

PROPOSED AMENDMENT TO BILL 4

Honourable Mike Farnworth to move, in Committee of the Whole, on
Bill 4

Witness Security Act

to amend as follows:

SECTION 1, by deleting the text shown as struck out and adding the underlined text as shown:

~~“service provider” means a person or entity who~~

- ~~(a) will be providing, is providing or has provided a service to an individual who is a participant or former participant, and~~
- ~~(b) knows that the individual is a participant or former participant, but does not include the designated agency if that designated agency is the Royal Canadian Mounted Police;~~

“service provider” means a person or entity who

- (a) will be providing, is providing or has provided a service to an individual who is a participant or former participant, and
- (b) knows that the individual is a participant or former participant,
but does not include the designated agency if that designated agency is the Royal Canadian Mounted Police; .

SECTION 38, by deleting the text shown as struck out and adding the underlined text as shown:

- ~~(2) Subsection (1) applies despite any other enactment, including the *Freedom of Information and Protection of Privacy Act* and the *Public Interest Disclosure Act*.~~
- (2) Subsection (1) applies despite
 - (a) the *Freedom of Information and Protection of Privacy Act*, and
 - (b) the prescribed enactments.

SECTION 46, by adding the underlined text as shown:

Personal liability protection

- 46** (1) In this section, “**authorized person**” means any of the following:
- (a) the director;
 - (b) a minister, employee or agent of the government;
 - (c) a member of the committee;
 - (c.1) an employee of the Insurance Corporation of British Columbia;
 - (d) an employee or member of a law enforcement agency that is a sponsor for a protected individual;
 - (e) an employee or member of the designated agency;
 - (f) a prescribed individual.
- (2) Subject to subsection (3), no legal proceeding for damages lies or may be commenced or maintained against an authorized person because of anything done or omitted
- (a) in the exercise or intended exercise of any power under this Act, or
 - (b) in the performance or intended performance of any duty under this Act.
- (3) Subsection (2) does not apply to an authorized person in relation to anything done or omitted in bad faith.
- (4) Subject to subsection (5), no legal proceeding for damages lies or may be commenced or maintained against the Insurance Corporation of British Columbia, an employee of the Insurance Corporation of British Columbia or the registrar general under the *Name Act* because of anything the Insurance Corporation of British Columbia, the employee or the registrar general, in providing for a participant’s change of identity, does or omits to do
- (a) in the exercise or intended exercise of any power under an enactment, or
 - (b) in the performance or intended performance of any duty under an enactment.
- (5) Subsection (4) does not apply to the Insurance Corporation of British Columbia, an employee of the Insurance Corporation of British Columbia or the registrar general under the *Name Act* in relation to anything done or omitted in bad faith.
- (6) Subsections (2) and (4) do not absolve the government from vicarious liability arising out of anything done or omitted by an authorized person or the registrar general under the *Name Act* for which the government would be vicariously liable if this section were not in force.

The Honourable Mike Farnworth