

Alberta Regulators Find Theater Company Lacked Specific Consent to Send Emails for Commercial Activity

JUNE 23, 2014

Alberta's Office of the Information and Privacy Commissioner released a [ruling](#) this month finding a local theater violated the Alberta Personal Information Protection Act (PIPA) when it used consumer information to send a marketing email without first obtaining consent. The adjudicator determined that the theater, a nonprofit organization, was subject to PIPA's requirement to obtain consent to use personal information to the extent the theater used the information for a commercial activity. Despite the theater's nonprofit status, using the email address to disseminate a newsletter promoting the theater's programming was deemed to be a commercial activity. The adjudicator determined that the theater had previously collected the consumer's information, however there was no evidence to suggest the theater obtained consent to use the information for a commercial activity. After determining the theater did not have the consent it needed to use the consumer's information for this purpose, the adjudicator ordered the theater to destroy the consumer's information.

TIP: Companies should be mindful of the notice and consent requirements with regard to the collection of personal information in the jurisdictions where information is collected. While some jurisdictions require only that notice be given regarding the types and use of information collected, others require consent to use or collect information for a particular purpose as seen under [Alberta's Personal Information Protection Act](#).

1 Min Read

Related Locations

Chicago

Related Topics

Consumer Privacy

Online Privacy

Related Capabilities

This entry has been created for information and planning purposes. It is not intended to be, nor should it be substituted for, legal advice, which turns on specific facts.