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	CIBC World Markets (Organization), as reported by Canadian Imperial Bank of Commerce (CIBC)
Decision number (file number)	P2018-ND-123 (File #009425)
Date notice received by OIPC	August 10, 2018
Date Organization last provided information	September 5, 2018
Date of decision	September 17, 2018
Summary of decision	There is a real risk of significant harm to the individuals affected by this incident. The Organization is required to notify the individual whose information was collected in Alberta 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) of PIPA.
Section 1(1)(k) of PIPA "personal information"	The incident involved completed consent forms, and copies of passports or identification cards that were provided for the purposes of conducting international criminal record checks and similar background check services, including: • name, • date of birth, • address history, • contact information, • passport number, and • national identification numbers. No social insurance numbers were involved. This information is about identifiable individuals and is "personal information" as defined in section 1(1)(k) of PIPA. To the extent this information was collected in Alberta, PIPA applies.
DESCRIPTION OF INCIDENT	
☒ loss ❑ unauthorized access ❑ unauthorized disclosure	

Description of incident	• On July 26, 2018, CIBC learned that one of its vendors was contacted on May 25, 2018 by an unknown third party using an untraceable email account who claimed to have found information related to the vendor on the dark web. • CIBC was advised that the information included certain personal information of individuals that are current or former employees or individuals that have previously applied for employment. • There is one impacted individual who resides in Alberta and is employed by the Organization, a provincially regulated subsidiary of CIBC.
Affected individuals	The incident affected 167 individuals, including one (1) Alberta resident.
Steps taken to reduce risk of harm to individuals	• The vendor has ceased using the subcontractor and the subcontractor has agreed to destroy all information it held on behalf of the vendor. • Notifying all affected individuals and offered complimentary credit monitoring for two years to mitigate the risk of harm.
Steps taken to notify individuals of the incident	The Organization reported "The affected individual … was contacted by phone on August 10th, 2018 and provided the required information as set out in section 19.1 of the PIPA Regulations".
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 financial fraud". In my view, the comprehensive contact and identity information at issue could be used to cause the significant harms of identity theft and fraud.
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 "As the personal information of the impacted individuals is highly sensitive and as the information was allegedly found on the dark web and the source is unknown, we believe there may be a real risk of significant harm to the impacted individuals." I agree with the Organization's assessment. The breach appears to be the result of malicious intent and has had broad exposure (information allegedly found on the dark web). The cause of the breach and length of exposure appear to be unknown.

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 comprehensive contact and identity information at issue could be used to cause the significant harms of identity theft and fraud. The breach appears to be the result of malicious intent and has had broad exposure (information allegedly found on the dark web). The cause of the breach and length of exposure appear to be unknown. The Organization is required to notify the affected individual whose information was collected in Alberta in accordance with section 19.1 of the *Personal Information Protection Act Regulation* (Regulation). I understand the affected individual was notified by telephone on August 10, 2018 in compliance with the Regulation. The Organization is not required to notify the affected individual again.

Jill Clayton
Information and Privacy Commissioner