



*Town of Manning*

## **TOWN OF MANNING, ALBERTA**

### **BY-LAW NO. 932-26**

#### **ACCESS TO INFORMATION AND PROTECTION OF PRIVACY BYLAW**

A By-law of the Town of Manning, in the Province of Alberta respecting the administration of the Access to Information Act and the Protection of Privacy Act pursuant to the provisions of the Municipal Government Act, Revised Statutes of Alberta 2000.

**WHEREAS** Council of the Town of Manning, in the Province of Alberta, deems it desirable and necessary to establish policies and procedures respecting access to information and the protection of privacy in accordance with provincial legislation;

**AND WHEREAS** the Province of Alberta enacted the Access to Information Act and the Protection of Privacy Act, effective June 11, 2025;

**AND WHEREAS** the Town of Manning recognizes the importance of balancing public access to information with the protection of personal information held by the municipality;

**AND WHEREAS** Council deems it advisable to establish a governance framework for the administration of the Access to Information Act and the Protection of Privacy Act;

**NOW THEREFORE PURSUANT** to Sections 3, 7 and 153 of the Municipal Government Act, RSA 2000, c. M-26, as amended, the Town of Manning Council, duly assembled, hereby enacts as follows:

#### **SEVERABILITY**

If any provision of this by-law is declared invalid because of any word, phrase, clause, sentence, paragraph or section of this by-law or any documents which form part of this by-law or an application thereof to any person or circumstance is declared invalid, the remaining provisions shall not be affected thereby, but shall remain in force.

#### **SECTION 1 – SHORT TITLE**

- 1.1 This Bylaw may be cited as the “Access to Information and Protection of Privacy Bylaw”.

#### **SECTION 2 – DEFINITIONS**

- 2.1 In this Bylaw:
- 2.2 “Act” means collectively the Access to Information Act and the Protection of Privacy Act, including all regulations enacted thereunder, as amended from time to time;
- 2.3 “Applicant” means a person who makes a request for access to records under the Access to Information Act;

- 2.4 “ATI Coordinator” means the employee designated by the Chief Administrative Officer to administer the Town’s responsibilities under the Act;
- 2.5 “Business Day” means any day other than a Saturday, Sunday, statutory holiday, or any day the Town office is closed to the public;
- 2.6 “CAO” means the Chief Administrative Officer for the Town of Manning or designate;
- 2.7 “Council” means the duly elected Council of the Town of Manning;
- 2.8 “Head of the Public Body” means the person designated under this Bylaw as having the powers, duties, and functions of the Head pursuant to the Act;
- 2.9 “Personal Information” means recorded information about an identifiable individual as defined in the Protection of Privacy Act;
- 2.10 “Privacy Breach” means the loss of, unauthorized access to, disclosure of, or destruction of personal information;
- 2.11 “Public Body” means the Town of Manning as defined under the Act;
- 2.12 “Record” means a record of information in any form, including electronic records, as defined in the Access to Information Act;
- 2.13 “Town” means the Town of Manning.

**SECTION 3 – PURPOSE AND APPLICATION**

- 3.1 The purpose of this Bylaw is to:
  - a. establish administrative authority and responsibilities under the Act;
  - b. ensure compliance with the Access to Information Act and the Protection of Privacy Act;
  - c. promote transparency and accountability within the Town;
  - d. protect the privacy of individuals whose personal information is in the custody or control of the Town;
  - e. establish procedures respecting access requests, records management, privacy protection, and breach response; and
  - f. authorize the delegation of powers and duties under the Act.

**SECTION 4 – APPLICATION**

- 4.1 This Bylaw applies to all Town departments, employees, contractors, volunteers, agents, and elected officials.
- 4.2 This Bylaw applies to all records in the custody or under the control of the Town regardless of physical form or storage medium.
- 4.3 In the event of a conflict between this Bylaw and the Act, the Act shall prevail.

**SECTION 5 – HEAD OF THE PUBLIC BODY**

- 5.1 Council hereby designates the Chief Administrative Officer as the Head of the Public Body for the purposes of the Access to Information Act and the Protection of Privacy Act.

- 5.2 The Head may delegate any power, duty, or function under the Act to employees of the Town in writing, except where prohibited by legislation.
- 5.3 A delegation made pursuant to Section 5.2 shall specify:
- a. the name or position of the delegate;
  - b. the scope of delegated authority; and
  - c. any limitations or conditions applicable to the delegation.

## **PART 5 – ACCESS TO INFORMATION**

### **6. ACCESS REQUESTS**

- 6.1 Requests for access to records shall be submitted in accordance with the requirements of the Access to Information Act.
- 6.2 The Town may require requests to:
- a. be submitted in writing;
  - b. provide sufficient detail to identify the records requested; and
  - c. include any applicable fees prescribed by legislation.
- 6.3 The ATI Coordinator shall:
- a. receive and process access requests;
  - b. coordinate searches for responsive records;
  - c. communicate with applicants;
  - d. issue decisions on behalf of the Head where authority has been delegated;
  - e. maintain records of requests and responses; and
  - f. ensure statutory timelines are met.

### **7. DUTY TO ASSIST**

- 7.1 The Town shall make every reasonable effort to assist applicants and to respond openly, accurately, and completely in accordance with the Act.
- 7.2 The Town may provide access to records informally where appropriate and where legislation permits.

### **8. FEES**

- 8.1 The Town may charge fees for access requests in accordance with the Access to Information Act and applicable regulations.
- 8.2 The CAO may waive or reduce fees where:
- a. the applicant cannot afford payment;
  - b. the record relates to a matter of public interest;
  - c. the administrative cost of collecting the fee exceeds the fee itself; or
  - d. the waiver is otherwise appropriate.

## **9. RECORDS EXCLUDED OR WITHHELD**

- 9.1 Access to records may be refused or limited where authorized or required under the Access to Information Act.
- 9.2 Nothing in this Bylaw shall require the Town to disclose information exempted from disclosure under legislation.

## **PART 6 – PROTECTION OF PRIVACY**

### **10. COLLECTION OF PERSONAL INFORMATION**

- 10.1 The Town shall only collect personal information where:
  - a. the collection is expressly authorized by legislation;
  - b. the information relates directly to and is necessary for an operating program or activity of the Town; or
  - c. the information is otherwise permitted under the Protection of Privacy Act.
- 10.2 Wherever practicable, personal information shall be collected directly from the individual to whom the information relates.
- 10.3 At the time personal information is collected, the Town shall provide notice in accordance with the Protection of Privacy Act.

### **11. USE AND DISCLOSURE OF PERSONAL INFORMATION**

- 11.1 Personal information shall only be used for:
  - a. the purpose for which it was collected;
  - b. a use consistent with the purpose for which it was collected; or
  - c. a use authorized under the Protection of Privacy Act.
- 11.2 Personal information shall not be disclosed except as authorized by the Protection of Privacy Act.
- 11.3 Employees, contractors, volunteers, and elected officials shall protect the confidentiality of personal information accessed through their duties.

### **12. SAFEGUARDS**

- 12.1 The Town shall implement reasonable administrative, technical, and physical safeguards to protect records and personal information against unauthorized access, collection, use, disclosure, destruction, or loss.
- 12.2 Safeguards may include:
  - a. access controls and user permissions;
  - b. password protection and encryption;
  - c. records retention and destruction schedules;
  - d. employee confidentiality obligations;
  - e. secure storage and disposal procedures; and
  - f. privacy training and awareness.

### **13. PRIVACY MANAGEMENT PROGRAM**

13.1 The Town shall establish and maintain a Privacy Management Program in accordance with the Protection of Privacy Act and applicable regulations.

13.2 The Privacy Management Program may include:

- a. privacy policies and procedures;
- b. privacy impact assessment processes;
- c. breach response procedures;
- d. employee training;
- e. monitoring and compliance measures; and
- f. records management practices.

### **PART 7 – PRIVACY BREACH RESPONSE**

#### **14. PRIVACY BREACHES**

14.1 Any employee, contractor, volunteer, or elected official who becomes aware of a privacy breach shall immediately report the breach to the ATI Coordinator or CAO.

14.2 Upon becoming aware of a privacy breach, the Town shall:

- a. take immediate steps to contain the breach;
- b. investigate the circumstances of the breach;
- c. assess the risk of harm;
- d. notify affected individuals where required by legislation;
- e. notify the Office of the Information and Privacy Commissioner where required; and
- f. take corrective action to prevent recurrence.

14.3 The ATI Coordinator shall maintain records respecting privacy breaches and corrective measures taken.

### **PART 8 – RECORDS MANAGEMENT**

#### **15. RECORDS MANAGEMENT**

15.1 The Town shall establish and maintain records management practices consistent with legislative requirements and accepted records management standards.

15.2 Records shall be retained and destroyed in accordance with:

- a. approved records retention schedules;
- b. applicable legislation; and
- c. operational requirements.

15.3 No person shall destroy, alter, conceal, or falsify records for the purpose of avoiding disclosure under the Access to Information Act.

## **PART 9 – RESPONSIBILITIES**

### **16. RESPONSIBILITIES OF EMPLOYEES AND OFFICIALS**

16.1 All employees, contractors, volunteers, and elected officials shall:

- a. comply with this Bylaw and applicable legislation;
- b. protect confidential and personal information;
- c. cooperate with access requests and investigations;
- d. complete required training; and
- e. report privacy breaches or concerns.

16.2 Department managers shall assist the ATI Coordinator in locating and reviewing responsive records.

### **17. TRAINING**

17.1 The Town may provide mandatory training respecting access to information and privacy obligations.

17.2 Employees and elected officials shall participate in training as required by the CAO.

## **PART 10 – OFFENCES AND ENFORCEMENT**

### **18. OFFENCES**

18.1 No person shall:

- a. knowingly collect, use, or disclose personal information in contravention of the Protection of Privacy Act;
- b. knowingly destroy or alter records to evade an access request;
- c. obstruct the administration of the Act or this Bylaw; or
- d. fail to comply with lawful directions issued under this Bylaw.

18.2 Any employee found to have contravened this Bylaw may be subject to disciplinary action up to and including termination of employment.

18.3 Nothing in this Bylaw limits any penalties, sanctions, or offences established under provincial legislation.

## **PART 11 – GENERAL**

### **19. SEVERABILITY**

19.1 If any provision of this Bylaw is found invalid by a court of competent jurisdiction, that provision shall be severed and the remaining provisions shall remain in force.

### **20. REVIEW**

20.1 Council may review this Bylaw from time to time to ensure compliance with legislation and operational requirements.

### **21. REPEAL**

21.1 Any previous Town policies or bylaws inconsistent with this Bylaw are hereby repealed.

**22. EFFECTIVE DATE**

22.1 This Bylaw shall come into force and effect upon third and final reading.

READ A FIRST TIME THIS \_\_\_ DAY OF \_\_\_\_\_, 2026.

READ A SECOND TIME THIS \_\_\_ DAY OF \_\_\_\_\_, 2026.

READ A THIRD AND FINAL TIME THIS \_\_\_ DAY OF \_\_\_\_\_, 2026.



Robert McLeod  
Mayor



April Doll  
Chief Administrative Officer

## **SCHEDULE "A" – ADMINISTRATIVE AUTHORITY**

The CAO is authorized to:

1. Appoint an ATI Coordinator;
2. Establish administrative procedures and forms;
3. Approve records retention schedules;
4. Establish privacy management procedures;
5. Implement training and compliance measures;
6. Enter into information sharing agreements where authorized by legislation;
7. Approve routine disclosures of information;
8. Administer access requests and privacy complaints; and
9. Delegate operational responsibilities as necessary.

## **SCHEDULE "B" – STANDARD COLLECTION NOTICE**

The personal information requested on Town forms is collected under the authority of the applicable provisions of the Protection of Privacy Act and will be used for the administration of Town programs, services, and operations. Questions regarding the collection, use, or disclosure of personal information may be directed to the Town of Manning ATI Coordinator at:

Town of Manning  
P.O. Box 125  
Manning, Alberta T0H 2M0  
780-836-3606