



**PERSONAL INFORMATION PROTECTION ACT  
Breach Notification Decision**

<b>Organization providing notice under section 34.1 of PIPA</b>	CI Investments Inc. (Organization)
<b>Decision number (file number)</b>	P2019-ND-135 (File #012688)
<b>Date notice received by OIPC</b>	March 28, 2019
<b>Date Organization last provided information</b>	March 28, 2019
<b>Date of decision</b>	August 13, 2019
<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 whose personal information was collected in Alberta, 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>	<p>The incident involved tax documents, including the following information:</p> <ul style="list-style-type: none"><li>• name,</li><li>• social insurance number,</li><li>• account number, and</li><li>• tax information (RRSP contributions, withdrawals or capital gains/losses and taxable income).</li></ul> <p>This information is about identifiable individuals and is “personal information” as defined in section 1(1)(k) of PIPA.</p>
<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>• Clients of the Organization are able to specify documents they wish to be able to access electronically through an online portal.</li></ul>

	<ul style="list-style-type: none"> <li>On September 6, 2018, the Organization found that, as of November 21, 2017, the address update function for the online portal did not update the systems relied upon to send out client documents. As a result, clients who submitted an address update through the online portal on and after November 21, 2017 were sent tax reporting documents to their old address on file.</li> <li>The breach was discovered by the Organization when investigating a client inquiry regarding an address.</li> </ul>
<b>Affected individuals</b>	The incident affected 22 individuals in Alberta.
<b>Steps taken to reduce risk of harm to individuals</b>	<ul style="list-style-type: none"> <li>Inactivated the address of impacted clients for those clients whose address was not updated by another means by December 4, 2018.</li> <li>Continuing to investigate the event and based on the conclusion of the investigation additional controls or testing steps will be recommended as required to help mitigate a similar incident in the future.</li> </ul>
<b>Steps taken to notify individuals of the incident</b>	Affected individuals were notified by letter on April 1, 2019.
<b>REAL RISK OF SIGNIFICANT HARM ANALYSIS</b>	
<p><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.</p>	<p>The Organization reported that potential harm(s) resulting from this breach include “Failure to have reported all relevant tax information when completing yearly tax filing”.</p> <p>In my view, a reasonable person would consider that the identity and tax information at issue could be used to cause the significant harms of identity theft and fraud. Given the circumstances of the breach, I also accept the Organization’s assessment that the incident could result in a failure to report all relevant tax information.</p>
<p><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.</p>	<p>The Organization reported that “There is a medium likelihood that harm will result as the time period of the potential [sic] misdelivery did not cover a complete tax reporting period.”</p> <p>In my view, a reasonable person would consider that the likelihood of identity theft and fraud resulting from this incident is decreased because the breach did not result from malicious action. However, the Organization did not report the number of misdirected tax documents or if they were recovered by the Organization. Given this, there is a real risk of significant harm to those individuals whose personal information remains unaccounted for.</p>

**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 individuals.

A reasonable person would consider that the identity and tax information at issue could be used to cause the significant harms of identity theft and fraud. Given the circumstances of the breach, I also accept the Organization's assessment that the incident could result in a failure to report all relevant tax information. The likelihood of identity theft and fraud resulting from this incident is decreased because the breach did not result from malicious action. However, the Organization did not report the number of misdirected tax documents or if they were recovered by the Organization. Given this, there is a real risk of significant harm to those individuals whose personal information remains unaccounted for.

I require the Organization to notify the affected individuals whose personal information was collected in Alberta, in accordance with section 19.1 of the *Personal Information Protection Act Regulation* (Regulation).

I understand that affected individuals were notified by letter on April 1, 2019. The Organization is not required to notify the affected individuals again.

Jill Clayton  
Information and Privacy Commissioner