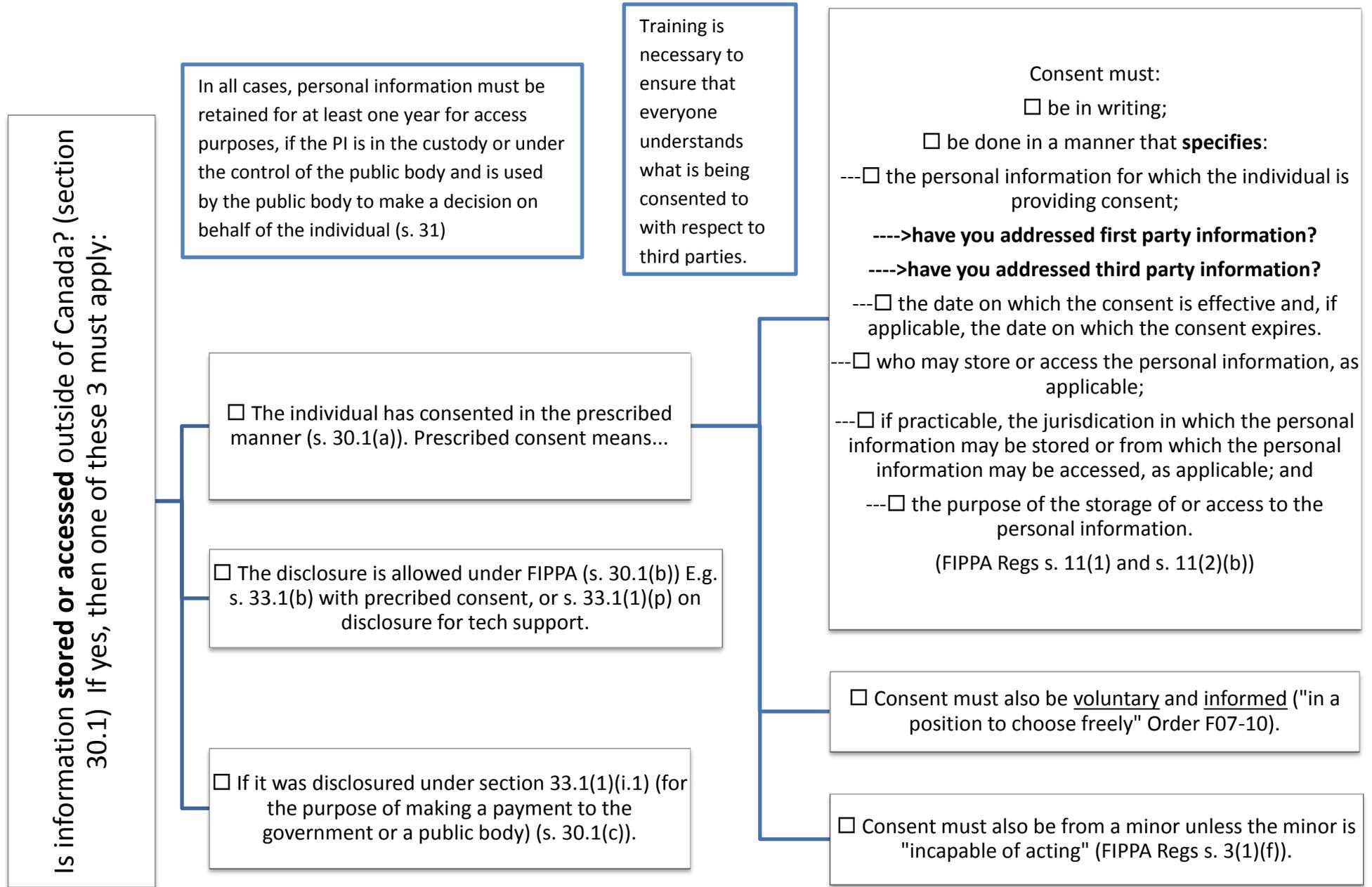


**Checklist for FIPPA compliance in use of cloud applications by a public body**



This information does not constitute OIPC approval of the initiative being consulted on or fetter the Commissioner's discretion should the initiative later be the subject of a complaint or investigation. It remains the responsibility of public bodies to ensure that they comply with their duties and obligations under applicable law.

## Checklist for FIPPA compliance in use of cloud applications by a public body

A public body may **disclose** personal information inside or outside of Canada if it obtains consent from the individual in the prescribed manner pursuant to section 33.1(b). Prescribed consent means...

In all cases, personal information must be retained for at least one year for access purposes, if the PI is in the custody or under the control of the public body and is used by the public body to make a decision on behalf of the individual (s. 31)

Training is necessary to ensure that everyone understands what is being consented to with respect to third parties.

Consent must:

be in writing;

be done in a manner that **specifies**:

--- the personal information for which the individual is providing consent;

---->**have you addressed first party information?**

---->**have you addressed third party information?**

--- the date on which the consent is effective and, if applicable, the date on which the consent expires.

--- to whom the personal information may be disclosed;

--- if practicable, the jurisdiction to which the personal information may be disclosed; and

--- the purpose of the disclosure of the personal information.

(FIPPA Regs s. 11(1) and s. 11(2)(d))

Consent must also be voluntary and informed ("in a position to choose freely" Order F07-10).

Consent must also be from a minor unless the minor is "incapable of acting" (FIPPA Regs s. 3(1)(f)).