

For immediate release

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Statement from BC Information and Privacy Commissioner regarding Special Committee's recommended changes to the *Freedom of Information and Protection of Privacy Act*

VICTORIA—Information and Privacy Commissioner Michael McEvoy issued the following statement in response to the final report of the Special Committee to Review the Freedom of Information and Protection of Privacy Act (FIPPA):

“I strongly applaud the work of the all-party Committee, and the recommendations made to improve our province’s access and privacy legislation. The review sends an especially strong message about the need for a fundamental shift towards a culture of transparency – a shift that will help build and maintain trust between public bodies and the public.

“The Committee’s clear recommendation that FIPPA’s provisions be extended to the administrative functions of the Legislative Assembly is especially important. To that end I look forward to continuing discussions with government on this issue.

“The Special Committee also recommended a legislated duty to document that would require all public bodies to record key decisions and actions. This will help the public to better understand those matters that affect them, their organizations, businesses, and communities.

“I also am encouraged by the Committee’s recommendations to take immediate steps to ensure there is adequate oversight for automated-decision making, and for government to consult with me, as Commissioner, to put in place regulations that ensure data-linking initiatives are transparent and privacy protective.

“The Committee’s recommendation to require government consult with the Commissioner when provisions that override FIPPA are being added, or when other draft legislation could have privacy and access implications, is a welcome one. I also fully support the recommendations that would expand my ability to share information with my regulatory counterparts across Canada, and that would provide my office with greater flexibility to comment on issues of public interest.

“If the Committee’s recommendations are implemented by government, they would broaden the access to information provisions and modernize privacy protection measures -- important steps to bring the legislation forward in the digital age of technological advancement. Taken

together the Committee's recommendations will further transparency, and provide for greater accountability, which is central to the legislation and what it seeks to achieve.

"We thank the many organizations and members of the public who engaged in this important process."

On the matter of access filing fees, the Commissioner is now in the process of reviewing the impact of those fees on access to information. That discretionary fee is the subject of a public report that will be released later this year.

The Report of the Special Committee to Review the Freedom of Information and Protection of Privacy Act is available at https://www.leg.bc.ca/content/CommitteeDocuments/42nd-parliament/3rd-session/fippa/report/SC-FIPPA-Report_42-3_2022-06-08.pdf

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The *Freedom of Information and Protection of Privacy Act* (FIPPA), BC's public sector access and privacy legislation, establishes an individual's right to access records - including a person's own personal information - as well as records in the custody or control of a public body. FIPPA also governs how public bodies can collect, use, and disclose personal information, and requires public bodies to protect and secure personal information against unauthorized use or disclosure.

Every six years, a Special Committee undertakes a comprehensive review of the Act to determine the effectiveness of the legislation in the current social and economic environment. The Special Committee, first appointed on June 16, 2021, studied the legislation and considered public submissions to identify the changes needed to ensure FIPPA is fit for purpose.

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