



Case File No. **CA46035**  
Court of Appeal File No. \_\_\_\_\_  
Supreme Court File No. S184120  
Supreme Court Registry Victoria

**COURT OF APPEAL**

BETWEEN:

**COLLEGE OF PHYSICIANS AND  
SURGEONS OF BRITISH COLUMBIA**

RESPONDENT  
(Petitioner)

AND:

**BRITISH COLUMBIA INFORMATION AND PRIVACY  
COMMISSIONER**

APPELLANT  
(Respondents)

AND:

**DR. KEITH LAYCOCK**

RESPONDENT  
(Respondent)

**NOTICE OF APPEAL**

Take notice that the British Columbia Information and Privacy Commissioner, hereby appeals to the Court of Appeal for British Columbia from the order of Mr. Justice MacKenzie of the Supreme Court of British Columbia pronounced the 15<sup>th</sup> day of March, 2019, at Victoria, British Columbia.

- The appeal is from a:  
 Trial Judgment                       Summary Trial Judgment  
 Order of a Statutory Body         Chambers Judgment
- If the appeal is from an appeal under Rule 18-3 or 23-6 (8) of the Supreme Court Civil Rules or Rule 18-3 or 22-7 (8) of the Supreme Court Family Rules, name the maker of the original decision, direction or order: N/A.
- Please identify which of the following is involved in the appeal:  
 Constitutional/Administrative     Civil Procedure                       Commercial

- |   |  |  |
|---|--|--|
| <input type="checkbox"/> Family                                   | <input type="checkbox"/> Divorce       | <input type="checkbox"/> <i>Family Relations Act</i> |
| <input type="checkbox"/> Corollary Relief in a Divorce Proceeding |  | <input type="checkbox"/> Other Family                |
| <input type="checkbox"/> Motor Vehicle Accidents                  | <input type="checkbox"/> Municipal Law | <input type="checkbox"/> Real Property               |
| <input type="checkbox"/> Torts                                    | <input type="checkbox"/> Equity        | <input type="checkbox"/> Wills and Estates           |


(The Divorce Registry will, as applicable, be notified by the Court of Appeal Registry on filing if the appeal involves divorce, corollary relief in divorce proceeding or matters under the *Family Relations Act*)

And further take notice that the Court of Appeal will be moved at the hearing of this appeal for an order that:

1. That the appeal be allowed and the decision of the Office of the Information and Privacy Commissioner Adjudicator be re-instated.

The hearing of this proceeding occupied 3 days.

DATED at Victoria, British Columbia, this 15<sup>th</sup> day of April, 2019.

  
\_\_\_\_\_  
**Catherine Boies Parker, Q.C.**  
Solicitors for the Appellant  
British Columbia Information and  
Privacy Commissioner

To the Respondent(s): College of Physicians and Surgeons of British Columbia

And to its solicitor: D.K. Lovett, Q.C. and A.R. Westmacott, Q.C.

This Notice of Appeal is given by Catherine Boies Parker, Q.C. of the firm of Arvay Finlay LLP, whose place of business and address for service is 360 – 1070 Douglas Street, Victoria, British Columbia, V8W 2C4. Telephone: 250-380-2788 / Fax: 1.888.575.3281.

To the respondent(s):

IF YOU INTEND TO PARTICIPATE in this appeal, YOU MUST GIVE NOTICE of your intention by filing a form entitled “Notice of Appearance” (Form 2 of the Court of Appeal Rules) in a Court of Appeal registry and serve the notice of appearance on the appellant WITHIN 10 DAYS of receiving this Notice of Appeal.

IF YOU FAIL TO FILE A NOTICE OF APPEARANCE

- (a) you are deemed to take no position on the appeal; and
- (b) the parties are not obliged to serve any further documents on you.

The filing registries for the British Columbia Court of Appeal are as follows:

Central Registry:

B.C. Court of Appeal  
Suite 400, 800 Hornby Street  
Vancouver BC V6Z 2C5

Other Registries:

B.C. Court of Appeal  
The Law Courts  
P.O. Box 9248 STN PROV GOVT  
850 Burdett Avenue  
Victoria BC V8W 1B4

B.C. Court of Appeal  
223 - 455 Columbia Street  
Kamloops BC V2C 6K4

Inquiries should be addressed to 604.660.2468

Fax filings: 604.660.1951