



OFFICE OF THE
INFORMATION & PRIVACY
COMMISSIONER
— for —
British Columbia

A Guide To
Access to Information and
Privacy Protection under BC's
Freedom of Information and
Protection of Privacy Act

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**A Guide to
Access to Information and Protection of Privacy under BC's
*Freedom of Information and Protection of Privacy Act***

**I. *THE FREEDOM OF INFORMATION AND PROTECTION OF
PRIVACY ACT (FOIPPA)***

1. What are my information and privacy rights?

Under FOIPPA, you have the right to

- request access to records held by public bodies, including your personal information;
- request the correction of your personal information in records held by public bodies;
- the collection, use, disclosure and secure storage of your personal information by public bodies, according to specific standards that protect the privacy of your personal information; and
- ask the OIPC to review or investigate decisions by public bodies about privacy or access to records and complain about public body personal information practices.

FOIPPA does not, however, replace other more routine ways to get access to records or information of interest to you. The purpose of FOIPPA is to ensure that there is an official process for requesting records in cases where it is not clear that you should have routine access to them.

2. What is personal information?

Personal information is any recorded information that uniquely identifies you, such as your name, address, telephone number, age, sex, race, religion, sexual orientation, disability, fingerprints, or blood type. It includes information about your health care, educational, financial, criminal or employment history. It also includes anyone else's opinions about you and your own views or opinions.

3. Are there any exceptions to my information and privacy rights under the Act?

Yes. If you are requesting records from a public body, you will not get access to Cabinet confidences, someone else's personal information, or information that could harm another individual's business interests. You also will not generally get access to records that could harm law enforcement, the economic or financial interests of a public body, other individuals, or the public. Further, although you can expect a public body to protect the

privacy of your personal information, it has the authority to release your information to others in certain circumstances, such as where required by law, where necessary to comply with a court order, for law enforcement or to protect someone else's health or safety.

4. Who is covered by FOIPPA?

FOIPPA applies to “public bodies” in the province of BC. Public bodies include:

- provincial government ministries;
- provincial agencies, boards and commissions, and provincial Crown corporations. They are listed in Schedule 2 of FOIPPA;
- local public bodies, such as municipalities, regional districts, improvement districts, universities, colleges, school boards, municipal police forces, hospitals, and self-governing professional bodies (such as the College of Physicians and Surgeons and the Law Society of BC). They are listed in Schedule 3 of FOIPPA.

A “public body” under FOIPPA does not include the office of a member of officer of the Legislative Assembly (MLA) or the Legislative Assembly itself. It also does not include the BC Provincial Court, the BC Supreme Court or the BC Court of Appeal.

5. Does FOIPPA apply to private businesses, corporations, organizations or individuals?

FOIPPA does not apply to private sector organizations in BC, including businesses, non-profits, landlords or doctors in private practice.

There is, however, new legislation called the *Personal Information Protection Act* (PIPA). This legislation came into effect on January 1, 2004. PIPA applies to more than 350,000 private sector organizations in British Columbia, including businesses, charities, associations and labour organizations. It sets out rules about how those organizations may collect, use and disclose personal information. See the section covering the Private Sector on the OIPC website for more information.

6. Does FOIPPA apply to federal government ministries, departments or agencies?

No. Federal government departments and agencies are covered by the federal *Privacy Act* and the federal *Access to Information Act*. If you want to know more about the federal Acts, contact the Information Commissioner of Canada or the Privacy Commissioner of Canada directly, by referring to contact details in “Important Contact Information” at the end of this guide.

If you are unsure whether a public body falls within provincial or federal jurisdiction, you should contact the public body to ask. If still unsure, you can contact the federal Privacy Commissioner, the federal Information Commissioner, the OIPC or the government

Corporate Policy, Privacy and Information Access Branch (CPPIAB). See “Important Contact Information” at the end of this guide.

7. *Where can I get a copy of FOIPPA and other relevant information about it?*

You normally can find a paper copy of FOIPPA at most public, courthouse or law libraries. You can also access online copies of FOIPPA on

- the OIPC website: www.oipc.bc.ca;
- the Legislative Assembly website: www.legis.gov.bc.ca;
- Quicklaw (subscription service) at www.lexisnexis.ca/ql/en/about/about.html; and
- CanLII – Canadian Legal Information Institute (free service) at www.canlii.org.

If you wish to purchase a copy of FOIPPA, you may contact Crown Publications by telephone, post or in person (see “Important Contact Information” at the end of this guide) or by visiting its web site at www.crownpub.bc.ca.

The government Corporate Policy, Privacy and Information Access Branch (CPPIAB) has developed some additional information and privacy materials that may be useful to you in understanding FOIPPA or in making an access request or privacy complaint, including

- a FOIPPA Policy and Procedures Manual that interprets and provides a guide to FOIPPA;
- guidelines to help public bodies set policies and procedures for implementing and applying FOIPPA; and
- lists of the public bodies covered by FOIPPA and the information and privacy contacts for those public bodies.

II. THE INFORMATION AND PRIVACY COMMISSIONER

8. *Who is the Information and Privacy Commissioner?*

The Information and Privacy Commissioner is an Officer of the Legislature of British Columbia. The Commissioner is an independent official appointed by government to promote and protect your information and privacy rights. These rights and the Commissioner's role are described in the *Freedom of Information and Protection of Privacy Act* (FOIPPA).

British Columbia's present Information and Privacy Commissioner is David Loukidelis. His single six-year term expires in August of 2005.

9. What does the Office of the Information and Privacy Commissioner (OIPC) do?

The OIPC was created by statute in 1992. It is headed by the Information and Privacy Commissioner. The Commissioner and the OIPC oversee the application and enforcement of BC's information and privacy laws, which involve two main functions:

- ensuring that people have access to information in records held by government; and
- ensuring that government protects the privacy of the personal information contained in those records.

The OIPC promotes and protects open government and privacy protection by

- informing members of the public about their legal rights;
- informing public bodies and organizations about their responsibilities respecting access and privacy;
- providing advice and commenting on the access and privacy implications of proposed programs, legislation, policies, services and products;
- investigating and mediating access to information and privacy disputes;
- where necessary, holding formal hearings and making binding orders respecting access and privacy disputes; and
- engaging in or commissioning research into anything affecting access to information or privacy rights.

10. What gives the OIPC its legal authority?

The OIPC's legal authority comes from FOIPPA. FOIPPA sets out specific information and privacy rights for people and creates the OIPC to protect and promote these rights.

III. RECORDS AND REQUESTING ACCESS

11. What records are covered by FOIPPA?

FOIPPA covers records "in the custody or under the control" of a public body. FOIPPA does not, however, apply to some types of records, including

- records in court files, including the records of judges, masters, justices of the peace, judicial administration records or records relating to support services provided to judges;
- a personal note, communication or draft decision of a person who is acting in a judicial or quasi-judicial capacity;
- a record created by or in the custody or control of an officer of the Legislature that is related to the exercise of that officer's function under an Act; and
- a record of a question that is to be used on an examination or test.

FOIPPA does not, however, restrict the information that is available by law to a person involved in a court case, arbitration or other type of proceeding.

12. What is a “record”?

Under FOIPPA, a “record” includes books, documents, maps, drawings, photographs, letters, vouchers, papers and any other thing on which information is recorded or stored by graphic, electronic, mechanical or other means. Records also include email and information stored on magnetic media, such as video or cassette tapes. However, the definition of a record under FOIPPA does not include a computer program or any other mechanism that produces records.

In short, a record is any information that is recorded. A public body is not required to produce information that is not already recorded in some way. If you have general questions for a public body, try contacting its communications or public relations staff, who may be able to provide verbal responses to some of your general questions or refer you to related resources.

13. How long must a public body keep records under FOIPPA?

When public bodies have used personal information to make decisions that directly affect people, they must keep that personal information for one year. FOIPPA, however, says nothing about how long public bodies must keep general or non-personal information.

The length of time that a ministry keeps particular records depends on the type of record and its purpose. The records retention periods, or schedules, of some public bodies may be governed by the *Document Disposal Act* or separate legislation. For example, the length of time for which hospitals can keep records is set out in the regulation to the *Hospital Act*. For other public bodies, the period for which they must keep records may be set by bylaw or internal policy.

If you want to know how long a public body keeps records, you should contact the information and privacy manager or coordinator for that public body.

14. How do I request records from a public body?

If you want to request access to records in the custody or under the control of a public body, you must make a written request to the public body saying what records you want. Make sure to describe the records as carefully and specifically as possible. You may find it helpful to contact the person or branch responsible for handling freedom of information (FOI) requests for the public body about making a request first, since the FOI coordinator may be able to help you word your request in the most clear and effective way. This will help to speed up the processing of your request and can improve the quality of the response.

Address your request to the person or branch responsible for handling freedom-of-information requests for the public body.

Larger public bodies, such as government ministries and Crown corporations, may have an entire branch dedicated to information and privacy. Smaller public bodies, such as municipalities, school boards, and hospitals, often have one or two people who are responsible, on a full-time or part-time basis, for processing freedom of information (FOI) requests.

To make an FOI request, simply write to the public body that has custody or control of the records you want.

15. How do I contact a public body's Information and Privacy Office or staff?

If you want to contact the Information and Privacy Office in one of the ministries, you can use the toll-free Enquiry BC Phone Service. Ask the Enquiry BC operator to connect you to the Information and Privacy Office of the ministry that you think has the records you want. The toll-free numbers are:

Enquiry BC Phone Service

Victoria:	(250) 387-6121
Greater Vancouver:	(604) 660-2421
Elsewhere in BC:	1-800-663-7867

If you want to contact the information and privacy coordinator for other types of public bodies, call the public body's general reception line and ask to be put through to the person responsible for freedom of information and privacy issues.

A list of addresses and phone numbers of many of the public bodies covered by FOIPPA is available from the government Corporate Policy, Privacy and Information Access Branch (CPPIAB). See "Important Contact Information" at the end of this guide.

16. Do I need to fill out a special form to request records from a public body?

No, but if you think it will make it easier for you, you can ask for a request form from the government Corporate Policy, Privacy and Information Access Branch (CPPIAB) or from the public body from which you want the records.

17. How long until I get a response to my request?

Under FOIPPA, public bodies have 30 business days to respond to your request for records. However, in certain circumstances, the public body may take a 30 business day time extension. Such circumstances include

- where you have not given the public body enough detail to identify a requested record;
- there is a large number of records and meeting your request within the time limit would unreasonably interfere the operations of the public body;
- more time is needed by the public body to consult with a third party or another public body; or
- a third party has requested a review of the public body's decision to release information to you.

If the public body needs even longer to respond to your request based on the circumstances above, it can request up to an additional 30 business days from the OIPC.

18. Can I get records faster if I make my request directly to the OIPC?

You cannot get public body records directly from the OIPC. You must request the records directly from the public body. The OIPC does not have access to records in the custody or control of public bodies.

You can appeal the public body's decision to the OIPC, which will then review your access request and the public body's response to it.

19. Can I pick up records instead of having them mailed to me?

Yes, you can normally arrange to pick up copies of records directly from a public body or even arrange to look at the original records while you are on the public body's premises. In fact, some public bodies may require you to pick them up in person or suggest you view them on site if it will be expensive to copy and mail them to you.

20. Will I be charged a fee for requesting records?

You cannot be charged fees for requesting your own personal information, but you may be charged fees if you are requesting other types of records. A public body also cannot charge fees for the first 3 hours spent locating and retrieving the records you request, nor for the time spent reviewing and/or severing the records. However, a public body can charge you for:

- Locating, retrieving and producing the records after the first three hours of the search;
- Preparing the records for release;
- Making a copy of the records; and
- Shipping and handling of the records.

21. How much can a public body charge?

The maximum rates that government ministries and certain other public bodies can charge are listed in the Schedule of Maximum Fees in section 7 of the Regulation to FOIPPA. (A copy of the Regulation is on the OIPC web site.) Local public bodies, however, such as municipalities, regional districts, municipal police, school boards, hospitals, regional health boards and self-governing professional bodies may set fees which are different from those found in the Regulation.

You may be able to reduce fees by narrowing your request or by asking to view the records in person, rather than asking for copies.

22. What if I cannot afford to pay a fee or I think that my request is in the public interest?

If you are unable to pay the fee charged for requesting records, you may ask the public body for a fee waiver. This means that you may ask to be excused from paying all or some of the fees. To request a fee waiver on grounds of financial hardship, you must write to the public body and provide your reasons. You may have to produce evidence to show that you cannot afford the fee.

If you believe that you should not pay fees because you are making a request for records that are in the public interest, you may also request a fee waiver. You must explain in detail to the public body why release of the records would be in the public interest.

IV. REQUESTING A REVIEW OF A PUBLIC BODY'S DECISION ABOUT ACCESS TO INFORMATION

23. What if I am dissatisfied with a public body's decision about my request for records?

FOIPPA says that you may request a review of a public body's decision about records. To do this, you must write to the OIPC within 30 business days of receiving the public body's decision.

Your request for review should include:

- A copy of your initial request to the public body;
- A copy of the public body's response to your request; and
- Your request, in writing, for the OIPC to review the public body's decision.

Be as specific as you can in telling the OIPC what decision or aspect of the decision you want reviewed. You may use a form that is available under the section for the public in the “Public Sector” section on the OIPC website.

If you take longer than 30 business days to write to the OIPC after receiving the public body’s decision, you will need to explain your reason or the unusual circumstance that prevented you from getting your request for review to the OIPC on time. If the OIPC is satisfied with your explanation, or the public body agrees to late entry into the review process, your request for review may move forward.

24. What happens during a request for review?

Once you have requested a review by the OIPC, the Office will open a review file and your case will be assigned to a Portfolio Officer. The Portfolio Officer will review the facts and any records at issue, and work with you and the public body to try to mediate a settlement.

Mediation requires communication and compromise between you and the public body. It generally takes 60 to 70 days of the 90 business day time limit allowed for a review under FOIPPA. If mediation is unsuccessful, the review may go to a formal hearing, known as an “inquiry” before the Information and Privacy Commissioner or a delegate. The inquiry process generally takes up the remainder of the 90 business day review period.

The Commissioner or delegate is never involved in a mediation and, in fact, is kept completely isolated from the mediation process to ensure he or she is unbiased and objective in the event that a formal inquiry is held in your case.

25. What is a formal inquiry?

A formal inquiry is like a court case. It is conducted by the Commissioner or his delegate and may be oral or written. During an inquiry, you and the public body will have the opportunity to present your arguments to the Commissioner or his delegate. The Commissioner or his delegate also may allow other individuals who have an interest in the case to present arguments. Then you and the public body will be given the opportunity to respond to each other's arguments. The Commissioner or his delegate will consider all presentations and will examine any records in dispute. At the end of the inquiry, the Commissioner or his delegate will issue a written decision called an Order.

26. What kind of remedies can I get from the OIPC?

Under FOIPPA, once a review goes to inquiry, the Commissioner or delegate must make an “Order.” An Order is a legally binding decision on you and the public body. The Commissioner or delegate may, for example, order the public body to withhold or release parts or all of the requested records, to reconsider its decision to withhold records or to correct personal information in records.

FOIPPA does not allow the Commissioner to award money or other settlements in cases where a public body did not comply with FOIPPA. The Commissioner may, however, require a public body to change its policies or processes in the future. The Commissioner's Orders interpret FOIPPA in fact-specific situations and set precedents for how public bodies must apply FOIPPA in the future.

27. Will I be charged a fee for requesting a review?

No. There is no fee for requesting a review of a public body's decision about records.

28. What if I am dissatisfied with an Order or an investigation?

Orders are final and binding under FOIPPA. They can only be challenged by asking the BC Supreme Court for a judicial review of the Order. To initiate a judicial review, you likely will require help from legal counsel and will probably be responsible for most, if not all, of the associated legal and administrative costs.

V. COMPLAINTS

29. What are my privacy rights under FOIPPA?

The *Freedom of Information and Protection of Privacy Act* contains rules that a public body must follow when it wants to collect, use, or disclose your personal information. These rules are your privacy rights under the Act. They are often called "fair information practices." For example:

- A public body may only collect your personal information if it has legal authority to collect it, if the information is for law enforcement purposes or if it is necessary for one of the public body's operating programs.
- A public body must tell you the purpose for collecting your personal information and give you the business title, address and telephone number of one of its officers or employees who can answer your questions about the collection.
- A public body may generally only use your personal information for the purpose it was collected, for a consistent purpose with your consent.
- A public body may only disclose your personal information for the purpose it was collected, for a consistent purpose, with your consent or for one of the other specified purposes in the Act, such as law enforcement or to protect individual or public health or safety.
- A public body must make reasonable efforts to ensure that your personal information in its records is accurate and complete.
- A public body may correct your personal information if you request it and must make a note beside it showing the correction you requested.

- A public body must make reasonable security arrangements to protect your personal information from unauthorized access, use or disclosure.

30. How do I make a complaint if I think my privacy rights have been violated?

If you think that a public body has violated your privacy rights under FOIPPA, you should make a complaint directly to the public body. Write or call the director, manager or coordinator of information and privacy and explain your complaint. The public body should investigate your complaint and respond to you. If you are not satisfied with the public body's response or actions, you may then take your complaint to the OIPC. The Office will review your complaint and may investigate further.

31. Will I be charged a fee to make a privacy complaint?

There is no fee for complaining to the Commissioner's Office.

32. How is a privacy complaint resolved?

A Portfolio Officer will contact you to discuss your complaint. Portfolio Officers have authority from the Commissioner to investigate complaints and to make recommendations to the Commissioner and the public body for a resolution. If the Portfolio Officer finds that a public body has violated your privacy rights, the Commissioner may require the public body to change the way it collects, uses, discloses or secures your personal information. If your complaint raises issues affecting the privacy rights of a significant number of people, the Commissioner may issue a formal Investigation Report describing the public body's responsibilities under the Act. If the findings of the Portfolio Officer's investigation do not support your complaint, then the Commissioner may dismiss it.

33. How long does the OIPC have to investigate complaints?

There is no time limit in FOIPPA for investigating complaints. However, the OIPC investigates and attempts to resolve complaints as quickly as possible.

34. Is there any compensation for a violation of my privacy rights under the Act?

No. You may receive an apology from a public body, but the Commissioner cannot make monetary awards to complainants or penalize public bodies in other ways.

VI. COLLECTION, USE & DISCLOSURE OF PERSONAL INFORMATION

35. When can a public body collect my personal information?

Under FOIPPA, a public body can collect personal information if

- the collection of that information is expressly authorized by or under an Act;
- the information is collected for law enforcement purposes; or
- the information relates directly to and is necessary for the operation of a program or activity of the public body.

36. How long can a public body keep my personal information?

If a public body uses your personal information to make a decision that directly affects you, it must keep that information for at least one year after last using it. This is so you have a reasonable opportunity to obtain access to it. Public bodies may keep personal information longer, in accordance with their own records retention standards.

37. When can a public body disclose my personal information?

Section 33 of FOIPPA describes when and how a public body can share your personal information with another public body or third party. The circumstances are limited. For example, a public body can only disclose your personal information

- to you, when responding to your own freedom of information request;
- if you have consented in writing to the disclosure of your personal information;
- if the disclosure is for the purpose for which the public body collected your information in the first place;
- if authorized by a B.C. or Canadian law;
- if authorized by a B.C. or Canadian treaty, arrangement or agreement;
- if the disclosure has a reasonable and direct connection to the purpose for which your information was collected and is necessary for the duties or obligations of the public body;
- for the purpose of complying with a subpoena, warrant or court order;
- to a public body or law enforcement agency in Canada to assist in an investigation related to law enforcement proceedings or from which a law enforcement proceeding is likely to result;
- if the head of a public body determines that compelling circumstances exist that affect health and safety and if notice of the disclosure is mailed to your last known address;
- so that your next of kin or a friend may be contacted if you are injured, ill or deceased; or

- for research or statistical purposes, but only in very limited circumstances, as set out below.

38. *When can my personal information be disclosed for research or statistical purposes?*

Your personal information can be disclosed for research and statistical purposes only when

- the research purpose cannot reasonably be accomplished unless the personal information is shared or the research purpose has been approved by the Commissioner;
- the information is disclosed on condition that it not be used to contact someone to participate in the research;
- any linkage between records is not harmful to you and the benefits derived from the linkage are clearly in the public interest;
- the head of the public body has approved conditions relating to the security, confidentiality, removal or destruction, and prohibitions regarding subsequent use or disclosure of your personal information;
- the person to whom the personal information will be disclosed has signed a research agreement to comply with the approved conditions, FOIPPA, and the public body's policies and procedures regarding personal information; and
- the British Columbia Archives and Record Services or a public body's archives discloses it for archival or historical purposes, but only under specific conditions, as set out in section 36 of FOIPPA.

VII. CORRECTION OF PERSONAL INFORMATION

39. *How do I request a correction of my personal information?*

If you think there is a mistake or omission in the personal information a public body has about you, you can ask the public body to correct it. Make your request for correction in writing, specifying the information you believe is missing or incorrect. Include what you believe to be the correct information. Provide copies of any documents that support your correction request.

A public body can respond to your correction request either by correcting the information or making an "annotation." An annotation means that the public body will not directly change or correct your information but may attach a copy of your request for correction directly to the personal information you asked to have corrected, noting that you have asked for a correction.

A public body normally directly corrects purely factual information, such as names and birth-dates, as long as you provide it with copies of other verifiable documents to support your correction request. In the case of other types of personal information, such as opinions about you, the public body will usually annotate the record.

If the public body has provided a copy of your personal information to another body within the last year, it must send a copy of the correction or annotation to that other body.

40. Can I complaint to the OIPC about a public body's decision about my correction request?

Yes. Make sure you include the following information with your request for review to the OIPC:

- a copy of your initial correction request to the public body;
- a copy of the public body's response to your request; and
- a written complaint about the public body's decision.

VIII. OTHER IMPORTANT INFORMATION

41. Where can I get a copy of OIPC Orders?

You can find copies of Orders in most courthouse and law libraries. You can also find the Orders on

- the OIPC web site at: www.oipc.bc.ca;
- Quicklaw (subscription service) at www.lexisnexis.ca/ql/en/about/about.html; and
- CanLII – Canadian Legal Information Institute (free service) at www.canlii.org.

42. Is the freedom of information (FOI) process faster or better than using the courts?

If you are already involved in a legal action, you may be able to get the information you are seeking more quickly through the court discovery process than through a FOI request. Court discovery and other processes for accessing information, such as arbitration, might also give you fuller access to information and records (such as personal information about other people) than you would be able to obtain through the freedom of information process.

43. Can I request another person's personal information?

You can request access to records which contain another person's personal information, but FOIPPA contains strong privacy restrictions on the release of someone else's personal information. In fact, under section 22 of FOIPPA, a public body must refuse to

release personal information about another person if the disclosure would be an unreasonable invasion of that person's privacy.

If you have a person's written consent to get his or her personal information, then you may be able to get access to it. You may also be able to obtain access to certain types of personal information where the disclosure is not considered an unreasonable invasion of another person's privacy. For example, you will normally be able to get access to information about the duties and salaries of employees of public bodies.

44. Can I get access to my adoption records?

The Vital Statistics Agency of the Ministry of Health Services can provide original birth registrations and adoption orders to adult adoptees. You can contact the agency directly by referring to the "Important Contact Information" section at the end of this guide.

You can also request access to your adoption records from the Information and Privacy Division of the Ministry of Children and Family Development. The ministry will only provide access to non-identifying information in your adoption records unless you enclose a copy of your adoption order or original birth registration (obtained from the Vital Statistics Agency, Ministry of Health Services). You can contact the Information and Privacy Division directly by referring to the "Important Contact Information" section at the end of this guide.

The Adoption Services Branch of the Ministry of Children and Family Development will provide information concerning the medical or genetic background of an adoptee if a physician submits a written request indicating that it is necessary for the care of the individual adoptee. You can contact the Adoption Services Branch directly by referring to the "Important Contact Information" at the end of this guide.

The Adoption Reunion Registry assists individuals to locate family members. You can contact the Registry directly by referring to the "Important Contact Information" at the end of this guide.

45. Can I request access to information in police records?

You can request access to files held by the following municipal police forces in BC, which are covered by FOIPPA:

- Abbotsford
- Central Saanich
- Delta
- Nelson
- New Westminster
- Oak Bay
- Port Moody
- Saanich
- Vancouver
- Victoria
- West Vancouver

Records in the custody or under the control of the RCMP, however, are not covered by the BC FOIPP Act. If you want to request access to RCMP records, you must use the federal *Access to Information Act* or *Privacy Act*. If you have any questions about accessing RCMP records, you may contact your local RCMP detachment.

46. Can I get access to my medical records?

If your medical records are in the custody or control of a public body covered by FOIPPA, such as a hospital or health unit, you can request access to them under FOIPPA. FOIPPA does not apply to your medical records in the offices of your private physician or other health care professionals. However, the *Personal Information Protection Act* does apply to private doctors and other health care professionals. For more information, go to the OIPC website and select the section on Private Sector information for members of the public.

47. When can someone legitimately collect my social insurance number?

Under Canadian federal law, you are required to give your social insurance number (SIN) to a person or organization only under the following circumstances:

- for Old Age Security, Employment Insurance and Canada Pension Plan contributions or claims;
- for income tax identification;
- to your employer for the purpose of sending your contributions to Employment Insurance, Canada Pension Plan and Income Tax authorities;
- to banks, trust companies, and stock brokers when they sell you financial products or services that generate taxable income (e.g., Guaranteed Income Certificates, Canada Saving Bonds, stocks or bank accounts);
- for various Veterans Affairs benefit programs;
- for Canada Student Loans;
- for First Nations programs; and
- for Gasoline and Aviation Excise Tax Applications, *Canada Wheat Board Act*, *Labour Adjustment Benefits Act*, Tax Rebate Discounting Regulations, Race Track Supervision Regulations and the National Dose Registry for Occupational Exposures to Radiation.

Under BC provincial law, your SIN can be collected for use in verifying your income for some government programs where entitlement or participation is based on income. These programs include premium assistance for the Medical Services Plan, Pharmacare, various BC Benefits, provincial student loans and seniors' bus passes.

Other organizations (such as retail companies, schools or clubs) may ask you for your SIN as a form of personal or unique identification, but you do not have to give it to them. You may find, though, that, if you refuse, you are denied services. Under the *Personal Information Protection Act* (PIPA), organizations may not refuse to provide you with products or services merely because you withheld information that is not necessary for the delivery of those products or services. Giving out your SIN can put the privacy of your personal information at risk and expose you to fraud, since it is a unique numerical “key” to your most personal financial information and history. As a general principle, you should be very careful to give it only to organizations you know and trust.

If you want more information about the use of your SIN by federal or provincial bodies, you can contact the federal Privacy Commissioner or the OIPC directly by referring to the “Important Contact Information” section at the end of this guide.

48. Where can I learn more about the OIPC and FOIPPA?

You may contact the Office of the Information and Privacy Commissioner directly by referring to the “Important Contact Information” section at the end of this guide.

When telephoning the OIPC, you may prefer to use the toll-free Enquiry BC phone line also listed in the “Important Contact Information” section at the end of this guide.

For general information about the OIPC or FOIPPA, the OIPC’s web site is a good place to begin your search. The site provides you with an electronic copy of FOIPPA and OIPC Orders, annual reports, policies and procedures, service plans, and other useful information and privacy materials and contacts.

More general information about FOIPPA is also available from the government Corporate Policy, Privacy and Information Access Branch (CPPIAB).

CPPIAB is a specialized branch of the Ministry of Management Services. CPPIAB develops and applies privacy and information policy across the provincial government. CPPIAB ensures that privacy and access standards and records management practices are consistent and up to date in government offices and provides advice and guidance to all public bodies in the day-to-day administration of FOIPPA.

CPPIAB’s web site features the Freedom of Information and Protection of Privacy Policy and Procedures Manual, the Directory of Records, and summaries of the policy implications of the Commissioner’s Orders.

You can contact CPPIAB directly using the toll-free telephone line for Enquiry BC listed in the “Important Contact Information” section at the end of this guide.

IX. IMPORTANT CONTACT INFORMATION

49. Information and Privacy Offices (Federal and Provincial)

Office of the Information and Privacy Commissioner for British Columbia

PO Box 9038 Stn Prov Govt

Victoria, BC V8W 9A4

Telephone: (250) 387-5629

Fax: (250) 387-1696

Email: info@oipc.bc.ca

Web: www.oipc.bc.ca

Information Commissioner of Canada

3rd Floor, 112 Kent Street

Ottawa, ON K1A 1H3

Telephone: (613) 995-2410

Toll free: 1-800-267-0441

Fax: (613) 995-1501

Web: www.infocom.gc.ca

Privacy Commissioner of Canada

112 Kent Street

Ottawa, ON K1A 1H3

Telephone: (613) 995-2410

Toll free: 1-800-267-0441

Fax: (613) 947-6850

Web: www.privcom.gc.ca

50. Provincial Government Agencies, Services and Registries

Enquiry BC Phone Service

Telephone Victoria: (250) 387-6121

Telephone Vancouver: (604) 660-2421*

Elsewhere in BC: 1-800-663-7867*

*Ask to be connected to the Office of the Information and Privacy Commissioner.

Corporate Policy, Privacy and Information Access Branch (CPPIAB)

PO Box 9403 Stn Prov Govt

Victoria, BC

V8W 9V1

Telephone: (250) 387-1321 (or toll free using Enquiry BC)

Fax: (250) 387-1358

Web: www.msar.gov.bc.ca/foi_pop/

Vital Statistics Agency

Ministry of Health Services

818 Fort Street

Victoria, BC V8W 1H8

Telephone: (250) 952-1829

Toll-free in BC: 1-888-212-1188

Web: www.vs.gov.bc.ca

Information and Privacy Division

Ministry of Children and Family Development

#110 – 333 Quebec Street

Victoria, BC V8V 1X4

Telephone: (250) 387-0820

Fax: (250) 387-0817

Web: www.gov.bc.ca/mcf

Adoption Services Branch

Ministry for Children and Family Development

Toll-free in BC: 1-888-ADOPT-88 (1-888-237-8888)

Adoption Reunion Registry

Telephone Victoria: (250) 387-3660

Telephone Vancouver: (604) 736-7917

Elsewhere in BC: 1-800-665-1899

Crown Publications

521 Fort Street

Victoria, BC V8W 1E7

Telephone: (250) 386-4636

Fax: (250) 386-0221

Email: crown@pinc.com or bookstore@pinc.com

Web: www.crownpub.bc.ca

51. Not for Profit Organizations

BC Freedom of Information and Privacy Association (FIPA)

#103 - 1093 West Broadway

Vancouver, BC, V6H 1E2

Tel 604-739-9788

Fax 604-739-9148

Email: info@fipa.bc.ca

Web: www.fipa.bc.ca

BC Civil Liberties Association

425 - 815 W. Hastings St.

Vancouver, B.C. V6C 1B4

Telephone: (604) 687-2919

Fax:

Email: info@bccla.org

Web: www.bccla.org