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**Personal Information International Disclosure Protection Regulations**  
**made under Section 15 of the**  
***Personal Information International Disclosure Protection Act***  
**S.N.S. 2006, c. 3**  
**O.I.C. 2008-130 (March 26, 2008), N.S. Reg. 113/2008**

#### **Citation**

**1** These regulations may be cited as the *Personal Information International Disclosure Protection Regulations*.

#### **Definitions**

**2** In these regulations, “Act” means the *Personal Information International Disclosure Protection Act*.

#### **Definition of “head” for Act**

**3** The definition of “head” in clause 2(1)(e) of the Act is enlarged to include the following:

- (a) for a public body as defined in the *Freedom of Information and Protection of Privacy Act*, a person to whom the head under that Act has delegated a power;
- (b) for a public body that is a municipality as defined in Part XX of the *Municipal Government Act*, a person to whom the responsible officer under that Act has delegated a power.

#### **Definition of “access” for Act**

**4** In the Act, “access” means the action, process, opportunity or means of finding, using, examining or retrieving, including obtaining from storage.

#### **Definition of “demand or request” for Act**

**5** In the definition of “foreign demand for disclosure” in clause 2(1)(d) of the Act, “demand or request” is restricted to mean a demand or request that is in writing and that includes a court-imposed sanction for non-compliance.

#### **Report to Minister on allowing storage or access outside Canada**

**6 (1)** A report to the Minister under subsection 5(3) of the Act of all of a head’s decisions in a year to allow storage or access outside Canada must be in writing and contain all of the following:

- (a) a description of each decision;
- (b) a description of the restrictions or conditions on a decision;
- (c) a statement of how the storage or access outside Canada meets the necessary requirements of the public body’s operations.

**(2)** A report may be in Form 1.

#### **Notice respecting foreign demand for disclosure**

**7 (1)** A notice under subsection 6(2) of the Act of a known or suspected foreign demand for disclosure must be in writing.

**(2)** A notice may be in Form 2.

#### **Minister’s certificate under subsection 13(5) of Act**

**8 (1)** A certificate under subsection 13(5) of the Act to certify when the Minister learned of an act or omission that constitutes an offence under Section 13 of the Act must be in writing and indicate the date when the Minister learned of the act or omission.

**(2)** A certificate may be in Form 3.

### **Form 1**

#### **Report to the Minister of Justice**

(subsection 5(3) of the *Personal Information International Disclosure Protection Act*)

To: The Minister of Justice

From: (name of head of public body, and name of public body)  
 (mailing address)

Calendar year 20\_\_

Description of each decision made during the above-noted calendar year to allow storage or access outside Canada of personal information in the custody or under the control of the public body: (use additional pages as required)

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Restrictions or conditions placed on storage or access of the personal information outside Canada: *(use additional pages as required)*

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Statement of how the decisions to allow storage or access of the personal information outside Canada meet the necessary requirements of the public body's operations: *(use additional pages as required)*

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Dated \_\_\_\_\_, 20\_\_\_\_ Signature of head of public body

## Form 2

### Notice of Known or Suspected Foreign Demand for Disclosure (subsection 6(2) of the *Personal Information International Disclosure Protection Act*)

*(Note: complete as known or suspected.)*

To: The Minister of Justice

From: *(name of head of public body, employee of public body, or employee or associate of service provider, and name of public body or service provider)*  
*(mailing address)*

The nature of the foreign demand for disclosure: *(use additional pages as required)*

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Who made the foreign demand for disclosure? *(use additional pages as required)*

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When the foreign demand for disclosure was received: *(insert date)* \_\_\_\_\_

What information was sought or disclosed in response to the foreign demand for disclosure: *(use additional pages as required)*

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Dated \_\_\_\_\_, 20\_\_\_\_ Signature of head or employee of public body, or employee or associate of service provider

## Form 3

### Certificate of Minister (subsection 13(5) of the *Personal Information International Disclosure Protection Act*)

I, Minister of Justice and minister responsible for the *Personal Information International Disclosure Protection Act*, certify that, 20\_\_, is the date when I learned of the act or omission by *(name of service provider; or employee or associate of service provider)* that is alleged to constitute an offence under Section 13 of the Act.

Signed at Halifax, Halifax Regional Municipality, on, 20\_\_.

\_\_\_\_\_  
Honourable  
Minister of Justice and minister responsible for the *Personal Information International Disclosure Protection Act*