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April 15, 2008

Honourable Barry Penner
Minister of Environment
Parliament Buildings
Victoria, BC
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Dear Minster Penner:

As you know, the David Suzuki Foundation has been very supportive of the climate change policies that your government has announced since the *2007 Speech from the Throne*. We believe that the government's work to develop a cap and trade system for reducing greenhouse gas emissions by large industrial emitters is a crucial component in meeting the challenge posed by climate change – one which requires action by every part of our society.

However, we are writing to express our concerns with regard to the confidentiality provisions in Section 36 of Bill 18 — 2008 Greenhouse Gas Reduction (Cap and Trade) Act that is currently being debated in the Legislature. As noted by David Loukidelis, the Information and Privacy Commissioner for British Columbia, Section 36 of Bill 18 would override the *Freedom of Information and Protection of Privacy Act (FIPPA).*

The breadth of confidentiality provisions in this legislation undermines the crucial objective of keeping government processes open and accountable to the public. Within the context of effective climate change policy, provisions limiting transparency are profoundly damaging to the public trust regarding the government's commitment to have large emitters implement their fair share of emission reductions.

We believe that the existing provisions of *FIPPA* are sufficient to protect against the disclosure of information harmful to the business interests of an industry reporting its greenhouse gas emissions to government. Furthermore, we believe that the confidentiality measures currently contained within Bill 18 will seriously impair the effectiveness of this legislation and the broader goal of reducing B.C.'s greenhouse gas emissions. We urge you to alter Section 36 of the 2008 Greenhouse Gas Reduction (Cap and Trade) Act so that it is in line with the *Freedom of Information and Protection of Privacy Act.*

Yours sincerely,

Morag Carter
Director, Climate Change Program

cc: Hon. Gordon Campbell, Premier of British Columbia
cc: Carole James, Leader of the Opposition
cc: Graham Whitmarsh, Climate Change Secretariat