
RECORDS RELEASED IN RESPONSE TO A FREEDOM OF INFORMATION (FOI) REQUEST

DIRECTIVE RESPECTING RECORDS AVAILABLE TO THE PUBLIC WITHOUT A REQUEST
UNDER THE FREEDOM OF INFORMATION AND PROTECTION OF PRIVACY ACT

DIRECTIVE: 02-2018

SUBJECT: **Disclosure of Records Released in Response to a
Freedom of Information (FOI) Request**

AUTHORITY: This directive is issued under section 71.1 of the *Freedom of
Information and Protection of Privacy Act*.

APPLICATION: This directive applies to all ministries.

EFFECTIVE DATE: January 2, 2019

Minister of Citizens' Services

Directive to all Ministries issued under section 71.1 of the *Freedom of Information and Protection of Privacy Act*

Under section 71.1 (1) of the *Freedom of Information and Protection of Privacy Act*, R.S.B.C. 1996, c.165 (FOIPPA), I, Jinny Jogindera Sims, Minister of Citizens' Services, establish the following as a category of records that is available to the public without a request under that Act:

Records released as responsive to an FOI Request, where an FOI Request is a request made under FOIPPA for access to a record, excluding the following:

- **Records released in response to a personal information request (which is a request made by an individual or their representative for access to their own personal information); or**
- **Records exempted from disclosure based on one or more of the attached exemption criteria.**

Under section 71.1 (4) and (5) of FOIPPA, these records must contain the following information and must be disclosed in the manner and by the timelines set out below:

- 1) Records released as responsive to an FOI Request must be posted with a copy of the response letter to the applicant, subject to the redaction of any personal information in the response letter which if disclosed would constitute an unreasonable invasion of an individual's privacy.
- 2) The responsive records and the response letter must be posted to the Open Information website no sooner than 10 business days after their release to the applicant.

This directive rescinds and replaces Directive 06-2016 issued on May 30, 2016.

This directive is effective as of January 2, 2019.

19th Dec. 2018
Date

Jinny Sims
Minister of Citizens' Services

EXEMPTION CRITERIA FOR DIRECTIVE 02-2018

Records released as responsive to an FOI Request may be exempted from disclosure on the Open Information website, either in whole or in part, if they contain any of the following:

- a) Personal information, if the disclosure would constitute an unreasonable invasion of an individual's privacy;
- b) Information that may harm relations with a First Nation;
- c) Information that may harm relations with another government;
- d) Information that may harm a third party's business interests;
- e) Information that may threaten the safety of a person or harm the security of any property or system; or
- f) Information which should not be disclosed on the Open Information website for other legal or compelling public interest reasons.