

Administrative Agreement Protocol

Between

Ministry of Municipal Affairs and Housing,
Building and Safety Standards Branch



And

British Columbia Safety Authority
(Technical Safety BC)

Document Number: MAN-4029-00

Date: April 2010

Updated: December 2017

Table of Contents

Section 1: Purpose and Principles.....	2
Section 2: Communications.....	2
2.1 Communications Regarding Incidents.....	2
2.2 Media Relations	5
2.3 General Communications.....	6
Section 3: Information Sharing	7
3.1 Purpose	7
3.2 Technical Safety BC Information Dissemination.....	7
3.3 Provincial Government Initiatives	7
Section 4: Planning and Prioritization	8
4.1 Purpose	8
4.2 Regulatory / Legislative Amendments	8
4.3 Policy Initiatives	8
4.4 Joint Planning and Prioritizing	8
Section 5: Requests for Amendment.....	10
5.1 Purpose	10
5.2 Commencement.....	10
5.3 Submission	10
5.4 Consultation.....	11
5.5 Legislative Review Process	12
5.6 Review Timeline.....	12
5.7 Response.....	12
5.8 Drafting	13
5.9 Notification	13
Section 6: Records Storage	13
6.1 Purpose	13
6.2 Access to Records	13
6.3 Destruction of Records.....	14
6.4 Invoicing for Records Storage	14
Section 7: Implementation of and Amendments to this Protocol.....	14
Section 8: Revision History	15
Section 9: Approval	15
Appendix A: Request for Amendment Form	16

Section 1: Purpose and Principles

This Administrative Agreement Protocol (hereafter referred to as the "Protocol") establishes consistent and effective processes and procedures to successfully meet the terms and conditions of the Administrative Agreement between the Province, represented by the Building and Safety Standards Branch (BSSB) of the Ministry of Municipal Affairs and Housing (the "Ministry"), and British Columbia Safety Authority (hereafter referred to as "Technical Safety BC").

The Protocol is characterized by a set of consistent and efficient processes and practices anchored by an interdependent relationship; one that recognizes and believes that the safety of British Columbians can best be achieved through a working relationship that is collaborative and respectful in both principle and practice.

The processes and practices described within the Protocol are guided by the following core principles:

1. **Collaboration:** mutually respectful working relationship based upon mutual interest and jointly developed structures and shared responsibility; respect for complimentary authority and accountability to achieve success;
2. **Transparency:** healthy dialogue through open communications, open sharing of information leading to informed decision-making; and,
3. **Continuous Improvement:** the Protocol is meant to be an organic document that reflects both parties experience in working collaboratively on a variety of issues. As a result, the parties will review the effectiveness of the Protocol every three years, or more frequently if necessary, and make any revisions as mutually agreed upon.

Section 2: Communications

Technical Safety BC is an independent authority as set out by the *Safety Authority Act* and the Administrative Agreement with the Province of British Columbia. Although Technical Safety BC is responsible for its own operations, including communications (media relations and incident reporting), it acknowledges the Ministry's interest in evaluating the effectiveness of the safety system and being informed of significant issues and incidents within Technical Safety BC's jurisdiction. Accordingly, Technical Safety BC and the Ministry's Government Communications and Public Engagement (GCPE) shop have agreed to the communications alert process identified below.

2.1 Communications Regarding Incidents

In most cases, Technical Safety BC will receive a report of an incident before the Province and will take the following steps to notify the Province.

2.1.1 Notification

A. Critical Communication Alerts for Immediate Contact – When Technical Safety BC is made aware of one of the following incidents or issues involving a technology regulated by Technical Safety BC, their Leader, Communications & Media Relations, or alternate, will notify the GCPE Communications Manager and Public Affairs Officer (with cc to the Communications Director and BSSB's Executive Director and Director, Safety Policy and Liaison) as soon as possible:

- **Level 1 Incident:** Death, permanent injury, catastrophic damage or a near miss that could have resulted in a death, permanent injury or catastrophic damage
- **Level 2 Incident:** Major non-permanent injury, extensive damage or a near miss that could have resulted in a major non-permanent injury or extensive damage
- **Perceived public safety issue:** Any other incident that may or could be perceived as a public safety threat and/or potentially damaging to public confidence in the safety system
- Technical Safety BC receives a **media call** reacting to an incident or issue
- Technical Safety BC learns of **media interest**, or local regionalized media reports from employees, reacting to an incident or issue

B. Communication Alerts for notification within 24 hours – When Technical Safety BC is made aware of one of the following situations, the Leader, Communications & Media Relations, or alternate, will notify the GCPE Communications Manager and Public Affairs Officer (with cc to the Director of Communications and BSSB's Executive Director and Director, Safety Policy) within 24 hours:

- An incident that may cause public concern about the safety system in BC that may escalate to Level 1 or 2
- Technical Safety BC is alerted to an FOI request by media
- Technical Safety BC is alerted of a Level 3 Incident¹ where the parties involved have threatened to go to the media
- Technical Safety BC is contacted by a concerned member of the public, including a contractor, where the member of the public threatens or seems likely to notify the media or government (e.g., concern about the safety system or complaint about Technical Safety BC)

2.1.2 Follow-up – Email notification includes cc to media@technicalsafetybc.ca, Director, Policy and Regulatory Affairs, Leader, Program and Policy Development and the following Ministry employees:

- GCPE Communications Director
- GCPE Communications Manager
- GCPE Public Affairs Officer
- BSSB Executive Director
- BSSB Director, Safety Policy and Liaison

¹ Level 3 Incident: Minor non-permanent injury, minor damage or a near miss that could have resulted in a minor non-permanent injury or minor damage.

2.1.3 Information to Provide – As much as possible, communications include the following information (where applicable):

What happened? (<i>What type of incident</i>)
Any injuries / damage? (<i># of people, possible extent of injury</i>)
Where it happened? (<i>Location of facility / municipality etc.</i>)
When it happened? (<i>When the report came in or, if possible, when the incident happened</i>)
Why it happened? (<i>Cause if available</i>)
Technical Safety BC actions? (<i>Ongoing inspection, permit suspension etc.</i>)

For Level 1 and Level 2 incidents, the information should also include background / general information, such as:

- how Technical Safety BC oversees public safety in this technology;
- how often this type of equipment is inspected;
- the dates this specific piece of equipment was inspected, if ever, and any pertinent information from those inspections; and
- how many similar pieces of equipment are there in BC (if applicable).

2.1.4 Additional Information – The parties agree to provide each other with additional information / updates on incidents / situations when available.

2.1.5 Province Aware First – In situations where the Province becomes aware of an incident or an emerging issue (including communication from a member of the public) before Technical Safety BC, the GCPE Communications Manager and/or Public Affairs Officer responsible will notify Technical Safety BC's Leader, Communications & Media Relations with cc to media@technicalsaftybc.ca, according to the timelines under 2.1.1 A and B (Notification) above. The information provided should adhere to the template under 2.1.3 (Information to Provide) above as much as possible.

2.1.6 Messaging – Incidents are unpredictable and the facts are not always immediately available for verification. While Technical Safety BC recognizes the public's right to information, especially with regards to public safety, as an independent regulator it must exercise caution in conducting an investigation and be prudent in sharing its findings with the public. The following sample statements will serve as a guide for Technical Safety BC in the early stages of an incident, while facts are unavailable or unverified, a safety manager is unavailable and while an investigation is ongoing:

1 st message	<i>We have not received any report on such an incident. Let me do a check on that for you and I will get back to you as soon as possible. If the incident falls within a technology that we oversee we will investigate the matter. Public safety is our top priority.</i>
2 nd message	<i>A safety officer is en route to the site of the incident to conduct an investigation. We will need him/her to verify the information that we received and make an initial assessment of the situation. Once we get more details I will get back to you.</i>
3 rd message	<i>A safety officer is presently onsite and conducting an investigation. As soon as possible, we will address your questions. In the meantime, we need to gather and verify all the facts as we conduct the investigation. Public safety is our top priority.</i>

For situations where specific information about an incident is not immediately available, general information about safety regulation can be provided to the Province and to reporters by Technical Safety BC as appropriate (see section 2.1.3 for background / general information to be prepared and kept on file).

2.2 Media Relations

Both parties acknowledge that the public understanding of safety issues affecting any of the technologies regulated by Technical Safety BC may, at times, be well served by working with the media in providing information and appropriate messages. Technical Safety BC will take the lead in corresponding with the media and will inform GCPE and the BSSB Executive Director and Director, Safety Policy and Liaison of all communications with respect to incidents and media inquiries identified above.

2.2.1 Reporting

When Technical Safety BC receives a media inquiry that is not related to a current incident, the following steps shall be taken by the Leader, Communications & Media Relations or alternate.

1. The Leader, Communications & Media Relations or alternate will notify GCPE in a timely manner, by sending an email adhering to the following template:

Template Contents	
Subject	Media request from (outlet) re (issue)
Date & Time	When request was received
Deadline	When information is needed or when interview is scheduled
Media	Media outlet
Reporter & contact info	Name of reporter/phone number/email address
Topic	What report is about or information required
Questions	Main questions
Response	Messages or information that may be shared
Background information	Other relevant information

2. An email will be sent to the GCPE Communications Manager and Public Affairs Officer with a cc to the Communications Director and the Media Relations Officer. If communication via electronic mail is not immediately available, a call will be made to the Public Affairs Officer.
3. The parties agree to provide each other with additional information on the media inquiry when available.

In situations where the Province (GCPE) receives a media inquiry that is best addressed by Technical Safety BC, the inquiry will be referred to Technical Safety BC and the GCPE Communications Manager or alternate will notify the Leader, Communications & Media Relations, or alternate, with cc to media@technicalsaftybc.ca, in a timely manner.

If a media inquiry is addressed solely to the Minister's Office and is relevant to Technical Safety BC, the following steps shall be taken by the GCPE Communications Manager or alternate.

1. Notify Technical Safety BC in a timely manner, by sending an email adhering to the above template to Technical Safety BC's Leader, Communications & Media

Relations with a cc to media@technicalsaftybc.ca. If communication via electronic mail is not immediately available, a call will be made to the Leader, Communications & Media Relations.

2. After consulting with Technical Safety BC on technical matters as needed, GCPE will take the lead and provide Technical Safety BC with a timely account of communications with the media.

Internal communications is the responsibility of each respective organization.

If the media inquiry is the result of a current incident, procedures outlined under 2.1 Communications Regarding Incidents will take precedence.

2.3 General Communications

2.3.1 Public Announcements

Where practical, each party will be informed, in advance (two to three business days as a minimum) of any public announcement that may impact the other party. Where advance notice is not possible (e.g., a media telephone enquiry), each party will be informed as soon as possible as to the media contact and nature of the call.

2.3.2 Premier/Ministerial Correspondence/Telephone Calls

Technical Safety BC employees are the technical experts on safety issues within the industry sectors that they oversee. When the Premier and/or Minister receive correspondence concerning safety issues in one of these sectors, BSSB will ensure that Technical Safety BC has an opportunity to contribute to any response. This will be done either by:

- forwarding the letter or record of phone call to the Leader, Program and Policy Development to respond directly; or
- asking the Leader, Program and Policy Development to provide response points that will be incorporated into the Minister's response.

For correspondence and telephone calls to the Premier/Minister's Offices concerning purely technical safety issues within the responsibility area of Technical Safety BC, BSSB will refer the matter to Technical Safety BC to research the matter and respond directly with copies of their response sent to the Director, Safety Policy and Liaison. In these instances, letters or calls should begin by identifying that the Premier/Minister's Offices had referred the person's concern of (specify date) to Technical Safety BC for review and response. If after researching the matter, Technical Safety BC thinks the matter should best be replied to by the Premier/Minister's Office, Technical Safety BC can refer the matter back to the BSSB.

2.3.3 Media Release Exchange

The parties will provide each other with copies of media releases, speaking notes, media clips or transcripts as they become available, as well as with feedback on the content and tone of interviews related to important safety issues. For general public announcements of a safety nature, Technical Safety BC will provide GCPE with a copy of the media release being distributed.

2.3.4 Members of the Legislative Assembly (MLA) Communications

Periodically circumstances may arise that necessitate direct communication between Technical Safety BC and Members of the Legislative Assembly. In such cases,

Technical Safety BC will ensure both BSSB and GCPE are informed and aware of any information provided.

1. In the event Technical Safety BC is contacted by an individual MLA's constituency office regarding enquiries associated with critical communications situations outlined in 2.1.1 A and 2.1.1 B, Technical Safety BC will notify BSSB and GCPE as soon as possible and provide a copy of the response provided.
2. In the event Technical Safety BC is distributing proactive safety information and intends to include MLA offices as a channel to distribute to the general public, Technical Safety BC will provide BSSB and GCPE with copies of all materials when available, as per the media release exchange process outlined in 2.3.3.
3. In the event an individual MLA or MLAs become involved in issues of public concern related to Technical Safety BC's operations and are advancing inaccurate information, BSSB will reach out to the MLA or MLAs to correct the information.

Section 3: Information Sharing

3.1 Purpose

Information sharing is critical to a collaborative and transparent relationship. This section is intended to identify specific pieces of information that will be shared between the parties to:

1. help BSSB understand emerging safety issues;
2. provide BSSB with Technical Safety BC's planning and reporting documents;
3. provide Technical Safety BC with a clear understanding of work undertaken by the Province that may impact Technical Safety BC; and,
4. help identify opportunities for the parties to collaborate on specific issues.

3.2 Technical Safety BC Information Dissemination

Technical Safety BC's Leader, Communications & Media Relations will provide BSSB, for its information, the following Technical Safety BC documents on an annual basis by email:

1. State of Safety Report (which may include statistical updates on incidents within the jurisdiction of Technical Safety BC; regulatory safety updates: includes amendments, safety orders, directives, and information bulletins; a summary of any proceedings or litigation by or against Technical Safety BC, or in which Technical Safety BC is an interested party, that may affect the interests of the Province as per Article 13.06 of the Administrative Agreement signed May 27, 2015);
2. Annual Report;
3. Business Plan;
4. A copy of the Certificate of Insurance and a summary of any substantive changes to the policy from the previous year.

3.3 Provincial Government Initiatives

BSSB will provide information to Technical Safety BC, as soon as practicable, about any initiatives undertaken by other ministries or agencies of the Provincial Government that may impact Technical Safety BC. In some instances BSSB may not be able to immediately share information because of government confidentiality and privilege

requirements. In these instances, BSSB will work with Technical Safety BC to manage confidentiality and privilege requirements and provide necessary information as soon as possible.

Section 4: Planning and Prioritization

4.1 Purpose

The purpose of this section is to identify the information necessary for planning and prioritizing collaborative work and to establish forums where the planning and prioritizing can take place.

4.2 Regulatory / Legislative Amendments

There are two general types of legislative/regulatory amendments under the *Safety Standards Act* and associated regulations:

1. Scheduled code adoptions, such as the adoption of the Canadian Electrical Code under the Electrical Safety Regulation; and
2. Ongoing changes to improve the safety system, including all other legislative or regulatory amendments that are not made according to a schedule.

To ensure that the BSSB is able to allocate the necessary resources to work with Technical Safety BC to complete these amendments in a timely manner, Technical Safety BC will provide lists of both types of proposed amendments in a regulatory change plan (the Plan). The Plan should include all amendments Technical Safety BC intends to propose and should be updated semi-annually so they may be discussed at priority planning sessions (see section 4.4.2). BSSB will review the list prior to the semi-annual meetings and provide feedback on resourcing and priorities. Both BSSB and Technical Safety BC will sign-off on the Plan at the semi-annual meeting.

4.3 Policy Initiatives

Both parties undertake a significant number of policy initiatives that may or may not result in a legislative or regulatory amendment proposal. Several of these policy initiatives may impact and require input from the other party. When this is the case, it is critical that both parties have an opportunity to be involved at the outset of any project.

To ensure that the parties have an opportunity to work collaboratively on relevant policy initiatives, both parties will provide a list of upcoming policy initiatives that may impact the other party and invite the other party to be involved in the project. These lists should include all initiatives that the party is aware of and should be updated semi-annually so they may be discussed at the priority planning session (see section 4.4.2).

4.4 Joint Planning and Prioritizing

To foster a transparent and collaborative relationship and to ensure that future collaborative work is appropriately resourced, the parties will hold joint planning and prioritization sessions.

4.4.1 Executive Liaison

To ensure ongoing communication and alignment between senior leadership from Technical Safety BC and the Ministry, the Assistant Deputy Minister (ADM) and the Vice President, Regulatory Leadership will strive to meet at least once per quarter. These meetings may occur in person or by telephone and may include other members of Technical Safety BC's Executive or other members of the Public Service (such as BSSB's Executive Director or other ADMs), as appropriate.

In addition, BSSB's Executive Director and Technical Safety BC's Director, Policy and Regulatory Affairs will strive to meet at least once per quarter. These meetings may occur in person or by telephone and may include other members, such as BSSB's Director, Safety Policy and Liaison, as appropriate.

4.4.2 Priority Planning Session

Employees from BSSB and Technical Safety BC will meet on a semi-annual basis for joint planning and prioritization sessions. These sessions will allow the parties to identify and discuss emerging issues, as well as the lists of upcoming legislative/regulatory amendments (section 4.2) and policy initiatives (section 4.3), to prioritize collaborative work over the upcoming year.

As the joint planning session is a high-level planning session that will drive work priorities for both organizations over the coming year, it is important that appropriate employees, including senior management, attend the session. The following lists are meant to provide some guidance with respect to employees who should attend the session and are not meant to limit attendance.

From Technical Safety BC:

- Director, Policy and Regulatory Affairs
- Leader, Program and Policy Development
- Director, Marketing, Communications and Engagement &/or Leader, Stakeholder Engagement
- Senior Policy Analyst

From BSSB:

- Executive Director
- Director, Safety Policy and Liaison
- Senior Policy Analyst

4.4.3 Semi-annual Policy Team Meetings

In addition to semi-annual planning sessions, key employees from BSSB and Technical Safety BC policy teams will also attend semi-annual policy team meetings on the alternate quarters from the planning meetings. The purpose of these meetings is to: discuss upcoming and current collaborative projects, identify emerging issues, plan consultations and divide work and resources between organizations.

The scheduling of semi-annual policy team meetings is meant to ensure that scheduled discussions occur. However, it is not meant to limit communication between the parties and it is expected that employees will communicate on a regular basis, as necessary.

Participation from Technical Safety BC should include the following employees:

- Leader, Program and Policy Development &/or Regulatory Affairs Counsel
- Senior Policy/Regulatory Affairs Analyst / Analyst / Specialist

Participation from the BSSB should include the following employees:

- Director, Safety Policy and Liaison
- Senior Policy Analyst / Policy Analyst

Other employees from either party who are involved in collaborative projects may be invited to join in the semi-annual policy team meetings as and when necessary.

4.4.4 Technical Team Liaison

In recognition of the need for mutual awareness and alignment of work relating to buildings and technical safety, the parties will support opportunities for technical staff, such as codes administrators and safety officers, to meet and provide input on their respective initiatives as needed.

Section 5: Requests for Amendment

5.1 Purpose

A Request for Amendment (RFA) is the process by which Technical Safety BC formally presents to the BSSB a legislative or regulatory amendment proposal. The purpose of this section is to establish a clear process that captures the role of each party in this process.

As a result of the information sharing provisions above, both organizations should be aware of the analysis and safety rationale for an amendment proposal before the RFA is formally sent from Technical Safety BC to BSSB. The purpose of ongoing cooperation and information sharing during the RFA process is to reduce the time from initial policy discussions to the completion of an amendment proposal for consideration by the Minister or Cabinet.

5.2 Commencement

Proposed RFAs can evolve from a number of different sources and may address one or both of types of amendments identified in section 4.2:

1. Code adoptions that are made according to a schedule, such as the adoption of the Canadian Electrical Code under the Electrical Safety Regulation; and,
2. Ongoing changes to improve the safety system, including all other legislative or regulatory amendments that are not made according to a schedule.

Technical Safety BC utilizes a 'Request for Amendment Form' (RFA Form) that addresses all of the information required by the Province when proposing legislative or regulatory amendments (see Appendix A: RFA Form).

5.3 Submission

The formal RFA submission, as detailed on the signed RFA Form, will be forwarded by Technical Safety BC's Vice President, Regulatory Leadership (with a cc to the Director, Policy and Regulatory Affairs, Regulatory Affairs Counsel, and Leader, Program and Policy Development) to the Assistant Deputy Minister (with a cc to the Executive Director, and Director, Safety Policy and Liaison). BSSB will acknowledge receipt of the RFA Form by email within three business days.

5.4 Consultation

BSSB and Technical Safety BC agree to work in collaboration when planning consultations that will involve ongoing changes to the safety system and result in legislative and/or regulatory amendments. Factors influencing the design of consultations include, but are not limited to: whether the amendment proposal is for legislation (e.g., the *Safety Standards Act*) or for a regulation under the *Safety Standards Act*; the scope and magnitude of the changes; the political sensitivity of the topic; and the urgency.

The RFA Form includes a section for completed consultations which informed the proposal. Generally, consultation on a legislative or regulatory amendment proposal entails Technical Safety BC requesting comments and feedback from the respective technology advisory committee, industry stakeholders, local government officials (for gas and/or electricity related amendments), and any other key contact Technical Safety BC may identify for the particular proposal.

Because BSSB will participate in collaborative projects through the planning and prioritization process, BSSB will have an opportunity to identify additional stakeholders they believe should be involved in consultations prior to consultations being completed by Technical Safety BC.

Results of all consultations should be included on the RFA Form or attached as an appendix if the consultations are substantial in number and scope.

5.4.1 Consultation with other provinces

From time to time the Province enters into inter-provincial trade agreements. Examples include the Canadian Free Trade Agreement (CFTA) and the New West Partnership Trade Agreement (NWPTA).

The CFTA is an agreement between Canada's provinces and territories and the federal government. It is designed to reduce and/or eliminate barriers to the free movement of persons, goods, services, and investment within Canada.

NWPTA was signed by British Columbia, Alberta and Saskatchewan in July 2010. This agreement is more comprehensive than the CFTA and seeks to further address the standards and regulations that operate to restrict or impair trade, investment or labour mobility between the signatory provinces.

Any legislative or regulatory amendments that may materially restrict or impair trade, investment or labour mobility must be sent for review and comment by the signatories to the CFTA and/or NWPTA agreement. The purpose is to ensure that any proposed amendments do not result in a trade, investment or labour mobility barrier between jurisdictions.

Consultations under trade agreements are the responsibility of BSSB. However, to ensure technical accuracy, Technical Safety BC should be included in any technical discussions and BSSB will provide Technical Safety BC with the draft consultation package prior to sending to other jurisdictions for comment. Any consultation documents, including responses from other jurisdictions, should be provided to Technical Safety BC to accompany the RFA Form.

Consultation under these agreements is a formal process between provincial governments. It is not meant to replace or preclude any consultation between Technical Safety BC and its provincial counterparts (e.g., the Alberta Boiler Safety Association).

5.4.2 Consultations and confidentiality

The design and conduct of consultations on legislative or regulatory amendment proposals shall consider the need and/or obligation for confidentiality. Policy and technical discussions that may ultimately inform amendment proposals are generally considered to be unrestricted discussions. However, when an amendment proposal has received Ministerial and/or Cabinet endorsement, or has entered the drafting stage, confidentiality provisions apply. In such cases, confidentiality in discussions of the substantive and temporal nature of issues may apply to all parties and individuals who will be privy to the consultations, including Technical Safety BC employees. In cases where confidentiality is required, all parties will be required to sign an undertaking of confidentiality, or confidentiality agreement in the case of counsel. If undertakings of confidentiality are not obtained, discussions with stakeholders must be limited to the policy intent underlying the legislative or regulatory amendments proposed. The BSSB Director, Safety Policy and Liaison and Technical Safety BC Director, Policy and Regulatory Affairs will review any ambiguous cases to reach a consensus.

5.5 Legislative Review Process

Periodic reviews of legislation may be required. Before undertaking a legislative review process Technical Safety BC and BSSB will identify drafting team members in each organization, agree on a joint work plan, review and agree on confidentiality protocols and develop a targeted stakeholder consultation plan.

5.6 Review Timeline

BSSB will provide Technical Safety BC with a projected timeline for formally reviewing the RFA within one month of receiving the RFA from Technical Safety BC.

5.7 Response

Once BSSB has reviewed the proposed RFA, BSSB will respond with one of the following decisions:

Accept and proceed – BSSB determines that all of the RFA requirements have been met and commits to working with Technical Safety BC on the proposed amendment. However, BSSB is not a decision making authority for the Province and whether an amendment proceeds is a decision for the Minister or Cabinet, depending on the nature of the amendment.

Accept but delay required – BSSB determines that all of the RFA requirements have been met. However, with due consideration of the priority of the subject matter of the RFA, BSSB determines it is unable to work on the amendment in the immediate future (e.g., insufficient resources) and provides a possible timeline for the delayed amendment work.

Reject – BSSB determines that the RFA cannot proceed and provides written reasons for the rejection to Technical Safety BC.

The formal response to the RFA will be sent from the BSSB's Executive Director (with a cc to the Director, Safety Policy and Liaison) to Technical Safety BC's Director, Policy and Regulatory Affairs (with a cc to the Leader, Program and Policy Development, and Regulatory Affairs Counsel)

Note – There may be situations where an addendum is required before a decision can be made on whether the amendment will proceed. In this case, a final decision will be delayed until the addendum is submitted and reviewed.

5.8 Drafting

After the RFA has been accepted and it has been determined that the amendment proposal will proceed, BSSB will prepare drafting instructions.

Technical Safety BC employees, who have been designated by Technical Safety BC to be part of the drafting team, will each sign an undertaking of confidentiality (or confidentiality agreement in the case of counsel) to keep all material related to draft regulatory or legislative amendments and the drafting process confidential (see section 5.4.2).

Drafting instructions and drafts of the amendments will be shared with Technical Safety BC employees who have signed an undertaking of confidentiality (or confidentiality agreement) for their review and feedback and to seek their advice or technical expertise on drafting issues.

Due to the significance of decisions that may be made during the drafting process affecting operational matters and stakeholder relations, Technical Safety BC's Leader, Program and Policy Development, and BSSB's Director, Safety Policy and Liaison will communicate regularly to identify and address issues as they arise.

5.9 Notification

Once the amendment is deposited or receives royal assent Technical Safety BC will post the final version on its website and distribute to appropriate stakeholder associations.

Section 6: Records Storage

6.1 Purpose

When Technical Safety BC was established in April 2004, some of the records of the former Safety and Engineering Services Branch (SESB) were transferred to Technical Safety BC while the Province retained others. The purpose of this section is to capture the processes for accessing records, destroying records and invoicing for records storage costs.

6.2 Access to Records

Under the Administrative Agreement, Technical Safety BC has access to the former SESB records that are stored by the Province. To ensure that Technical Safety BC employees are able to access these records, Technical Safety BC's Director, Legal Services will provide the Records Information and Privacy Analyst (RIPA) with a list of employees who require access to these records. An updated list should be provided identifying any new Technical Safety BC employees requiring access or when a Technical Safety BC employee no longer requires access to these records.

The RIPA will provide the updated list to employees at the records storage facility, allowing Technical Safety BC employees to request records directly from the facility.

6.3 Destruction of Records

Records held by the Province are regularly destroyed according to a disposition schedule. When former SESB records held by the Province reach their disposition date, meaning they are scheduled for destruction or transfer to the BC Archives, the RIPA will send notification (known as 60 day notices or ARS196's) to the BSSB Director, Safety Policy and Liaison who will provide the notification to Technical Safety BC's Leader, Program and Policy Development for review with the Director, Legal Services.

Technical Safety BC will determine whether they want any of the records outlined in the notification retained by the Province longer than the disposition date shown on the notice. Technical Safety BC's Director, Legal Services will then advise the BSSB Director, Safety Policy and Liaison by providing a list of the records to be retained. The list should include how long Technical Safety BC would like the records retained. This list will be provided to the RIPA.

If Technical Safety BC does not provide a list of records to be retained, the records will be destroyed or transferred to the BC Archives according to the disposition schedule.

6.4 Invoicing for Records Storage

Under the Administrative Agreement, Technical Safety BC is responsible for paying the Province for the storage of the former SESB records that have not been transferred to Technical Safety BC. To facilitate this process, the Ministry's Finance & Administrative Services Branch will invoice Technical Safety BC's Director, Legal Services each January for the previous calendar year. It is expected that Technical Safety BC will submit payment within 30 days after receiving the invoice.

Section 7: Implementation of and Amendments to this Protocol

7.1 Roles and Responsibilities

In order for these protocols to be implemented in an efficient and effective manner the following roles and responsibilities will be operative:

- Both parties to this protocol have the responsibility to ensure that the other party has accurate and timely information from which to make informed decisions.
- The BSSB Director, Safety Policy and Liaison and Technical Safety BC's Leader, Program and Policy Development, as liaison persons, will monitor all agreed upon actions by their respective organizations. In addition to the normal ongoing communications, they will establish designated times to assess, review and recommend any actions needed to improve the implementation of the processes described within this Protocol.
- The parties agree to discuss the effectiveness of the Protocol during semi-annual meetings.

7.2 Review Process

In order to ensure that the Protocol accurately and efficiently addresses the needs of Technical Safety BC and BSSB, both parties will formally assess, evaluate and recommend any necessary changes to the Protocol every three years at minimum. There may also be circumstances that will trigger an immediate review of the Protocol such as:

- A significant change in leadership of the BC Government;
- A change of Ministry to which BSSB is assigned;
- Technical Safety BC being reassigned to a different Ministry;
- A significant change to the structure of Technical Safety BC's leadership or organizational structure; or
- A significant change in government communication practices.

Once revisions to the Protocol are recommended by either organization, they must be reviewed by Technical Safety BC's Director, Policy and Regulatory Affairs and Leader, Program and Policy Development, and BSSB's Executive Director and Director, Safety Policy and Technical Safety BC Liaison. Once proposed, revisions must be discussed at the next semi-annual meeting and signed within one month after the meeting.

Section 8: Revision History

Revision	Revision Date	Revision history	Revised by
00	2010/04/20	New release	Jim Allaway
01	2015/01/30	Revision	Shannon Horner Clint Abbott
02	2017/12/15	Revision	Julie Hewlett Tricia Daykin

Section 9: Approval

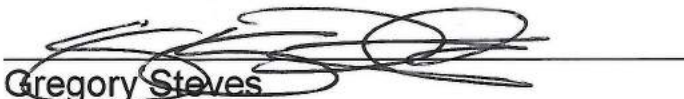
This document has been approved for adequacy by:



Derek Patterson

Vice President, Regulatory Leadership & Corporate
Secretary

Dec 15, 2017
Date



Gregory Steves

Assistant Deputy Minister, Office of Housing &
Construction Standards

15 DEC, 2017
Date

Appendix A: Request for Amendment Form

REQUEST FOR AMENDMENT FORM	
TECHNICAL SAFETY BC RFA NUMBER:	DATE OF RFA:
TECHNICAL SAFETY BC APPROVER (SIGNATURE):	TECHNOLOGY (IF APPLICABLE):
OBJECTIVE Provide a high level statement briefly explaining what the requested amendment proposes to do about the problem?	
ISSUE STATEMENT Summarize the issue (e.g., safety concern, technological change) that you are trying to address.	
BACKGROUND What has brought this problem to your attention (e.g., important safety issue/incident, industry groups)? Also include other pertinent background information that may be useful for consideration.	
RECOMMENDATION: Describe the requested amendment (you may refer to specific sections of the legislation/regulation for clarity, but do not provide a draft of proposed amendment).	
RATIONALE FOR MAKING THE REQUESTED CHANGE Why is this particular solution chosen (that is, how do you expect that it will address the problem)? What are the risks if this change is not made , including any safety impacts.	
POLICY ISSUES Are there any potential policy issues that may result from the proposed change?	
CONSULTATIONS Provide details of consultations taken, including parties consulted with and responses to proposed amendment (may be attached as an Appendix if the consultations are substantial).	
APPROACHES IN OTHER JURISDICTIONS (IF APPLICABLE)	

