

PIPEDA-Personal Information Protection and Electronic Documents Act



Your Information
Your Right to Privacy



Individual WHAT IS PIPEDA

PIPEDA is federal government legislation that protects your privacy.

P = PERSONAL

I = INFORMATION

P = PROTECTION AND

E = ELECTRONIC

D = DOCUMENTS

A = ACT

PIPEDA sets rules about personal information that you provide to businesses, and how they handle that information.



PERSONAL INFORMATION

“Personal information” is a lot of things. These things tell other people about you.

Here are some things that are personal information:

- your name and address
- your email address
- the colour of your skin
- your religion
- whether you are married, single, divorced, or separated
- your sexual preference
- your age, height, weight, blood type
- your medical history, including your disability
- your education
- your income (money), and what things you spend it on
- your banking information, such as your bank account number or your PIN number
- your credit card numbers
- your Social Insurance Number (SIN)

This information identifies who you are.

You must be careful about sharing it! Other people can use this information to hurt you or steal from you. They can even use it to pretend to be you!



PROTECT YOUR INFORMATION

HOW CAN YOU PROTECT YOUR PERSONAL INFORMATION?

PIPEDA, the Personal Information Protection and Electronic Documents Act, has some ideas to help you to protect your personal information.

Suppose you are buying clothes and you want to pay with a credit card. What personal information do you have to share with the store?

You have to give the store your credit card number. They need it, because you want to pay with your credit card.

Do you also have to tell them your age, your phone number, or your blood type? No, that information is not needed to buy clothes.

What if the salesperson tells you they need more personal information? You can ask, "Why? What for?"

If you are not comfortable with their answer, you can refuse to give them the information. They don't really need it just to sell you clothes.

The only people who are allowed to collect your personal information without your permission are police who are investigating a crime, or police during an emergency.

Also, if a business or an organization has collected your personal information, you have the right to see what they recorded. You can ask them to show you the personal information about you that they have in their records.

And if you see mistakes about you in their records (for example, your name is spelled wrong), you have the right to ask them to correct the mistakes



SOLVING PROBLEMS

Sometimes there can be problems about protecting your personal information.

For example,

- a business might insist that it needs your personal information, and you aren't comfortable giving it to them;
- you ask to see what personal information about you is in their records, and they refuse to let you see it;
- the business shows you their records, you find mistakes and you ask them to correct the mistakes, and they **refuse**.

How can the problem be solved?

First, try to fix it yourself. For example, ask to meet the person responsible for the business's policy about privacy. Or, contact the business's ombudsman. An "ombudsman" is a person whose job is to investigate complaints against big places like banks and hospitals. Bring your complaint to the ombudsman and he will help you.

Suppose you tried to fix the problem, but it is still not solved. You can file a complaint with the Office of the Privacy Commissioner of Canada. They have a paper form you can fill out and mail. Filling out the form is free -- you do not have to pay for it. The Office of the Privacy Commissioner can investigate your complaint and try to fix it.

If the Office of the Privacy Commissioner can't fix your complaint, or if you are not satisfied with their action, what can you do next? Sometimes you can go to the Federal Court, depending on the situation. The Court can order the business to change their behaviour and obey the rules of the PIPEDA.



PIPEDA'S RULES AND BUSINESSES

WHAT BUSINESSES MUST FOLLOW PIPEDA'S RULES?

Most private businesses or organizations involved in "commercial activity" must follow PIPEDA's rules.

A "commercial activity" means you buy, sell, rent, or trade products (things) or services.

For example: banks, airlines, phone companies, clothing stores or food stores.

It doesn't matter if the business is big or small. It doesn't matter if the business works on-line (through a website) or in a real building like a grocery store.

In three provinces - British Columbia, Alberta, and Quebec - some businesses don't have to follow PIPEDA. Why? Because those three provinces have their own privacy rules which those businesses must follow.

But if the business is under federal responsibility, then it doesn't matter which province it is located in, it must follow PIPEDA. For example, a phone company called "SaskTel" works only in the province of Saskatchewan, but the phone business is under federal responsibility, so SaskTel must follow PIPEDA.



A FINAL WORD FOR YOU!

Your personal information is valuable.

You can protect it. Remember:

Don't share your personal information if it really isn't needed.

If a business asks for your personal information, ask them why. Ask them how they will protect it.

If you have any concerns, contact the Office of the Privacy Commissioner of Canada.

Know your privacy rights!

The OPC's Contributions Program is intended to fund independent privacy research and projects. The opinions expressed in this publication are those of the authors and do not necessarily reflect those of the Office of the Privacy Commissioner of Canada.

For more information:

www.priv.gc.ca

www.cad.ca

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The Personal Information Protection and Electronic Documents Act

A Guide for Individuals

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