

2025 Bill 46

First Session, 31st Legislature, 3 Charles III

THE LEGISLATIVE ASSEMBLY OF ALBERTA

BILL 46

INFORMATION AND PRIVACY STATUTES AMENDMENT ACT, 2025

THE MINISTER OF TECHNOLOGY AND INNOVATION

First Reading

Second Reading

Committee of the Whole

Third Reading

Royal Assent

BILL 46

2025

INFORMATION AND PRIVACY STATUTES AMENDMENT ACT, 2025

(Assented to _____, 2025)

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

Access to Information Act

Amends SA 2024 cA-1.4

1(1) The *Access to Information Act* is amended by this section.

(2) Section 4(6) is amended by striking out “or a justice of the peace” and substituting “or to a justice of the peace”.

(3) The following is added after section 97:

Consequential amendments

97.1(1) For the purposes of making any necessary changes as a result of this Act, the Lieutenant Governor in Council may, by regulation, amend any Act or any regulation filed under the *Regulations Act*.

(2) The regulations authorized by this section may be made notwithstanding that a regulation being amended was made by a member of the Executive Council or some other person or body.

Explanatory Notes

Access to Information Act

1(1) Amends chapter A-1.4 of the Statutes of Alberta, 2024.

(2) Section 4(6) presently reads in part:

(6) In this section, “judicial administration record” means a record containing information relating to a judge of the Court of Appeal, the Court of King’s Bench or the Court of Justice, to an applications judge of the Court of King’s Bench or a justice of the peace other than a non-presiding justice of the peace under the Justice of the Peace Act, and includes

(3) Consequential amendments.

Protection of Privacy Act

Amends SA 2024 cP-28.5

2(1) The *Protection of Privacy Act* is amended by this section.

(2) Section 1 is amended by adding the following after clause (o):

(o.1) “Office of Statistics and Information” means the Office of Statistics and Information continued under section 2 of the *Office of Statistics and Information Act*;

(3) Section 3(4)(c) is amended by striking out “for a judge” and substituting “on behalf of a judge”.

(4) Section 17 is amended by adding the following after subsection (3):

(4) Subsection (3) does not apply to the Office of Statistics and Information.

(5) Section 18 is amended by adding the following after subsection (2):

(3) This section does not apply to the Office of Statistics and Information.

Protection of Privacy Act

2(1) Amends chapter P-28.5 of the Statutes of Alberta, 2024.

(2) Adds definition.

(3) Section 3(4)(c) presently reads:

(4) In this section, “judicial administration record” means a record containing information relating to a judge of the Court of Appeal, the Court of King’s Bench or the Court of Justice, to an applications judge of the Court of King’s Bench or to a justice of the peace other than a non-presiding justice of the peace under the Justice of the Peace Act, and includes

(c) statistics of judicial activity prepared by or for a judge, and

(4) Section 17 presently reads in part:

(3) For the purpose of carrying out data matching to create data derived from personal information under subsection (1), a public body must not collect personal information directly from an individual but may do the following:

(a) collect personal information from another public body;

(b) use personal information in its custody or under its control.

(5) Section 18 presently reads:

18(1) A public body may retain and use data derived from personal information created under section 17(1) only for

(a) the purpose for which it was created, and

(b) as long as is reasonably necessary to enable the public body to carry out that purpose.

(6) Section 19 is amended

(a) in subsection (1) by striking out “subsection (2)” and substituting “subsections (2) and (3)”;

(b) by adding the following after subsection (2):

(3) A public body may disclose data derived from personal information created under section 17(1) to the Office of Statistics and Information for the purposes of the *Office of Statistics and Information Act*.

(4) This section prevails to the extent of any inconsistency or conflict with the *Access to Information Act*.

(7) Section 21 is amended by adding the following after subsection (3):

(3.1) Subsection (3) does not apply to the Office of Statistics and Information.

(8) Section 23 is amended by adding the following after subsection (2):

(3) For greater certainty, nothing in this section is intended to restrict the disclosure of a report, summary or other publication containing non-personal data that is in aggregate or statistical form.

(4) This section prevails to the extent of any inconsistency or conflict with the *Access to Information Act*.

(2) As soon as reasonably possible after a public body has finished using data derived from personal information created under section 17(1) for the purpose for which it was created, the public body must destroy the data derived from personal information or transform it into non-personal data.

(6) Section 19 presently reads:

19(1) Subject to subsection (2), a public body is prohibited from disclosing data derived from personal information created under section 17(1).

(2) If a public body collected personal information from another public body under section 17(3)(a) for the purpose of carrying out data matching to create data derived from personal information under section 17(1) and that other public body requires that data derived from personal information for the purpose for which it was created, the public body may disclose that data derived from personal information to that other public body for the purpose for which it was created.

(7) Section 21 presently reads in part:

(3) For the purpose of creating non-personal data under subsection (1), a public body may use the following only if it is already in the custody or under the control of the public body:

(a) personal information;

(b) data derived from personal information.

(8) Section 23 presently reads:

23(1) A public body may disclose non-personal data created under section 21(1)

(a) to another public body for any purpose, and

(b) to a person other than a public body only if

(i) the disclosure is for one or more of the following purposes:

(A) research and analysis;

(B) planning, administering, delivering, managing, monitoring or evaluating a program or service;

(9) The following is added after section 62:

Consequential amendments

62.1(1) For the purposes of making any necessary changes as a result of this Act, the Lieutenant Governor in Council may, by regulation, amend any Act or any regulation filed under the *Regulations Act*.

- (C) *one or more prescribed purposes,*
- (ii) *the head of the public body has approved conditions relating to the following:*
 - (A) *security and confidentiality;*
 - (B) *the prohibition of any actual or attempted re-identification of the non-personal data;*
 - (C) *the prohibition of any subsequent use or disclosure of the non-personal data without the express authorization of the public body;*
 - (D) *the destruction of the non-personal data at the earliest reasonable time after it has served its purpose under subclause (i), unless the public body has given the express authorization referred to in paragraph (C),*

and

- (iii) *the person has signed an agreement to comply with the approved conditions, this Act, the regulations and any of the public body's policies and procedures relating to non-personal data.*

(2) *A public body may give the express authorization referred to in subsection (1)(b)(ii)(C) only if*

- (a) *the subsequent use or disclosure is for one or more of the purposes allowed under subsection (1)(b)(i),*
- (b) *the head of the public body approves conditions, relating to the matters described in subsection (1)(b)(ii), that apply to the subsequent use or disclosure, and*
- (c) *there is a signed agreement, as described in subsection (1)(b)(iii), that applies to the subsequent use or disclosure.*

(9) **Consequential amendments.**

(2) The regulations authorized by this section may be made notwithstanding that a regulation being amended was made by a member of the Executive Council or some other person or body.

RECORD OF DEBATE

Stage	Date	Member	From	To
		Interventions	From	To
Stage	Date	Member	From	To
		Interventions	From	To
Stage	Date	Member	From	To
		Interventions	From	To
Stage	Date	Member	From	To
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