

# Fact Sheet: Collection Notice

The *Protection of Privacy Act* (POPA) specifies the manner in which public bodies may collect personal information.

## Manner of Collection

Any personal information collected by a public body should be collected directly from the individual it is about, unless there is an authority for indirect collection under section 5. Section 5(2) requires that a collection notice is provided when collecting personal information directly from the individual that it is about.

Section 5(2) states:

*(2) Subject to subsections (3) and (4), a public body that collects personal information that is required by subsection (1) to be collected directly from the individual the information is about must give notice to the individual, at the time of collection, of*

- (a) the purpose for which the information is collected,*
- (b) the specific legal authority for the collection,*
- (c) the email address, telephone number or other contact information to which the individual may direct the individual's questions about the collection, and*
- (d) 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.*

## Considerations

A collection notice is to be provided at the time of collecting personal information and can be provided either in writing, such as on a form, or verbally, such as during a telephone call or during an in-person conversation.

**Purpose Statement:** The collection notice must clearly state the purpose(s) for collecting the personal information. The purpose statement enables an individual to decide whether to provide the public body with their personal information.

**Legal Authority:** In the collection notice, there is a need to cite the specific legal authority which permits the public body to collect the personal information. Section 4 of POPA contains legal authorities that enable 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 section 4(a) is the applicable legal authority, the name of the relevant enactment and sections that explicitly authorize collection should also be listed.

**Contact Information:** The collection notice must include contact information for where questions regarding the collection of personal information can be directed. This information includes the email address, telephone number or other contact information of the public body that can answer questions about the collection. This element is important to ensuring an individual is able to ask questions and be fully informed about providing their personal information to the public body.

## The purpose statement, legal authority and contact information must be included in any collection notice

**Automated System Use:** If, at the time of collection, a public body also intends to input personal information into an automated system to generate content or make decisions, recommendations or predictions, this needs to be specified in the collection notice.

An Automated System is any system, software, or process that uses computation as a 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).

This element is only required if the intended use of the personal information is in an automated system. As POPA applies from the date of proclamation, public

bodies may use personal information collected prior to that date in automated systems. As new personal information is collected or programs are updated and revised, public bodies must update their collection notices to reflect any use of artificial intelligence or automated systems.

## Examples

### Standard Notice

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

### Notice with automated system use (if applicable):

The personal information collected through (form name/website/program/service) is for (purpose statement) and will be input into an automated system to (generate content or make decisions, recommendations or predictions). This collection is authorized by section 4 of the *Protection of Privacy Act* (cite the applicable subsection(s) of section 4) and (if applicable, any other enactment that expressly authorizes the collection, include the name of the enactment and relevant sections).

For questions about the collection of personal information, contact (email at [email address], or telephone number or [other contact information]).

## Reference

Fact Sheet: Artificial Intelligence and Automated Systems