Accountability

	PIPEDA	PIPA Alberta	PIPA British Columbia	Quebec Privacy Act
Accountability	**Principle 4.1** An organization is responsible for personal information under its control and shall designate an individual or individuals who are accountable for the organization's compliance with the following principles.	**s. 5(1), s. 5(3)** **5(1)** An organization is responsible for personal information that is in its custody or under its control. **5(3)** An organization must designate one or more individuals to be responsible for ensuring that the organization complies with this Act.	**s. 4(2)** An organization is responsible for personal information under its control, including personal information that is not in the custody of the organization.	**s. 1, s. 3.1** **1.** …The Act applies to such information, whether the enterprise keeps the information itself or through the agency of a third person, whatever the nature of its medium and whatever the form in which it is accessible… **3.1** Any person carrying on an enterprise is responsible for protecting the personal information held by the person. Within the enterprise, the person exercising the highest authority shall see to ensuring that this Act is implemented and complied with. That person shall exercise the function of person in charge of the protection of personal information; he may delegate all or part of that function in writing to any person…

	PIPEDA	PIPA Alberta	PIPA British Columbia	Quebec Privacy Act
Organization responsible for personal information transferred to third party for processing *Note: additional requirements for data transfers to service providers outside of the jurisdiction are discussed in the Outsourcing of Personal Information topic hub.*	**Principle 4.1.3** An organization is responsible for personal information in its possession or custody, including information that has been transferred to a third party for processing. The organization shall use contractual or other means to provide a comparable level of protection while the information is being processed by a third party.	**s. 5(2) and 6(2)** **5(2)** For the purposes of this Act, where an organization engages the services of a person, whether as an agent, by contract or otherwise, the organization is, with respect to those services, responsible for that person's compliance with this Act. **6(2)** If an organization uses a service provider outside Canada to collect, use, disclose or store personal information for or on behalf of the organization, the policies and practices […] must include information regarding **(a)** the countries outside Canada in which the collection, use, disclosure or storage is occurring or may occur, and **(b)** the purposes for which the service provider outside Canada has been authorized to	**s. 4(2)** An organization is responsible for personal information under its control, including personal information that is not in the custody of the organization.	**s. 18.3** A person carrying on an enterprise may, without the consent of the person concerned, communicate personal information to any person or body if the information is necessary for carrying out a mandate or performing a contract of enterprise or for services entrusted to that person or body by the person carrying on an enterprise. In such a case, the person carrying on an enterprise must **(1)** entrust the mandate or contract in writing; and **(2)** specify in the mandate or contract the measures the mandatary or the person performing the contract must take to protect the confidentiality of the personal information communicated, to ensure that the information is used only for carrying out the mandate or performing the contract and to ensure that the mandatary or person

	PIPEDA	PIPA Alberta	PIPA British Columbia	Quebec Privacy Act
		collect, use or disclose personal information for or on behalf of the organization.		does not keep the information after the expiry of the mandate or contract. A person or body carrying out a mandate or performing a contract of enterprise or for services referred to in the first paragraph must notify the person in charge of the protection of personal information without delay of any violation or attempted violation by any person of any obligation concerning the confidentiality of the information communicated, and must also allow the person in charge of the protection of personal information to conduct any verification relating to confidentiality requirements…
Policies and practices (incl. complaint procedure; training; privacy notices)	**Principle 4.1.4** Organizations shall implement policies and practices to give effect to the principles, including (a) implementing procedures to protect personal information; …	**s. 6(1)** An organization must develop and follow policies and practices that are reasonable for the organization to meet its obligations under this Act.	**s. 5** An organization must (a) develop and follow policies and practices that are necessary for the organization to meet the obligations of the organization under this Act …	**s. 3.2** Any person carrying on an enterprise must establish and implement governance policies and practices regarding personal information that ensure the protection of such information. Such policies and practices must, in particular, provide a framework for the keeping and destruction of the

	PIPEDA	PIPA Alberta	PIPA British Columbia	Quebec Privacy Act
	(c) training staff and communicating to staff information about the organization's policies and practices …			information, define the roles and responsibilities of the members of its personnel throughout the life cycle of the information and provide a process for dealing with complaints regarding the protection of the information. The policies and practices must also be proportionate to the nature and scope of the enterprise's activities and be approved by the person in charge of the protection of personal information …
Complaint process	**Principle 4.1.4** Organizations shall implement policies and practices to give effect to the principles, including . . . (b) establishing procedures to receive and respond to complaints and inquiries …	**N/A**	**s. 5** An organization must . . . (b) develop a process to respond to complaints that may arise respecting the application of this Act …	**s. 3.2** Any person carrying on an enterprise must establish and implement governance policies and practices regarding personal information that ensure the protection of such information. Such policies and practices must, in particular… provide a process for dealing with complaints regarding the protection of the information …
Information about policies and procedures	**Principle 4.1.4** Organizations shall implement policies and practices to give	**s. 6(3)** An organization must make written information about the policies and practices referred	**s. 5** An organization must	**s. 3.2** … Detailed information about those policies and practices, in particular as concerns the content

	PIPEDA	PIPA Alberta	PIPA British Columbia	Quebec Privacy Act
	effect to the principles, including . . . (d) developing information to explain the organization's policies and procedures.	to in subsections (1) and (2) available on request.	. . . (c) make information available on request about (i) the policies and practices referred to in paragraph (a), and (ii) the complaint process referred to in paragraph (b).	required under the first paragraph, must be published in simple and clear language on the enterprise's website or, if the enterprise does not have a website, made available by any other appropriate means.