Corporate Policy Statement

TITLE: LTSA Personal Information Protection Policy

ISSUANCE: LTSA Executive

IMPLEMENTATION: All LTSA Offices

RELATIONSHIP TO PREVIOUS POLICY: Amendment to March 16, 2011 version

EXECUTIVE APPROVAL: [Signature]
Godfrey Archbold, President and CEO

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<td>G. Archbold</td>
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<td>• change position title for designated Privacy Officer</td>
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<td>• ARCS file classification update</td>
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<td>• Operation of myLTSA</td>
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1. Purpose and Scope

This policy describes the principles and practices that the Land Title and Survey Authority of British Columbia (“LTSA”), and its subsidiaries, follows to protect personal information.

The policy also applies to any service providers that collect, use or disclose personal information on behalf of the LTSA.

This policy has been developed and adopted in compliance with the requirements of British Columbia’s Freedom of Information and Protection of Privacy Act.

2. Background

British Columbia’s Freedom of Information and Protection of Privacy Act (FIPPA) sets out the ground rules for how organizations covered by the Act may collect, use and disclose personal information. The LTSA became subject to the Act on July 13, 2010.

In order to carry out its legislated mandate and in operation of its electronic customer portal called “myLTSA”, the LTSA collects customer information, some of which may be personal information, as follows:

a. LTSA collects, uses and discloses information from applications submitted by its customers respecting registered land title and charge ownership; most of these registrations arise under the Land Title Act and the Land Act. The registries established under the Land Title Act and the Land Act (the land title registry and the Crown land registry) are open to the public, and the records they contain, including the personal information in those records, may be accessed in accordance with the statutes and for the prescribed fee. FIPPA does not apply to these records as they are available for purchase by the public (see section 3(1)(j) of FIPPA).

b. LTSA collects and uses information provided by myLTSA customers as part of their registration procedures for a myLTSA Customer Account. The registration procedure for a myLTSA Customer Account includes acknowledgement of consent to collection of this information and a proviso that such information will be collected, used and disclosed in accordance with FIPPA.

When required to do so, the LTSA informs customers and other individuals of the reasons why their personal information is being collected, and how it will be used and disclosed.

3. References

This policy statement is consistent with the following:

4. Definitions

**Contact information** – Information that would enable an individual to be contacted at a place of business and includes name, position name or title, business telephone number, business address, business email or business fax number. Contact information is not covered by this policy or FIPPA.

**Customer** – For the purposes of this policy, includes persons who have their title or interest in land registered through applications under the *Land Title Act* or the *Land Act* and/or have a myLTSA Customer Account.

**myLTSA** - The LTSA’s electronic customer portal:
- Hosting its Electronic Search and Filing services. Customers must set up myLTSA Enterprise or Explorer accounts in order to electronically transact with the LTSA.
- Providing customer and deposit account management services.
- Facilitating the LTSA’s fee collection and remittance services.

**Information and Privacy Officer** – The employee designated by the CEO to ensure the LTSA’s compliance with and to carry out the duties and responsibilities of the LTSA as a public body under FIPPA.

**Personal Information** – Recorded information about an identifiable individual other than contact information (described above).

5. Collecting Personal Information

In operating BC’s land title and survey systems and the myLTSA electronic customer portal, the LTSA collects information, some of which may be personal information, from its customers that is necessary to:

- Operate British Columbia’s land title and survey systems and process requests for Crown grants that are to be executed by the LTSA;
- Deliver requested products and services, including those provided in operating British Columbia’s land title and survey systems and processing requests for Crown grants that are to be executed by the LTSA;
• Ensure a high standard of products and services to customers;
• Enable communication with customers;
• Meet statutory and regulatory requirements; and
• Process payments for LTSA’s services.

6. Using and Disclosing Personal Information

(a) The LTSA uses and discloses personal information collected from customers solely for the purposes of operating British Columbia’s land title and survey systems and processing requests for Crown grants that are to be executed by the LTSA, or for a purpose reasonably related to those purposes, including:

• When the LTSA requires legal advice from a lawyer;
• For the purposes of collecting a debt;
• To protect the LTSA and customers from fraud; and
• To investigate an anticipated breach of an agreement or a contravention of law.

(b) The Land Title Act provides at s. 377(4) that the land title register is open to the public and may be searched and inspected by any person, subject to reasonable conditions the registrar may impose. The Act authorizes that searches may be made on the basis of individual titles or instruments (by their specific registration number), or by name (s. 377(4)); an owner’s contact information may be accessible through such a search.

(c) Long standing approaches to search functionality, and those in place for myLTSA, restrict customer search services (i.e. each search must proceed individually (no ability to search in bulk); the criteria to conduct an individual search is limited to legal description, parcel identifier number, name, title number, charge number or plan number (not civic addresses), on payment of required fees)

(d) When so requested, customers are advised to seek professional advice about how best to avoid collection of particular details on the public land title register, they may wish to provide an alternate contact address and/or structure their ownership arrangement to avoid having their civic address appear in search results.

(e) The LTSA does not use or disclose its customers’ personal information or details about customers’ search history or any business conducted with the LTSA, for any purpose unless customer consent is obtained, or where such use or disclosure is required by law.
The LTSA does not sell or provide lists of its Customers’ personal information to other parties. However, customer information such as name, an address and other property information may be included in public land title registry documents which are available to be searched by the public for a fee pursuant to the Land Title Act.

7. Retaining Personal Information

(a) If the LTSA uses an individual’s personal information to make a decision that directly affects the individual, that personal information is retained for at least one year so that the customer has a reasonable opportunity to request access to it.

(b) Subject to policy 7(a), an individual’s personal information is retained only as long as necessary to fulfill the identified purposes or a legal or business purpose.

8. Ensuring Accuracy of Personal Information

(a) Reasonable efforts are made to ensure that an individual’s personal information is accurate and complete where it may be used to make a decision about the individual or be disclosed to another person or organization.

(b) An individual may request a correction to their personal information in order to ensure its accuracy and completeness. A request to correct personal information must be made in writing and provide sufficient detail to identify the personal information and the correction being sought.

A request to correct personal information should be forwarded to the LTSA’s Information and Privacy Officer, but if the request relates to personal information appearing in the land title register operated by the LTSA, the request must comply with the Land Title Act and be forwarded to the Registrar of Land Titles.

(c) If the personal information which is the subject of a correction request is demonstrated to be inaccurate or incomplete, the LTSA will correct the information as required and send the corrected information to any organization to which the personal information has been disclosed in the previous year. ("Disclosed" as used in this context does not include where another organization has obtained such personal information by conducting a search of the land title register operated by the LTSA.) If the requested correction is not made, the customer’s correction request will be noted in the file.

9. Securing Personal Information

(a) The LTSA is committed to ensuring the security of personal information in order to protect it from unauthorized access, collection, use, disclosure, copying, modification or disposal or similar risks.
(b) The following measures are in place to ensure personal information security:

- Operational land title and survey records are stored in secure vaults with direct physical access to the records limited only to LTSA employees and eligible external parties who have been accredited with direct access privileges under the LTSA’s ‘Direct Access to Operational Records’ policy.

- External parties who are accredited with direct access privileges to the LTSA’s operational records are limited to researching registry information that pertains to individual properties/titles. They are not permitted to perform ‘bulk searches’ or to ‘graze’ operational records other than that required for a conveyancing, survey, or land title/survey/historical research purpose.

- The LTSA does not conduct or permit computer searches of its relational databases of operational records where the search parameters relate to personal information.

- The LTSA uses state-of-the-art data security and disaster recovery standards and technology which are characteristic of mission-critical computer systems. Personal information is protected in accordance with the LTSA Security Statement, along with the following LTSA security policies:
  - Access Control Policy
  - Data Backup Policy
  - Remote Access Policy
  - Information Technology Control: Entity Level Policy
  - Information Security Incident Management Policy
  - Security Monitoring Policy
  - Mobile Computing Policy
  - Wireless Computing Policy

- Appropriate security measures are followed when destroying customers’ personal information.

- The LTSA requires that third party service providers that will deal in any way with personal information in the possession of the LTSA enter into contracts whereby the third party service providers agree to manage all LTSA information in compliance with FIPPA.

(c) In the event of unauthorized disclosure of personal information:

- An employee, officer or director of the LTSA, or an employee or associate of a service provider to the LTSA, who knows that there has been an unauthorized disclosure of personal information that is in the custody or under the control of the LTSA must take immediate steps to notify the Information and Privacy Officer and the CEO of the LTSA.
The LTSA responds and manages privacy breaches in accordance with FIPPA and the guidelines and resources set out in the Office of the Information & Privacy Commissioner for British Columbia’s report ‘Privacy Breaches: Tools and Resources’. The Information and Privacy Officer will lead the LTSA’s management and response to any privacy breach.

10. Privacy Contact

The Director, Legal and Regulatory Affairs is the LTSA’s Information and Privacy Officer and is the designated contact person for all inquiries relating to the LTSA’s compliance with the privacy protection requirements of FIPPA.

Inquiries should be forwarded in writing to:
Information and Privacy Officer
Corporate Affairs
Land Title and Survey Authority of BC
PO Box 9390 (Suite 200 - 1321 Blanshard Street)
Victoria, BC, V8W 9J3
Tel: (250) 410-0600
Email: FOIPPA@ltsa.ca