

SPECIAL COMMITTEE TO APPOINT AN INFORMATION AND PRIVACY COMMISSIONER



LEGISLATIVE ASSEMBLY
of BRITISH COLUMBIA

MARCH 2018
THIRD SESSION
OF THE 41ST PARLIAMENT



March 5, 2018

To the Honourable
Legislative Assembly of the
Province of British Columbia

Honourable Members:

We have the honour to present herewith the Report of the Special Committee to Appoint an Information and Privacy Commissioner containing our unanimous recommendation.

Respectfully submitted on behalf of the Committee,

Doug Routley, MLA
Chair

Mary Polak, MLA
Deputy Chair

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Composition of the Committee

Members

Doug Routley, MLA	Chair	Nanaimo-North Cowichan
Mary Polak, MLA	Deputy Chair	Langley
Anne Kang, MLA		Burnaby-Deer Lake
Coralee Oakes, MLA		Cariboo North
Dr. Andrew Weaver, MLA		Oak Bay-Gordon Head

Committee Staff

Kate Ryan-Lloyd, Deputy Clerk and Clerk of Committees
Ron Wall, Manager, Committee Research Services
Karan Riarh, Committee Research Analyst

Terms of Reference

On November 1, 2017 and February 14, 2018, the Legislative Assembly agreed that a Special Committee be appointed to select and unanimously recommend to the Legislative Assembly the appointment of an Information and Privacy Commissioner, pursuant to section 37 of the *Freedom of Information and Protection of Privacy Act*, R.S.B.C. 1996, c. 165.

The said Special Committee shall have the powers of a Select Standing Committee and in addition is empowered:

- a. to appoint of their number one or more subcommittees and to refer to such subcommittees any of the matters referred to the committee and to delegate to the subcommittee all or any of its powers except the power to report directly to the House;
- b. to sit during a period in which the House is adjourned, during the recess after prorogation until the next following Session and during any sitting of the House;
- c. to adjourn from place to place as may be convenient; and
- d. to retain such personnel as required to assist the committee;

and shall report to the House as soon as possible, or following any adjournment, or at the next following Session, as the case may be; to deposit the original of its reports with the Clerk of the Legislative Assembly during a period of adjournment and upon resumption of the sittings of the House, the Chair shall present all reports to the Legislative Assembly.

Introduction

The Information and Privacy Commissioner is an independent statutory officer of the Legislature responsible for monitoring and enforcing the *Freedom of Information and Protection of Privacy Act* (FIPPA) and the *Personal Information Protection Act*. The Office of the Information and Privacy Commissioner is responsible for: investigating complaints; monitoring general compliance with legislation; promoting freedom of information and protection of privacy principles; and providing advice and information to public bodies on access and privacy issues.

The Commissioner is also designated as the Registrar of Lobbyists, with responsibility for enforcing the *Lobbyist Registration Act* (LRA), and overseeing the BC Registry of Lobbyists. The functions of the Registrar include registering lobbyists, conducting administrative investigations into LRA compliance, and promoting awareness of registration requirements.

Section 37(1) of the FIPPA describes the procedure for the appointment of the Information and Privacy Commissioner, stating “On the recommendation of the Legislative Assembly, the Lieutenant Governor must appoint as the Information and Privacy Commissioner a person who has been unanimously recommended by a special Committee of the Legislative Assembly for the appointment.” Pursuant to Section 37(3), the Information and Privacy Commissioner holds office for a term of six years.

This procedure was used for the first time in 1993, to appoint the province’s first Information and Privacy Commissioner, David Flaherty, to a non-renewable term of six years.

In 1999, an all-party committee conducted the search for a new Commissioner and unanimously recommended the appointment of David Loukidelis for a non-renewable term of six years. The statutory provision prohibiting reappointment was repealed in January 2005. Later that year, a special committee recommended that Mr. Loukidelis be reappointed, and the Legislative Assembly adopted a motion for his reappointment to a six-year term. He resigned his position near the end of his second term in January 2010 to become Deputy Attorney General.

A 2010 special committee conducted the search for the next Commissioner and made the unanimous recommendation to appoint Elizabeth Denham. Ms. Denham did not seek re-appointment at the end of her term in July 2016 as she accepted a position as the United Kingdom’s Information Commissioner. On behalf of all Members of the Legislative Assembly, the Committee acknowledges Ms. Denham’s exceptional contributions to the Assembly and British Columbians through her leadership and work on information, privacy, and lobbyist registration issues.

Pursuant to Section 39 of the FIPPA, the Lieutenant Governor in Council appointed Mr. Drew McArthur as acting Commissioner on June 29, 2016. He was subsequently reappointed on March 17, 2017. The Committee expresses its appreciation to Mr. McArthur for his dedicated service to British Columbians in supporting the Office of the Information and Privacy Commissioner during its transition to a new Commissioner.

In the previous Parliament, the Legislative Assembly established a Special Committee to unanimously recommend the appointment of an Information and Privacy Commissioner. Between March 2016 and March

2017, this Committee conducted a comprehensive recruitment process with two rounds of advertising, however, the Committee was not able to reach a consensus as required by legislation.

With the provincial general election pending on May 9, 2017 and the opening of a new Parliament, the previous Committee issued a report recommending a new Special Committee be appointed to select and recommend the appointment of an Information and Privacy Commissioner. The Legislative Assembly established a new Special Committee to undertake this work on November 1, 2017. This report contains the Committee's unanimous recommendation to the Legislative Assembly regarding the appointment of the province's fourth Information and Privacy Commissioner.

Meeting Schedule

On November 1, 2017, and February 14, 2018, the Committee received its terms of reference from the Legislative Assembly. The Committee met on the following dates for the purposes described below.

Second Session, 41st Parliament

Wednesday, November 22, 2017	Organizational meeting
Wednesday, November 29, 2017	Planning
Monday, December 11, 2017	Briefing
Thursday, January 18, 2018	Deliberations
Wednesday, February 7, 2018	Interviews
Thursday, February 8, 2018	Interviews
Tuesday, February 13, 2018	Interviews

Third Session, 41st Parliament

Monday, February 26, 2018	Organization Deliberations Adoption of Report
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The Committee's documents, proceedings and this report are available at: <https://www.leg.bc.ca/cmt/ipc>

Recruitment Process

On November 22, 2017, the Committee held its organizational meeting, and elected the Chair and Deputy Chair. In keeping with the usual practices for a Special Committee of Appointment, the Committee passed a motion to hold all meetings and deliberations on a confidential, in-camera basis.

The Committee met again on November 29, 2017 to review a preliminary workplan for a new recruitment process, and a draft position and candidate profile for the position of Information and Privacy Commissioner. The Committee also reviewed and approved an advertisement for the position (see Appendix A). On December 11, 2017, Acting Commissioner Drew McArthur briefed Committee Members on the position's roles and responsibilities, and desirable qualifications for a candidate.

The advertisement was placed in British Columbia and national daily newspapers, distributed to key stakeholder and professional organizations, and shared on social media. Applicants who participated in the previous Special Committee's recruitment process were invited to submit new applications. The Committee received 67 applications for the position by the January 12, 2018 deadline. The applicants had a diverse range of provincial, national and international backgrounds and experiences. Six applicants were shortlisted for an interview based on their knowledge of information and privacy issues, and relevant legislation, as well as experience in senior management and mediation.

Interviews were conducted on February 7, 8 and 13, 2018. The interviews covered each shortlisted candidate's professional experience, leadership style, organizational management and suitability for appointment. Extensive reference checks were also conducted as part of the final selection process.

The Committee deliberated carefully on the experience and qualifications of the shortlisted candidates. Committee Members were impressed by Michael McEvoy's extensive experience in the information and privacy field, including his service as Deputy Commissioner for the Office of the Information and Privacy Commissioner for British Columbia, and recent experience leading an investigation into the use of data analytics in the political process with the Information Commissioner's Office in the United Kingdom. The Committee also recognized Mr. McEvoy's considerable management, technical and legal experience, and his record of high ethical standards, administrative fairness and excellence in the provision of service.

Committee Members concluded that Mr. McEvoy's strong experience, skills and knowledge would provide effective leadership for this important position. His understanding of the British Columbia context, combined with the substantial knowledge and skills gained from his international experience, cements their confidence in his knowledge and ability to address emerging issues in the field of data and privacy. The Committee agreed unanimously to recommend to the Legislative Assembly that the Lieutenant Governor appoint him as Information and Privacy Commissioner for a term of six years.

Recommendation

The Committee unanimously recommends to the Legislative Assembly that the Lieutenant Governor appoint Michael McEvoy as Information and Privacy Commissioner for British Columbia for a six-year term starting April 1, 2018, pursuant to section 37(1) of the *Freedom of Information and Protection of Privacy Act* (RSBC 1996, Chapter 165).

Biographical Information

Michael McEvoy

Michael Patrick McEvoy is a recognized regulatory authority in access and privacy matters provincially, nationally and internationally.

Mr. McEvoy has served as Deputy Commissioner to the Office of the Information and Privacy Commissioner in British Columbia (OIPC) since 2012, playing a key senior leadership role in the enforcement of the *Freedom of Information and Protection of Privacy Act* (FIPPA), the *Personal Information Protection Act* (PIPA) and the *Lobbyist Registration Act* (LRA). For the OIPC, he has been responsible for leading and managing systemic investigations of significant public interest issues, and the development of policy papers and guidance for organizations and public bodies. As the personal data of British Columbians increasingly flows across international boundaries, Mr. McEvoy has led British Columbia's efforts to coordinate actions with regulatory authorities throughout the Asia Pacific region.



In addition to Mr. McEvoy's role as Deputy Commissioner, he also served as Senior Adjudicator to the OIPC issuing over 50 orders under privacy and access legislation.

Mr. McEvoy is currently completing work in England, having been seconded to the Information Commissioner's Office in the United Kingdom. He is providing strategic advice to the Information Commissioner, in addition to leading an investigation into the use of data analytics in the political process.

Mr. McEvoy has been a leader in his community, and at provincial and national levels. He was a public school trustee for 12 years including two terms as President of the British Columbia School Trustees' Association and one term as President of the Canadian School Boards' Association. He has also served on numerous campaign committees of the Greater Victoria United Way, including chairing its 2009 campaign.

Earlier in his career, Mr. McEvoy held various positions in the public and private sectors. He was a lawyer in private practice, a lawyer with the Labour Relations Board of BC, a Ministerial Assistant to BC's Attorney General, and founder and principal of a consultancy firm.

Mr. McEvoy obtained a Juris Doctorate from the University of Manitoba in 1985 and a Bachelor of Arts in 1980 from the University of Winnipeg. He has been a member of the Law Society of British Columbia since 1986.

Mr. McEvoy is married with two grown daughters. He prides himself as a charter member and elite player with the Victoria Grey Leafs' old-timer hockey team.

Appendix A: Advertisement



LEGISLATIVE ASSEMBLY
of BRITISH COLUMBIA

INFORMATION AND PRIVACY COMMISSIONER

SPECIAL COMMITTEE TO APPOINT AN INFORMATION AND PRIVACY COMMISSIONER

Chair: Doug Routley, MLA (Nanaimo-North Cowichan)

Deputy Chair: Mary Polak, MLA (Langley)

The Legislative Assembly of British Columbia has established an all-party Special Committee to Appoint an Information and Privacy Commissioner. The Committee has a mandate to unanimously recommend the appointment of an Information and Privacy Commissioner as provided by the *Freedom of Information and Protection of Privacy Act*.

The Commissioner is a non-partisan Officer of the Legislature who provides independent oversight and enforcement of B.C.'s freedom of information, privacy, and personal information protection laws. The Commissioner is also designated as the Registrar of Lobbyists under the *Lobbyists Registration Act*. The Office of the Information and Privacy Commissioner is located in Victoria and has a budget of \$6 million and 38 dedicated staff.

The successful applicant will be recognized as a person of high standing and integrity within his or her professional community, with demonstrated senior leadership, mediation, and investigative skills, and a strong record of achievement in public or private sector administration. The successful applicant should also possess knowledge of the opportunities and risks of data sharing, and a thorough understanding of information and privacy laws and legal and policy issues. Applicants should also have knowledge of the principles and practices of administrative fairness, and a commitment to the values of openness, privacy, and transparency.

The appointment is for a term of six years, and may be renewed. The salary for the position is equal to the salary paid to a Chief Judge of the Provincial Court of British Columbia.

Applications should be received by email, fax or mail at the address below no later than **Friday, January 12, 2018**. Although the Committee appreciates the interest of all applicants, only those who are invited for an interview will be contacted. All applications received will be held in confidence.

For further information, please visit our website www.leg.bc.ca/cmt/ipc or contact:

Parliamentary Committees Office

Room 224 Parliament Buildings Victoria BC V8V 1X4
Kate Ryan-Lloyd, Deputy Clerk and Clerk of Committees

T 250-356-2933 Toll Free in BC 1-877-428-8337
F 250-356-8172 InfoPrivacyCommissioner@leg.bc.ca

Appendix B: *Freedom of Information and Protection of Privacy Act*

Freedom of Information and Protection of Privacy Act **(RSBC 1996, Chapter 165)**

Part 4 – Office and Powers of Information and Privacy Commissioner

(This Act is current to February 28, 2018)

Appointment of commissioner

- 37 (1) On the recommendation of the Legislative Assembly, the Lieutenant Governor must appoint as the Information and Privacy Commissioner a person who has been unanimously recommended by a special Committee of the Legislative Assembly for the appointment.
- (2) The commissioner is an officer of the Legislature.
- (3) Subject to section 38, the commissioner holds office for a term of 6 years.
- (4) [Repealed 2005-25-1.]

Resignation, removal or suspension of commissioner

- 38 (1) The commissioner may resign at any time by notifying the Speaker of the Legislative Assembly or, if there is no speaker or the speaker is absent from British Columbia, by notifying the clerk of the Legislative Assembly.
- (2) The Lieutenant Governor in Council must remove the commissioner from office or suspend the commissioner for cause or incapacity on the recommendation of 2/3 of the members present in the Legislative Assembly.
- (3) If the Legislative Assembly is not sitting, the Lieutenant Governor in Council may suspend the commissioner for cause or incapacity.

Acting commissioner

- 39 (1) The Lieutenant Governor in Council may appoint an acting commissioner if
- (a) the office of commissioner is or becomes vacant when the Legislative Assembly is not sitting,
 - (b) the commissioner is suspended when the Legislative Assembly is not sitting,
 - (c) the commissioner is removed or suspended or the office of the commissioner becomes vacant when the Legislative Assembly is sitting, but no recommendation is made by the Assembly under section 37 (1) before the end of the session, or
 - (d) the commissioner is temporarily absent because of illness or for another reason.
- (2) An acting commissioner holds office until

- (a) a person is appointed under section 37 (1),
 - (b) the suspension of the commissioner ends,
 - (c) the Legislative Assembly has sat for 20 days after the date of the acting commissioner's appointment, or
 - (d) the commissioner returns to office after a temporary absence,
- whichever is the case and whichever occurs first.

Salary, expenses and benefits of commissioner

40 (1) A commissioner appointed under section 37 (1) or 39 (1) is entitled

- (a) to be paid, out of the consolidated revenue fund, a salary equal to the salary paid to the chief judge of the Provincial Court, and
- (b) to be reimbursed for reasonable travelling and out of pocket expenses personally incurred in performing the duties of the office.

(2) The Lieutenant Governor in Council may, on terms and conditions the Lieutenant Governor in Council specifies, order that the Public Service Pension Plan, continued under the Public Sector Pension Plans Act, applies to the commissioner.

(3) If an order is made under subsection (2), the Public Service Pension Plan applies subject to subsection (4).

(4) When calculating the amount of a pension under the Public Service Pension Plan, each year of service as commissioner must be counted as 1 1/2 years of pensionable service.

(5) [Repealed 2003-62-2.]

Staff of commissioner

41 (1) The commissioner may appoint, in accordance with the Public Service Act, employees necessary to enable the commissioner to perform the duties of the office.

(2) The commissioner may retain any consultants, mediators or other persons and may establish their remuneration and other terms and conditions of their retainers.

(3) The Public Service Act does not apply in respect of a person retained under subsection (2).

(4) The commissioner may make a special report to the Legislative Assembly if, in the commissioner's opinion,

- (a) the amounts and establishment provided for the office of commissioner in the estimates, or
- (b) the services provided by the BC Public Service Agency are inadequate for fulfilling the duties of the office.

General powers of commissioner

42 (1) In addition to the commissioner's powers and duties under Part 5 with respect to reviews, the commissioner is generally responsible for monitoring how this Act is administered to ensure that its purposes are achieved, and may

- (a) conduct investigations and audits to ensure compliance with any provision of this Act or the regulations,
- (b) make an order described in section 58 (3), whether the order results from an investigation or audit under paragraph (a) or an inquiry under section 56,
- (c) inform the public about this Act,
- (d) receive comments from the public about the administration of this Act,
- (e) engage in or commission research into anything affecting the achievement of the purposes of this Act,
- (f) comment on the implications for access to information or for protection of privacy of proposed legislative schemes or programs or activities of public bodies,
- (g) comment on the implications for access to information or for protection of privacy of automated systems for collection, storage, analysis or transfer of information,
- (h) comment on the implications for protection of privacy of using or disclosing personal information for data linking,
- (i) authorize the collection of personal information from sources other than the individual the information is about, and
- (j) bring to the attention of the head of a public body any failure to meet the prescribed standards for fulfilling the duty to assist applicants.

(2) Without limiting subsection (1), the commissioner may investigate and attempt to resolve complaints that

- (a) a duty imposed under this Act has not been performed,
- (b) an extension of time for responding to a request is not in accordance with section 10 (1),
- (c) a fee required under this Act is inappropriate,
- (d) a correction of personal information requested under section 29 (1) has been refused without justification, and
- (e) personal information has been collected, used or disclosed in contravention of Part 3 by
 - (i) a public body or an employee, officer or director of a public body, or
 - (ii) an employee or associate of a service provider.

Power to authorize a public body to disregard requests

- 43 If the head of a public body asks, the commissioner may authorize the public body to disregard requests under section 5 or 29 that
- (a) would unreasonably interfere with the operations of the public body because of the repetitious or systematic nature of the requests, or
 - (b) are frivolous or vexatious.

Powers of commissioner in conducting investigations, audits or inquiries

- 44 (1) For the purposes of conducting an investigation or an audit under section 42 or an inquiry under section 56, the commissioner may make an order requiring a person to do either or both of the following:
- (a) attend, in person or by electronic means, before the commissioner to answer questions on oath or affirmation, or in any other manner;
 - (b) produce for the commissioner a record in the custody or under the control of the person, including a record containing personal information.
- (2) The commissioner may apply to the Supreme Court for an order
- (a) directing a person to comply with an order made under subsection (1), or
 - (b) directing any directors and officers of a person to cause the person to comply with an order made under subsection (1).
- (2.1) If a person discloses a record that is subject to solicitor client privilege to the commissioner at the request of the commissioner, or under subsection (1), the solicitor client privilege of the record is not affected by the disclosure.
- (3) Despite any other enactment or any privilege of the law of evidence, a public body must produce to the commissioner within 10 days any record or a copy of any record required under subsection (1).
- (3.1) The commissioner may require a person to attempt to resolve the person's request for review or complaint against a public body in the way directed by the commissioner before the commissioner begins or continues an investigation under section 42 or an inquiry under section 56.
- (3.2) Subsection (3.1) applies whether or not a mediator has been authorized under section 55.
- (4) If a public body is required to produce a record under subsection (1) and it is not practicable to make a copy of the record, the head of that public body may require the commissioner to examine the original at its site.
- (5) After completing a review or investigating a complaint, the commissioner must return any record or any copy of any record produced by the public body concerned.

Maintenance of order at hearings

- 44.1 (1) At an oral hearing, the commissioner may make orders or give directions that he or she considers necessary for the maintenance of order at the hearing, and, if any person disobeys or fails

to comply with any order or direction, the commissioner may call on the assistance of any peace officer to enforce the order or direction.

(2) A peace officer called on under subsection (1) may take any action that is necessary to enforce the order or direction and may use such force as is reasonably required for that purpose.

(3) Without limiting subsection (1), the commissioner, by order, may

- (a) impose restrictions on a person's continued participation in or attendance at a hearing, and
- (b) exclude a person from further participation in or attendance at a hearing until the commissioner orders otherwise.

Contempt proceeding for uncooperative person

44.2 (1) The failure or refusal of a person subject to an order under section 44 to do any of the following makes the person, on application to the Supreme Court by the commissioner, liable to be committed for contempt as if in breach of an order or judgment of the Supreme Court:

- (a) attend before the commissioner;
- (b) take an oath or make an affirmation;
- (c) answer questions;
- (d) produce records in the person's custody or under the person's control.

(2) The failure or refusal of a person subject to an order or direction under section 44.1 to comply with the order or direction makes the person, on application to the Supreme Court by the commissioner, liable to be committed for contempt as if in breach of an order or judgment of the Supreme Court.

(3) Subsections (1) and (2) do not limit the conduct for which a finding of contempt may be made by the Supreme Court.

Statements made to the commissioner not admissible in evidence

45 (1) A statement made or an answer given by a person during an investigation or inquiry by the commissioner is inadmissible in evidence in court or in any other proceeding, except

- (a) in a prosecution for perjury in respect of sworn testimony,
- (b) in a prosecution for an offence under this Act, or
- (c) in an application for judicial review or an appeal from a decision with respect to that application.

(2) Subsection (1) applies also in respect of evidence of the existence of proceedings conducted before the commissioner.

Protection against libel or slander actions

46 Anything said, any information supplied or any record produced by a person during an investigation or inquiry by the commissioner is privileged in the same manner as if the investigation or inquiry were a proceeding in a court.

Restrictions on disclosure of information by the commissioner and staff

47 (1) The commissioner and anyone acting for or under the direction of the commissioner must not disclose any information obtained in performing their duties, powers and functions under this Act, except as provided in subsections (2) to (5).

(2) The commissioner may disclose, or may authorize anyone acting on behalf of or under the direction of the commissioner to disclose, information that is necessary to

(a) conduct an investigation, audit or inquiry under this Act, or

(b) establish the grounds for findings and recommendations contained in a report under this Act.

(2.1) The commissioner and anyone acting for or under the direction of the commissioner must not give or be compelled to give evidence in court or in any other proceedings in respect of any records or information obtained in performing their duties or exercising their powers and functions under this Act.

(2.2) Despite subsection (2.1), the commissioner and anyone acting for or under the direction of the commissioner may give or be compelled to give evidence

(a) in a prosecution for perjury in respect of sworn testimony,

(b) in a prosecution for an offence under this Act,

(c) in an investigation, a determination or a review referred to in section 60 (1), or

(d) in an application for judicial review of a decision made under this Act.

(2.3) Subsections (2.1) and (2.2) apply also in respect of evidence of the existence of proceedings conducted before the commissioner.

(3) In conducting an investigation, audit or inquiry under this Act and in a report under this Act, the commissioner and anyone acting for or under the direction of the commissioner must take every reasonable precaution to avoid disclosing and must not disclose

(a) any information the head of a public body would be required or authorized to refuse to disclose if it were contained in a record requested under section 5, or

(b) whether information exists, if the head of a public body in refusing to provide access does not indicate whether the information exists.

(4) The commissioner may disclose to the Attorney General information relating to the commission of an offence against an enactment of British Columbia or Canada if the commissioner considers there is evidence of an offence.

(5) The commissioner may disclose, or may authorize anyone acting for or under the direction of the commissioner to disclose, information in the course of a prosecution, application or appeal referred to in section 45.

Protection of commissioner and staff

48 No proceedings lie against the commissioner, or against a person acting on behalf of or under the direction of the commissioner, for anything done, reported or said in good faith in the exercise or performance or the intended exercise or performance of a duty, power or function under this Part or Part 5.

Delegation by commissioner

49 (1) Subject to this section, the commissioner may delegate to any person any duty, power or function of the commissioner under this Act, other than the power to delegate under this section.

(1.1) The commissioner may not delegate the power to examine information referred to in section 15 if the head of a police force or the Attorney General

(a) has refused to disclose that information under section 15, and

(b) has requested the commissioner not to delegate the power to examine that information.

(1.2) Despite section 66, the head of a police force may not delegate the power to make a request under subsection (1.1) (b).

(1.3) Despite section 66, the Attorney General may only delegate the power to make a request under subsection (1.1) (b) to the Assistant Deputy Attorney General, Criminal Justice Branch.

(2) A delegation under subsection (1) must be in writing and may contain any conditions or restrictions the commissioner considers appropriate.

Role of Ombudsperson

50 The Ombudsperson may not investigate any matter that the commissioner has the power to investigate or review under this Act unless the commissioner agrees.

Annual report of commissioner

51 (1) The commissioner must report annually to the Speaker of the Legislative Assembly on

(a) the work of the commissioner's office, and

(b) any complaints or reviews resulting from a decision, act or failure to act of the commissioner as head of a public body.

(2) The Speaker must lay each annual report before the Legislative Assembly as soon as possible.

