
TO: CITY MANAGER **DATE:** 2017 April 12

FROM: CITY CLERK

SUBJECT: FREEDOM OF INFORMATION BYLAW – HEAD OF THE LOCAL PUBLIC BODY

PURPOSE: To recommend a change in the designated head of the City of Burnaby for purposes of the Freedom of Information and Protection of Privacy Act

RECOMMENDATIONS:

1. **THAT** Council designate the City Manager as Head for the purposes of the Freedom of Information and Protection of Privacy Act.
2. **THAT** the City Solicitor be authorized to bring forward an amendment to the Burnaby Freedom of Information Bylaw No. 10183 to designate the City Manager as head for the purposes of the Freedom of Information and Protection of Privacy Act.

REPORT

Section 77 of the Freedom of Information and Protection of Privacy Act (FOIPPA) provides that a local public body must designate a person or group of persons as the head of the local public body for the purposes of the Act.

The Burnaby Freedom of Information Bylaw No. 10183 was adopted on 1995 March 20. In the bylaw, the Executive Committee is designated as head for the purposes of the Act.

Earlier this year, there were changes made to the Council committee structure, and through these changes the Executive Committee was integrated into the Financial Management Committee.

A survey was conducted of the Metro Vancouver municipalities and it was determined that in all instances either the City Manager or the City Clerk was designed head for the purpose of FOIPPA.

Given that the Executive Committee no longer exists, it is necessary to amend the Burnaby Freedom of Information Bylaw No. 10183 to designate a new head for the purposes of the Act.

To: City Manager
From: City Clerk
Re: **Freedom of Information Bylaw – head of
the local public body**

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Based on the survey of Metro municipalities, it is recommended that the bylaw be amended to designate the City Manager as head for the purposes of FOIPPA in Burnaby.

The current bylaw designates the City Clerk as Information and Privacy Coordinator, and the coordinator is authorized to perform any duty and exercise any function that the head is authorized and empowered to perform under FOIPPA.

A handwritten signature in black ink, appearing to read "Dennis Back", with a stylized flourish at the end.

Dennis Back
CITY CLERK

Copied to: Deputy City Manager
City Solicitor