



Public Health Act
INFORMATION REGULATION
B.C. Reg. 208/2010

Deposited and effective June 28, 2010
Last amended October 24, 2022 by B.C. Reg. 208/2022

Consolidated Regulations of British Columbia

This is an unofficial consolidation.

B.C. Reg. 208/2010 (O.C. 475/2010), deposited and effective June 28, 2010, is made under the *Public Health Act*, S.B.C. 2008, c. 28, s. 121.

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This consolidation includes any amendments deposited and in force as of the currency date at the bottom of each page. See the end of this regulation for any amendments deposited but not in force as of the currency date. Any amendments deposited after the currency date are listed in the B.C. Regulations Bulletins. All amendments to this regulation are listed in the *Index of B.C. Regulations*. Regulations Bulletins and the Index are available online at www.bclaws.ca.

See the User Guide for more information about the *Consolidated Regulations of British Columbia*. The User Guide and the *Consolidated Regulations of British Columbia* are available online at www.bclaws.ca.

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Definition

- 1** In this regulation, “**Act**” means the *Public Health Act*.

Tripartite First Nations Health Plan

- 2** (1) Subject to subsection (2), the minister and the provincial health officer may collect the following types of personal information from the Department of Indian Affairs and Northern Development Canada, Office of the Indian Registrar, respecting individuals who are registered or are deemed to be entitled to be registered under the *Indian Act* (Canada):
 - (a) the individual’s date and location of birth;
 - (b) the individual’s name and the band to which the individual belongs, including any changes to the individual’s name or band;
 - (c) the individual’s gender;
 - (d) in respect of an individual’s registration,
 - (i) the date the individual first applied for registration or a registration file was otherwise commenced,
 - (ii) the date the individual submitted a completed application for registration,
 - (iii) the date the individual was registered,
 - (iv) the provision of the *Indian Act* (Canada) under which the individual was authorized to be registered or deemed to be entitled to be registered, and
 - (v) any changes to the individual’s registration;
 - (e) any supplementary information included in the register respecting the marriage of the individual.
- (2) Personal information may be collected under subsection (1) of this section and used only for a purpose described in section 9 (1) (d), (e), (f), (g) or (h) of the Act, as necessary for the effective fulfillment of
 - (a) the minister’s duties under section 61 of the Act, or
 - (b) the provincial health officer’s duties under section 66 of the Act in relation to the First Nations Client File.
- (3) For the purposes of subsection (2), the First Nations Client File refers to a data file that provides for linkages between

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- (a) personal information disclosed by the Department of Indian Affairs and Northern Development Canada to the ministry of the minister, and
 - (b) the personal health numbers and birth and death information of first nations individuals in British Columbia.

Public health reporting

- 3** (1) In this section, “**personal public health information**” means the following types of personal information:
- (a) demographic data;
 - (b) data respecting health-related attributes, characteristics or qualities, including allergies and risk factors for chronic disease, that may cause a person to need or seek health care;
 - (c) immunization records, including records in respect of adverse events that occur after immunization;
 - (d) family health service records in respect of perinatal, maternal, child and adult health, including records in respect of screening and assessments;
 - (e) matters that must be reported under any of sections 10, 11 and 12 of the Act, and associated follow-up and outbreak investigation data.
- (2) Subject to subsection (3), the minister and the provincial health officer may collect personal public health information from one or more of the following:
- (a) a health authority;
 - (b) the Provincial Health Services Authority or a society that reports to it;
 - (c) the British Columbia Emergency Health Services corporation;
 - (d) the BC Coroners Service;
 - (e) the First Nations Health Authority;
 - (f) an Indigenous governing entity within the meaning of the *Freedom of Information and Protection of Privacy Act*;
 - (g) a body that is mandated to deliver health services to aboriginal persons and that
 - (i) is incorporated as a society under the *Society Act*,
 - (ii) is established or operated by one or more first nations, or
 - (iii) is established by a tribal council;
 - (h) a registrant or a former registrant of
 - (i) the College of Physicians and Surgeons of British Columbia, if the registrant is, or the former registrant was, authorized to use the title “medical practitioner” or “physician”,
 - (ii) the British Columbia College of Nurses and Midwives, if the registrant is, or the former registrant was, authorized to use the title “midwife”, “nurse practitioner” or “registered psychiatric nurse”,
 - (iii) Repealed. [B.C. Reg. 206/2020, s. 11.]

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- (iv) the College of Pharmacists of British Columbia, or
 - (v) the British Columbia College of Oral Health Professionals, if the registrant is, or the former registrant was, authorized to use the title “dentist”, “dental surgeon”, “surgeon”, “doctor” or “dental therapist”;
- (i) a youth custody centre within the meaning of the *Youth Justice Act*;
 - (j) an employer of an employee;
 - (k) a correctional centre within the meaning of the *Correction Act*;
 - (l) the government of Canada, including a department, agency or other body under the control of Canada;
 - (m) a department of a government of a province of Canada, other than British Columbia, that is responsible for public health;
 - (n) a person or body that
 - (i) is established or operates in a province of Canada, other than British Columbia, and
 - (ii) is similar in nature and function to a person or body referred to in paragraphs (a) to (i).
- (3) Personal public health information may be collected under this section only for a purpose set out in section 9 (1) of the Act, as necessary for the effective fulfillment of
- (a) the minister’s duties under section 61 of the Act, or
 - (b) the provincial health officer’s duties under section 66 of the Act.
- (4) A person or body referred to in subsection (2) (a) to (k) may disclose personal public health information to the minister and to the provincial health officer.
- [en. B.C. Reg. 265/2016; am. B.C. Regs. 152/2018, s. 5; 209/2020, s. 5; 206/2020, s. 11; 297/2021, Sch. 4; 208/2022, Sch. 6.]