Exceptions to Consent – Law Enforcement Requests

	PIPEDA	PIPA Alberta	PIPA British Columbia	Quebec Private Sector Privacy Act
Consent Exceptions	**s. 7(3)** For the purpose of clause 4.3 of Schedule 1, and despite the note that accompanies that clause, an organization may disclose personal information without the knowledge or consent of the individual only if the disclosure is . . .	**s. 20** An organization may disclose personal information about an individual without the consent of the individual but only if one or more of the following are applicable: . .	**s. 18(1)** An organization may only disclose personal information about an individual without the consent of the individual, if . . .	**s. 18** A person carrying on an enterprise may, without the consent of the person concerned, communicate personal information he holds on that person…
Subpoena, Warrant, Order	**s. 7(3)(c)** required to comply with a subpoena or warrant issued or an order made by a court, person or body with jurisdiction to compel the production of information, or to comply with rules of court relating to the production of records;	**s. 20(e)** the disclosure of the information is for the purpose of complying with a subpoena, warrant or order issued or made by a court, person or body having jurisdiction to compel the production of information or with a rule of court that relates to the production of information;	**s. 18(1)(i)** the disclosure is for the purpose of complying with a subpoena, warrant or order issued or made by a court, person or body with jurisdiction to compel the production of personal information,	**s. 18** **(6)** to a person or body having the power to compel communication of the information if he or it requires it in the exercise of his or its duties or functions; […] A person carrying on an enterprise must make an entry of every communication made under subparagraphs 6 to 9.1 of the first paragraph.

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Investigation, Administration or Enforcement of Law	**s. 7(3)(c.1)** made to a government institution or part of a government institution that has made a request for the information, identified its lawful authority to obtain the information and indicated that (i) it suspects that the information relates to national security, the defence of Canada or the conduct of international affairs, (ii) the disclosure is requested for the purpose of enforcing any law of Canada, a province or a foreign jurisdiction, carrying out an investigation relating to the enforcement of any such law or gathering intelligence for the purpose of enforcing any such law, (iii) the disclosure is requested for the purpose of administering any law of Canada or a province, or [...]	**s. 20(c)** the disclosure of the information is to a public body and that public body is authorized or required by an enactment of Alberta or Canada to collect the information from the organization; **(f)** the disclosure of the information is to a public body or a law enforcement agency in Canada to assist in an investigation (i) undertaken with a view to a law enforcement proceeding, or (ii) from which a law enforcement proceeding is likely to result;	**s. 18(1)(j)** the disclosure is to a public body or a law enforcement agency in Canada, concerning an offence under the laws of Canada or a province, to assist in an investigation, or in the making of a decision to undertake an investigation, (i) to determine whether the offence has taken place, or (ii) to prepare for the laying of a charge or the prosecution of the offence,	**s. 18** **(2)** to the Director of Criminal and Penal Prosecutions if the information is required for the purposes of the prosecution of an offence under an Act applicable in Québec; **(3)** to a person or body responsible, by law, for the prevention, detection or repression of crime or statutory offences who requires it in the performance of his duties, if the information is needed for the prosecution of an offence under an Act applicable in Québec; … **(5)** to a public body within the meaning of the Act respecting Access to documents held by public bodies and the Protection of personal information (chapter A-2.1) which, through a representative, collects such information in the exercise of its functions or the implementation of a program under its management … **(6)** to a person or body having the power to compel communication of the information if he or it requires it

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				in the exercise of his or its duties or functions; […] A person carrying on an enterprise must make an entry of every communication made under subparagraphs 6 to 9.1 of the first paragraph.
Required by Law	**s. 7(3)(i)** required by law	**s. 20(b) and (c)** **(b)** the disclosure of the information is authorized or required by (i) a statute of Alberta or of Canada, (ii) a regulation of Alberta or a regulation of Canada (iii) a bylaw of a local government body, or (iv) a legislative instrument of a professional regulatory organization;	**s. 18(1)(o)** the disclosure is required or authorized by law	**s. 18** **(4)** to a person to whom it is necessary to communicate the information under an Act applicable in Québec or under a collective agreement;

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		(c) the disclosure of the information is to a public body and that public body is authorized or required by an enactment of Alberta or Canada to collect the information from the organization;		
To Law Enforcement on the Organization's Initiative	**s. 7(3)(d)** made on the initiative of the organization to a government institution or a part of a government institution and the organization (i)has reasonable grounds to believe that the information relates to a contravention of the laws of Canada, a province or a foreign jurisdiction that has been, is being or is about to be committed, or suspects that the information relates to national security, the	**s. 20(c)** the disclosure of the information is to a public body and that public body is authorized or required by an enactment of Alberta or Canada to collect the information from the organization; **(f)** the disclosure of the information is to a public body or a law enforcement agency in Canada to assist in an investigation	**s. 18(1)(j)** the disclosure is to a public body or a law enforcement agency in Canada, concerning an offence under the laws of Canada or a province, to assist in an investigation, or in the making of a decision to undertake an investigation, (i)to determine whether the offence has taken place, or	**s. 18** **(2)** to the Director of Criminal and Penal Prosecutions if the information is required for the purposes of the prosecution of an offence under an Act applicable in Québec; **(3)** to a person or body responsible, by law, for the prevention, detection or repression of crime or statutory offences who requires it in the performance of his duties, if the information is needed for the prosecution of an offence under an Act applicable in Québec; … **(5)** to a public body within the meaning of the Act respecting Access

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	defence of Canada or the conduct of international affairs;	(i) undertaken with a view to a law enforcement proceeding, or (ii)from which a law enforcement proceeding is likely to result;	(ii)to prepare for the laying of a charge or the prosecution of the offence,	to documents held by public bodies and the Protection of personal information (chapter A-2.1) which, through a representative, collects such information in the exercise of its functions or the implementation of a program under its management …