

Privacy/PIPEDA: What You Need to Know

The Personal Information Protection and Electronic Documents Act, also known as PIPEDA, is the federal privacy law for private-sector organizations.

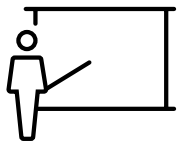
Recent amendments to PIPEDA include mandatory breach notification.

Mandatory breach notification is when an organization suffers a privacy breach that it believes **“creates a real risk of significant harm to an individual”**.



Significant harm

Bodily harm, humiliation, damage to reputation or relationships, loss of employment, business or professional opportunities, financial loss, identity theft, negative effects on the credit record, and damage to or loss of property

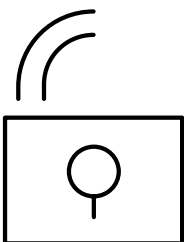


Keep in mind

There is a requirement to keep records of any breaches and to provide them to the privacy commissioner upon request. Failure to report breaches in compliance with PIPEDA could result in fines of up to \$100,000.

Privacy/PIPEDA: How to protect yourself

- Decide how informed consent will be obtained from employees and clients whose information you are collecting, using or disclosing.
- Limit the type and amount of information that is being collected, used or disclosed, and ensure that this information is absolutely necessary.
- Limit the number of individuals that can access any confidential information in your care.
- When disposing of confidential information, ensure that it is done properly so that there can be no unauthorized access once it is no longer in your care.
- Conduct regular system reviews to detect any breach as early as possible.
- Establish a privacy breach procedure for notifying the necessary internal individuals as quickly as possible when there has been a breach.
- Speak to your dealer about any third party service providers that can be used in the event of a breach.



What to do when a breach occurs

- Follow the pre-established privacy breach procedure and consider whether individuals need to be notified.
- Notify your dealer.
- Communicate with your employees/team that there has been a breach. They will need to understand whether they are affected and what is being done to mitigate the impact of the breach.

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