



Office of the Information and  
Privacy Commissioner of Alberta

# PRIVACY LAWS

## in Alberta

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### FOIP

*Freedom of Information and Protection of Privacy Act*

### HIA

*Health Information Act*

### PIPA

*Personal Information Protection Act*



# ABOUT THE OIPC

The Information and Privacy Commissioner enforces how Alberta's privacy laws are applied to ensure the purposes are achieved. The Commissioner reports to all members of the Legislative Assembly of Alberta and is independent from government ministers and departments.

If you believe your personal or health information may have been collected, used or disclosed improperly under FOIP, HIA or PIPA, you may submit a complaint in writing to the OIPC. You may consider an improper collection, use or disclosure of your personal or health information to be a privacy breach.

Your written complaint must provide enough detail to support your belief that your privacy was breached.

The Commissioner may assign a staff member to review the situation. If the matter is not resolved during the review, you may ask the Commissioner to conduct an inquiry, which is a formal process to settle a complaint.

If the matter proceeds to an inquiry, an order will be issued upon completion of the inquiry. An order made by the OIPC is final.

This document is meant to assist you in understanding Alberta's access to information and privacy laws, and is not intended as a substitute for legal advice. The official versions of the *Freedom of Information and Protection of Privacy Act*, *Health Information Act* and *Personal Information Protection Act* and their regulations are available from Alberta Queen's Printer at [www.qp.alberta.ca](http://www.qp.alberta.ca).

# FOIP

## *Freedom of Information and Protection of Privacy Act*

The *Freedom of Information and Protection of Privacy Act* (FOIP Act) applies to “public bodies”, such as government ministries or departments, government agencies, boards and commissions, school boards and charter schools, universities and colleges, municipalities, and police.

FOIP protects privacy by controlling the ways a public body may collect, use or disclose personal information. No personal information may be collected by or for a public body unless the collection is:

- Authorized by another law or enactment
- For purposes of law enforcement
- Information that relates to and is necessary for an operating program or activity of the public body

Your personal information must be used or disclosed for the intended purpose of collection. Your personal information may be used or disclosed for other purposes in some situations, such as when you consent. A public body must limit the disclosure of your personal information to only what is necessary or reasonable for the purpose.

For more information on submitting a privacy complaint, visit [www.oipc.ab.ca](http://www.oipc.ab.ca).



# HIA

## *Health Information Act*

The *Health Information Act* (HIA) applies to “custodians”, such as Alberta Health Services, Covenant Health, the Ministry of Health, pharmacies and pharmacists, physicians, optometrists, registered nurses, dentists, and their health service providers or employees.

HIA protects privacy by controlling the ways a health custodian may collect, use or disclose health information, including diagnostic, treatment, care and registration information.

Your health information may be used for the purposes authorized by HIA.

Your health information may be disclosed if you consent or in situations authorized by HIA. Custodians must consider your expressed wishes when deciding how much information to disclose.

If disclosure of health information is authorized without consent, you have the right to ask about it. You also have the right to request a record – also known as an “audit log” – showing you who has accessed your health information in Netcare, which is Alberta’s electronic health record.

A health custodian must notify you about any privacy breach where your health information is lost, accessed or disclosed improperly and you face a risk of significant harm as a result.

# PIPA

## *Personal Information Protection Act*

The *Personal Information Protection Act* (PIPA) applies to private sector "organizations", such as businesses, employees, partnerships, trade unions and professional regulatory bodies.

PIPA protects privacy by controlling the ways a private sector organization may collect, use or disclose personal information and personal employee information.

Private sector organizations must get your consent to collect, use or disclose your personal information. A collection without consent is authorized in some situations under PIPA.

If you are an employee, consent is not required for the collection, use or disclosure of personal employee information by the employer that is reasonably required for the work relationship.

A private sector organization must notify you about any privacy breach where your personal information is lost, accessed or disclosed improperly and you face a real risk of significant harm as a result.

## **Collection of Personal or Health Information**

Under each law, when your personal or health information is collected directly from you, you must be informed about the purpose, the legal authority or reason for the collection (FOIP and HIA only) and the contact information of an employee who can answer questions about the collection.

A public body, custodian or private sector organization has legal authority to collect your personal information from other sources in some situations.



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For more information visit:

[www.oipc.ab.ca](http://www.oipc.ab.ca)

You may also contact us by phone:  
(780) 422-6860 (Edmonton office)  
(403) 297-2728 (Calgary office)  
1-888-878-4044 (toll-free)



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