

**NORTH BAY POLICE SERVICES BOARD
BY-LAW 04/2002**

**DELEGATION OF AUTHORITY UNDER THE MUNICIPAL FREEDOM OF
INFORMATION AND PROTECTION OF PRIVACY ACT, 1989**

WHEREAS it is deemed expedient to establish a policy for the delegation of authority under the *Municipal Freedom of Information and Protection of Privacy Act, 1989*,

The North Bay Police Services Board hereby enacts as follows.

(Application)

1. This By-Law establishes the delegation of powers and duties pursuant to Section 49(1) of the *Municipal Freedom of Information and Protection of Privacy Act, 1989* (hereinafter referred to as the Act).

(Cancellation of previous by-law)

2. By-law number 01/90 is cancelled with the enactment of this by-law.

(Definitions)

3. For the purposes of this By-Law,
 - (a) **Chief** includes:
 - i. The Chief of Police; and
 - ii. Any Officer appointed in an acting capacity as Chief of Police from time to time.
 - (b) **Coordinator** includes:
 - i. The person designated by the Chief of Police as Freedom of Information Coordinator for the institution to which this document pertains; and
 - ii. The alternate Freedom of Information Coordinator.
 - (c) **Deputy Chief** includes:
 - i. The Deputy Chief; and
 - ii. Any officer in an acting capacity as Deputy Chief of Police.
 - (d) **Information and Privacy Commissioner** and **Commissioner** mean the Commissioner appointed under subsection 4(1) of the Act.
 - (e) **Institution** means the organization known as the North Bay Police Service and governed by the North Bay Police Services Board.
 - (f) **Senior Officer** means an officer of the rank of Inspector or a higher rank.

(Delegation)

SECTION	DESCRIPTION OF POWER OR DUTY	DELEGATION
20.1	Refuse to release information on grounds of request being frivolous or vexatious	Chief
21	Third party notice	Chief Deputy Chief Senior Officer Coordinator
22	Notice of refusal of access	Chief Deputy Chief Senior Officer Coordinator
23	Access to original record	Chief Deputy Chief Senior Officer Coordinator
25	Information available for inspection	Chief Deputy Chief Senior Officer Coordinator
26	Annual report to Commissioner	Chief
29(2)	Purpose and legal authority for collecting personal information	Chief Deputy Chief Senior Officer Coordinator
30	Retention of personal information	Chief Deputy Chief Senior Officer Coordinator
34	Compilation of personal information bank index	Chief Deputy Chief Senior Officer Coordinator
35	Records of inconsistent disclosure and use of personal information banks	Chief Deputy Chief Senior Officer Coordinator
36(2)	Correction of Personal Information	Chief Deputy Chief Senior Officer Coordinator
37	Manner of access to personal information	Chief Deputy Chief Senior Officer Coordinator
38	Refusal to disclose personal information	Chief Deputy Chief Senior Officer Coordinator
41(6)	Require Commissioner to examine original record on site	Chief Deputy Chief
45	Estimate costs and waiver of payment	Chief Deputy Chief Senior Officer Coordinator
50	Oral requests	Chief Deputy Chief

**SCHEDULE A
BY-LAW NUMBER 04/02**

SECTION	DESCRIPTION OF POWER OR DUTY	DELEGATION
4(2)	Severability of records	Chief Deputy Chief Coordinator
5	Obligation to disclose any record in the public interest to reveal grave environmental, health and safety hazard	Chief
6	Draft By-laws	Chief
7	Advice or Recommendations	Chief Deputy Chief Senior Officer
8	Law Enforcement	Chief Deputy Chief Coordinator
9	Relations with other Governments	Chief Deputy Chief
10	Third party information, Trade secrets, financial or labour relations information	Chief Deputy Chief
11	Economic interest of Ontario	Chief Deputy Chief Senior Officer Coordinator
12	Solicitor-Client privilege	Chief Deputy Chief
13	Safety/Health of an individual	Chief Deputy Chief Senior Officer Coordinator
14	Personal Privacy	Chief Deputy Chief Senior Officer Coordinator
15	Information soon to be published	Chief Deputy Chief Senior Officer Coordinator
17(1.1)	Determine that a request is frivolous or vexatious	Chief
18	Transfer of request to another institution	Chief Deputy Chief Senior Officer Coordinator
19	Access decision within 30 days	Chief Deputy Chief Senior Officer Coordinator
20	Extension of the 30 day time period	Chief Deputy Chief Senior Officer Coordinator

4. Pursuant to section 49(1) of the Act, we hereby delegate the powers and duties under the Act as set out in the attached Schedule, to the officers or employees in the institution headed by this Board as identified by the position titles indicated and defined above, including the incumbents of the positions and the officers or employees who have been appointed from time to time in an acting capacity to the positions, such delegation to take effect upon enactment of this by-law.

5. The provisions of this By-Law are effective as of

READ a 1st time this 09th day of April, 2002.

READ a 2nd time this 09th day of April, 2002

READ a 3rd time and ENACTED AND PASSED this 09th day of April, 2002



W. Ferguson
Chairman



S. Vester
Secretary