



Office of the Information and
Privacy Commissioner of Alberta

Overview of legislation and the OIPC

AFNIGC - Privacy Education Series



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Agenda

- Legislation Overview
- General Principles
 - FOIP
 - HIA
 - PIPA
- OIPC



Legislation Overview

- Canada
 - *Privacy Act*
 - *Personal Information and Protection of Electronic Documents Act (PIPEDA)*
- Alberta
 - *Freedom of Information and Protection of Privacy Act (FOIP)*
 - *Personal Information Protection Act (PIPA)*
 - *Health Information Act (HIA)*



General Principles

- “Balancing Acts”
- Rules for collection, use and disclosure
- Access rights
- Duty to protect information
- Redress rights



Freedom of Information and Protection of Privacy Act

- Passed in 1995
- Applies to “public bodies”
- Gives individuals **general** and **personal** access rights
- ... limited by exemptions and exceptions
- Puts limit on extent of collection, use, and disclosure
- Mandates protection of personal information
- Outlines redress rights
- Established the OIPC, branch of Alberta Public Service assisting the Commissioner



The Personal Information Protection Act

- Passed in 2004, amended in 2010
- Applies to private sector organizations
- Applies to “commercial activity” of not-for-profits
- Puts limit on extent of collection, use, and disclosure
- Importance of individual consent
- Gives individuals **personal** right of access
- Mandates protection of personal information
- Requires notification of individuals and Commissioner in case of privacy breach



Health Information Act

- Passed in 2001, amended in 2010
- Applies to “custodians” in the health sector
- Allows custodians to collect, use, disclose without consent for many reasons
- Gives individuals personal right to access...
- ... as well as exemptions and exceptions
- Establishes rules to access Alberta Netcare
- Mandates submission of PIAs



The Commissioner

- Commissioner – Jill Clayton
- Officer of the Legislative Assembly
- Must report annually to a Committee of the Alberta Legislative Assembly
- Appointed for 5-year term



OIPC Activities

- Resolves access and privacy disputes through:
 - Mediation
 - Investigation
 - Adjudication
- Conduct investigations to ensure compliance with any provision of the legislation
- Order compliance
- Give advice and recommendations to entities
- Comment on PIAs
- Inform the public receive their comments



Questions?



Office of the Information and
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Thank you!

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Resources

“Access to Information Laws in Alberta”, OIPC Website

<https://www.oipc.ab.ca/resources/access-to-information-laws-in-alberta-brochure.aspx>

“Privacy Laws in Alberta” , OIPC Website

<https://www.oipc.ab.ca/resources/privacy-laws-in-alberta-brochure.aspx>

Freedom of Information and Protection of Privacy Act

Personal Information Protection Act

Health Information Act

<http://www.qp.alberta.ca/>

