

Council Meetings

An Alberta Regulation now defines a council meeting as (when used in reference to a council) a meeting under section 192, 193, 194 or 195 of the *Municipal Government Act (MGA)*. These are an organizational meeting, a regular meeting, a special meeting or a committee of council meeting.

Meetings Closed to the Public [s. 1(3), 197]

There are times when council or a council committee must discuss something in private. A meeting or part of a meeting is considered to be closed to the public if

- (a) any members of the public are not permitted to attend the entire meeting or part of the meeting,
- (b) the council, committee or other body holding the meeting instructs any member of the public to leave the meeting or part of the meeting, other than for improper conduct, or
- (c) the council, committee or other body holding the meeting holds any discussions separate from the public during the meeting or part of the meeting.

The MGA and the *Freedom of Information and Protection of Privacy Act (FOIP Act)* set out some very limited exceptions in which meetings may be closed to the public. Personnel matters, where it would be unfair to the people involved to have the issue discussed in public, are a common example. In order to recognize specific circumstances that necessitate confidentiality of council discussions, section 197(2) of the MGA allows meetings that are closed to the public where the subject matter falls within one of the exceptions to disclosure in Division 2 Part 1 of the FOIP Act. The exceptions include matters where disclosures could be harmful to personal privacy, individual or public safety, law enforcement, intergovernmental relations, or economic or other interests; reveal confidential evaluations, local public confidences, or advice from officials; or disclose information that is subject to legal privilege.

Even then, **before closing all or any part of a meeting to the public, a council or council committee must pass a resolution approving the part of the meeting that is to be closed, and indicate the exception to disclosure in Division 2 of Part 1 of the FOIP Act.** All resolutions have to be made in a public session.

All public have the right to attend a council meeting except for someone who has been expelled due to improper conduct in that meeting. The provisions of the MGA regarding public presence at meetings are intended to promote public involvement and the accountability of the local government process.

