

1974 Bill 223

Third Session, 17th Legislature, 23 Elizabeth II

THE LEGISLATIVE ASSEMBLY OF ALBERTA

BILL 223

The Individual's Documents Confidentiality Act

MR. MILLER
(Taber-Warner)

First Reading

Second Reading

Third Reading

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THE INDIVIDUAL'S DOCUMENTS CONFIDENTIALITY ACT

(Assented to , 1974)

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of Alberta, enacts as follows:

1. In this Act,

- (a) "Crown Agencies" means any enterprise, firm, utility, service, or business undertaking, enterprise or organization that is controlled in whole or part by the Government of the Province of Alberta;
- (b) "Department" means any department established by the Government to conduct the affairs of the Province which is in existence or may from time to time cause to be established;
- (c) "employee" means any employee of the civil service of the Province of Alberta;
- (d) "Minister" means any member of the Executive Council;
- (e) "person" means an individual, co-operative, corporation or partnership.

2. (1) In the public interest, any file, document or paper kept by any person

- (a) that deals with the personal history or record of a child or an adult, and
- (b) that has come into existence through any Department or Crown Agency

shall not be disclosed to any person except upon the written consent of the person, parent or guardian of a child.

(2) No employee or Minister shall disclose or be compelled to disclose any information mentioned in subsection (1) above which has been obtained by him in the course of the performance of any of his duties, or available to him

- (a) except at a trial, hearing or proceeding which provisions are provided for by other Acts, or
- (b) except as ordered by the Legislative Assembly.

(3) Any employee who contravenes this section is guilty of an offence and liable upon summary conviction to a fine of not more than \$500.00 and not less than \$100.00 and in default of payment to a term of imprisonment of not more than three months.

(4) Any Minister who contravenes this section is guilty of an offence and liable upon summary conviction to a fine of not more than \$10,000.00 and not less than \$500.00 and in default of payment to a term of imprisonment of not more than three years.

3. Every person whose private information has been disclosed contrary to section 3

- (a) shall have recourse in a court of law for damages incurred, and
- (b) does not have to receive permission from the Crown to cause an action to be taken against the Government of the Province of Alberta.

4. This Act comes into force on the day upon which it is assented to.