

BRAZEAU COUNTY

BYLAW NO: 1249-26

BEING A BYLAW OF BRAZEAU COUNTY, IN THE PROVINCE OF ALBERTA, TO PROVIDE FOR THE PROTECTION OF PERSONAL INFORMATION AND ACCESS TO INFORMATION HELD IN THE CUSTODY AND CONTROL OF THE COUNTY.

WHEREAS, pursuant to the *Protection of Privacy Act*, S.A. 2024, c. P 28.5, public bodies must protect personal information by making reasonable security arrangements against such risks as unauthorized access, collection, use, disclosure, or destruction;

AND WHEREAS, pursuant to the *Protection of Privacy Act*, S.A. 2024, c. P 28.5, Section 55(1) public bodies a delegation must be in writing and may contain any conditions or restrictions the head of the public body considers appropriate;

AND WHEREAS, pursuant to the *Protection of Privacy Act*, S.A. 2024, c. P 28.5, Section 57 (2) the head of the public body must publish a directory, in printed or electronic form, that lists personal information banks;

AND WHEREAS, pursuant to the *Protection of Privacy (Ministerial) Regulation*, AR 143/2025 the public body must establish a Privacy Management Program;

AND WHEREAS, pursuant to the *Access to Information Act*, S.A 2024, c. A-1.4, public bodies may allow right of access to records in custody or under the control of the public body subject to limited and specific exceptions as set out under the Act;

AND WHEREAS, pursuant to the *Access to Information Act*, S.A 2024, cA-1.4, public bodies may set any fees the municipality requires to be paid under section 96, which must not exceed the fees provided for in *Access to Information Act Regulation AR 133/2025*;

AND WHEREAS, pursuant to the *Access to Information Act*, S.A 2024, c. A-1.4, public bodies must designate a person or group of persons as the head of the local public body for the purpose of the Act.

NOW THEREFORE, the Council of Brazeau County, duly assembled, enacts as follows:

1. TITLE

1.1 This Bylaw may be cited as the “Privacy and Access to Information Bylaw”

2. PURPOSE

The purpose of this Bylaw is to establish the administrative structure of The County in relation to the *Protection of Privacy Act* and the *Access to Information Act*, to establish a Privacy Management Program.

3. DEFINITIONS

3.1 In this Bylaw, unless the context otherwise requires:

- (a) Except as otherwise provided for in this Bylaw, the terms used in the Act, where used or referred to in this Bylaw, shall have the same meaning as defined or provided in the Act.
- (b) “**Access**” means the right, opportunity, or means of finding, viewing, using, or retrieving information.
- (c) “**Applicant**” means a person who submits a request for access to a record under section 7(1)
- (d) “**ATIA**” means the *Access to Information Act*, S.A. 2024, c. A-1.4 as amended from time to time or any successor regulation, which provides for public accountability through a right of access to records under the control of public bodies.
- (e) “**Confidential Record**” means a document containing information whose disclosure is prohibited by law, regulation, or court decision, or has the potential to harm the privacy of individuals or the security of the entity.
- (f) “**Content**” means all records, information, and data regardless of format, state, or classification.
- (g) “**County**” means the Corporation of Brazeau County and where the context so requires, the area included within the boundaries of the County.
- (h) “**Data**” means any symbols or characters that represent raw facts or figures and form the basis of information.

- (i) **“Derived Data”** means information created by processing, calculating, or combining existing raw data sets, revealing insights not immediately obvious from the original source.
- (j) **“Head”** means the person or group of persons designated under section 98(a) as the head of the public body under the *Access to Information Act*.
- (k) **“Information”** means data that has been given value through analysis, interpretation, or compilation in a meaningful form
- (l) **“Non-derived Data”** means raw, source or primary data collected from primary sources, experiments, or observations without transformation.
- (m) **“Official Record”** means records that are relied on as evidence of government activities, events or transactions, or are needed to understand the delivery of programs. Official records are required to meet legal or financial obligations, or to provide evidence of decision-making activities.
- (n) **“Personal Information”** means recorded information about an identifiable individual as described under section 1 of the *Access to Information Act*.
- (o) **“Personal Information Bank”** means a collection or grouping of personal information described under section 1 of the *Access to Information Act*.
- (p) **“POPA”** means the *Protection of Privacy Act*, c. P 28.5 as amended from time to time or any successor regulation. The authority-based legislation that governs the protection of privacy related to personal information in the custody or under the control of Alberta public bodies.
- (q) **“Public Body”** means a local public body as defined in the *Access to Information Act*.
- (r) **“Record”** means any electronic record or other record in any form in which information is contained or stored, including information in any written, graphic, electronic, digital, photographic, audio or other medium, but does not include any software or other mechanism used to store or produce the record;
- (s) **“Transitory Record”** means Records of a routine nature having short-term or limited value with no records retention requirement. Transitory records are (1) not an integral part of the County’s administrative or operational records files,

(2) not required to sustain the County's administrative or operational functions, (3) not filed under a records classification system, and (4) recorded only for the time required for completion of actions or ongoing records associated with them. They are subject to legislative and legal proceedings, including the ATIA.

4. HEAD

- 4.1 The Chief Administrative Officer is designated as the Head, in accordance with ATIA and POPA.
- 4.2 The Chief Administrative Officer may delegate, in writing, to any person any power, duty or function of the Head under the Act, except the power to delegate.

5. ACCESS TO INFORMATION COORDINATOR

- 5.1 The Chief Administrative Officer shall designate the Records and Access to Information Coordinator as the position responsible for administering access to information requests, protecting privacy, coordinating compliance to POPA and ATIA, and championing the implementation and maintenance of the privacy management program.

6. PRIVACY MANAGEMENT PROGRAM

- 6.1 The Access to Information Coordinator shall maintain the Privacy Management Program for Brazeau County including (but not limited to):
 - (a) Documented policy instruments to address the public bodies duties under the Act;
 - (b) Personal Information Bank inventory;
 - (c) Security Classification system to classify personal information, derived data and non-personal data based on sensitivity;
 - (d) Documented safeguards and audit controls on personal information;
 - (e) Mandatory training for all Brazeau County employees and contractors; and
 - (f) Established timelines for review.

7. FEES

7.1 Where an Applicant is required to pay a fee for services under the ATIA the fee payable is in accordance with the *Access to Information Act Regulation, AR 133/2025*, as amended from time to time or any successor regulation that sets fees to access information, and as referenced in the current Schedule of Fees bylaw of Brazeau County.

8. SEVERABILITY

8.1 Should any provision of this Bylaw be deemed invalid, such invalid provision will be severed from this Bylaw, and such severance will not affect the validity of the remaining portions of this Bylaw, except to the extent necessary to give effect to such severance.

9. EFFECTIVE DATE

9.1 That this Bylaw shall take effect upon third reading and duly signed thereof.

9.2 Bylaw 364-99, and amendments, are hereby repealed.

READ a first time this 2nd day of June 2026

READ a second time this 2nd day of June 2026

READ a third time and finally passed this 2nd day of June 2026



Reeve



Chief Administrative Officer