

DELEGATION AND ASSIGNMENT OF RESPONSIBILITY TABLES

2.1 Provisions of the FOIP Act and Regulation for which Delegation of Authority Should be Considered

Duty, power or function of Head	Section reference	Retained by Head	Delegated to Privacy Coordinator	Delegated to other person(s)
<u>Right of Access</u>				
Authority to:				
• declare request abandoned	8(1)		X ¹	
• grant continuing request	9(2)		X ¹	
Duty to:				
• assist applicants	10(1)		X ¹	
• create records	10(2)		X ¹	
Authority to decide on content of response/ grant or refuse access	11, 12(1)	X ²		
Authority to:				
• refuse to confirm or deny the existence of a record	12(2)		X ¹	
• decide how access will be given	13 Regulation 4		X ¹	
• extend time limit	14(1), (3)		X ¹	
• request Commissioner's permission for extension	14(1), (2)		X ¹	
• transfer a request for access	15		X ¹	

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Duty, power or function of Head	Section reference	Retained by Head	Delegated to Privacy Coordinator	Delegated to other person(s)
<u>Exceptions</u>				
Authority to withhold:				
• information harmful to business interests of a third party	16	X ²		
• information harmful to personal privacy	17	X ²		
• information harmful to individual or public health or safety	18 Regulation 6(1), (3), (5)	X ²		
• confidential evaluations	19	X ²		
• information harmful to law enforcement	20	X ²		
• information harmful to intergovernmental relations	21	X ²		
• Cabinet confidences	22	N/A	N/A	N/A
• local public body confidences	23	X ²		
• advice from officials	24(1)	X ²		
• information/records about audit by Chief Internal Auditor	24(2.1)	X ²		
• information harmful to economic interests of a public body	25	X ²		
• testing procedures, tests and audits	26	X ²		
• privileged information	27(1), (2)	X ²		
• information harmful to conservation of heritage sites or endangered species	28	X ²		

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Duty, power or function of Head	Section reference	Retained by Head	Delegated to Privacy Coordinator	Delegated to other person(s)
• information that is or will be available to public	29	X ²		
<u>Third Party Intervention</u>				
Duty to give third party notice	30		X ¹	
Authority to decide whether to give access to third party information	31(1)	X ²		
Duty to give notice of decision	31(2)-(4)		X ¹	
<u>Public Interest</u>				
Authority to disclose information in the public interest	32(1)	X ^{1,2}		
Duty to give notice to third party, Commissioner	32(3), (4)		X ¹	
<u>Collection, Correction, Protection of Personal Information</u>				
Authority to set aside collection requirements (<i>inaccuracy</i>)	34(3)	X ²		
Authority to decide on requests for correction of personal information	36(1)		X ¹	
Duty to correct, annotate or link personal information, duty to notify previous recipients	36(3), (4)		X ¹	
Duty to give notice to individual requesting correction	36(7)		X ¹	
Authority to transfer a request for correction	37		X ¹	
Duty to ensure protection of personal information	38			All employees and OPR ³ responsible for collection and use of personal information

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Duty, power or function of Head	Section reference	Retained by Head	Delegated to Privacy Coordinator	Delegated to other person(s)
<u>Use and Disclosure of Personal Information</u>				
Establishing rules for:				
• electronic consent	Regulation 7(5)(a)	X ²		
• oral consent	Regulation 7(6)(a)	X ²		
Authority to:				
• disclose to relative or adult interdependent partner of deceased individual	40(1)(cc)		X ¹	
• disclose to avert imminent danger to health or safety	40(1)(ee)	X ²		
• approve conditions for disclosure for research and statistical purposes and for administration of research agreements	42(c)			Vice President – Research ^{1,2}
• disclose to guardian of a minor	84(1)(e)		X ¹	
<u>Reviews and Complaints</u>				
Authority to:				
• ask the Commissioner for advice	54(1)	X ²		
• request Commissioner to disregard requests	55	X ²		
• require Commissioner to examine original record on site	56(4)	X ²		
Right to make representations to the Commissioner	69(3), (5), (6)	X ²		
Duty to:				

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Duty, power or function of Head	Section reference	Retained by Head	Delegated to Privacy Coordinator	Delegated to other person(s)
• discharge burden of proof	71	X ²		
• comply with Commissioner's Order	74	X ^{1,2}		
<u>General Provisions</u>				
Duty to publish a directory of the body's personal information banks (PIB) and keep it current	87.1(1), (4)		X ¹	
Duty to record uses or disclosures of personal information not included in directory	87.1(3)			OPR ³ responsible for PIB
Authority to specify categories of records available without formal request and require a fee	88	X ^{1,2}		
Duty to make manuals available	89			OPR responsible for the production and maintenance of manual
<u>Fees</u>				
Authority to assess and collect fees	93		X ¹	
Authority to waive fees	93(4)	X ²		
Duty to give notice of decision to grant or refuse waiver request	93(4.1)		X ¹	

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2.2 Administrative Responsibilities in the FOIP Act and Regulation that May be Assigned

Duty, power or function of public body	Section reference	Retained by Head	Delegated to FOIP Coordinator	Delegated to other person(s) (provide title(s) – specific or generic)
<u>Right of Access</u>				
Establishing process for receiving access requests	2(a), (c)		X ¹	
Assuring process for access is made public	Regulation 3(1)		X ¹	
<u>Collection, Accuracy and Retention of Personal Information</u>				
Establishing controls over the collection, use and disclosure of personal information	2(b)			OPR ³ for the specific personal information
Authorizing routine correction of personal information	2(d)			OPR ³ for the specific personal information
Ensuring authorized purpose of collection	33			OPR ^{2,3} for the specific personal information
Assuring proper collection and notification	34			OPR ^{2,3} for the specific personal information
Assuring accuracy of personal information	35(a)			OPR ³ for the specific personal information
Applying retention standards	35(b)			OPR ³ for the specific personal information
<u>Use and Disclosure of Personal Information</u>				
Assuring:				
• appropriate uses	39			OPR ^{2,3} for the specific personal information
• proper disclosures of personal information	40			OPR ³ for the specific personal information
Disclosing:				

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Duty, power or function of public body	Section reference	Retained by Head	Delegated to FOIP Coordinator	Delegated to other person(s) (provide title(s) – specific or generic)
• in accordance with Part 1	40(1)(a)		X ¹	
• if not an unreasonable invasion of third party's personal privacy	40(1)(b)		X ¹	
• for original or consistent purpose	40(1)(c)			OPR ^{2,3} for the specific personal information
• after individual consents	40(1)(d)			OPR ³ for the specific personal information
• to comply with enactment of Alberta or Canada or treaty, arrangement or agreement made under enactment	40(1)(e)	X ²		
Signing personal information sharing agreements	40(1)(e)	X ¹		
Disclosing:				
• in accordance with enactment of Alberta or Canada that authorizes or requires disclosure	40(1)(f)	X ²		
• to comply with subpoena, warrant or court order from court, person or body with jurisdiction in Alberta	40(1)(g)			OPR ³ for the specific personal information
• where necessary for employee of public body or member of Executive Council to perform duties	40(1)(h)			OPR ³ for the specific personal information
• where necessary for delivery of common or integrated program or service	40(1)(i)	X ²		
• to enforce legal right of Government of Alberta or public body	40(1)(j)	X ²		

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Duty, power or function of public body	Section reference	Retained by Head	Delegated to FOIP Coordinator	Delegated to other person(s) (provide title(s) – specific or generic)
• to collect debt or fine or make payment	40(1)(k)			Associate VP (Finance) ^{1,2}
• to determine or verify eligibility for program or benefit	40(1)(l)			OPR ³ for the specific personal information
• to Auditor General and other prescribed persons for audit purposes	40(1)(m)			Vice-President (Finance and Administration)
• to Member of Legislative Assembly to assist individual	40(1)(n)	X ²		
• to bargaining agent acting on behalf of employee	40(1)(o)	X ²		
• for archival purposes	40(1)(p)			OPR ³ for the specific personal information, in accordance with the Records Management Policy.
• to assist investigation	40(1)(q)			OPR ³ for the specific personal information, with the advice of Director, Security and Parking ²
• from one law enforcement agency to another law enforcement agency	40(1)(r)			Director, Security and Parking
• to next of kin or friend of injured, ill or deceased individual	40(1)(s)			OPR ³ for the specific personal information ²
• to expert under section 18(2) to protect individual or public safety	40(1)(u)	X ^{1, 2} , with the advice of the Director, Security and Parking		
• for legal proceedings to which Government of Alberta or public body is a party	40(1)(v)			General Counsel

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Duty, power or function of public body	Section reference	Retained by Head	Delegated to FOIP Coordinator	Delegated to other person(s) (provide title(s) – specific or generic)
• through Minister of Justice and Attorney General to place of lawful detention	40(1)(w)	N/A	N/A	N/A
• to manage or administer personnel	40(1)(x)			OPR ³ for the specific personal information ²
• to enforce a maintenance order	40(1)(y)			OPR ³ for the specific personal information ²
• to officer of the Legislature where necessary to carry out duties	40(1)(z)		X ¹	
• for supervision of individual under control of correctional authority	40(1)(aa)		X ¹	
• when information available to the public	40(1)(bb)			OPR ³ for the specific personal information
• business contact information	40(1)(bb.1)			OPR ³ for the specific personal information
• to lawyer acting for an inmate	40(1)(dd)			General Counsel
• to administrator of <i>Motor Vehicle Accident Claims Act</i>	40(1)(ff)			General Counsel
• alumni information for its own fund-raising activities and administering disclosure agreements	40(2)			Registrar and Vice-President-University Advancement ^{1,2}
• teaching and course evaluations	40(3)	X ²		
• for research and statistical purposes and for administration of research agreements	42, 43			Vice-President, Research ^{1,2}

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• information in University Archives	43(1)			University Archivist ^{1,2} or Records Manager

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