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COMMISSIONER CALLS CHANGES TO ACCESS AND PRIVACY LEGISLATION A POSITIVE STEP BUT CALLS FOR FURTHER CHANGES

Victoria – Information and Privacy Commissioner David Loukidelis today released his letter to the Minister of Management Services commenting on the amendments to the *Freedom of Information and Protection of Privacy Act* (FOIPPA) that responded to the implications of the *USA Patriot Act*.

The Commissioner said: “The changes are positive steps forward in addressing the risk of disclosure of British Columbian’s personal information under the *USA Patriot Act*. However, further amendments should be considered to strengthen and clarify the new provisions.”

He said that, in general, the prohibition against compliance with foreign disclosure demands should be more direct and express, and it should apply to the disclosure of information under existing contracts.

The Commissioner stated further amendments are needed to clarify the conditions under which information can be disclosed outside Canada and the rules for information sharing. Loukidelis recommended that the penalties for unauthorized disclosure be raised.

The Commissioner also called on government to take immediate steps to implement the work of the Legislative Assembly Special Committee to Review FOIPPA. These improvements are good public policy and many are long overdue. Implementation of these additional measures will complement and strengthen the provisions in the amending act and give British Columbia strong, modern and effective access and privacy legislation.

The full text of the letter can be found through What’s New at www.oipc.bc.ca.

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