

RFP 492-2021 Appendix 2

FIPPA Section 44.1(1)-(5)

Public body may provide information to an information manager

44.1(1) A public body may provide personal information to an information manager for the purpose of processing, storing or destroying it or providing the public body with information management or information technology services.

Restrictions on use

44.1(2) An information manager may use personal information provided to it under this section only for the purposes and activities mentioned in subsection (1), which must be purposes and activities that the public body itself may undertake.

Agreement required

44.1(3) A public body that wishes to provide personal information to an information manager under this section must enter into a written agreement with the information manager that provides for the protection of the personal information against such risks as unauthorized access, use, disclosure, destruction or alteration, in accordance with the regulations.

Information manager shall comply with Act

44.1(4) An information manager shall comply with

- (a) the same requirements concerning the protection of personal information that the public body is required to comply with under this Act; and
- (b) the duties imposed on the information manager under the agreement entered into under subsection (3).

Information deemed to be maintained by the public body

44.1(5) Personal information that has been provided to an information manager under an agreement described in subsection (3) is deemed to be in the custody and control of the public body for the purposes of this Act.