Canadian Privacy Certification

Outline of the Body of Knowledge for the Certified Information Privacy Professional/Canada (CIPP/C™)

I. Canadian Privacy Fundamentals

A. Legal Basics

   a. The Canadian government and legal system
      i. Political structure
      ii. Division of powers
      iii. Role of courts and administrative tribunals
   b. Canadian laws and their interpretation
      i. Civil versus common law
      ii. Sources of law
      iii. Scope and application of law
      iv. Relationship to other laws
      v. Enforcement
   c. Enforcement agencies and powers
      i. Canada
         1. Privacy commissioners
            a. Office of the Federal Privacy Commissioner
            b. Provincial and territorial privacy commissioners
         2. Courts and remedies
            a. Federal Court of Canada
            b. Provincial courts

B. Privacy Basics

   a. Understand that definitions of personal information vary among Canadian jurisdictions and legislation.
   b. Types of personal information
      i. Employee and work-related information
      ii. Public records
      iii. Publicly available information
2. Provincial legislation  
   c. Private/sensitive information  
   d. Safeguarding personal information  
   e. General concepts of fair information practice  
      i. Notice  
      ii. Consent (Opt out vs. Opt in)  
      iii. Access controls and accountability

C. Privacy Principles

   a. Canadian Standards Association (CSA)  
      i. Model Code for the Protection of Personal Information (CAN/CSA-Q830-96)  
      ii. CSA Principles in Canadian privacy law  
   b. Model codes and cooperation  
      i. Organisation for Economic Co-operation and Development (OECD); American Institute of Certified Public Accountants/Canadian Institute of Chartered Accountants (AICPA/CICA); Generally Accepted Privacy Principles (GAPP)

II. Canadian Privacy Laws and Practices—Private Sector

A. Statutes

   a. Understand when to apply The Personal Information Protection and Electronic Documents Act of Canada (PIPEDA)  
   b. Understand when to apply the private sector privacy legislation in BC, Alberta and Quebec.  
   c. Understand when to apply Canada’s Anti-Spam Legislation (CASL)

B. Key Concepts and Practices

   a. Accountability  
      i. Under the Quebec Act  
      ii. Other Canadian statutes  
   b. Openness  
   c. Collection, use and disclosure  
      i. Commercial activity as it relates to PIPEDA  
      ii. Business transactions  
   d. Enhanced and valid consent  
      i. Reasonableness  
      ii. Opt-out consent mechanisms, their use and limitations  
      iii. Consent to new purposes  
      iv. Installation of computer programs  
      v. Automatic downloads  
      vi. Documentation  
   e. Notice requirements  
   f. Data breach reporting  
      i. Record keeping  
      ii. PIPEDA  
      iii. Understand when to apply privacy legislation regarding data breach reporting (e.g., Ontario’s Personal Health Information Protection Act (PHIPA), Alberta’s
Personal Information Protection Act (PIPA), New Brunswick’s Personal Health Information Privacy and Access Act (PHIPAA))

- Managing privacy protection requirements of third parties (e.g. service providers)
- Access
  - Rights and obligations
  - Compliance trends
    - Commissioner rulings (e.g., agreements, guidance and published positions, appealed decisions, expectations)
    - Relevant Canadian court rulings
- Compliance issues

III. Canadian Privacy Laws and Practices—Public Sector

A. Statutes

- Understand when to apply the Privacy Act of Canada
- Understand when to apply the Freedom of Information and Protection of Privacy Acts of the different provinces and territories

B. Key Concepts

- Consent
  - Authority to collect
  - Consistent use
- Disclosure and transfer
- Retention
- Openness and access
- Privacy implications of service delivery models
  - E-government initiatives
- Sub-contracting and Shared Services
- Research and Statistical use of Personal Information

IV. Canadian Privacy Laws and Practices—Health Sector

A. Statutes

- Understand when to apply the various Health Information Acts of the provinces and territories

B. Application and scope

- Personal health information
  - Definitions
  - Interaction with PIPEDA
  - Substantially similar to PIPEDA
- The health information custodians and trustees
  - Custodians working for non-custodians
  - When non-custodians receive personal health information from custodians
  - Agents

C. Key concepts and issues

- Consent and exceptions to consent
ii. Authorized purposes
iii. Disclosures to non-custodians
iv. Safeguarding and breach notification
   1. Agents
   2. Notice of loss
v. Integrity
vi. Accountability and openness
vii. Access and right to correct information
viii. Oversight
ix. Surveillance

D. Health Sector Information
   i. Organisations
      1. eHealth Ontario
      2. Canadian Organisation for the Advancement of Computers in Health (COACH)
      3. Canadian Institute for Health Information (CIHI)

E. Genetic testing
   i. Canadian Life and Health Insurance Association Inc. (CLHIA)
   ii. PIPEDA and OPC rulings
   iii. The Genetic Non-Discrimination Act