



Office of the  
Information and Privacy  
Commissioner of Alberta

**November 25, 2011**

## **Commissioner disappointed over dismissal of application by Supreme Court of Canada**

Information and Privacy Commissioner Frank Work is disappointed that the Supreme Court of Canada won't hear an appeal about the collection of personal information by Leon's Furniture Ltd. The Commissioner was seeking leave to appeal a decision of the Alberta Court of Appeal.

Commissioner Work says the decision of the majority Court of Appeal seriously undermines the Personal Information Protection Act. "The decision could be used to challenge what were thought to be reasonable, nationally accepted limits on the collection of personal information by private sector organizations. We are moving backwards".

The Commissioner says he will be writing to the Minister of Service Alberta urging the Legislature to amend the Personal Information Protection Act. "Given the time and resources that were put into implementing PIPA, it's crucial that the legislation be amended to restore the original intent of PIPA, which is the reasonable collection of personal information. I believe allowing organizations to decide what personal information they are allowed to collect and how they use that information flies in the face of the original intent of the legislation".

Work adds, "This puts our law at odds with laws in other jurisdictions such as British Columbia and Canada. It means that we are off side with the rest of Canada on the meaning of personal information, and that puts the people of Alberta at a disadvantage."

The original complaint against Leon's was that they were collecting license plate and driver's license numbers when customers were picking up merchandise. The company was ordered to stop the practice in an order from this office in 2008. Leon's appealed the decision and the Court of Appeal overturned the order.

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