



PERSONAL INFORMATION PROTECTION ACT
Breach Notification Decision

Organization providing notice under section 34.1 of PIPA	Carecana Management Corp. (Organization)
Decision number (file number)	P2019-ND-062 (File #004761)
Date notice received by OIPC	January 12, 2017
Date Organization last provided information	January 12, 2017
Date of decision	May 13, 2019
Summary of decision	There is a real risk of significant harm to the individual affected by this incident. The Organization is required to notify this individual pursuant to section 37.1 of the <i>Personal Information Protection Act</i> (PIPA).
JURISDICTION	
Section 1(1)(i) of PIPA "organization"	The Organization operates in Alberta and is an "organization" as defined in section 1(1)(i) of PIPA.
Section 1(1)(k) of PIPA "personal information"	<p>The incident involved all or some of the following information:</p> <ul style="list-style-type: none">• name,• address,• trustee company name, account number, and address,• investor ID number,• type of investor account (RRSP),• name of investment product,• number of shares held by investor,• total cost of the shares held by the investor,• transactions on investor's account for the month of November, 2016. <p>This information is about an identifiable individual and is "personal information" as defined in section 1(1)(k) of PIPA.</p>
DESCRIPTION OF INCIDENT	
<input type="checkbox"/> loss <input type="checkbox"/> unauthorized access <input checked="" type="checkbox"/> unauthorized disclosure	

Description of incident	<ul style="list-style-type: none"> • On December 22, 2016, an email intended for an investor, and enclosing a Statement of Account, was sent to the wrong email address. • The incident was the result of an administrative error. • The error was discovered on January 5, 2017, when the intended recipient’s representative contacted the Organization to ask about the Statement of Account.
Affected individuals	The incident affected one (1) individual residing in Alberta
Steps taken to reduce risk of harm to individuals	<ul style="list-style-type: none"> • Attempted to contact the unintended recipient of the email, but did not receive a response. • Implementing new data entry policies such that all data entered by the Administrator must be reviewed by a second person. • Notified the affected individual and the individual’s trust company.
Steps taken to notify individuals of the incident	The affected individual was notified in writing on January 11, 2017.
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.	The Organization reported “The investor could potentially suffer harm in the form of fraud, identity theft, negative effects on a credit record”. I agree with the Organization’s assessment. A reasonable person would consider that the financial information at issue could be used to cause the significant harms of identity theft and fraud.
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.	The Organization reported that “Unfortunately, we have been unable to contact the recipient of the Email as that person did not respond to the Email in December, 2016, and did not respond to our follow up email on January 5, 2017”. Further, the Organization said... <i>...the investment is held by a trust company with its own security measures. Furthermore, when investors contact [the Organization], the investors must meet the security criteria at [the Organization] before account information can be accessed. There is no evidence of malicious intent or purpose. The information may be used for identity theft or fraud specifically in relation to the investor's holdings at the trust company, however we believe the risk is low. The information could not be recovered as the email was delivered. Only 1 investor was affected by this breach. This individual does not appear to be a vulnerable individual. As a</i>

	<p><i>result, the likelihood of harm resulting from this incident is low.</i></p> <p>In my view, a reasonable person would consider the likelihood of harm resulting from this incident is decreased because the breach resulted from an administrative error and not malicious intent. However, the Organization was unable to recover the information and did not receive a response to its attempts to follow-up with the unauthorized recipient. Despite controls implemented by the trust company and the Organization to reduce the risk of fraud, the information at issue could be used to cause significant harm in other circumstances where such controls are not in place.</p>
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DECISION UNDER SECTION 37.1(1) OF PIPA

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 individual.

A reasonable person would consider that the financial information at issue could be used to cause the significant harms of identity theft and fraud. The likelihood of harm resulting from this incident is decreased because the breach resulted from an administrative error and not malicious intent. However, the Organization was unable to recover the information and did not receive a response to its attempts to follow-up with the unauthorized recipient. Despite controls implemented by the trust company and the Organization to reduce the risk of fraud, the information at issue could be used to cause significant harm in other circumstances where such controls are not in place.

I require the Organization to notify the affected individual in Alberta in accordance with section 19.1 of the *Personal Information Protection Act Regulation* (Regulation).

I understand the Organization notified the affected individual in writing on January 11, 2017. The Organization is not required to notify the affected individual again.

Jill Clayton
Information and Privacy Commissioner