



**PERSONAL INFORMATION PROTECTION ACT**  
**Breach Notification Decision**

<b>Organization providing notice under section 34.1 of PIPA</b>	CWC Energy Services Corp (Organization)
<b>Decision number (file number)</b>	P2018-ND-36 (File #6446)
<b>Date notice received by OIPC</b>	September 6, 2017
<b>Date Organization last provided information</b>	September 17, 2017
<b>Date of decision</b>	February 28, 2018
<b>Summary of decision</b>	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).
<b>JURISDICTION</b>	
<b>Section 1(1)(i) of PIPA “organization”</b>	The Organization is an “organization” as defined in section 1(1)(i) of PIPA.
<b>Section 1(1)(k) of PIPA “personal information”</b>	The incident involved all or some of the following information: <ul style="list-style-type: none"><li>• TD4 forms (name, address, social insurance numbers); and</li><li>• miscellaneous safety forms of a non-confidential nature.</li></ul> This information is about identifiable individuals and is “personal information” as defined in section 1(1)(k) of PIPA.
<b>DESCRIPTION OF INCIDENT</b>	
<input checked="" type="checkbox"/> loss <input type="checkbox"/> unauthorized access <input type="checkbox"/> unauthorized disclosure	
<b>Description of incident</b>	<ul style="list-style-type: none"><li>• On or about August 29, 2017, a courier package containing the Organization’s documents was stolen from the courier’s depot.</li><li>• The incident was discovered after an individual phoned the Organization and advised he saw several loose documents belonging to the Organization blowing in the wind near the courier depot.</li><li>• The Organization immediately sent an employee to the area to retrieve the records.</li></ul>

	<ul style="list-style-type: none"> <li>• The employee did a thorough search of the area but only found a few administrative –type records (purchase orders).</li> <li>• The Organization submitted a police report.</li> <li>• The Organization discovered that someone broke into the courier’s sorting area and stole packages.</li> </ul>
<b>Affected individuals</b>	The incident affected 15 Alberta residents.
<b>Steps taken to reduce risk of harm to individuals</b>	<ul style="list-style-type: none"> <li>• Notified all employees of the breach.</li> <li>• Advised employees to contact the appropriate credit bureaus.</li> <li>• Filed a report with the police.</li> </ul>
<b>Steps taken to notify individuals of the incident</b>	Affected individuals were notified by letter sent on September 1, 2017.
<b>REAL RISK OF SIGNIFICANT HARM ANALYSIS</b>	
<b>Harm</b> 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.	The Organization reported that “the information stolen could be used for identity theft...as the documents contained regulated data, specifically name, SIN and address.”  I agree with the Organization. The identity information at issue could be used to cause the significant harms of identity theft, as well as fraud and financial loss.
<b>Real Risk</b> 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.	The Organization reported that “(T)here is a high likelihood that the harm could result, as the information stolen contains confidential personal information...and no individuals have been apprehended.”  I agree with the Organization. The likelihood of harm resulting from this incident is increased because the personal information was compromised due to the malicious action of an unknown third party (theft).
<b>DECISION UNDER SECTION 37.1(1) OF PIPA</b>	
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 identity information at issue could be used to cause the significant harms of identity theft, as well as fraud and financial loss. The likelihood of harm resulting from this incident is increased because the personal information was compromised due to the malicious action of an unknown third party (theft).  I require the Organization to notify the affected individuals in Alberta in accordance with section 19.1 of the <i>Personal Information Protection Act Regulation</i> (Regulation).	

I understand the Organization notified affected individuals in a letter dated September 1, 2017 in accordance with the Regulation. The Organization is not required to notify the affected individuals again.

Jill Clayton  
Information and Privacy Commissioner