



REVIEW OF FORMS/DIRECT COLLECTION OF PERSONAL INFORMATION
For compliance with Part IV of
Access to Information and Protection of Privacy Act (ATIPP Act)

The ATIPP Act requires

- ☞ personal information to be collected only if you have authority under section 32.
- ☞ personal information must be collected directly from the individual concerned unless secondary collection is permitted under sub-section 33(1)
- ☞ the individual must be told the authority for the collection, the purpose for the collection and the contact details of an employee who can answer questions about the collection

See definition of *personal information* in section 2(o).

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Your office may collect personal information directly from students, faculty, staff and others:

- by having individuals fill out application forms
- on-line
- verbally with a staff person entering the information into a form or a database

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Use the Checklist on the following pages to assess your direct collection of personal information – from students, faculty, staff, alumni, donors, or others – to ensure the collection is in compliance with the ATIPP Act. A sample notice you can use follows the Checklist.

1. Authorization for Collection (section 32)

What is the authority for collection of the personal information on the form? (At least one must be Yes.)	
	Yes/No
The collection of the information is expressly authorized by or under an Act?	
The information is collected for the purposes of law enforcement? (* See definition of law enforcement below.)	
The information relates directly to and is necessary for an operating program of the public body? (Consider whether or not unnecessary information is requested – questions may need to be altered or removed.)	
<i>If none of the above questions has been answered with a Yes, a revision to your procedures may be required. Consult Memorial University's Information Access and Privacy Protection Coordinator.</i>	

2. Notification of Collection (Sub-section 33(2))

Does the form provide notification of the following points to the person from whom the information is collected? (All must be Yes*)	
	Yes/No
The purpose for collecting it	
The legal authority for collecting it	
The title, business address and business telephone number of an officer or employee of the university who can answer the individual's questions about the collection	
<i>*The notification requirement does not apply if the information is about law enforcement or anything referred to in sub-section 22(1) or (2) or if, in the opinion of the head of the public body, complying with it would result in the collection of inaccurate information, or defeat the purpose or prejudice the use for which the information is collection. If none of the above questions has been answered with a Yes, a revision to procedures may be required. Consult Memorial University's Information Access and Privacy Protection Coordinator.</i>	

3. Other Considerations

	Yes/No
Does the design of the form ensure that the individual is given a copy of the notification?	
Does the design of the form ensure that a copy of the notification is kept on file by the university?	
If the information is provided verbally or on-line by the individual concerned, is	

there a means to obtain the individual's signature or consent to the collection and use of the information?	
Is a hard copy of the completed form provided to the person from whom the information is collected?	
Is a hard copy notification (as outlined in Question 3) provided to the person?	
Does the office retain a copy of the authorization and/or notification?	
<i>If the answer to any of these is no, is some other form of audit trail maintained of the authorization for collection, the source of information and the notification of collection and use?</i>	

* "Law enforcement" means

- o Policing, including criminal intelligence operations, or
- o Investigations, inspections or proceedings that lead or could lead to a penalty or sanction being imposed.



SAMPLE NOTICE

Memorial University protects your privacy and maintains the confidentiality of your personal information. The information requested in this form is collected under the general authority of the Memorial University Act (RSNL1990 CHAPTER M-7)*. It is related directly to [describe why the information is needed – the purpose and uses]. If you have any questions about the collection and use of this information, please contact [position title, business address and telephone number].

* Add or substitute applicable administrative policy approved by the Board of Regents; other legislation or regulation; binding contracts such as collective agreements, etc.

27 April 2006
IAPP Office