

What if I believe my privacy rights are being violated?

Contact the person responsible for handling privacy issues within the organization if:

- you run into any difficulties obtaining your personal information;
- an organization refuses to correct personal information you consider inaccurate or incomplete;
- you suspect your personal information has been improperly collected, used or disclosed; or,
- you believe an organization is not following any provision of the law.

Where can I take my concerns?

- You should first try to settle the matter directly with the organization by contacting the person responsible for handling privacy issues within the organization.
- If you are not satisfied with the organization's response, you may ask the Office of the Information and Privacy Commissioner of Alberta to review the matter. There is no fee charged by the Commissioner's office to review a matter.
- For more information or advice on how to proceed, you can contact the Commissioner's office.

What is the role of the Information and Privacy Commissioner?

- The Commissioner, an independent officer of the Legislature, has the power to investigate your complaint and authorize mediation and negotiation to resolve disputes.
- The Commissioner may also initiate his own investigation or review how an organization handles personal information.
- The Commissioner can order an organization to release your personal information to you or correct inaccuracies.
- The Commissioner can order an organization to change its personal information practices.

What is the role of the Access and Privacy Branch?

Alberta Government Services' Access and Privacy Branch is the government agency responsible for the *Personal Information Protection Act*. It publishes resources to assist the Alberta private sector to comply with its new privacy responsibilities.

When did PIPA come into force?

PIPA came into force on January 1, 2004.

FOR MORE INFORMATION

Organizations may contact:

Access and Privacy Branch
Alberta Government Services
3rd Floor, Commerce Place
10155 - 102 Street
Edmonton, Alberta
T5J 4L4
Phone: (780) 644-7472
E-mail: pspinfo@gov.ab.ca
www.pipa.gov.ab.ca

For more information or to make a complaint, individuals may contact the Office of the Information and Privacy Commissioner at:

Suite 500, 640 – 5th Avenue S.W.
Calgary, Alberta
T2P 3G4
Phone: (403) 297-2728
Toll free: 1-888-878-4044
Email: generalinfo@oipc.ab.ca
www.oipc.ab.ca



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Guide to the Personal Information Protection Act



Office of the Information
and Privacy Commissioner

Alberta
GOVERNMENT SERVICES

What is the Personal Information Protection Act?

Alberta's *Personal Information Protection Act* (PIPA) sets out the ground rules for how private sector organizations may collect, use or disclose information about you.

It strikes a balance between your right to control access to and use of your personal information, with an organization's need to collect and use your personal information for legitimate and reasonable purposes.

PIPA gives you the right to see, and ask for corrections to, personal information an organization may have about you. If you think an organization covered by the Act is not living up to its responsibilities under the law, you have the right to take the matter to the Information and Privacy Commissioner of Alberta.

What is personal information?

Personal information means information about an identifiable individual.

For example, personal information includes your:

- name, address, telephone numbers, e-mail address;
- age, date of birth, birthplace;
- weight, height, gender;
- marital status, race, ethnic origin, citizenship;
- blood type, medical history, DNA code, biometric identifiers;
- educational, employment or criminal history;
- income, financial history, purchases, spending habits;
- unique identification numbers or account numbers.

What is covered by PIPA?

PIPA covers all private sector organizations in Alberta except as noted under "What is not covered by PIPA?"

An organization includes:

- a corporation;
- a trade union;
- a partnership;
- an individual acting in a commercial capacity;
- an association that is not incorporated (e.g. a school council, an ad hoc group).

What is not covered by PIPA?

- A public body already covered by Alberta's *Freedom of Information and Protection of Privacy Act*.
- A federally-regulated organization that is already covered by the federal *Personal Information Protection and Electronic Documents Act* (e.g. banks, airlines, telecommunications, inter-provincial transportation and radio and television broadcasting companies).

- Societies, Agricultural Societies, and organizations registered under Part 9 of the *Companies Act*, except when collecting, using or disclosing information in the course of a commercial activity.
- The collection, use or disclosure of personal information solely for journalistic, artistic or literary purposes.
- An individual's collection, use or disclosure of personal information for personal or domestic purposes (e.g. family or home activities).
- Business contact information when related to an individual representing an organization.
- Certain health information, and personal information in court files.

How does PIPA protect my personal information?

Your ability to control your personal information is key to your right to privacy.

PIPA gives you control over your personal information by requiring organizations to obtain your consent to collect, use or disclose personal information about you. (There are some limited exceptions to the consent requirement.)

The Act gives you certain rights and imposes specific obligations on organizations.

PIPA gives you the right to:

- know why an organization collects, uses or discloses your personal information;
- expect an organization to collect, use or disclose your personal information reasonably and appropriately;
- expect an organization to protect your personal information by taking appropriate security measures;
- know who in the organization is responsible for protecting your personal information;
- expect the personal information an organization uses or discloses about you to be accurate and complete;
- request access to your personal information and ask for corrections;
- complain about how an organization handles your personal information.

PIPA requires organizations to:

- obtain your consent when they collect, use or disclose your personal information (except in limited circumstances where no consent is required);
- collect information by fair and lawful means;
- tell you how your personal information is being used and to whom it has been disclosed upon your request;

- have personal information policies that are clear, understandable and readily available;
- destroy, erase or make anonymous personal information about you that it no longer needs for the purpose for which it was collected or for a related business reason or for a legal reason.

Under PIPA, an organization may not:

- refuse to supply you with a product or service because you do not consent to the collection, use or disclosure of your personal information for purposes that are not necessary for the transaction;
- use or disclose your information for any purpose other than that to which you have consented (except in circumstances where no consent is required.)

Exceptions to the consent requirement

There are exceptions to the consent requirement. For example: an organization may not need to obtain your consent

- if your personal information is collected from a public source (e.g. a telephone book);
- when required by law;
- if the information is needed for an investigation or legal proceeding;
- for credit reporting or debt collection purposes.

How can I see the personal information an organization has about me?

- Send a written request, referencing the *Personal Information Protection Act* to the organization holding your personal information. You must provide enough detail to allow the organization to identify the information you want: for example, include dates, account numbers, and the names or positions of people you may have dealt with at the organization.
- Organizations must provide the information requested within 45 calendar days (unless an extension of time is warranted) and at a reasonable cost.

How can I correct errors or omissions in my personal information?

- Write to the organization that has personal information about you and explain the correction you are requesting and why. Supply copies of any documents that support your request.
- If the organization refuses to correct your personal information, it must attach your request for correction to the file.