

Developing a Protection of Privacy Act Collection Notice

Privacy Services, Privacy Policy and Governance

Version 2.0

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Standard Statement

The *Protection of Privacy Act* (POPA) specifies the manner in which public bodies may collect personal information from individuals¹. The term “public bodies” includes all Government of Alberta departments and designated agencies, boards, and commissions (ABCs).

A Collection Notice is mandatory when personal information must be collected directly from the individual it is about, and it provides an opportunity for that individual to ask questions and make an informed decision about providing their personal information to the public body. Personal information must be collected directly from the individual unless the indirect collection is specifically permitted under the POPA².

Authority

- [*Protection of Privacy Act*](#)

Scope

This standard applies to all Government of Alberta departments, and ABCs designated under the POPA Regulations where the support for privacy matters are the responsibility of Technology and Innovation.

It is recommended that department/ABC program and business areas develop Collection Notices in consultation with Privacy Services at privacy@gov.ab.ca.

Standard Description

There is a legal obligation under the POPA for departments/ABCs to inform an individual of four elements when they directly collect their personal information:

- the purpose for the collection of the information;
- the legal authority for the collection;
- the contact information for questions, and
- the public body’s intention, if any, at that time to input the information into an automated system to generate content or make decisions, recommendations or predictions.

There are several methods that may be used to provide a Collection Notice to an individual, including (but not limited to):

- verbally, when information is collected in person or by phone; or

¹ The Health Information Act (HIA) establishes the rules for the collection of health information that is in the custody or under the control of a custodian, including Preventative and Primary Health. As a result, if both personal and health information is collected by a departments/ABC who is also a custodian (i.e. Alberta Health) or by a custodian and a departments/ABC, the collection requirements set out in both the POPA and the HIA apply.

² Section 5 of POPA allows a department/ABC to collect personal information about an individual from other sources in specific circumstances – see s.5(1)(a) to (p). Section 5(3) provides an exception to the collection notification requirement if information collected in accordance with subsections (1) or (2) would be inaccurate.

- written, be it on a form (e.g. a section or textbox) or website (e.g. section at top of page or as a pop-up window).

Regardless of the method used to provide the Collection Notice, it must be apparent to the individual whose personal information is being collected.

Standard Specifications

There are four elements that must be included in a Collection Notice:

Element 1: Purpose Statement

A Collection Notice must clearly state the purpose(s) for collecting the personal information. The purpose statement enables an individual to decide whether or not to provide a department/ABC with their personal information being asked for. When developing a purpose statement, the following key considerations should be taken into account:

- Be specific in describing the collection purpose. Example:
 - “The personal information being collected is for the purpose of the Alberta Seniors’ Benefit Program.”
- Avoid restrictive language. Examples:
 - “The information will only be used for the purpose of...”
 - “The information will not be used for any other purpose without your consent”

Element 2: Legal Authority for Collection

In the collection notice, cite the specific legal authority which permits the department/ABC to collect the personal information. Section 4 of the POPA is the legal authority that enables the collection of personal information for one or more of the following three reasons:

- 4(a) - the collection of the personal information is expressly authorized by an enactment of Alberta or Canada,
- 4(b) - that information is collected for the purposes of law enforcement, or
- 4(c) - that information relates directly to and is necessary for an operating program or activity of the department/ABC, including a common or integrated program or service.

If more than one of the three clauses in section 4 applies, each clause should be listed (e.g., 4(a) and (c)). Additionally, if section 4(a) is the applicable legal authority, the name of the relevant enactment and sections that explicitly authorizes collection should also be listed. [See “Sample Collection Notice Template” provided below].

Element 3: Contact Information

A Collection Notice must include contact information, including the email address, telephone number or other contact information of the department/ABC that can answer questions about the collection. The following should not be included or used in contact information:

- The name and/or email address of a specific individual, so as to avoid having to update a Collection Notice in response to any staffing changes which may occur.

- References to Privacy Services or Privacy Services contacts. Privacy Services staff are available to program or business areas to provide advice on the administration and operation of the POPA; however, questions about the collection (e.g., why information is being collected, how it is being used) must be answered directly by the relevant program or business area.

Sample Collection Notice Template

The personal information collected through (name of form/website/program) is for (Purpose Statement). This collection is authorized by section 4 (cite the applicable subsection(s) of section 4) of the *Protection of Privacy Act* (and if applicable any other enactment that expressly authorizes the collection including the name of the enactment and relevant sections.) For questions about the collection of personal information, contact (by email at [email address], or telephone number or [other contact information]).

*Add additional legislation if it applies, as per Element 2 of the standard.

Element 4 (if applicable at the time of collection): Use of an Automated System

Automated System is any system, software, or process that uses computation as whole or part of a system to determine outcomes, make or aid decisions, inform policy implementation, collect data or observations, or otherwise interact with individuals and/or communities. Automated systems include, but are not limited to, systems derived from machine learning, statistics, or other data processing or artificial intelligence techniques, and exclude passive computing infrastructure. (Source: National Archives (USA), Office of Science and Technology Policy, May 2025).

A collection notice must include the program area's intention, if any, at that time of collection to input the information into an automated system to generate content or make decisions, recommendations or predictions. Any statement involving the use of an Automated System should:

- Only include information on what the automated system will do at the time of collection, such as automated responses, provide analytics, supporting efficiency of services etc.
- Avoid restrictive language. Example: "The information will only be inputted into an automated system to generate ..."

Sample Collection Notice Template with Use of an Automated System

The personal information collected through (name of form/website/program) is for (Purpose Statement) and will be input into an automated system to (generate content or make decisions, recommendations, predictions). This collection is authorized by section 4 (cite the applicable subsection(s) of section 4) of the *Protection of Privacy Act* (and if applicable any other enactment that expressly authorizes the collection including the name of the enactment and relevant sections.) For questions about the collection of personal information, contact (by email at [email address], or telephone number or [other contact information]).

*Add additional legislation if it applies, as per Element 2 of the standard.

Note: POPA applies from the date of proclamation. Program areas may use personal information collected prior to that date in automated systems. As new personal information is collected or programs are updated and revised, program areas must update their collection notices to reflect any use of artificial intelligence or automated systems.

Compliance

Consequences of non-compliance with this standard could result in privacy complaints, failure to comply with POPA requirements, damage to Government of Alberta's reputation, and/or incurrence of unnecessary costs. Depending on the severity of non-compliance:

- either informal or formal requests and/or follow-ups may be made by Privacy Services, Corporate Internal Audit Services, Cybersecurity Services, Office of the Information Privacy Commissioner, and/or Public Service Commission; and/or
- legislated disciplinary action (i.e., POPA, Public Service Act) may be taken.

References and Supporting Resources

Version History				
Rev	Section	Type	Date	Remarks
1.0	All	Final	August 1, 2021	V1.0 Approved.
2.0	All	Revision	June 11, 2025	Updated to align with POPA.