUCTION

- a. This policy is intended to provide the policies and procedures necessary for the release of information by the Deep Bay Improvement District (DBID) to the public. This policy is designed to:
 - i. define routinely available records;
 - ii. provide guidelines regarding the release of non-routinely available records;
 - iii. protect the privacy of individuals; and
 - iv. ensure compliance with the *Freedom of Information and Protection of Privacy Act* (the “Act”).

2. ROUTINELY AVAILABLE RECORDS

- a. Routinely available records are available without a formal request.
- b. Schedule ‘A’ attached provides a list of documents that are routinely available upon request.
- c. Routinely available records must be made available for viewing at the DBID offices and may be made available on the DBID website.
- d. Fees for copies of routinely available records shall be applied as set out in the current DBID “Miscellaneous Service Charge Bylaw”.

3. NON-ROUTINELY AVAILABLE RECORDS

- a. Non-routinely available records are covered by the *Act*.
- b. The *Act* requires disclosure of existing records containing information, not the production of new records to comply with an information request.
- c. Some records may be (or must be) restricted from access by the general public, including records containing:
 - i. personal information;
 - ii. information being considered in confidence;
 - iii. information subject to solicitor-client privilege;
 - iv. information harmful to law enforcement or the interests of the general public if disclosed; and
 - v. information harmful to third-party business interests if disclosed.
- d. Requests for non-routinely available records should be submitted using the “Freedom of Information and Protection of Privacy Request for Access to Records” form (copy attached to this policy)

4. RESPONDING TO REQUESTS

- a. The Board of Trustees is designated as the Head for the purposes of the *Act*.
- b. The Board hereby designates the Administrator to be the Information and Privacy Coordinator (the Coordinator)

Deep Bay Improvement District

Freedom of Information Policy

- c. The Board hereby authorizes the Coordinator to perform the following duties or exercise the following functions of the Head under the *Act*:
 - i. The duty to create a record from a machine readable record in the custody or under the control of the DBID using its normal computer hardware and software and technical expertise if creating the record would not unreasonably interfere with the operations of the DBID
 - ii. The power to respond to a request except where the Head has the discretion under the *Act* to determine whether a record shall be released or withheld from disclosure
 - iii. The power to respond to a request after the Head has made a decision regarding the disclosure or non-disclosure of a record.
 - iv. The power to refuse in a response to confirm or deny the existence of:
 - 1. a record containing information described in section 15 of the *Act* (information harmful to law enforcement), or
 - 2. a record containing personal information of a third party if disclosure of the existence of the information would be an unreasonable invasion of that party's personal privacy.
 - v. The duty to:
 - 1. provide an applicant with a copy of a record or part of a record with a response where the record can reasonably be reproduced, or
 - 2. to give reasons for the delay in providing the record.
- d. An applicant making a request shall pay to the District the fees set out in the current DBID "Miscellaneous Service Charge Bylaw". As per the *Act*, an applicant must not be required to pay a fee for the first 3 hours spent locating and retrieving a record, or time spent severing information from a record.

I hereby certify that the foregoing is a true copy of Policy DBID 13-11-01 as adopted by the Deep Bay Improvement District and sealed with the District seal on the 20th day of November, 2013.

Chair of the Trustees

Officer

Deep Bay Improvement District

Freedom of Information Policy

Schedule 'A' Routinely Available Records*

Annual Reports	Minutes of Annual and Special General Meetings (once approved)
Audited Financial Statements	Minutes of Committee meetings (once approved) ⁽¹⁾
Budgets	Minutes of District Board meetings (once approved) ⁽¹⁾
Bylaws	Newsletters
Correspondence Sent and Received by the Board ^{(1) (2)}	Policies
District Board and Committee agendas ⁽¹⁾	Public Notices
District Board Trustee list	Referendum and other Voting results
Election results	Resolutions ⁽¹⁾
Letters Patent	

* All personal information will be severed from routinely available records

⁽¹⁾ Except where considered in an in-camera (closed) meeting

⁽²⁾ Except correspondence to and from individual ratepayers

Freedom of Information and Protection of Privacy Request for Access to Records

Name of Public Body to Which You Are Directing Your Request				
DEEP BAY IMPROVEMENT DISTRICT				
Your Name				
Last Name	First Name	Middle Name	<input type="checkbox"/> Miss	<input type="checkbox"/> Ms. <input type="checkbox"/> Mrs. <input type="checkbox"/> Mr. <input type="checkbox"/> Other _____.
Your Address				
Street/Apartment No./PO Box/RR	City/Town	Province/Country	Postal Code	
Your Telephone/Fax Numbers/Email Address				
Day Phone No.	Alternate Phone No.	Fax No. or Email Address		
Details of Requested Information				
Information requested. (Please describe the records you are requesting. Be as specific as possible, as this will assist the request process. Attach any supporting documentation. Attach a separate sheet if space below is not sufficient.)				
Are you making a request for correction on behalf of another person? If so, please attach as appropriate:			<input type="checkbox"/> Yes. <input type="checkbox"/> No	
			A. That person's signed consent for disclosure, or B. Proof of authority to act on that person's behalf.	
Preferred method of access to record:		<div style="border-bottom: 1px solid black; width: 100%; margin-bottom: 5px;"></div> Your Signature <div style="border-bottom: 1px solid black; width: 100%; margin-top: 5px;"></div> Date Signed		
<input type="checkbox"/> Examine original <input type="checkbox"/> Receive hard copy <input type="checkbox"/> Receive pdf copy via email				
Public Body Use Only				
Request Category:			Date Received:	
<input type="checkbox"/> Access to General Information <input type="checkbox"/> Access to Personal Information			____ / ____ / ____ Year Month Day	
You may make a request for information without using this form provided it is in writing. Personal information contained on this form is collected under the Freedom of Information and Privacy Act and will be used only for the purpose of responding to your request.				