

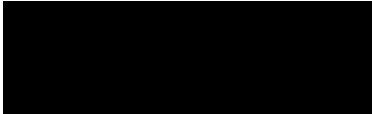
June 14, 2016

TO: Office of the Information and Privacy Commissioner for British Columbia
PO Box 9038 Stn Prov Govt
Victoria, BC
V8W 9A4

ATTENTION: Alison LeDuc

Sent via email address: info@oipc.bc.ca

FROM: Rod Wharram / West Karma Ltd., Deercrest Construction Fund Inc., Falls Capital Corp.



**RE: Request for Review – Deemed Refusal – General
BC Securities Commission File 1617-002
OIPC File F16-66268**

Dear Ms. LeDuc,

I am receipt of your letter of June 9, 2016.

Let me first state that I have now received the *Freedom of Information Request #1617-002* from the FOI Analyst at the British Columbia Securities Commission ("BCSC"). I received the file at 11:18am on June 8, 2016. As a reminder, the letter was due on June 6, 2016.

In that Alan Keats (whom you identify as General Counsel with the BC Securities Commission) indicates that Brenda Leong's letter (to myself) was dated on June 7, 2016 would automatically indicate their office was in breach of the FIPPA Act ("the Act") in which they are bound.

The fact that I never received the letter (via email) until the late morning of June 8, 2016 would enhance the fact I never received an answer to my request in the time frame allocated under the Act. A very casual review of your own website (<https://www.oipc.bc.ca/tools-guidance/forms/time-extension-application/>) indicates IN WRITING that "*Time extension requests must be submitted at least **3 business days** before the time limit for responding to the request (as set out in sections 7 and 10 of FIPPA) has expired.*" At no time was your office or I (as the applicant) notified by the BCSC of any delay in meeting the June 6, 2016 deadline.

The Staff at the BCSC are NOT above the provisions of the Act and their need to comply within stated time frames are vital to ensuring correspondence by parties is received WITHOUT issues like this arising for no apparent reason or excuse. The FIPPA Act is in place for a reason and breaching it must come with consequences, regardless of whether or not you are an individual, corporation, or government agency.

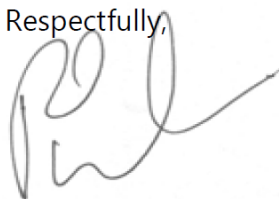
Can you please tell me why you have closed the file even when the Commission's General Counsel has submitted the information was dated June 7, 2016. Again, the BCSC had 30 business days to put together a very small amount of information and failed to do so nor did they file the necessary *Time Extension Application*.

I again turn to you for an answer as to what the punishment and/or sanctioning is for a person, company, or Government Agency that breaches sections of the FIPPA Act. **At a minimum I want proof that BCSC Staff's actions are on the record; specifically that the FOI Analyst and/or Brenda Leong were in breach of the FIPPA Act with respect to their file # 1617-002 / OIPC #F16-66268.** And I certainly hope that Staff at the BCSC are not granted preferential treatment because they too are a Government agency.

I trust you will not let this matter go unchecked as the public depends on your office to uphold the FIPPA Act. If, as an Intake Officer, you are not able to deal directly with the issues brought forward in this letter, I would like the name and contact information of the person in your office that is able to deal with my concerns.

I thank you for your attention to this letter and look forward to your timely response.

Respectfully,

A handwritten signature in black ink, appearing to read 'Rodney J. Wharram', written over a faint circular stamp.

Rodney J. Wharram