



Additional Information

The *Personal Information Protection Act* (PIPA or the Act) provides individuals with the right to access their own personal information contained in a record in an organization's custody or control. Below is a general overview of PIPA in relation to making an access request. For the exact wording and interpretation of PIPA please read the Act in its entirety. A copy of PIPA may be obtained by visiting the Queen's Printer at qp.alberta.ca

What is "personal information"?

Personal information is defined in the Act to mean "information about an identifiable individual." The information must either readily identify the individual, or the identity of the individual can be determined from the information. If the individual cannot be identified, the information is not "personal information" under the Act.

Who can make a request?

Individuals can request access to their own personal information. Only an individual has a right of access, but a person other than an individual could make a request on behalf of an individual. Corporations and other entities are not individuals under the Act. The Act also provides that a request can be made by the following: a minor child (under 18 years of age) who understands the right of access and the consequences of exercising that right ("mature minor"); a legal guardian of a minor child; the personal representative of a deceased individual, if related to administration of the deceased's estate; the individual's guardian or trustee under the Dependent Adults Act, if related to the powers and duties of that guardian or trustee; the individual's agent under a personal directive, if related that agent's powers and duties conferred on that attorney; or any person with written authorization from the individual to act on the individual's behalf. Copies of supporting documentation must accompany the request. Third-party requests for individual personal information by the executor of an individual's estate, law enforcement agencies or legal counsel must be directed to the Privacy Officer.

Making a Request

The Act requires that a request for access be made in writing directly to the organization. Individuals must produce a piece of government-issued photo identification in order to confirm their identity and to obtain the information requested. An individual may ask for a copy of the record, or ask to examine the record containing personal information. The Act does require the individual to provide sufficient details to enable the organization to identify the requested information. The Privacy Officer may contact the requester for more information in order to ensure they understand what information is being requested.

Responding to a Request

The Privacy Officer will make a note of the date the request is received and confirm with the individual that the request has been received. After receiving, verifying and reviewing the access request, BVCU will inform the individual in writing of whether or not they are entitled or will be given access to all or part of their personal information, when access will be given, and when this access will be provided.

The Privacy Officer will provide an explanation if full access to personal information is not provided. Where access is denied, individuals will be informed of the reasons for the refusal and the provisions of PIPA on which the refusal is based, the name of the Privacy Officer who can answer questions about the refusal, and that they may ask for a review by the Alberta Privacy Commissioner.

Exceptions

An individual's right to access personal information under the Act is not unqualified. The Act allows, and in some cases requires, organizations to refuse access to some records or parts of records. In certain situations, BVCU may not be able to provide access to all personal information it holds about an individual. Exceptions for not granting access may include information that refers to other individuals, information subject to legal, security or proprietary restrictions, and information that is subject to solicitor-client or litigation privilege.

Time Limits and Format of Response

PIPA requires that an organization respond to an individual's request for access as soon as reasonably possible after receiving the written request. When a request is received, an acknowledgment letter will be provided to the individual. PIPA requires that BVCU notify the individual with information regarding their request within 45 days of receipt of the request. The 45-day time limit may be extended if the organization is required to clarify a request, if a large amount of personal information is requested or must be searched, or for other reasons specified in the Act. BVCU's time period for responding does not include days when BVCU is waiting for a response from the individual regarding a fee estimate. When BVCU reaches a decision, the individual will be notified in writing that either the access request was granted or refused. The letter will explain in detail the decision and give reasons. BVCU will only provide the personal information requested directly to the individual in person or by registered mail. Individuals have 30 days from the date of the decision letter to request a review by the Alberta Privacy Commissioner.

Fees

The Act allows an organization to charge a "reasonable" fee in providing individual access to personal information. Should BVCU intend on charging a fee, BVCU will give the individual a written estimate for approval prior to proceeding. Organizations cannot charge fees when responding to requests for providing access to personal employee information.

Requests can be mailed or emailed to:

Privacy Officer
Bow Valley Credit Union
PO Box 876, Cochrane, Alberta, T4C 1A9
privacy@bowvalleycu.com