

PIPEDA GAINS TEETH AND AN UPGRADE

WELCOME TO BILL S-4

On June 18, 2015, Bill S-4 passed Royal Assent to become law. This is an Act to amend the Personal Information Protection and Electronic Documents Act (PIPEDA) with further amendments to the Digital Privacy Act. PIPEDA was first passed into law in the year 2000 and came into full force and effect in three stages between 2001 and 2004. In a world that is increasingly driven by information technology, the clear purpose for PIPEDA is to protect personal information and its use.

There are four key areas that Bill S-4 will amend the current Act:

1. Identify certain circumstances where it will permit the disclosure of one's personal information without knowledge or consent.
2. Establish various measures that organizations will be required to take when a case of data security breach occurs.
3. Creation of offences with fines or penalties for failure to comply with obligations related to data security breaches.
4. Circumstances established where the privacy commissioner would be able to enter into compliance agreements with organizations. This could enable the commissioner to audit how personal information is managed by an organization governed by PIPEDA where such practices are in the public interest to make public.

It is also significant to note that the new mandatory Federal Security breach notification regulations will be finalized to deal with the massive problems associated with cyber security – all this and above coming our way in 2016.

My School insurance participants have an automatic limit of \$30,000 coverage for data breach expenses. While some insurers are offering this with various limits, there are fewer offering full tiered Cyber Liability policies that include first party and third party coverage. More broad and far-reaching with third party coverage, individual cyber liability policies include tailored limits for notification costs, business interruption, network security and privacy liability, internet media liability and regulatory proceeding expenses.

Call us at CCV Insurance & Financial Services Inc. to learn more about insurance protection that prepares you for 2016 and beyond.