

## Index

### ABANDONED MATERIAL, GATHERING

Generally, **2:40**

### ACCESS TO INFORMATION ACT, FEDERAL

Generally, **3:2, 3:12**

### ACCESS TO PERSONAL INFORMATION, GENERALLY

Generally, **3:8**

### ALBERTA

Regulation and protection of personal information

Freedom of Information and Protection of Privacy Act (FIPPA)

access to information, **3:32**

administration of, **3:30**

application of, **3:31**

collection of personal information, **3:36**

courts, role of, **3:37**

definition of “personal information,” **3:35**

definitions, **APP C § C:1 [s. 1 FIPPA]**

disclosure of information in archives, **APP C § C:1 [ss. 43 FIPPA]**

disclosure of personal information, **3:36**

exempt from release on account of invasion of privacy, **3:33**

exempt records, **3:31**

freedom of information, **APP C § C:1 [ss. 6-31 FIPPA]**

fundamental principles, **3:30**

general provisions, **APP C § C:1 [ss. 83-97 FIPPA]**

Information and Privacy Commissioner, role of, **APP C § C:1 [ss. 44-64 FIPPA], 3:30, 3:33, 3:37**

information handling practices, **3:34**

offence provision, **3:38**

personal information, **3:35, 4:53**

### ALBERTA—Cont’d

Regulation and protection of personal information—Cont’d

Freedom of Information and Protection of Privacy Act (FIPPA)—Cont’d protection of privacy, **APP C § C:1 [ss. 33-42 FIPPA]**

purposes of Act, **APP C § C:1 [s. 2 FIPPA]**

reviews and complaints, **APP C § C:1 [ss. 65-81 FIPPA]**

scope, **APP C § C:1 [s. 41 FIPPA]**

unreasonable invasion of privacy, **3:33**

use of personal information, **3:36**

Health Information Act (HIA)

access to health information

access, right of, **APP C § C:5 [ss. 2(d), 3:82, 5A:22, 7, 11 HIA]**

access procedure, **APP C § C:5 [ss. 8-10 HIA], 5A:23**

information handling practices accuracy, **APP C § C:5 [s. 61 HIA], 5A:24**

affiliate, **APP C § C:5 [ss. 1(1)(a), 5A:6, 62 HIA]**

collection, **APP C § C:5 [ss. 18-24 HIA], 5A:15**

consent, **APP C § C:5 [ss. 34, 5A:11-5A:14, 35-40, 53(2)(b) HIA]**

correction, **APP C § C:5 [ss. 2(e), 5A:24, 13-14 HIA]**

custodians, **APP C § C:5 [s. 1(1)(f) HIA], 5A:3**

disclosure, **APP C § C:5 [ss. 31-56 HIA], 5A:17**

fees, **APP C § C:5 [s. 67 HIA], 5A:23**

identifying purposes, **APP C § C:5 [s. 22(3) HIA], 5A:10**

information managers, **APP C § C:5 [s. 66 HIA], 5A:6**

openness, **5A:20**

**ALBERTA—Cont'd**

- Regulation and protection of personal information—Cont'd
- Health Information Act (HIA)—Cont'd
  - access to health information—Cont'd
    - information handling practices—Cont'd
      - record, **APP C § C:5 [s. 1(t) HIA], 5A:5**
      - retention and disposal, **APP C § C:5 [ss. 41, 5A:17, 60 HIA]**
      - reviews and complaints, **APP C § C:5 [ss. 2(g), 5A:26, 12(2)(c), 14, 73-82 HIA]**
      - sanctions for breach, **APP C § C:5 [s. 107 HIA], 5A:27**
      - security safeguards, **APP C § C:5 [s. 60 HIA], 5A:19**
      - substitute decision maker, **APP C § C:5 [s. 104 HIA], 5A:12**
      - third parties, control of, **APP C § C:5 [ss. 62, 5A:7, 66 HIA]**
      - use, **APP C § C:5 [ss. 25-30 HIA], 5A:16**
    - application of, **APP C § C:5 [s. 1(1)(f) HIA], 5A:3-5A:5**
    - Department of Health and Wellness, **APP C § C:5 [s. 63 HIA], 5A:8**
    - exempt from protection, **APP C § C:5 [ss. 19, 5A:22, 26, 32 HIA]**
    - health information
      - “aggregate health information,” **APP C § C:5 [s. 57 HIA], 5A:4**
      - definition, **APP C § C:5 [s. 1(1)(k) HIA], 5A:4**
      - “health services provider information,” **APP C § C:5 [s. 1(1)(o) HIA], 5A:4**
      - relating to donations of bodily parts or substances, **APP C § C:5 [s. 1(1)(i)(iii) HIA], 5A:4**
      - relating to health care aids, devices, products, equipment, **APP C § C:5 [s. 1(1)(i)(v) HIA], 5A:4**

**ALBERTA—Cont'd**

- Regulation and protection of personal information—Cont'd
- Health Information Act (HIA)—Cont'd
  - health information—Cont'd
    - relating to pharmaceutical products, **APP C § C:5 [s. 1(1)(i)(iv) HIA], 5A:4**
  - Information and Privacy Commissioner, **APP C § C:5 [ss. 73-101 HIA], 5A:26**
  - purpose, **APP C § C:5 [s. 2 HIA], 5A:2**
- Personal Information Protection Act (PIPA)
  - application, **APP C § C:3 [s. 4 PIPA], 4:52**
  - commissioner, role of, **APP C § C:3 [ss. 36-44 PIPA], 4:62**
    - notice of breach may be required by, **APP C § C:3 [s. 37.1 PIPA], 4:63**
    - notice to required for breach, **APP C § C:3 [s. 34.1 PIPA], 4:63**
  - complaints, **4:64**
  - liability, protection from, **APP C § C:3 [ss. 57-58 PIPA], 4:66**
  - non-profit organizations, special rules for, **APP C § C:3 [s. 56 PIPA], 4:65**
  - orders, **APP C § C:3 [ss. 52-54 PIPA], 4:64**
  - personal information
    - access, **APP C § C:3 [s. 23-24, ss. 26-32 PIPA], 4:60**
    - accuracy, **APP C § C:3 [s. 33 PIPA], 4:61**
    - correction, **APP C § C:3 [s. 25 PIPA], 4:60**
    - definition, **APP C § C:3 [s. 1 PIPA], 4:53**
    - professional regulatory bodies, special rules for, **APP C § C:3 [s. 55 PIPA], 4:65**
    - protection, **APP C § C:3 [s. 34 PIPA], 4:54**
      - collection, **APP C § C:3 [ss. 11-15 PIPA], 4:56**
      - compliance, **APP C § C:3 [ss. 5-6 PIPA], 4:54**
      - consent, **APP C § C:3 [s. 7-10 PIPA], 4:55**

**ALBERTA—Cont'd**

- Regulation and protection of personal information—Cont'd
- Personal Information Protection Act (PIPA)—Cont'd
  - personal information—Cont'd
    - protection, **APP C § C:3 [s. 34 PIPA], 4:54—Cont'd**
    - disclosure, **APP C § C:3 [ss. 19-22 PIPA], 4:58**
    - publicly available, **4:59**
    - retention, **APP C § C:3 [s. 35 PIPA], 4:61**
    - transfer to foreign jurisdiction, **APP C § C:3 [ss. 6(2), 1:5, 13.1 PIPA]**
    - use, **APP C § C:3 [ss. 16-18 PIPA], 4:57**
    - purpose, **APP C § C:3 [s. 3 PIPA], 4:52**
    - regulations, **APP C § C:3 [s. 62 PIPA]**
    - reviews, **APP C § C:3 [ss. 45-54 PIPA], 4:64**
    - rights, exercise of by other persons, **APP C § C:3 [s. 61 PIPA], 4:68**
    - sanctions for breach, **APP C § C:3 [s. 60 PIPA], 4:67**
    - whistleblower protection, **APP C § C:3 [s. 58 PIPA], 4:66**

**ANTI-SPAM**

- Administrative monetary penalties, **6:67**
- Computer programs, **6:61**
- Consent, **6:56**
  - guidance documents, **6:60**
  - implied consent, **6:57**
  - oral consent, **6:59**
  - written consent, **6:58**
- Consultation, **6:72**
- Definitions, **6:49**
  - anti-spam provisions, application, **6:50**
  - commercial electronic messages, **6:49**
  - computer program provisions, application to, **6:52**
  - other, **6:51**
  - transmission data provisions, application to, **6:52**
- Enforcement bodies, **6:63**
  - Canadian Radio-television and Telecommunications Commission, **6:64**

**ANTI-SPAM—Cont'd**

- Enforcement bodies, **6:63—Cont'd**
  - Competition Bureau, **6:65**
  - Privacy Commissioner of Canada, **6:66**
- Extended liability for contraventions, **6:55**
- Identification requirements, **6:54**
- Information, disclosure of, **6:72**
- Introduction, **6:48**
- Offences, **6:69**
- Officers and directors, vicarious liability, **6:70**
- Other legislation, interaction with, **6:71**
- Other resources, **6:74**
- Prescribed requirements, **6:53**
- Private right of action, **6:68**
- Transitional provisions, **6:73**
- Transmission data, altering, **6:62**
- Unsubscribe mechanism, **6:54**

**ARBITRATION**

- Drug testing in the workplace, **2:90**

**AUDIO SURVEILLANCE**

- See also **CRIMINAL LAW**, surveillance and **SURVEILLANCE**
- Generally, **2:19**

**AUDITS**

- Generally, **4:26**

**AUTOMOBILES**

- Event data recorder, **2:41**
- Expectation of privacy, **2:41**
- Passengers, **2:41**
- Sensory diagnostic module, **2:41**

**BANKING/FINANCIAL RECORDS, SEARCHES OF**

- Generally, **2:36**

**BATHROOMS**

- See **PUBLIC BATHROOMS**

**BILL C-6**

- See **PERSONAL INFORMATION PROTECTION AND ELECTRONIC DOCUMENTS ACT**

**BLOGS**

- Generally, **2:98**

**BLOOD ALCOHOL TEST**

- Generally, **2:37**

**BORDER SEARCHES**Generally, **2:12****BRITISH COLUMBIA**Invasion of privacy, **2:60**

Regulation and protection of personal information

E-Health (Personal Health Information Access and Protection of Privacy) Act (EPHIAPPA)

application, **5A:29**consent, **5A:35, 5A:36** [para. **14(2)(d) EPHIAPPA**]

designation orders

authorized uses of, **APP B § B:7** [s. **4 EPHIAPPA**], **5A:34**disclosure directives pursuant to, **APP B § B:7** [ss. **8-10 EPHIAPPA**], **5A:35**permitted disclosure pursuant to, **APP B § B:7** [ss. **5, 5A:35, 18-21 EPHIAPPA**]use of, **APP B § B:7** [s. **3 EPHIAPPA**], **5A:38**

Freedom of Information and Protection of Privacy Act (FIPPA)

access to information, **APP C § C:1** [ss. **4-25 FIPPA**], **3:22**application, **3:20, 3:21**collection of personal information, **APP C § C:1** [ss. **26-31 FIPPA**], **3:25**Court, role of, **3:27**definition of 'personal information,' **3:24**directory of personal information, **APP C § C:1** [ss. **69-69.1 FIPPA**], **3:28**disclosure of personal information, **APP C § C:1** [ss. **32-36 FIPPA**], **3:26**exempt from release on account of invasion of privacy, **3:23**Information and Privacy Commissioner, role of, **APP C § C:1** [ss. **37-51 FIPPA**], **3:27**information handling practices, **3:24**non-disclosure provisions, **3:23**offence provision, **3:29**third party privacy, **3:23**use of personal information, **APP C § C:1** [ss. **32-36 FIPPA**], **3:26****BRITISH COLUMBIA—Cont'd**

Regulation and protection of personal information—Cont'd

Personal Information Protection Act (PIPA)

application, **APP C § C:3** [ss. **2, 3 PIPA**], **4:36**background, **4:35**commissioner, role of, **APP C § C:3** [ss. **36-44 PIPA**], **4:46**liability, protection from, **APP C § C:3** [ss. **54-55 PIPA**], **4:49**non-profit organizations, special rules for, **4:48**offences, **APP C § C:3** [s. **56 ss. 56 PIPA**], **4:50**orders, **APP C § C:3** [ss. **52-53 PIPA**], **4:47**

personal information

access, **APP C § C:3** [s. **23, ss. 25-32 PIPA**], **4:44**accuracy, **APP C § C:3** [s. **33 PIPA**], **4:45**correction, **APP C § C:3** [s. **24 PIPA**], **4:44**definition, **APP C § C:3** [s. **1 PIPA**], **4:37**protection, **APP C § C:3** [s. **34 PIPA**], **4:38, 4:45**collection, **APP C § C:3** [ss. **10-13 PIPA**], **4:40**compliance, **APP C § C:3** [ss. **4-5 PIPA**], **4:38**consent, **APP C § C:3** [ss. **6-9 PIPA**], **4:39**disclosure, **APP C § C:3** [ss. **17-22 PIPA**], **4:42**retention, **APP C § C:3** [s. **35 PIPA**], **4:45**professional regulatory bodies, special rules for, **4:48**purpose, **APP C § C:3** [s. **2 PIPA**], **4:36**reviews, **APP C § C:3** [s. **45-51 PIPA**], **4:47**sanctions for breach, **APP C § C:3** [ss. **56-57 PIPA**], **4:50**sensitive information, **4:37**use, **APP C § C:3** [ss. **14-16 PIPA**], **4:41**whistleblower protection, **APP C § C:3** [ss. **54-55 PIPA**], **4:49**

## INDEX

### **BUSINESS DOCUMENTS, SEIZURE OF**

Generally, **2:7**

### **BUSINESS PREMISES, EXPECTATION OF PRIVACY**

See also **CRIMINAL LAW**

Generally, **2:29**

### **BUSINESS PRIVACY**

See **WORKPLACE PRIVACY**

### **311 CALLS**

### **911 CALLS**

Monitoring, **2:21**

Service, **6:16**

### **CANADA**

Constitutional issues, **1:14, 1:15**

### **CANADIAN CHARTER OF RIGHTS AND FREEDOMS**

Border searches, **2:12**

Child Welfare, **2:17**

Civil servants, **2:14**

Courthouse, **2:54**

Drug testing in the workplace, **2:90**

see also **DRUG TESTING & PRIVACY**

Exigent circumstances, **2:16**

Home, **2:27**

*IHopkins v. Kay/i*, **1:14**

*Hunter v. Southam Inc.*, **2:4, 2:5**

Personal information, **2:11**

Prisons, visitors to, **2:15**

“Reasonable expectation of privacy,” **1:1, 2:6**

Right to privacy, **2:2, 2:3**

Schools, **2:13**

Searches and seizures, **2:3**

Section 7, **2:2, 2:90**

Section 8, **2:3, 2:10, 2:90**

Section 15, **2:90**

Security screening, **2:54**

### **“CANADIAN ELECTRONIC COMMERCE STRATEGY”**

Generally, **4:1**

### **CANADIAN HUMAN RIGHTS ACT**

Drug testing in the workplace, **2:90**

Regulation of collection and use of personal information, **3:1**

### **CANADIAN RADIO-TELEVISION AND TELECOMMUNICATIONS COMMISSION**

Generally, **6:1, 6:2, 6:9**

### **CANADIAN STANDARDS**

#### **ASSOCIATION’S MODEL CODE FOR THE PROTECTION OF PERSONAL INFORMATION**

Generally, **4:10, 4:11, 6:3**

Principles of personal information protection, **4:11**

accountability, **4:12**

accuracy, **4:20**

challenging compliance, **4:24**

consent, **4:14**

identifying purposes, **4:13**

individual access, **4:23**

limiting collection, **4:18**

limiting use, disclosure and retention, **4:19**

openness, **4:22**

safeguards, **4:21**

### **CARGO**

Generally, **2:45**

### **CHARTER**

See **CANADIAN CHARTER OF RIGHTS AND FREEDOMS**

### **CHILD WELFARE**

Generally, **2:17**

Children’s Online Privacy Protection Act of 1998 (COPPA), **5:13, 5:14**

### **CIVIL SERVANTS**

Generally, **2:14**

### **CODE OF FAIR INFORMATION PRACTICES**

Generally, **6:4**

### **COMMERCIAL ACTIVITY**

Generally, **4:7**

### **COMPUTERS, HAND-HELD DEVICES AND VARIOUS FORMS OF ELECTRONIC COMMUNICATION**

See also **COMPUTER SURVEILLANCE**

Generally, **2:49**

**COMPUTER SURVEILLANCE**

See also **CRIMINAL LAW** and  
**SURVEILLANCE**

Generally, **2:25, 2:49**

**CONSTITUTION**

See **CANADA**, constitutional issues

**CONVENTION FOR THE  
PROTECTION OF INDIVIDUALS  
WITH REGARD TO AUTOMATIC  
PROCESSING OF PERSONAL  
DATA**

Generally, **5:3**

**COUNCIL OF EUROPE**

Generally, **5:3**

**COURT HEARING**

Generally, **4:25**

**COURTHOUSE**

Generally, **2:54**

**COURT RECORDS**

Generally, **2:66**

**CRIMINAL LAW**

Abandoned material, **2:40**

Automobiles, **2:41**

Business premises, **2:29**

Computers, **2:49**

Day to day activities, **2:43**

E-mail, **2:49**

Gathering evidence, **2:40**

Hardware, **2:50**

Home, **2:27**

Hotel rooms, **2:28**

Informational searches/records, **2:34**

Information revealed through internet  
protocol address, **2:51**

Licences and permits, **2:47**

Lockers, **2:46**

Luggage, **2:45**

Physical integrity, **2:30**

Plain view/open fields, **2:39**

Prisons, **2:44**

Publication bans, **2:64**

Public bathrooms, **2:42**

Searches

banking records, **2:36**

consensual, **2:48**

informational/records, **2:34**

international, **2:34**

**CRIMINAL LAW—Cont'd**

Searches—Cont'd

medical, **2:37**

smartphones, **2:49**

social, **2:38**

strip, **2:31**

Smartphones, **2:49**

Surveillance

audio, **2:19**

see also **AUDIO SURVEILLANCE**

computer, **2:25**

generally, **2:18**

video, **2:24**

witnesses, **2:53**

Text messages, **2:52**

**CRTC**

See **CANADIAN RADIO-TELEVISION  
AND TELECOMMUNICATIONS  
COMMISSION**

**CSA MODEL CODE**

See **CANADIAN STANDARDS  
ASSOCIATION'S MODEL COST  
FOR THE PROTECTION OF  
PERSONAL INFORMATION**

**CUSTOMER PRIVACY POLICY**

Generally, **6:5**

**DAY TO DAY ACTIVITIES,  
EXPECTATION OF PRIVACY AND**

Generally, **2:43**

**DIGITAL RECORDING AMMETER  
(DRA)**

Generally, **2:35**

**DISCOVERY MATERIAL**

E-mail as, **2:84**

**DRUG TESTING & PRIVACY**

American approach, **2:90**

Canadian approach, **2:90**

arbitration, **2:93**

Canadian Human Rights Act, **2:92**

Federal Human Rights Commission  
policy, **2:92**

safety-sensitive jobs, **2:93**

The Canadian Charter of Rights and  
Freedoms, **2:91**

Generally, **2:87**

Invasion of privacy, **2:88**

see also **INVASION OF PRIVACY**

INDEX

**DWELLING-HOUSE, EXPECTATION OF PRIVACY**

See HOME

**ELECTRONIC COMMERCE**

Generally, 1:1

**ELECTRONIC MAIL**

See E-MAIL

**E-MAIL**

As discovery material, 2:84

Definition, 2:76

Monitoring, see also WORKPLACE PRIVACY

effect on employees, 2:85

legality of, 2:78

American approach, 2:79

Canadian approach, 2:81

reasons for, 2:77

Policy, 2:86

Reasonable expectation of privacy, 2:49

**EMERGENCIES**

Generally, 2:16

**EMPLOYEES**

See WORKPLACE PRIVACY, E-MAIL, DRUG TESTING

**EUROPE**

Convention for the Protection of Individuals with Regard to Automatic Processing of Personal Data, 5:3

Council of Europe, 5:3

European Data Protection Reform, 5:9

data protection directive, 5:11

general data protection regulation, 5:10

European Union, see EUROPEAN UNION

Principles of data protection, 5:3

Safe Harbour Agreement with the United States, 5:16

**EUROPEAN UNION**

Criteria for making data processing legitimate, 5:7

data quality, 5:6

general, 5:4

national law applicable, 5:3

processing of special categories of data, 5:8

protection of data, 5:4

**EVIDENCE, GATHERING OF**

Generally, 2:40

**FEDERAL COURT, ROLE OF**

Generally, 3:14

**FEDERAL GOVERNMENT**

Federal Court, role of, 3:14

Personal information, see also

PERSONAL INFORMATION

PROTECTION AND

ELECTRONIC DOCUMENTS ACT

and PRIVACY ACT, FEDERAL

access, rights of, 3:8, 3:9

administrative provisions, 3:15

collection, 3:5

defined, 3:3, 4:1

exempting

banks, 3:11

generally, 3:10

provisions, 3:12

miscellaneous provisions, 3:16

restrictions on collection and use, 3:4

use, 3:6

records of disclosure and use, 3:7

**FEDERAL LEGISLATION**

See also PERSONAL INFORMATION PROTECTION AND

ELECTRONIC DOCUMENTS ACT

Access to Information Act, 3:2, 3:12

Canadian Human Rights Act, 3:1

see also CANADIAN HUMAN RIGHTS ACT

Privacy Act, 3:1, 3:2

see also PRIVACY ACT, FEDERAL

**FEDERAL TRADE COMMISSION**

See also, UNITED STATES, regulation and protection of personal information

Generally, 2:57, 2:58, 5:11

**FINANCIAL/BANKING RECORDS, SEARCHES OF**

Generally, 2:36

**FINANCIAL SERVICES AND PRIVACY**

Generally, 1:1

**FREEDOM OF THE PRESS, VERSUS RIGHT TO PRIVACY**

Generally, 2:62

**FREE SPEECH, VERSUS RIGHT TO PRIVACY**Generally, **2:62****FTC**

See FEDERAL TRADE COMMISSION

**GATHERING EVIDENCE**Generally, **2:40****GOVERNMENT EMPLOYEES**Generally, **2:14****HEALTH INFORMATION PRIVACY**Access to information, **5A:1**Application, **5A:1**Authority to Process Personal Health Information, **5A:1**Breach Notification, **5A:1**Health privacy map, **5A:1**Oversight and Enforcement, **5A:1**Personal health information, **5A:1**Practices and Procedures, **5A:1**Regulated entities, **5A:1**Safeguards, **5A:1****HOME, EXPECTATION OF PRIVACY IN**

See also CRIMINAL LAW

Generally, **2:27****HOTEL ROOMS, EXPECTATION OF PRIVACY IN**Generally, **2:28****HUNTER V. SOUTHAM INC.**

See also CANADIAN CHARTER OF RIGHTS AND FREEDOMS

Generally, **2:4, 2:5****HYDRO-ELECTRIC RECORDS, SEARCHES OF**Generally, **2:35****IDENTITY THEFT**

See MISAPPROPRIATION OF PERSONALITY

**IMPLIED UNDERTAKING RULE**Generally, **2:63****INTERNATIONAL REGULATION AND PROTECTION OF PERSONAL INFORMATION**

Europe, see EUROPE

Generally, **5:1****INTERNATIONAL REGULATION AND PROTECTION OF PERSONAL INFORMATION—Cont'd**Organization for Economic Co-operation and Development Guidelines, **5:1**Principles of international application, **5:1**United Nations, **5:2**

United States, see UNITED STATES

**INTERNET AND ONLINE SYSTEMS**Advertising, **1:4**Search engines, **1:4**Websites, information tracking on, **1:3****INVASION OF PRIVACY**Defamation, **2:62**Drug testing, **2:88**E-mail monitoring, **2:76, 2:78**Generally, **2:57**Injunction, **2:59**Jurisprudence arising from statutory tort of, **2:61**Legislated cause of action for breach of, **2:60**Misappropriation of personality, **2:58**Prevention of, **2:59**Right to privacy, **2:57, 2:62**versus rights of copyright owners, **2:67****JURISDICTIONAL CHALLENGE**Generally, **1:13****LABELS**

See PRIVACY LABELS

**LICENCES AND PERMITS**Generally, **2:47****LITIGATION**Court records, **2:66**E-mail as discovery material, **2:84**Implied undertaking rule, **2:63**Pseudonyms, **2:65**Publication bans, **2:64**Right to privacy during, **2:63**Right to privacy versus rights of copyright owners, **2:67****LOCKERS**Employee, **2:69**

see also WORKPLACE PRIVACY

Generally, **2:46**

## INDEX

### LUGGAGE

Generally, **2:45**

### MAIL

See also E-MAIL

Generally, **2:45**

### MANITOBA

Invasion of privacy, **2:60**

Regulation of personal information

Freedom of Information and Protection of Privacy Act (FIPPA)

access to health information, **3:55**

access to information, **APP C § C:1 [ss. 7-16 FIPPA], 3:55**

application, **3:54**

exempt from release on account of invasion of privacy, **3:56**

information handling practices collection, **APP C § C:1 [ss. 36-37 FIPPA], 3:59**

disclosure, **APP C § C:1 [ss. 44-48 FIPPA], 3:60**

personal information, **3:58**  
use, **APP C § C:1 [s. 43 FIPPA], 3:60**

offence provision, **3:63**

Ombudsman, **APP C § C:1 [ss. 49-66 FIPPA], 3:61**

individual review, **3:62**

purpose, **3:53**

third party invasion of privacy, **APP C § C:1 [ss. 17-18 FIPPA], 3:56**

unreasonable invasion of privacy, **3:56**

use, **3:60**

Personal Health Information Act (PHIA)

access to health information access, right of, **5A:1, 5A:66-5A:68**

application of, **5A:1, 5A:49-5A:51**

generally, **APP E § E:3 [s. 6 FIPPA], 3:55**

information handling practices

access procedure, **5A:67**

accuracy of information, **5A:68**

consent, **5A:56-5A:69**

information managers, **5A:49**

privacy officers, **5A:51**

### MANITOBA—Cont'd

Regulation of personal information —Cont'd

Personal Health Information Act (PHIA)—Cont'd

access to health information —Cont'd

information handling practices —Cont'd

record, **5A:50, 5A:51**

retention and disposal, **5A:54**

reviews and complaints, **5A:69-5A:71**

sanctions for breach, **5A:72**

security safeguards, **5A:64**

third parties, control of, **5A:53**

trustees, **5A:49**

Ombudsman, **5A:70**

personal health information, definition, **5A:50**

purpose, **5A:48**

### MEDICAL RECORDS, SEARCHES OF

Generally, **2:37**

### MISAPPROPRIATION OF PERSONALITY

Generally, **2:58**

### MODEL CODE FOR THE PROTECTION OF PERSONAL INFORMATION

Incorporation of, **4:10**

### NEW BRUNSWICK

Personal Health Information Privacy and Access Act (PHIPAA)

access to health information

access, right of, **5A:170, 5A:191**

exempt from protection, **5A:170**

information handling practices

collection, limiting, **5A:184**

consent, **5A:180**

disclosure, **5A:185**

security breaches, duty to report, **5A:190**

use

personal health information, definition, **5A:185**

purpose, **5A:179**

Right to Information and Protection of Privacy Act

access to information, **3:98**

**NEW BRUNSWICK—Cont'd**

Right to Information and Protection of Privacy Act—Cont'd  
 application of, **3:97**  
 Commissioner, role of, **3:102**  
 exemption from release, invasion of privacy, **3:99**  
 information handling practices, **3:100**  
 offence provision, **3:103**

**NEWFOUNDLAND AND LABRADOR**

Access to Information and Protection of Privacy Act (AIPPA)  
 access to information, **3:112**  
 Commissioner, role of, **3:120**  
 exempt from release on account of information being personal, **3:113**  
 information handling practices, Part IV, **3:114**  
 invasion of privacy, **2:60**  
 offence provision, **3:121**  
 Personal Health Information Act (PHIA)  
 application, **5A:197**

**NORTHWEST TERRITORIES**

Access to Information and Protection of Privacy Act (AIPPA)  
 access to information, **3:123**  
 application, **3:122**  
 Court, role of, **3:129**  
 exemption from release on account of invasion of privacy, **3:124**  
 Information and Privacy Commissioner, role of, **3:129**  
 information handling practices  
 collection, **3:127**  
 disclosure, **3:128**  
 personal information, **3:126**  
 use, **3:128**  
 offence provisions, **3:130**  
 third party invasion of privacy, **3:124**  
 Health Information Act, **5A:221-5A:243**

**NOVA SCOTIA**

Freedom of Information and Protection of Privacy Act (FIPPA)  
 access to information, **APP C § C:1 [ss. 5-11 FIPPA]**, **3:105**  
 application of, **APP C § C:1 [s. 4, 3:105, 4A FIPPA]**  
 exempt from release on account of invasion of privacy, **3:106**

**NOVA SCOTIA—Cont'd**

Freedom of Information and Protection of Privacy Act (FIPPA)—Cont'd  
 information handling practices  
 collection, **APP C § C:1 [s. 24 FIPPA]**, **3:107**  
 correction, **APP C § C:1 [s. 25 FIPPA]**, **3:109**  
 personal information, **3:108**  
 use, **APP C § C:1 [s. 26 FIPPA]**, **3:107**  
 offence provision, **3:110**  
 personal information, definition of, **3:108**  
 review and appeal, **APP C § C:1 [ss. 32-42 FIPPA]**  
 third party privacy, invasion of, **APP C § C:1 [ss. 20-23 FIPPA]**, **3:106**  
 Personal Health Information Act, **5A:246-5A:270**

**OECD GUIDELINES**

See ORGANIZATION FOR ECONOMIC CO-OPERATION AND DEVELOPMENT (OECD) GUIDELINES

**ONTARIO**

Regulation of personal information  
 administration of, **APP C § C:1 [ss. 3-9 FIPPA]**, **3:70**  
 application of, **3:64, 3:87**  
 collection of personal information  
 by institution, **3:75**  
 generally, **APP C § C:1 [ss. 37-40 FIPPA]**  
 manner of, **3:76**  
 disclosure of personal information, **APP C § C:1 [ss. 42-43 FIPPA]**, **3:79**  
 exemptions, **APP C § C:1 [ss. 12-23 FIPPA]**  
 head of institution, role of, **3:71**  
 Information and Privacy Commissioner, **3:64, 3:70**  
 institution, definition of, **3:67**  
 limitations on application of, **3:87**  
 Municipal Freedom of Information and Protection of Privacy Act (MFIPPA)  
 appeal, **APP C § C:1 [ss. 50-56 FIPPA]**, **3:84**  
 denial of, **3:83**

**ONTARIO—Cont'd**

Regulation of personal information  
—Cont'd

Municipal Freedom of Information and  
Protection of Privacy Act  
(MFIPPA)—Cont'd  
generally, **APP C § C:1**  
to correct, **3:82**  
objectives of Acts, **3:66**  
offence provisions in, **3:85**

Personal Health Information Protection  
Act, 2004 (PHIPA)  
access to health information  
access, right of, **APP F § F:7** [ss.  
**1(b), 5A:95-5A:97, 52**  
**PHIPA]**  
information handling practices  
access procedure, **APP F § F:7**  
[ss. **52-54 PHIPA**], **5A:96**  
accuracy, **APP F § F:7** [ss. **11,**  
**5A:97, 36 PHIPA]**  
collection, **APP F § F:7** [ss.  
**29-30, 5A:87, 36 PHIPA]**  
consent, **APP F § F:7** [ss.  
**18-29, 5A:82-5A:86,**  
**32-33, 36, 38-50 PHIPA]**  
correction, **APP F § F:7** [ss.  
**1(c), 5A:97, 55 PHIPA]**  
disclosure, **APP F § F:7** [ss. **15,**  
**5A:88, 38-50, 52 PHIPA]**  
fees, **APP F § F:7** [s. **35**  
**PHIPA**], **5A:96**  
health information custodian,  
**APP F § F:7** [ss. **3(1),**  
**5A:74, 10, 15 PHIPA]**  
identifying purposes, **5A:81**  
openness, **APP F § F:7** [ss. **16,**  
**5A:93, 18 PHIPA]**  
record, **APP F § F:7** [ss. **2,**  
**5A:76, 13, 14 PHIPA]**  
retention and disposal, **APP F**  
**§ F:7** [s. **13 PHIPA**],  
**5A:89**  
reviews and complaints, **APP F**  
**§ F:7** [ss. **1(d), 5A:101,**  
**56-57, 60-62 PHIPA]**  
sanctions for breach, **APP F**  
**§ F:7** [ss. **1(e), 5A:102, 72**  
**PHIPA]**  
security safeguards, **APP F**  
**§ F:7** [s. **12 PHIPA**],  
**5A:91**

**ONTARIO—Cont'd**

Regulation of personal information  
—Cont'd

Personal Health Information Protection  
Act, 2004 (PHIPA)—Cont'd  
access to health information  
—Cont'd  
information handling practices  
—Cont'd  
substitute decision maker, **APP**  
**F § F:7** [ss. **4(1)(g),**  
**5A:84, 25 PHIPA]**  
third parties, control of, **APP F**  
**§ F:7** [ss. **2, 5A:78, 10(4),**  
**17 PHIPA]**  
use, **APP F § F:7** [ss. **15,**  
**5A:88, 37, 52 PHIPA]**  
application of, **APP F § F:7** [s. **3(1)**  
**PHIPA**], **5A:74-5A:76**  
exempt from protection, **APP F**  
**§ F:7** [ss. **4(4), 5A:75, 9(1)**  
**PHIPA]**

Information and Privacy Commis-  
sioner, **APP F § F:7** [ss. **16,**  
**5A:101, 66-69 PHIPA]**  
personal health information, defini-  
tion, **APP F § F:7** [s. **4(1)**  
**PHIPA**], **5A:75**  
purpose, **APP F § F:7** [s. **1 PHIPA**],  
**5A:73**

personal information, definition of,  
**3:68**

personal information banks, **APP C**  
**§ C:1** [ss. **44-46 FIPPA**], **3:80**

publication of information, **APP C**  
**§ C:1** [ss. **31-36 FIPPA]**

Quality of Care Information Protection  
Act, 2004 (QCIPA)  
access to information  
disclosure, **APP F § F:9** [ss. **3-4**  
**QCIPA]**  
information, definition, **APP F**  
**§ F:9** [s. **1 QCIPA]**  
quality of care information, defini-  
tion, **APP F § F:9** [s. **1**  
**QCIPA]**  
quality of care information,  
disclosure, **APP F § F:9** [s.  
**4-5 QCIPA]**  
quality of care information, use,  
**APP F § F:9** [s. **4(5)**  
**QCIPA]**

**ONTARIO—Cont'd**

- Regulation of personal information—Cont'd
  - Quality of Care Information Protection Act, 2004 (QCIPA)—Cont'd
    - access to information—Cont'd
      - sanctions for breach, **APP F § F:9 [s. 7 QCIPA]**
    - record, definition of, **3:69**
    - retention period for personal information, **3:77**
    - student's personal information, **2:13**
    - third party access to
      - custody and control, **3:72**
      - procedure for, **3:74**
      - restrictions on, **3:73**
    - tort liability, **3:86**
    - use of personal information, **APP C § C:1 [s. 41 FIPPA], 3:78**

**OPEN FIELDS DOCTRINE**

- Generally, **2:39**

**ORGANIZATION, DEFINITION OF**

- Generally, **4:6**

**ORGANIZATION FOR ECONOMIC CO-OPERATION AND DEVELOPMENT (OECD) GUIDELINES**

- Generally, **5:1**

**PAGER MESSAGES, MONITORING**

- Generally, **2:23**

**PERSONAL INFORMATION, PROTECTION OF**

- See also **REGULATION OF PERSONAL INFORMATION** and **INTERNATIONAL REGULATION AND PROTECTION OF PERSONAL INFORMATION**
- Audits, **4:26**
- Court hearing, **4:25**
- Death, after, **APP C § C:1 [s. 17(2)(i) Alberta FIPPA], 3:33**
- Generally, **1:1**
- Offences, **4:28**
- Principles of personal information protection, **4:11**
  - accountability, **4:12**
  - accuracy, **4:20**
  - challenging compliance, **4:24**

**PERSONAL INFORMATION, PROTECTION OF—Cont'd**

- Principles of personal information protection, **4:11—Cont'd**
  - consent, **4:14**
  - identifying purposes, **4:13**
  - individual access, **4:23**
  - limiting collection, **4:18**
  - limiting use, disclosure and retention, **4:19**
  - openness, **4:22**
  - safeguards, **4:21**
- Regulations, **4:29**
- Self-Assessment Tool, Privacy Commission's, **4:20, 4:22**

**PERSONAL INFORMATION, REGULATION OF**

- See **REGULATION OF PERSONAL INFORMATION**

**PERSONAL INFORMATION PROTECTION AND****ELECTRONIC DOCUMENTS ACT (PIPEDA)**

- See also **PERSONAL INFORMATION, PROTECTION OF**
- Amendment (2015), **4:14**
- Application of, **APP A § A:10 [s. 4 PIPEDA], 1:13, 1:15, 4:9**
- Audits, **APP A § A:10 [ss. 18-19 PIPEDA], 4:26**
- Business contact information, **4:9**
- Business transactions, **4:14**
- Canada Evidence Act, amendments to, **APP A § A:10 [ss. 52-57 PIPEDA]**
- Canadian Standards Association's Model Code for the Protection of Personal Information, **4:10, 4:11**
- Certificate under Canada Evidence Act, **APP A § A:10 [s. 4.1 PIPEDA], 4:30**
- Collection, **4:14**
- Commercial activity, definition of, **4:7**
- Commissioner, role and powers of, **4:27**
- Court hearing, **4:25**
- Electronic documents, **APP A § A:10 [ss. 31-51 PIPEDA]**
- Enforcement of, **4:8**
- Federal works, **4:14**
- Fraud, **4:14**
- Generally, **4:1**

**PERSONAL INFORMATION PROTECTION AND ELECTRONIC DOCUMENTS ACT (PIPEDA)—Cont'd**

- Insurance claim, **4:14**
- Offences, **4:28**
- Organization, definition of, **APP A § A:10 [s. 2 PIPEDA]**, **4:6**
- Part I, generally, **4:1**
- Personal health information, definition of, **APP A § A:10 [s. 2 PIPEDA]**
- Personal information, definition of, **APP A § A:10 [s. 2 PIPEDA]**, **4:1**
- Principles of personal information protection, **4:11**
  - accountability, **4:12**
  - accuracy, **4:20**
  - challenging compliance, **4:24**
  - consent, **4:14**
  - disclosure, **4:14**
  - identifying purposes, **4:13**
  - individual access, **4:23**
  - limiting collection, **4:18**
  - limiting use, disclosure and retention, **4:19**
  - openness, **4:14, 4:22**
  - safeguards, **4:21**
- Record, definition of, **4:2**
- Regulations, **4:29**
- Remedies, **APP A § A:10 [ss. 11-17 PIPEDA]**
- Response to Directive on Data Protection, **4:1**
- Transitional provisions, **4:9**

**PERSONAL SEARCH**

- Generally, **2:69**
  - see also **PHYSICAL INTEGRITY** of employees; **WORKPLACE PRIVACY**

**PHYSICAL INTEGRITY**

- Generally, **2:30**

**PLAIN VIEW/OPEN FIELDS**

- Generally, **2:39**

**POSTAL WORKERS**

- Generally, **2:14**

**PRINCE EDWARD ISLAND**

- Freedom of Information and Protection of Privacy Act (No. 2) (FOIPOP)
  - access to information, **3:142**

**PRINCE EDWARD ISLAND—Cont'd**

- Freedom of Information and Protection of Privacy Act (No. 2) (FOIPOP)
  - Cont'd
    - application, **3:141**
    - collection, **3:146**
    - corrections to information, **3:144**
    - exemptions from release/disclosure, **3:143**
    - generally, **3:140**
    - offences, **3:149**
    - personal information, defined, **3:145**
    - role of information and privacy commissioner and Court, **3:148**
    - use and disclosure, **3:147**
  - Health Information Act, **5A:271-5A:296**

**PRISON**

- See also **CRIMINAL LAW**, prisons
- Expectation of privacy, **2:44**
- Mental institutions, **2:44**
- Telephone calls, monitoring, **2:22, 2:44**
- Visitors to, **2:15**
  - see also **CANADIAN CHARTER OF RIGHTS AND FREEDOMS**

**PRISONERS**

- Collection of personal information, **3:5**

**PRIVACY**

- Condominium, **2:27**
- Defined, **1:1, 2:56**
- Individuals, between, **1:8**
- Invasion of, **2:56**
  - see also **INVASION OF PRIVACY**
- Right to
  - during litigation, **2:63**
  - generally, **2:57**
  - privacy versus rights of copyright owners, **2:67**
  - versus freedom of the press, **2:62**
  - versus right to free speech, **2:62**
- IR. v. Fearon/i, **2:49**

**PRIVACY ACT, FEDERAL (PA)**

- Access to personal information, **3:8**
- Administrative provisions, **3:15**
- Application, **3:2, 4:10**
- Certificate under Canada Evidence Act, **4:30**
- Denial of access to personal information, **3:9**

**PRIVACY ACT, FEDERAL (PA)****—Cont'd**

- Exemption provisions, **3:8, 3:9, 3:14**
- Federal Court, role of, **3:14**
- Generally, **3:1**
- Index, **3:7**
- Miscellaneous provisions, **3:16**
- Privacy Commissioner, **3:13**
  - see also PRIVACY COMMISSIONER, ROLE OF
- Records of disclosure and use, **3:7**
- Restrictions on collection and use of personal information, **3:4**

**PRIVACY COMMISSIONER, ROLE OF**

- Generally, **3:1, 3:7, 3:10, 3:13-3:15, 3:27, 3:37, 3:46, 3:129, 4:8, 4:24, 4:27**

**PRIVATE COMMUNICATION, DEFINED**

- Generally, **2:19**

**PSEUDONYMS**

- Generally, **2:62, 2:65**

**PUBLICATION BANS**

- Generally, **2:64**

**PUBLIC BATHROOMS**

- Generally, **2:42**

**QUEBEC**

- Health information protection act
  - Access, **5A:135-5A:137**
  - Accountability, **5A:112-5A:115**
  - Accuracy, **5A:131, 5A:138**
  - Affected persons, **5A:105**
  - Breach notification, **5A:134**
  - Collection, **5A:120**
  - Commission d'accès à l'information, **5A:140**
  - Consent, **5A:117-5A:119**
  - Disclosure, **5A:121-5A:130**
  - Health information, **5A:106**
  - Offences and penalties, **5A:140**
  - Openness, **5A:133**
  - Principles, generally, **5A:104**
  - Purposes, **5A:103, 5A:116**
  - Record, **5A:107**
  - Registers, **5A:108-5A:111**
  - Retention, **5A:121-5A:130**
  - Safeguards, **5A:132**
  - Use, **5A:121-5A:130**

**QUEBEC—Cont'd**

- Private Sector Information Act (An act respecting the protection of personal information in the private sector) (PrSIA)
  - access to personal information, **4:78**
  - application of, **4:70**
  - enterprise, definition of, **4:72**
  - personal information agents, **4:79**
- Public Sector Information Act (An act respecting access to documents held by public bodies and the protection of personal information) (PuSIA)
  - access
    - appeal, **3:93**
    - review, **3:93**
  - application of, **3:89**
  - protection of personal information
    - collection, keeping and use of nominative information, **3:90**
    - confidentiality of nominative information, **3:91**
  - regulation of personal information
    - rights of access and rectification, **3:92**
    - sanctions, **3:94**
    - regulation respecting the distribution of information, **3:95**
- Quebec Charter of Human Rights and Freedoms, **2:58**

**REASONABLE EXPECTATION OF PRIVACY**

- Generally, **2:3, 2:6**
  - see also CANADIAN CHARTER OF RIGHTS AND FREEDOMS

**RECORD, DEFINITION OF**

- Generally, **3:69, 4:2**

**RECORDS**

- Of disclosure and use, **3:7**

**REGULATION OF PERSONAL INFORMATION**

- Canadian private sector
  - audits, **4:26**
  - background, **4:1**
  - court hearing, **4:25**
  - jurisdiction, **1:13, 1:14**
  - offences, **4:28**
  - personal information, definition of, **4:1**

**REGULATION OF PERSONAL INFORMATION—Cont'd**

Canadian private sector—Cont'd  
Quebec, **4:34**

Canadian public sector  
federal, **3:1**

see also **FEDERAL**  
jurisdiction, **1:13**

provincial, **3:19**

Alberta, **3:30**

see also **ALBERTA**

British Columbia, **3:20**

see also **BRITISH COLUMBIA**

Manitoba, **3:53**

see also **MANITOBA**

New Brunswick, **3:96**

see also **NEW BRUNSWICK**

Newfoundland, **3:111**

see also **NEWFOUNDLAND AND LABRADOR**

Northwest Territories, **3:122**

see also **NORTHWEST TERRITORIES**

Nova Scotia, **3:104**

see also **NOVA SCOTIA**

Ontario, **3:64**

see also **ONTARIO**

Prince Edward Island, **3:140**

see also **PRINCE EDWARD ISLAND**

Quebec, **3:88**

see also **QUEBEC**

Saskatchewan, **3:39**

see also **SASKATCHEWAN**

Yukon, **3:131**

see also **YUKON**

International, **1:15**

**REGULATORY INSPECTIONS**

Generally, **2:10**

**REGULATORY SEARCHES AND SEIZURES**

Generally, **2:7**

**RIGHT TO PRIVACY**

Generally, **2:2, 2:57, 2:62**

see also **CANADIAN CHARTER OF RIGHTS AND FREEDOMS** and **INVASION OF PRIVACY**

**R. V. O'CONNOR**

Generally, **2:2**

**SASKATCHEWAN**

Invasion of privacy, **2:60**

Regulation of personal information

Freedom of Information and Protection of Privacy Act (FIPPA)

access to information, **APP C § C:1 [ss. 5-12 FIPPA], 3:41, 3:45**

application, **3:40**

definition of “personal information,” **APP C § C:1 [ss. 2, 3:43, 24 FIPPA]**

exemption from release on account of invasion of privacy, **3:42**

Information and Privacy Commissioner, role of, **APP C § C:1 [s. 33, 3:46, 38-47 FIPPA]**

information handling practices  
collection, **APP C § C:1 [s. 26 FIPPA], 3:24**

disclosure, **APP C § C:1 [ss. 29-31 FIPPA], 3:24**

use, **APP C § C:1 [s. 28 FIPPA], 3:24**

offence provision, **APP C § C:1 [s. 68 FIPPA], 3:47**

review and appeal, **APP C § C:1 [ss. 48-58 FIPPA]**

Health Information Protection Act (HIPA)

access to health information

access, right of, **APP D § D:6 [ss. 32, 5A:164-5A:166, 38 HIPA]**

information handling practices  
access procedure, **APP D § D:6 [ss. 32-37, 5A:165, 39 HIPA]**

accuracy, **APP D § D:6 [ss. 16(a), 5A:166, 19, 25(3) HIPA]**

collection, **APP D § D:6 [ss. 23-25 HIPA], 5A:164**

consent, **APP D § D:6 [ss. 5-7, 5A:164, 10, 25-27 HIPA]**

correction, **APP D § D:6 [s. 40 HIPA], 5A:166**

disclosure, **APP D § D:6 [s. 27-30 HIPA], 5A:164**

**SASKATCHEWAN—Cont'd**

Regulation of personal information  
—Cont'd

Health Information Protection Act  
(HIPA)—Cont'd

access to health information  
—Cont'd

information handling practices  
—Cont'd

fees, **APP D § D:6 [s. 39 HIPA]**

identifying purposes, **APP D § D:6 [s. 9 HIPA], 5A:152**

information management service provider, **APP D § D:6 [ss. 2(j), 5A:148, 18 HIPA]**

openness, **APP D § D:6 [s. 9(3) HIPA], 5A:162**

record, **APP D § D:6 [s. 2(p) HIPA], 5A:145**

retention and disposal, **APP D § D:6 [ss. 16-17 HIPA], 5A:159**

reviews and complaints, **APP D § D:6 [ss. 41-51 HIPA], 5A:167**

sanctions for breach, **APP D § D:6 [s. 64 HIPA], 5A:169**

security safeguards, **APP D § D:6 [s. 16 HIPA], 5A:161**

substitute decision maker, **APP D § D:6 [s. 56 HIPA], 5A:155**

third parties, control of, **APP D § D:6 [s. 18 HIPA], 5A:148**

trustees, **APP D § D:6 [ss. 1(1), 2(t) HIPA], 5A:143**

use, **APP D § D:6 [ss. 26, 5A:159, 29-30 HIPA]**

application of, **APP D § D:6 [s. 2(t) HIPA], 5A:143-5A:146**

exempt from protection, **APP D § D:6 [s. 3(2) HIPA], 5A:144**

Information and Privacy Commissioner, **APP D § D:6 [ss. 52-55 HIPA], 5A:167**

personal health information, definition, **APP D § D:6 [s. 2(m) HIPA], 5A:144**

**SASKATCHEWAN—Cont'd**

Regulation of personal information  
—Cont'd

Health Information Protection Act  
(HIPA)—Cont'd

purpose, **recitals HIPA, 5A:142**

Local Authority Freedom of Information and Protection of Privacy Act (LAFIPPA)

application, **APP D § D:3 [s. 3 LAFIPPA], 3:48, 3:49**

compared to Freedom of Information and Protection of Privacy Act, **3:50**

access provisions, **APP D § D:3 [ss. 5-12 LAFIPPA], 3:50**

exemption provisions, **APP D § D:3 [ss. 13-22 LAFIPPA], 3:51**

information handling procedures, **3:52**

generally, **3:48**

**SCHOOLS**

Search and seizure, **2:13**  
see also CANADIAN CHARTER OF RIGHTS AND FREEDOMS

**SEARCH ENGINES**

Generally, **1:4**

**SEARCHES**

See also CANADIAN CHARTER OF RIGHTS AND FREEDOMS and CRIMINAL LAW

Banking/financial records, **2:36**

Border, **2:12**

Business premises, **2:29**

Child welfare, **2:17**

Consensual, **2:48**

Employees, see personal searches of employees and WORKPLACE PRIVACY

Hydro-electric records, **2:35**

Informational/records, **2:34**

Medical records, **2:37**

Personal searches of employees, **2:69**  
see also WORKPLACE PRIVACY

Schools, **2:13**

Social records, **2:38**

Strip, **2:31**

## INDEX

### SEARCHES AND SEIZURES

See CANADIAN CHARTER OF RIGHTS AND FREEDOMS, and see also CRIMINAL LAW

### SECURITY OF THE PERSON

See also CANADIAN CHARTER OF RIGHTS AND FREEDOMS

Generally, **2:2**

### SECURITY SCREENING

Generally, **2:54**

### SEIZURE OF EVIDENCE

See also CANADIAN CHARTER OF RIGHTS AND FREEDOMS

Versus gathering evidence, **2:40**

### SOCIAL NETWORKING AND BLOGS

Generally, **2:98**

### SOCIAL RECORDS

Generally, **2:38**

### SURVEILLANCE

Audio, **2:19**

see also AUDIO SURVEILLANCE and CRIMINAL LAW

Computer, **2:25, 2:49**

Dog sniff, **2:25**

Telephone, **2:62, 2:75**

Video, **2:24, 2:71**

### TEACHERS

Generally, **2:14**

### TECHNOLOGY

Challenges to privacy posed by, **1:3**

Digital recording ammeter (DRA), **2:35**

Email, see E-MAIL

Internet, see INTERNET AND ONLINE SYSTEMS

Text messaging, see TEXT MESSAGING

Transborder data flow, see TRANSBORDER DATA FLOWS

### TELECOMMUNICATIONS

Codes, **6:3**

Canadian Standards Association Code, **6:3**

Code of Fair Information Practices, **6:4**

Customer Privacy Policy, **6:5**

Directory information, **6:15**

Jurisdiction, **6:1**

National public alerting system, **6:17**

### TELECOMMUNICATIONS—Cont'd

Service 9-1-1, **6:16**

Service provider, name of, **6:8**

Terms of Service

application to CRTC to revise terms of service, **6:7**

restrictions, Article 11, **6:2**

Text messaging, see TEXT MESSAGING

Unsolicited telecommunication rules, **6:9**

automatic dialing-announcing device (ADAD), **6:12**

enforcement, **6:14**

national do not call list (DNCL), **6:10**

other provisions, **6:13**

telemarketing, **6:11**

Wireless code, **6:6**

### TELEPHONE CALLS

Monitoring, **2:19**

see also PAGER MESSAGES

United States of America v. Wakeling/i, **2:19**

surveillance, **2:75**

see also TEXT MESSAGING

### TEXT MESSAGING

Employee privacy, **2:75**

Obtaining historical text messages, **2:24**

### TORT

See also LITIGATION

Invasion of privacy, **2:60, 2:80**

see also INVASION OF PRIVACY

Misappropriation of personality, **2:58**

Right to privacy versus rights of copyright owners, **2:67**

Right to privacy versus right to free speech and freedom of the press, **2:62**

### TRANSBORDER DATA FLOWS

See also CO-OPERATION AND DEVELOPMENT (OECD) GUIDELINES

Generally, **1:5**

### UNITED STATES

Regulation and protection of personal information

Children's Online Privacy Protection Act of 1998 (COPPA), **5:13, 5:14**

Electronic Communications Privacy Act, **2:79**

**UNITED STATES—Cont'd**

- Regulation and protection of personal information—Cont'd
  - Federal Trade Commission, **5:11**
  - Fourth Amendment, **5:12**
  - generally, **5:12**
  - Gramm-Leach-Bliley Act, **5:16**
  - legislative developments, **5:16**
  - Privacy Act of 1974, **5:12**

**URINE TESTING**

- See also DRUG TESTING & PRIVACY
- Generally, **2:89, 2:90**

**VEHICLES**

- See INTELLIGENT TRANSPORTATION SYSTEMS and AUTOMOBILES

**VIDEO SURVEILLANCE**

- See also CRIMINAL LAW and WORKPLACE PRIVACY
- Generally, **2:24, 2:71**

**VISITORS TO PRISONS**

- Generally, **2:15**

**WEBSITES**

- Anonymity, identity, **2:62**
- Collection and use of data by, **1:3**
- Facebook, **1:8**
- Pseudonyms, use of, **2:62**

**WITNESSES' PRIVACY**

- Generally, **2:53**

**WORKPLACE PRIVACY**

- Biometric information, **2:95**

**WORKPLACE PRIVACY—Cont'd**

- Computers and e-mail, **2:49**
- Disclosing employee information, **2:94**
- Drug testing, **2:87**
  - see also DRUG TESTING & PRIVACY
- E-mail monitoring, **2:49, 2:76**
  - see also E-MAIL, monitoring
- Generally, **1:1, 2:68**
- Medical and health information, **2:97**
- Personal searches, **2:69**
- Social networking and blogs, **2:98**
- Telephone surveillance, **2:75**
- Video surveillance, **2:71, 3:34, 4:56**

**WORLD WIDE WEB CONSORTIUM**

- Generally, **1:8**

**YUKON**

- Access to Information and Protection of Privacy Act (AIPPA)
  - access to information, **3:133**
  - application of, **3:132**
  - Court, role of, **3:138**
  - exemption from release on account of invasion of privacy, **3:134**
  - information handling practices
    - collection, **3:136**
    - disclosure, **3:137**
    - personal information, **3:135**
  - Ombudsman, role of, **3:138**
  - third party invasion of privacy, **3:134** [ss. 25-28 AIPPA]
- Health Information Privacy and Management Act, **5A:297-5A:324**