



2.2 Confidentiality Guidelines

PRIVACY LEGISLATION

The following are some relevant sections of the *Freedom of Information and Protection of Privacy Act* (FIPPA):

- ❑ **Schedule 1 - Definitions:** “Personal information” means recorded information about an identifiable individual other than contact information.
- ❑ **Section 30:** A public body must protect personal information in its custody or under its control by making reasonable security arrangements against such risks as unauthorized access, collection, use, disclosure, or disposal.
- ❑ **Section 31.1:** The requirements and restrictions established by this Part [Part 3 - Protection of Privacy] also apply to:
 - (a) the employees, officers, and directors of a public body (...)
- ❑ **Section 30.4:** An employee, officer, or director of a public body (...) who has access, whether authorized or unauthorized, to personal information in the custody or control of a public body, must not disclose that information except as authorized under this Act.
- ❑ **Section 74.1 (1):** A person who contravenes section 30.4 (unauthorized disclosure) (...) commits an offense.
- ❑ **Section 32:** A public body must ensure that personal information in its custody or under its control is used only:
 - (a) for the purpose for which that information was obtained or compiled, or for a use consistent with that purpose (see section 34),
 - (b) if the individual the information is about has identified the information and has consented, in the prescribed manner,
 - (c) for the purpose for which that information may be disclosed to that public body under sections 33 to 36.
- ❑ **Section 34 (1):** A use of personal information is consistent under section 32 or 33.2 with the purposes for which the information was obtained or compiled if the use:
 - (a) has a reasonable and direct connection to that purpose, and



- (b) is necessary for performing the statutory duties of, or for operating a legally authorized program of, the public body that uses or discloses the information or causes the information to be used or disclosed.