

CHECK AGAINST DELIVERY

**Speech to the
Select Standing Committee on Finance & Government Services
October 27, 2023**

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Information and Privacy Commissioner/Registrar of Lobbyists**

Good afternoon, Chair, Deputy Chair, and Members of the Committee.

I would first like to acknowledge and respect that we are meeting today on the traditional territories of the Ləkʷəŋjínəŋ-speaking people of the Songhees and Esquimalt Nations. As an Officer of this Legislature, I also acknowledge that I am privileged to work with people across many traditional indigenous territories, covering all regions of our Province.

The submission before you this afternoon encompasses the work of both the Office of the Information and Privacy Commissioner and the Office of the Registrar of Lobbyists for British Columbia. As the Information and Privacy Commissioner I am designated the Registrar of Lobbyists under the *Lobbyists Transparency Act*.

Assisting me this afternoon are Deputy Commissioners oline Twiss and Jeannette Van Den Bulk, along with Dave Van Swieten, Executive Director of Shared Services for the four Officers of the Legislature headquartered at 947 Fort Street.

I begin with a thanks to you, Chair and Committee, for introducing the revamped template and submission process - which my office agrees streamlines these proceedings.

Since we last met, very significant developments have taken place in the technology world. Large language models, a term virtually unheard of a year ago, have been etched in the public consciousness as we have witnessed rapid acceleration in the world of artificial intelligence. These technologies have tremendous potential to benefit all of us - but present dangers as well. Against this backdrop I have joined my federal and

provincial counterparts in Alberta and Quebec to undertake a joint investigation into OpenAI, the company behind ChatGPT.

I also note the provincial government has proposed a set of principles to guide its deployment of AI. I welcome the government consulting the public about these principles and of course my office is available to assist its deliberations. At the same time, I remind government and other public and private bodies thinking about deploying AI in British Columbia that there are existing laws that apply to its use. The *Freedom of Information and Protection of Privacy Act* and the *Personal Information Protection Act*, though in need of reform, provide some measure of protection for the public when it comes to the collection and use of our personal information using AI.

It is also important that we remain cognizant of the fact these and other emergent technologies are having a particular impact on our young people. Its why earlier this month I joined my federal, provincial and territorial colleagues in calling on governments to improve our privacy legislation in a way that puts the best interests of young people first. BC should be looking to harmonize our privacy law to align with leading jurisdictions like the UK and California. A children's code in BC, which I mentioned in previous appearances, would do just that and I continue to encourage government to consider these protections for our children.

Let me now turn to the details of the budget submission before you. **Table 1 of the OIPC budget submission**, sets out our key funding requests in a stand-alone table for ease of reference. I will start with inflationary costs.

On July 1, 2023, management staff in our office received an increment equal to a 7.15% lift, consistent with public service policies.

To address this, our first request to you is for \$538,000 to support the financial impact of that wage inflation increase in 2024-25. Related to this is a supplemental request of \$402,000 to cover that same wage increment for this current fiscal year starting from July 1, 2023 to the conclusion of this fiscal year.

I am also putting forward an increase of \$27,000 in operating expenses for building occupancy costs for inflation, and a request for a minor capital increase of \$2,000 for refreshing old computers.

I have two other modest but key asks. One is capital and the other operational.

First, I am seeking one-time capital funding of a \$40,000 contingency for the 2024/25 fiscal year, for our Case Tracker replacement project. You will have received an update on the project just last week. Currently, we anticipate going live on April 1, 2024, three months later than originally planned, but important to enable the developers to ensure the system is fine-tuned to our operational requirements. And, while the work on this project will be completed in this fiscal year, we need to provide for the contingent possibility of required system enhancements in the 2024/25 fiscal year should those become necessary. We will of course make every effort to complete any of this work in-house before using this capital funding.

My second request is for \$50,000, for each of 2024/25 and 2025/26, to continue the OIPC's leading role as Secretariat for the Asia Pacific Privacy Authorities.

I mentioned near the outset of my presentation our office's joint enforcement actions with federal provincial counterparts. Those coordinated efforts are important because your personal information does not stop at BC's border with Alberta. Nor does it stop at our national borders. Data flows seamlessly across borders of all description and a significant impetus for that is trade. Where trade goes so goes our data.

It is therefore vital that the personal data flows underpinning these trading links are trusted by our citizens.

And for BC our strongest trade ties are with those jurisdictions around the Asia Pacific rim. That is why our office joined with other privacy regulators in the region to be members of the Asia Pacific Privacy Authorities more than a decade ago.

And I would add that we are more than members in this space – we are leaders.

Since 2016, BC has served as the Secretariat for APPA, working to facilitate cross-border enforcement and sharing information and knowledge with 20 authorities from 12 countries across the Asia Pacific Region.

We manage the organization's day to day operations, administer its fees and expenses and act as a clearing house for member issues and concerns. In this role, we help guide and organize the agenda for APPA's twice-yearly forums, working closely with host jurisdictions, advising on the meeting's agenda, and collating and disseminating all documents related to it.

The ultimate objective is to enhance the protection of British Columbian's personal information.

Interjurisdictional privacy cooperation is never more important when a privacy breach strikes a global business. Its impact is felt across many jurisdictions simultaneously, which in turn requires a coordinated approach among those jurisdictions' regulators.

BC's leadership role in APPA has been supported by the Committee since 2016 - the funding for which is slated to end this year. We, together with other APPA members, are currently assessing the organization's processes including which jurisdiction should be responsible for the Secretariat role. APPA needs additional time to complete this work, but what is apparent from our discussions with fellow APPA members, is that in the interim there is a desire to have our office continue in the Secretariat role. We believe this would serve both the interests of British Columbians and APPA members to do so for the next two years to ensure consistency and continuity.

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So to summarize our request of the Committee The inflationary wage cost pressures together with our APPA funding request would mean that we are asking you to approve an operating budget for the OIPC in fiscal 2024/25 of \$10,776,000. And assuming you were to provide us with the \$402,000 to cover inflationary wage costs for this fiscal year our 2024/25 ask represents essentially no increase over the year previous as you will see by looking at column I of your Table 1 template. And on the capital side we are seeking approval in the amount of \$105,000 inclusive of the \$40,000 Resolve contingency fund.

I will now turn your attention to the two items in our 2024/25 budget which represent a greater than 5% increase.

The first is the lift for wage inflation which stands at 5.29% as is indicated in Table 1 of our budget submission. The second is for amortizing the cost the Case Tracker replacement system. This figure, found at STOB 73 of Table 1 of the Committee's template, is in the amount 27%.

I'd be happy to respond to any of your questions, or to walk you through any of the STOBs in detail, with the time we have left this afternoon.

Before I invite your questions, I want to acknowledge our OIPC team, the people I get to work with every day. Their dedication is second-to-none and it is a privilege to work with them.

With that Chair, I thank you and the Committee for your care and attention to these matters. My team and I would now be pleased to answer any questions you may have.