

**BY-LAW NUMBER 001-2021
OF
DURHAM REGIONAL POLICE SERVICES BOARD**

**A BY-LAW TO ESTABLISH POLICY FOR COMPLIANCE WITH THE
MUNICIPAL FREEDOM OF INFORMATION AND PROTECTION OF PRIVACY
ACT.**

WHEREAS subsection 3(2) of the *Municipal Freedom of Information and Protection of Privacy Act, 1989, Chapter 63*, provides that the Board may designate from among its members, a person to act as Head of the institution for the purposes of the *Act*;

AND WHEREAS subsection 49(1) of the *Municipal Freedom of Information and Protection of Privacy Act*, provides that the Head may delegate a power or duty as vested in the head to officers or employees of the institution subject to such limitations, restrictions, conditions or requirements as the Head may set out in the delegation;

AND WHEREAS it is desirable to delegate certain powers and duties vested in the Head under the *Municipal Freedom of Information and Protection of Privacy Act*, to officers of the Durham Regional Police Service and to other officials and employees;

AND WHEREAS a Police Services Board may, by by-law make rules for the effective management of the police service under Section 31(6) of the *Police Services Act*;

NOW THEREFORE THE DURHAM REGIONAL POLICE SERVICES BOARD ENACTS as follows:

DEFINITIONS:

In this By-law:

- (a) “*Act*” means the *Municipal Freedom of Information and Protection of Privacy Act, 1989, Chapter 63*, and amendments thereto.
- (b) “Board” means the Regional Municipality of Durham Police Services Board and shall be composed of such members appointed under Part III of the *Act*.
- (c) “Chair” means the Chair of the Durham Regional Police Services Board.
- (d) “Chief of Police” means the Chief of Police of the Durham Regional Police Service.
- (e) “Service” - means the Durham Regional Police Service.

1. DESIGNATION OF HEAD OF INSTITUION

1.1 Pursuant to Section 3(2) of the *Act*, the Chair of the Durham Regional Police Services Board be designated as Head for the purposes of the *Act*.

2. DELEGATION OF POWERS

2.1 Pursuant to Subsection 49(1) of the *Act*, the Chair of the Durham Regional Police Services Board delegates the power and duties vested in the head under the *Act* to the Chief of Police with respect to all records under the control of the Chief of Police.

3. ADMINISTRATION

3.1 The Chief of Police shall develop and implement written procedures to comply with the requirements of the *Municipal Freedom of Information and Protection of Privacy Act* including a provision to ensure that the right of access to information under the control of the Service, complies with principles that information be available to the public.

4. BOARD REPORTS

4.1 The Chief of Police shall make an annual statistical report to the Board on Freedom of Information activities, which shall appear on the public agenda.

4.2 The annual report shall include comparative data for the same time period in the immediate preceding calendar year, and shall contain all information required to be included under the *Act*.

5. EFFECTIVE DATE:

5.1 This By-law shall come into force and take effect immediately upon the passing hereof.

BY-LAW read and passed by the Durham Regional Police Services Board this 21st day of September, 2021.



Bobbie Drew, Chair



Garry Cubitt, Vice-Chair