

This document aims to help readers understand what constitutes a “common or integrated program or activity” (CIPA) under BC’s [Freedom of Information and Protection of Privacy Act](#) (FIPPA), and the obligations associated with them.

While they both facilitate the sharing of information, a CIPA is distinct from an [information-sharing agreement](#).¹

What is a CIPA?

A CIPA, as defined in [Schedule 1](#) of FIPPA:

- authorizes parties to share personal information for the purpose of providing one or more services;
- documents rules and criteria for that sharing; and
- fosters accountability.

There are many provisions in FIPPA that authorize public bodies to share personal information for various purposes. CIPAs are one available option. Public bodies can choose to enter into a CIPA, or they may rely on other authorities in FIPPA that authorize them to share personal information. CIPAs have some additional requirements that other sharing authorities in FIPPA do not have, therefore public bodies might reserve CIPAs for situations where other FIPPA authorities are not available or practical.

Who can participate in a CIPA?

CIPAs are not limited to public bodies. Federal government departments, corporations, non-profit organizations, and any other entity captured under the definition of an “agency” in [Schedule 1](#) of FIPPA can participate in a CIPA so long as at least one member of the CIPA is a public body.²

For example, a municipality may want to partner with a provincial government ministry, and a non-profit social service agency, for the purpose of providing a service. In this case, a CIPA may authorize these participants to collect, use or disclose the personal information needed in order to deliver the service.

In addition to other legal authorities that may be available, a private sector organization that is subject to the [Personal Information Protection Act](#) (PIPA), can point to the provisions in PIPA that

¹ For more information about information-sharing agreements, see the Ministry of Citizens’ Services webpage about information sharing: <https://www2.gov.bc.ca/gov/content/governments/services-for-government/information-management-technology/privacy/agreements-contracts/sharing-personal-information>.

² The term “public body” is defined in [Schedule 1](#) of FIPPA.

authorize it to collect, use or disclose personal information “as authorized by law”, as we take the position that the “law” in this case can be a CIPA agreement.

For example, if a public body forms a CIPA with an organization subject to PIPA, the organization can collect personal information disclosed to it by the public body in accordance with the terms of the CIPA pursuant to s. 12(1)(h) of PIPA, which allows an organization to collect personal information about an individual without their consent if the collection is authorized by law.

Forming a CIPA is simple

There are two ways to form a CIPA under FIPPA:

1. Each participating organization or public body signs an agreement that meets the requirements of [s. 12](#) of the FIPPA Regulation.

OR

2. [The Minister responsible for FIPPA](#) can designate a CIPA by order, as long as at least one Ministry participates. In this case, the participants to the CIPA do not have to sign the agreement.³

In either case, the requirements of a CIPA include basic details like the purpose of the CIPA, each member’s roles and responsibilities, and a description of the types of personal information collected, used and disclosed.

Requirement to notify the OIPC

CIPAs increase the ability of participants to share personal information for purposes that may not otherwise be authorized. These agreements are therefore subject to additional oversight by the [Office of the Information and Privacy Commissioner](#) (OIPC).

Section [69\(5.5\)](#) of FIPPA requires the head of a public body participating in a CIPA to notify the OIPC at an early stage of developing the initiative, program or activity.

When reviewing a proposed CIPA, the role of the Commissioner’s office is to ensure that the objectives of a CIPA align with FIPPA’s [stated purposes](#), which are to make public bodies more accountable to the public and to protect personal privacy.

After the parties submit a CIPA to the OIPC, they can expect to receive initial comments and questions within approximately two weeks. The range of questions varies, but often the OIPC will seek more detail about the purposes for the CIPA and what precipitated the parties’ decision to enter into it. When the OIPC has no further comments or questions about a proposed CIPA,

³ See the References section at the end of this document for a link to examples of Minister-designated CIPAs.

they will tell the parties that they are finished reviewing the CIPA. At that point, the parties may finalize the CIPA and share the information. The parties should be aware that our review and comments are just that, and do not fetter or bind, or constitute a decision or finding by, the OIPC.⁴

In the event that the OIPC opposes a CIPA, then the OIPC will either suggest how the parties can change the CIPA so that it aligns with FIPPA's purposes, or the OIPC may recommend that the parties should not proceed with the CIPA, and explain why.

Requirement for public bodies to submit a PIA to the OIPC

FIPPA also requires the head of each public body to submit a Privacy Impact Assessment (PIA) about the CIPA to the OIPC. See [s. 69\(5.2\)](#) and [s. 69\(5.4\)](#) to read the requirement.⁵

This requirement can be done in a number of ways:

1. Each public body may submit individual PIAs;
2. All the public bodies may collectively submit one PIA; or
3. A combination of one and two can occur, where some public bodies submit a PIA together, and the other public bodies submit their own.

Completing a PIA and submitting it to the OIPC for organizations subject to PIPA (recommended)

If some participants to a CIPA are organizations subject to PIPA, we recommend they complete a PIA and submit it to the OIPC for review and comment. To help with completing a PIA, organizations may choose to use our [PIPA PIA Template](#) and companion [Guide](#).

Appointing a liaison (recommended)

To streamline the process, the OIPC recommends that parties to a CIPA appoint a liaison to act as a single point of contact between the OIPC and the CIPA participants.

Transparency reporting (recommended)

CIPAs allow multiple parties to share personal information about individuals without their consent. For this reason, the OIPC recommends that all parties consider posting a copy of any CIPA to which they are a party on their website in order to be transparent to the public about what services they are providing and what entities they are working with.

⁴ To read our policy on consultations (1 page) see this link: <https://www.oipc.bc.ca/guidance-documents/1432>.

⁵ For more information about PIAs and to download templates (there are different ones for ministries and non-ministry public bodies) please see the Ministry of Citizens' Services webpage about PIAs: <https://www2.gov.bc.ca/gov/content/governments/services-for-government/information-management-technology/privacy/privacy-impact-assessments>

Conclusion

A CIPA is a program or activity that provides one or more services through a public body either working collaboratively or on behalf of other public bodies or agencies. Public bodies do not need to participate in a CIPA when other authorities in FIPPA authorize the collection, use, or disclosure of personal information. If a public body enters into a CIPA, then it is a requirement in FIPPA to notify the OIPC, complete a PIA, and submit that PIA to our office for review. We recommend that organizations subject to PIPA also complete and submit a PIA.

For assistance, please email us at info@oipc.bc.ca.

References

[FIPPA](#) sections 26, 27(1)(e), 33.2(d), 69(5.2), 69(5.4), 69(5.5), 76(2)(h.1), [Schedule 1](#) under “agency”, “common or integrated program or activity” and “program or activity”.

[Freedom of Information and Protection of Privacy Regulation](#), BC Reg 155/2012, section 12(a) and (b).

Selection of examples of CIPA Orders made by the Minister Responsible for FIPPA under s. 12(b); https://www.bclaws.ca/civix/document/id/mo/mo/2019_m315; https://www.bclaws.ca/civix/document/id/mo/mo/2019_m316.

These guidelines are for information purposes only and do not constitute a decision or finding by the Office of the Information and Privacy Commissioner for British Columbia. These guidelines do not affect the powers, duties, or functions of the Information and Privacy Commissioner regarding any complaint, investigation, or other matter under FIPPA or PIPA.