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	PrairieCoast Equipment Inc. (Organization)
Decision number (file number)	P2017-ND-102 (File #006009)
Date notice received by OIPC	July 4, 2017
Date Organization last provided information	July 4, 2017
Date of decision	July 25, 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 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, • address, • credit card number, and • telephone number. This information is about the Organization's customers. The Organization reported that "Most of the customers are not individuals but rather are businesses and most of the credit cards are likely business cards rather than personal. Since [the Organization] did not record the names on the credit cards (just the customer names) it cannot tell whether the cards are personal or business." To the extent the information at issue is about identifiable individuals, it qualifies as "personal information" as defined in section 1(1)(k) of PIPA. The Organization reported that "345 customers … are resident in Alberta."

DESCRIPTION OF INCIDENT	
☒ loss ❑ unauthorized access ❑ unauthorized disclosure	
Description of incident	• On June 9, 2017, an employee with the Organization had his personal vehicle broken into. The employee's work computer was stolen from the vehicle along with other items. The information at issue was stored on the laptop. • The theft was discovered the same day. • The laptop was password protected but not encrypted. It has not been recovered.
Affected individuals	The incident affected approximately 997 individuals, of which 345 are located in Alberta.
Steps taken to reduce risk of harm to individuals	• Reported incident to law enforcement. • Reported incident to credit card vendor. • Provided privacy training to department managers. • Reinforced policy that no personal or financial information be stored on any external devices. • Undergoing an SAQ assessment for the purposes of becoming PCI compliant which is expected to enhance systems and processes. • Continuing to follow up with insurers regarding fraud/credit monitoring services and other mitigation practices.
Steps taken to notify individuals of the incident	Affected individuals were notified in writing on June 14, 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 "…there is a risk of identity theft and/or fraud to those customers." I agree with the Organization. The contact and 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 reported that "… in light of the fact that the incident was not accidental and for a malicious purpose, and included the theft of personal information of a large number of customers, the potential harm noted above (if it occurs) is significant." The Organization also noted that "… the Customer Information cannot be accessed unless the password protection system on the Laptop is breached or bypassed and access to the Laptop is obtained. [The Organization] is not able to remotely wipe the Laptop." In my view, the likelihood of harm resulting from this incident is increased because the laptop was stolen, indicating malicious intent. In addition, the laptop was not encrypted and has not been recovered.

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 contact and financial information at issue could be used to cause the significant harms of identity theft and fraud. The likelihood of harm resulting from this incident is increased because the laptop was stolen, indicating malicious intent. In addition, the laptop was not encrypted and has not been recovered.

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

I understand the affected individuals were notified in writing on June 14, 2017. The Organization is not required to notify the affected individuals again.

Jill Clayton
Information and Privacy Commissioner