



PERSONAL INFORMATION PROTECTION ACT
Breach Notification Decision

Organization providing notice under section 34.1 of PIPA	Transamerica Securities Inc.
Decision number (file number)	P2014-ND-01 (File #P2638)
Date notice received by OIPC	April 14, 2014
Date Organization last provided information	May 21, 2014
Date of decision	June 12, 2014
Summary of decision	There is a real risk of significant harm to the individuals affected by this incident. The organization is required to notify those individuals pursuant to section 37.1 of the <i>Personal Information Protection Act</i> (PIPA).
JURISDICTION	
Section 1(1)(i) of PIPA “organization”	The Organization is incorporated in Alberta. I have jurisdiction because the Organization is an “organization” as defined in section 1(1)(i) of PIPA.
Section 1(1)(k) of PIPA “personal information”	The incident involved all or some of the following information about the individuals: <ul style="list-style-type: none">• name• Social Insurance Number• date of birth• account number• address• email address This information is “personal information” as defined in section 1(1)(k) of PIPA and was collected in Alberta.

DESCRIPTION OF INCIDENT

loss
 unauthorized access
 unauthorized disclosure

Description of incident	<ul style="list-style-type: none"> • An advisor with the Organization received and acted upon email requests, believing they were sent by two clients of the organization. • In fact, the email requests had been sent by an unauthorized party who had obtained access to the clients’ email accounts. • The email requests were about investment redemption. • In processing the requests, the advisor disclosed the personal information at issue to the unauthorized party. • After processing the email requests the advisor contacted the clients to notify them that their requests had been processed. The clients then indicated that they had not made the requests.
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Affected individuals	Two individuals in Alberta.
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Steps taken to reduce risk of harm to individuals	<ul style="list-style-type: none"> • Clients were advised to report the matter to the police. • The financial institutions managing the clients’ funds were also alerted. The funds involved were withheld by the financial institutions. • Follow-up communications to the financial institutions were also made. • New financial accounts were created and the funds deposited in them.
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Steps taken to notify individuals of the incident	Clients were initially notified by phone and then by mail.
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REAL RISK OF SIGNIFICANT HARM ANALYSIS

Harm Some damage or detriment or injury that could be caused to affected individuals as a result of the incident. The harm must also be “significant.” It must be important, meaningful, and with non-trivial consequences or effects.	<p>The Organization recognized the affected individuals may be at risk for identity theft, fraud, and financial loss.</p> <p>In my view, the Social Insurance Number, date of birth, and financial information are highly sensitive. The types of harm that could result from unauthorized access to personal information of these clients in this instance are identity theft, fraud and financial loss. In my view, these are significant harms.</p>
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<p>Real Risk The likelihood that the significant harm will result must be more than mere speculation or conjecture. There must be a cause and effect relationship between the incident and the possible harm.</p>	<p>The Organization reported that, due to the sensitivity of the personal information involved, there was a real risk of significant harm to the affected individuals.</p> <p>In my view, the likelihood of harm resulting from this incident is increased because the personal information of the individuals was disclosed to an unauthorized individual whose malicious intent was evident in the attempt to redeem the investment accounts. The affected individuals have already experienced some harm in the form of fraudulent transactions.</p>
<p>DECISION UNDER SECTION 37.1(1) OF PIPA</p>	
<p>Based on the information provided by the Organization and given the circumstances of the incident, I have decided that there is a real risk of significant harm to the affected individuals. The personal information involved includes identity and financial information including date of birth, Social Insurance Number, financial account numbers, name, address and email address. Further, the clients confirmed they did not make the email requests, which means the organization disclosed their personal information in error to an unauthorized party with malicious intent. These factors contributed significantly to my decision.</p> <p>I understand the Organization has notified the affected individuals in accordance with section 19.1 of the <i>Personal Information Protection Act Regulation</i> (Regulation). The organization is, therefore, not required to notify the affected individuals again.</p>	

Jill Clayton
Information and Privacy Commissioner