

BILL

No. 7 of 2002

An Act to amend *The Electronic Information and Documents Act, 2000*

(Assented to , 2002)

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of Saskatchewan, enacts as follows:

Short title

1 This Act may be cited as *The Electronic Information and Documents Amendment Act, 2002*.

S.S. 2000, c. E-7.22 amended

2 *The Electronic Information and Documents Act, 2000* is amended in the manner set forth in this Act.

Section 3 amended

3 The following clause is added after clause 3(b):

“(c) ‘**public body**’ means:

- (i) a government institution as defined in *The Freedom of Information and Protection of Privacy Act*;
- (ii) a local authority as defined in *The Local Authority Freedom of Information and Protection of Privacy Act*;
- (iii) any other person, entity or body that is prescribed in the regulations as a public body for the purposes of this Part”.

Section 4 amended

4 Subsection 4(3) is repealed and the following substituted:

“(3) This Part does not apply to the filing of any document or information in an electronic format, or the direct transmission of any document or information to an electronic database, pursuant to an Act that is designated pursuant to Part III”.

Section 5 amended

5 Subsection 5(1) is repealed and the following substituted:

“(1) If there is a conflict between this Part and the provisions of any other Act or regulation authorizing, prohibiting or regulating the use of information or documents in an electronic format, those other provisions prevail”.

Section 7 amended

6(1) Subsection 7(2) is amended by striking out “A person’s” and substituting “Subject to subsection (3), a person’s”.

(2) The following subsection is added after subsection 7(2):

“(3) A public body is not presumed to consent to accept information or a document in an electronic form unless it expresses its consent by communication accessible to the public or to those likely to communicate with the public body for particular purposes”.

Section 13 amended

7 Section 13 is amended:

(a) by renumbering it as subsection 13(1); and

(b) by adding the following subsection after subsection (1):

“(2) For the purposes of sections 8, 9 and 10:

(a) electronic information and electronic documents are not to be considered as being provided to a person solely by means of making that information or those documents available for access by that person through any means including the Internet; and

(b) in order to satisfy the requirement to provide any information or document to a person, the person must consent to accept the information or document in an electronic form in satisfaction of the requirement”.

Section 24 amended

8 The following clause is added after clause 24(c):

“(c.1) prescribing a person, entity or body as a public body”.

Section 25 amended

9 Section 25 is amended:

(a) by renumbering it as subsection 25(1);

(b) by repealing clause 25(1)(b) and substituting the following:

“(b) ‘**designated Act**’ means an Act or a portion of an Act that is designated in the regulations as an Act or portion of an Act to which this Part applies”; and

(c) by adding the following subsection after subsection (1):

“(2) Where a portion of an Act is designated in the regulations as a designated Act, this Part applies only to the portion of the Act that is designated”.

Coming into force

10 This Act comes into force on assent.