



Legislative Assembly of Alberta

The 31st Legislature
First Session

Standing Committee
on
Resource Stewardship

Personal Information Protection Act Review

Friday, June 28, 2024
1 p.m.

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**Legislative Assembly of Alberta
The 31st Legislature
First Session**

Standing Committee on Resource Stewardship

Rowswell, Garth, Vermilion-Lloydminster-Wainwright (UC), Chair
Schmidt, Marlin, Edmonton-Gold Bar (NDP), Deputy Chair

Al-Guneid, Nagwan, Calgary-Glenmore (NDP)
Arcand-Paul, Brooks, Edmonton-West Henday (NDP)*
Armstrong-Homeniuk, Jackie, Fort Saskatchewan-Vegreville (UC)
Chapman, Amanda, Calgary-Beddington (UC)**
Cyr, Scott J., Bonnyville-Cold Lake-St. Paul (UC)***
Dyck, Nolan B., Grande Prairie (UC)
Eggen, David, Edmonton-North West (NDP)
Hunter, Grant R., Taber-Warner (UC)
McDougall, Myles, Calgary-Fish Creek (UC)
Sinclair, Scott, Lesser Slave Lake (UC)
Sweet, Heather, Edmonton-Manning (NDP)

* substitution for Nagwan Al-Guneid

** substitution for Heather Sweet

*** substitution for Scott Sinclair

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1 p.m.

Friday, June 28, 2024

[Mr. Rowswell in the chair]

The Chair: I'd like to call this meeting of the Standing Committee on Resource Stewardship to order and welcome everyone in attendance.

My name is Garth Rowswell, MLA for Vermilion-Lloydminster-Wainwright and chair of the committee. I'd ask that members and those joining the committee at the table introduce themselves for the record, and we'll begin to my right.

Mr. Eggen: Good afternoon. My name is David Eggen. I'm the MLA for Edmonton-North West.

Member Arcand-Paul: Good afternoon. My name is Brooks Arcand-Paul. I'm the MLA for Edmonton-West Henday.

Mr. Schmidt: Marlin Schmidt, Edmonton-Gold Bar.

Dr. Williamson: Good afternoon. Christina Williamson, research officer.

Ms Govindarajan: Vani Govindarajan, Parliamentary Counsel.

Ms Robert: Good afternoon. Nancy Robert, clerk of *Journals* and committees.

Mr. Huffman: Hello. Warren Huffman, committee clerk.

The Chair: Okay. We'll go now to those joining us online; please introduce yourselves when I call your names. MLA Chapman.

Ms Chapman: Amanda Chapman, MLA, Calgary-Beddington.

The Chair: MLA Dyck.

Mr. Dyck: MLA Nolan Dyck, Grande Prairie.

The Chair: MLA Cyr.

Mr. Cyr: Scott Cyr, MLA for Bonnyville-Cold Lake-St. Paul.

The Chair: MLA Hunter.

Mr. Hunter: Grant Hunter, MLA, Taber-Warner.

The Chair: MLA Armstrong-Homeniuk.

Ms Armstrong-Homeniuk: Jackie Armstrong-Homeniuk, MLA, Fort Saskatchewan-Vegreville.

The Chair: MLA McDougall.

Mr. McDougall: MLA Myles McDougall, MLA for Calgary-Fish Creek.

The Chair: Okay. Thank you very much, everyone. For the record I will note the following substitutions: MLA Chapman for MLA Sweet, MLA Cyr for MLA Sinclair, and MLA Arcand-Paul for MLA Al-Guneid.

A few housekeeping items to address before we turn to the business at hand. Please note that the microphones are operated by *Hansard* staff. Committee proceedings are live streamed on the Internet and broadcast on Alberta Assembly TV. The audio- and videostream and transcript of the meeting can be accessed via the Legislative Assembly website. Those participating by videoconference are encouraged to please turn on your camera while speaking and mute your microphone when not speaking. Members

participating virtually who wish to be placed on the speakers list are asked to e-mail or message the committee clerk. The members in the room are asked to please signal the chair. Please set your cellphones and other devices to silent for the duration of the meeting.

Approval of the agenda. Are there any changes or additions to the draft agenda? If not, would someone like to make a motion to approve the agenda? Okay. Any discussion?

Mr. Huffman: On the record you should probably say his name, just Mr. Eggen.

The Chair: Oh. I'm sorry. Mr. Eggen moved the motion. Sorry about that.

Okay. Mr. Eggen moved that the Standing Committee on Resource Stewardship approve the agenda as distributed for its June 28, 2024, meeting. All those in the room in favour, say aye. Opposed, any? Those online in favour, say aye. Opposed, any? Okay. That's carried.

Approval of minutes. Next we have the draft minutes for our April 25, 2024, meeting. Are there any errors or omissions to note? If not, would a member like to make a motion to approve the minutes? Member Schmidt. Any discussion? All those in favour in the room, please say aye. Any opposed, say no. Online, all those in favour, say aye. Any opposed, say no. That is carried.

Okay. Review of the personal information act written submissions. Hon. members, at our April 25, 2024, meeting the committee issued an invitation to stakeholders and the public to provide written submissions in relation to our review of the Personal Information Protection Act. I would like to note for the record that the committee received 34 submissions, 32 of which were received prior to the deadline established by the committee. These submissions were posted to the committee's internal website as they were received.

At its April 25, 2024, meeting the committee also directed LAO staff to prepare a summary of the written submissions received. At this time I would invite Dr. Christina Williamson to provide an overview of the documents.

Go ahead.

Dr. Williamson: Thank you very much, Mr. Chair. Good afternoon, everyone. I'll make the presentation brief. As noted, 34 submissions were received. They were overall very robust, quality submissions, with over 230 pages of commentary for your reading pleasure.

Page 4 of the submission summary document posted on the internal site lists a number of stakeholders who would be interested in presenting orally. I'll note, for instance, the Faculty Association of the University of Calgary did not provide a written submission but did write in to request or to note that they would be willing to present orally. A few others include the Canadian Bankers Association, Canadian Life and Health Insurance Association Inc., Canadian association for counsel of employers, i-SIGMA, the Insurance Bureau of Canada, the Federation of Calgary Communities, Law Society of Alberta, Liberal Party of Canada, Ministry of Innovation and Technology, the Alberta office of the Information and Privacy Commissioner, of course, and Retail Council of Canada, among others.

In the document, it's divided into a number of sections. The first section: introduction. Section two provides an overview of the issues raised. The key issue that I want to highlight just today is the high number of stakeholders who noted the importance of harmonizing and modernizing this legislation. That was a prevailing theme across most of the submissions and one that was

really emphasized by a number of stakeholders. Others noted various privacy rights that they felt should or should not be included in the legislation: privacy protection measures such as privacy impact assessments, whether those should be something included in PIPA or not; privacy management programs, as well, were a topic of discussion; issues around plain language as well for consent and disclosure agreements. Also, data and privacy use in innovative technologies; A.I. is of course in the news all the time today and this is something that was discussed quite frequently by stakeholders.

So on that note, I will just mention that section three goes into far more detail about the various comments and opinions and thoughts and ideas that stakeholders had, and then the ninth section is a list of the stakeholders at the very back. That's a useful reference table for noting who the various organizations and individuals are.

On that note, thank you very much.

The Chair: Thank you very much. Hon. members, as mentioned before, the committee has received 34 written submissions. Any questions to the report? Online? Okay. Good. So, carry on.

Hon. members, as was mentioned before, the committee has received 34 written submissions. Two of those submissions were received shortly after the Friday, May 31 deadline. The Faculty Association of the University of Calgary submission was received on Monday, June 3, and the submission from the Ministry of Technology and Innovation was received on Tuesday, June 4, which was two business days after the deadline. The committee should decide if it would like to accept either or both of these late submissions. I'll open the floor to discussions or motions on whether to accept late submissions. Go ahead.

Mr. Dyck: Chair . . .

The Chair: We have a question here. Yep, go ahead.

Mr. Dyck: Okay. Great.

The Chair: MLA Schmidt.

Mr. Schmidt: Sorry, I just recall all of my time in undergraduate university when my professors didn't accept my late submissions, so I think it's a bit rich for the faculty association of Calgary to be asking permission to submit their submission late, but in spite of that, I think that we should accept these late submissions and perhaps dock the faculty some marks on their submission.

The Chair: Thank you, MLA. Any other submissions or motions? MLA Dyck, go ahead.

Mr. Dyck: Sure. I would love to move a motion, Chair. I would love to move that

all written submissions received by the Standing Committee on Resource Stewardship by June 4, 2024, in regard to its review of the Personal Information Protection Act be accepted and included in the review process.

The Chair: Okay. Thank you very much. Any discussion? Okay, I'll go to a vote. All in the room, all those in favour, please say aye. Okay; any opposed? All those online, all in favour say aye. Any opposed? Okay. Very good.

That is carried.

Typically at this stage of the review, the committee considers whether the written submissions received should be made public. I would highlight that all invitations sent to stakeholders stated that written submissions received may be made public. Also, anyone who made a written submission through the web form on the

committee's website was required to expressly acknowledge that their submission could be made public. The submission from TransUnion of Canada Inc. included a request that, in addition to personal information being redacted, the name of the official who made the submission on the company's behalf also be removed before making the submission public. Typically the names and locations of submitters are included when submissions are made public. The committee clerk sent an e-mail to the submitter to explain that her name may be made public as was stated on the invitation to make a submission, and she was given the opportunity to rescind the submission if that was her preference. To date the submitter has not responded.

At this time I would like to open the floor to any comments, questions, or motions on this matter. Any comments?

1:10

Mr. Dyck: I would move a motion if there are no comments, Chair.

The Chair: Okay. Go ahead, Member Dyck.

Mr. Dyck: Excellent. I move that

the Standing Committee on Resource Stewardship direct the Legislative Assembly Office to make all written submissions accepted as part of its review of the Personal Information Protection Act publicly available on the Assembly website except for

- (a) the name of the person who submitted the TransUnion of Canada, Inc. written submission; and
- (b) portions of submissions that contain any of the following:
 - (i) personal contact information other than the name and municipality of the submitter,
 - (ii) personal information about any identifiable third party,
 - (iii) profane or obscene language.

The Chair: Okay. Thank you very much.

Any discussion?

Okay. Good. In the room, all those in favour, please say aye.

Mr. Eggen: Oh, sorry.

The Chair: Oh. Did you have a discussion item?

Mr. Eggen: Yeah, I do.

The Chair: Go ahead.

Mr. Eggen: I'm just curious about the profane or obscene language thing. Is that standard?

The Chair: That's standard.

Mr. Eggen: Is it? Oh, Okay.

The Chair: Yeah. If they – go ahead.

Ms Robert: Thank you, Mr. Chair. I don't think we've encountered any; it's just sort of a standard thing that we typically recommend to committees that they might want to include, and then if there was any profanity we would just block that out on the website. It wouldn't be blocked out, obviously, for members. You get the full, raw thing. Okay?

Mr. Eggen: Yeah. I would expect that. There you go.

The Chair: Very good.

Mr. Eggen: Thanks.

The Chair: Any others?

Okay. All those in favour in the room, say aye. Okay. Any opposed? All those online, please say aye. Any opposed?

That's carried.

Thank you.

Now, members, as we have now made decisions regarding written submissions, we shall now move to consideration of inviting oral presentations as the next stage in our review. During comprehensive statute reviews it is common practice to invite oral presentations from key stakeholders and others so the committee can collect additional information and pose questions to the presenters for clarification on written submissions that have been made.

At this time I would open the floor to any comments, questions, or motions regarding this. Go ahead, Member Eggen.

Mr. Eggen: Yeah. If there's no discussion or no . . .

The Chair: It's open for discussion.

Mr. Eggen: Oh, yeah. No.

The Chair: No? Okay.

Mr. Eggen: I'm going to move it, though.

The Chair: Then go ahead and make a motion.

Mr. Eggen: Okay. I would like to make a motion in this regard, then – and it will come up, I'm sure – that

as part of its review of the Personal Information Protection Act the Standing Committee on Resource Stewardship would invite Diane McLeod, Information and Privacy Commissioner of Alberta, to make an oral presentation to the committee at an upcoming meeting.

The Chair: Okay. Any discussion?

If not, we will go to a vote.

Go ahead.

Mr. Eggen: Just by way of explanation. While we do receive information from the Privacy Commissioner, it's just an opportunity for us to get some elaboration as to what she sees and what direction PIPA could be taking. She's obviously in charge of this and an expert that we can have available to us.

The Chair: All right. Any other discussion?

Okay. If not, all those in the room in favour, say aye. Any opposed? All those online in favour, say aye. Any opposed?

Carried.

Okay. We will accept another motion relative to . . .

Mr. Eggen: Oh, I'm sorry. Do we have another one?

Mr. Schmidt: Can I?

The Chair: Go ahead.

Mr. Eggen: Yeah. Go ahead.

Mr. Schmidt: I move this on behalf of my esteemed colleague. I move that

as part of its review of the Personal Information Protection Act the Standing Committee on Resource Stewardship

(a) invite a committee member from each of the government and Official Opposition caucuses to submit to the committee clerk no later than 12 p.m. on July 19, 2024, a list of up to three individuals or organizations to make oral presentations to the committee, and

(b) invite the identified individuals and organizations to present to the committee at an upcoming meeting.

The Chair: Want to say anything other than that?

Mr. Schmidt: This is pretty standard practice that we invite a certain number of stakeholders to make oral presentations to the committee. We've seen from the summary of written submissions that there are a number of stakeholders who expressed a wish to make oral presentations to the committee, and I think that this will enable us to make those appropriate invitations.

The Chair: Any other discussion?

Okay. If not, all those in the room in favour, say aye. Any opposed, say no. All those online in favour, say aye. Any opposed, say no.

That is carried.

Next steps. We are in the concluding stages of the information gathering for this review. Our next step will be to hear oral presentations and then move on to deliberations.

Are there any other matters that members would like to discuss in relation to seeking additional information as part of the review? Okay.

Are there any other issues of business to be discussed today? [interjection] Hello? Okay; I guess not. All right.

Date of the next meeting will be at the call of the chair. If there's nothing else for the committee's consideration, I will call for a motion to adjourn. MLA Schmidt. All those in favour in the room, say aye. Not in favour, say no. All those online, say aye. Any online, say no.

The meeting is adjourned in 17 minutes. Well done, everybody.

[The committee adjourned at 1:17 p.m.]

