

About the OIPC

The Information and Privacy Commissioner is an officer of the legislature, and is independent of government. The Commissioner has broad powers and responsibilities under the FOIP Act, HIA and PIPA.

If you believe your personal or health information may have been collected, used or disclosed improperly under the FOIP Act, HIA or PIPA, you may submit a complaint in writing to the OIPC.

Your written complaint must provide sufficient detail to support your claim of improper collection, use or disclosure.

The Commissioner may authorize a staff member to mediate or investigate the situation. If the matter is not resolved through mediation or investigation, you may ask the Commissioner to conduct an inquiry, which is a formal procedure to settle a complaint.

If there is an inquiry, notices are issued to all parties involved who are asked to make submissions to the OIPC.

Upon completion of an inquiry, an order will be issued. An order made by the OIPC is final.



Office of the Information and
Privacy Commissioner of Alberta

For more information visit:

www.oipc.ab.ca

You may also contact us by phone:

(780) 422-6860 (Edmonton office)

(403) 297-2728 (Calgary office)

(888) 878-4044 (toll-free)



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PRIVACY LAWS in ALBERTA



FOIP

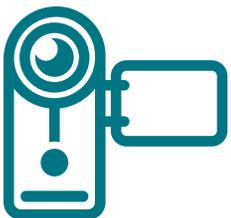
Freedom of Information and Protection of Privacy Act

HIA

Health Information Act

PIPA

Personal Information Protection Act



Office of the Information and
Privacy Commissioner of Alberta

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, school boards and charter schools, universities and colleges, municipalities, and police.

The FOIP Act protects privacy by controlling the manner in which 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 an enactment
- For purposes of law enforcement
- Information that relates directly 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. Your personal information may be used or disclosed for other purposes if you consent or in situations authorized by the FOIP Act.

A public body must limit the disclosure of your personal information to that which is necessary and reasonable.

This document was prepared as an administrative tool intended to assist in understanding the Acts. This is not intended as a substitute for legal advice. For the exact wording and interpretation of each Act, please read the Act in its entirety. This document is not binding on the Office of the Information and Privacy Commissioner of Alberta.

HIA

Health Information Act

The *Health Information Act* (HIA) applies to “custodians”, such as Alberta Health, Alberta Health Services, Health Quality Council of Alberta, nursing homes, pharmacies and members of health professional bodies listed in HIA.

HIA governs the collection, use and disclosure of health information, which includes 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 in deciding how much information to disclose.

If disclosure was authorized without consent, you have the right to ask about it. You also have the right to request a record showing who has accessed your health information in Netcare - Alberta’s electronic health record system.

Collection of Personal Information

Under each act, when your personal or health information is collected directly from you, you must be informed about the purpose, the legal authority for the collection (FOIP Act 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.

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 and individuals acting in a commercial capacity.

PIPA sets the rules for the collection, use and disclosure of personal information and personal employee information by private sector organizations in Alberta.

Private sector organizations must get your consent to collect, use or disclose your personal information. A collection without consent may be authorized by 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.

An organization must notify you about any incident where your personal information is lost, accessed, or disclosed in an unauthorized manner and you face a real risk of significant harm as a result.

Securing Personal Information

Under each act, a public body, custodian or private sector organization is responsible for reasonably securing and protecting your personal information.

