Office of the Information and
Privacy Commissioner of Alberta

PERSONAL INFORMATION PROTECTION ACT
Breach Notification Decision

Organization providing notice under section 34.1 of PIPA	GolfTec Enterprises, LLC. (Organization)
Decision number (file number)	P2017-ND-101 (File #005907)
Date notice received by OIPC	June 23, 2017
Date Organization last provided information	July 20, 2017
Date of decision	July 20, 2017
Summary of decision	There is a real risk of significant harm to the individuals affected by this incident. The Organization is required to notify those individuals pursuant to section 37.1 of the *Personal Information Protection Act* (PIPA).
JURISDICTION	
Section 1(1)(i) of PIPA "organization"	The Organization operates in Alberta and is an "organization" as defined in section 1(1)(i)(i) of PIPA.
Section 1(1)(k) of PIPA "personal information"	The incident involved the following information: • name, and • credit card information (e.g. account number, expiry date, security code). This information is about identifiable individuals and is "personal information" as defined in section 1(1)(k) of PIPA. The information was collected during "in-centre" transactions.
DESCRIPTION OF INCIDENT	
❑ loss ☒ unauthorized access ❑ unauthorized disclosure	
Description of incident	• The Organization experienced malicious point-of-sale terminal intrusions at select centers between March 2, 2017 and June 15, 2017. • A relatively small number of transactions with this time period were affected, however, the Organization believes this may have put students' personal information at risk.

Affected individuals	The incident potentially affected 725 students in Alberta.
Steps taken to reduce risk of harm to individuals	• Investigated the incident and confirmed it has been contained. • Notified appropriate authorities. • Established a dedicated email address and the Organization's National Customer Service Center team is available to answer any questions from affected individuals. • Working with data security consultants, credit card companies and internal security staff to minimize the likelihood of fraudulent transactions.
Steps taken to notify individuals of the incident	The Organization notified the affected individuals by letter sent June 16, 2017.
REAL RISK OF SIGNIFICANT HARM ANALYSIS	
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.	The Organization reported that "credit card data could be used by the persons orchestrating the breach to engage in fraudulent credit card purchases or attempt to open unauthorized credit card accounts." I agree with the Organization. The financial information at issue could be used to cause the harms of identity theft and fraud. These are significant harms.
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.	The Organization did not specifically assess the likelihood of harm resulting from this incident but reported that it is "actively working with our data security consultants, the credit card companies and our internal security staff to minimize the likelihood of such fraudulent transactions." In my view, the likelihood of harm is increased because the incident was the result of malicious intent (deliberate intrusion) and the personal information was exposed for over three months.
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. The financial information at issue could be used to cause the significant harms of identity theft and fraud. The likelihood of harm is increased because the incident was the result of malicious intent (deliberate intrusion) and the personal information was exposed for over three months.	

I require the Organization to notify the affected individuals in Alberta accordance with section 19.1 of the *Personal Information Protection Act Regulation* (Regulation).

I understand the Organization notified the affected individuals by letter sent June 16, 2017. The Organization is not required to notify the affected individuals again.

Jill Clayton
Information and Privacy Commissioner