



PERSONAL INFORMATION PROTECTION ACT
Breach Notification Decision

Organization providing notice under section 34.1 of PIPA	PFSL Investments (Canada) Ltd. (Organization)
Decision number (file number)	P2020-ND-124 (File #014012)
Date notice received by OIPC	November 28, 2019
Date Organization last provided information	November 28, 2019
Date of decision	October 27, 2020
Summary of decision	There is a real risk of significant harm to the individuals affected by this incident. The Organization is required to notify the individuals, pursuant to section 37.1 of <i>the Personal Information Protection Act</i> (PIPA).
JURISDICTION	
Section 1(1)(i) of PIPA "organization"	The Organization is an "organization" as defined in section 1(1)(i) of PIPA.
Section 1(1)(k) of PIPA "personal information"	<p>The incident involved the following information:</p> <ul style="list-style-type: none">• name,• date of birth,• social insurance number,• account number,• contact information including home address and telephone number, and• possibly driver's license number. <p>This information is about identifiable individuals and is "personal information" as defined in section 1(1)(k) of PIPA.</p>
DESCRIPTION OF INCIDENT	
<input checked="" type="checkbox"/> loss <input type="checkbox"/> unauthorized access <input type="checkbox"/> unauthorized disclosure	

<p>Description of incident</p>	<ul style="list-style-type: none"> On November 25, 2019, an independent sales representative attended the home of individuals who were looking to contribute to an existing RDSP account on a monthly basis. The representative had both individuals sign a Subsequent Contribution Form and provide a void cheque. After leaving the individuals' home, the representative stopped at a grocery store. While unloading the groceries into her car, an unknown male drove by, reached out of the window of his car and grabbed her purse. The purse contained the affected individuals' documentation and personal cheque.
<p>Affected individuals</p>	<p>The incident affected 2 individuals.</p>
<p>Steps taken to reduce risk of harm to individuals</p>	<ul style="list-style-type: none"> Notified affected individuals that their account number was changed and to offer complimentary credit monitoring protection for a period of two years. Advised the sales representative not to keep personal information in her possession and to immediately store any client documentation in a secured location.
<p>Steps taken to notify individuals of the incident</p>	<p>Affected individuals were notified by telephone and letter on November 26 and November 28, 2019.</p>
<p>REAL RISK OF SIGNIFICANT HARM ANALYSIS</p>	
<p>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>	<p>The Organization reported "The document and personal cheque contained personal identifiable information of the affected individuals which could result in identity theft and financial fraud."</p> <p>In my view, a reasonable person would consider the contact, identity and financial information at issue could be used to cause the significant harms of identity theft and fraud.</p>
<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 "This incident presents a real risk of significant harm to the affected individuals as an unknown male intentionally stole the representative's purse off her shoulder that contains personal identifiable information."</p> <p>In my view, a reasonable person would consider the likelihood of harm resulting from this incident is increased because it resulted from malicious action (theft). The Organization did not report recovering the information.</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 the contact, identity and 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 increased because it resulted from malicious action (theft). The Organization did not report recovering the information.

I require the Organization to notify the affected individuals, in accordance with section 19.1 of the *Personal Information Protection Act Regulation* (Regulation). I understand the affected individuals were notified by telephone and letter on November 26 and November 28, 2019. The Organization is not required to notify the affected individuals again.

Jill Clayton
Information and Privacy Commissioner