POLICY OF THE ONTARIO LIBERAL PARTY FOR COMPLIANCE WITH SECTION 17.4 OF THE ELECTION ACT

WHEREAS the Ontario Liberal Party, as a registered party under the *Election Act* (the "*Act*"), is required to develop and implement a policy to ensure that it comply with section 17.4 of the *Act* and with any guidelines provided by the Chief Election Officer under section 17.5 of the *Act;*

AND WHEREAS section 17.4 of the *Act* provides in part as follows:

> 17.4 (1) A person who obtains information, directly or indirectly, from the permanent register or from a list of electors prepared from the permanent register,
>
> (a) shall use it only for electoral purposes;
> (b) shall not use it for commercial purposes; and
> (c) may disclose it to others only after obtaining their written acknowledgment that they are bound by the restrictions in this subsection.

AND WHEREAS the Chief Election Officer, pursuant to section 17.5 of the *Act* has prescribed *Guidelines for the Use of Information obtained from the Permanent Register of Electors and the List of Electors* (the "*Guidelines")*.

THE ONTARIO LIBERAL PARTY THEREFORE REQUIRES THAT PERSONS WORKING IN PARTY OFFICES, WHETHER THEY ARE EMPLOYEES, CONTRACTORS, SERVICE PROVIDERS OR VOLUNTEERS, AS WELL AS ITS CANDIDATES, MEMBERS OF THE ASSEMBLY, EMPLOYEES, AGENTS AND VOLUNTEERS COMPLY WITH THE FOLLOWING POLICY:

1. This policy applies to all information obtained from the *Permanent Register of Electors* or the *List of Electors* (referred to in this policy as a "Voters' List"). Such information must be used for electoral purposes only. All personnel, including volunteers, must be advised that Voters' Lists constitute personal information about voters, and that we only have the ability to use it because the fair conduct of an election requires that we have it. It must be made clear that it is illegal to copy a list for any other purpose, particularly commercial use.

2. Information from a Voters' List may only be used for the electoral purposes of the Ontario Liberal Party or of a Liberal candidate, including, but not limited to:

   (a) Communication with voters and potential voters;
   (b) The promotion of the Ontario Liberal Party, including any of its candidates or prospective candidates;
   (c) The solicitation of financial support for the Ontario Liberal Party, including any of its candidates, prospective candidates; and electoral district associations;
   (d) The solicitation of electoral support;

(e) The integration of voter data into database systems developed or maintained by or on behalf of the Ontario Liberal Party for electoral purposes, where the storage of all such data is restricted to systems located in Canada;

(f) The recruitment of members of the Ontario Liberal Party, including any of its electoral district associations, the Ontario Young Liberals and the Ontario Women's' Liberal Commission; and

(g) Such other proper political purposes, consistent with the general purposes of the *Act*, and of the *Election Finances Act,* as may be approved from time to time by the Chief Privacy Officer of the Ontario Liberal Party.

3. The Ontario Liberal Party and each of its candidates, members of the Assembly, employees, agents and volunteers shall, prior to permitting any person or entity to have access to information contained in Voters' Lists, require that all such persons complete and return an "*Acknowledgement of Obligations Regarding Electoral Data"* in the form attached hereto, or in substantially similar form.

4. The Ontario Liberal Party and each of its candidates, members of the Assembly, employees, agents and volunteers from whom an *Acknowledgement of Obligations Regarding Electoral Data* is obtained shall retain such materials and dispose of them only in accordance with the terms of this Policy or in a manner otherwise consistent with Elections Ontario requirements.

5. The Ontario Liberal Party and each of its service providers, candidates, members of the Assembly, employees, agents and volunteers who have custody or control over the information contained in Voters' Lists, shall take all appropriate and reasonable measures to ensure that no person obtains unauthorized access to such information, including but not limited to:

(a) The provision of such information only to reliable persons who have a proper need to have access to such information;

(b) The storage of physical copies of such information, when not in use, in a locked cabinet or room, to which only persons who have signed and returned an *Acknowledgement of Obligations Regarding Electoral Data* have access;

(c) In respect of such information that is stored electronically, whether locally, on a server under direct control or on a cloud-based resource, the implementation of all reasonable controls against unauthorized access, such as passwords, audit trails, encryption and firewalls, as well as then-current other measures as may then be considered appropriate under all of the circumstances.

6. A copy of this policy shall be made available to all staff, volunteers and service providers who will have access to a Voters' List of any description. During an election campaign, copies of this policy should be posted in each campaign office.

7. In providing any individual or entity with a copy of information from a Voters' List, the following information must be tracked, and two forms to facilitate this are attached. The *Election Campaign Distribution Tracking Form* is to be used by candidates, and the *PREO Extract Distribution Tracking Form* is to be used for all other cases. These forms must be used to maintain a record of:

   (a) The date of distribution,
   (b) Who the information was provided to,
   (c) How the information was provided (e.g. type of document, electronic copy of PREO, paper copy of List of Electors etc.)
   (d) Confirmation that the written acknowledgment has been signed, and
   (e) confirmation of the date the copy is returned

8. The Chief Privacy Officer of the Ontario Liberal Party ("CPO") and the Executive Director of the party shall take the appropriate steps to ensure that all staff will receive annual training on the party's privacy safeguards and controls in order to ensure that they have an appropriate degree of understanding of awareness and compliance obligations. Similar training, appropriate to their responsibilities will also be provided to volunteers prior to providing them with access to PREO products.

9. Voters' List information directly provided to the Ontario Liberal Party will be securely shredded or permanently erased in accordance with the time requirements set out in the Guidelines. The party shall, within those time requirements time, provide to Elections Ontario a certificate of destruction in a form similar to that of the Secure Destruction Record attached hereto. This includes the secure destruction of electronic copies of the Voters' List information immediately after it is integrated into any database management system maintained or operated by or on behalf of the Ontario Liberal Party.

10. Any electronic copies of data received by a Liberal candidate directly from Elections Ontario must similarly be destroyed or returned by them to Elections Ontario not later than 21 days after polling day, so that a certificate of destruction in a form similar to that of the *Secure Destruction Record* attached hereto may be provided by the Ontario Liberal Party to Elections Ontario by the filing deadline that falls 30 days after polling day.

11. Any electronic copies of data received by a Liberal member of the Assembly as part of the annual release of data directly from Election Ontario must similarly be destroyed or returned by them to Elections Ontario not later than November 21 of each year, so that a certificate of destruction in a form similar to that of the *Secure Destruction Record* attached may be provided by the Ontario Liberal Party to Elections Ontario by the filing deadline that falls on November 30.

12. Electronic data to be destroyed must, in accordance with the *Guidelines*, be so destroyed using data erasure software that conforms to the standard set by the Communication Security Establishment Canada (CSEC) - CSECITSG-06 wiping method. The engagement of an outside service provider is recommended and the service provider must provide a certificate of destruction.

13. All paper products and copies thereof containing Voters' List information must be cross cut shredded or returned to Elections Ontario within 30 days after polling day in the case of Voters' List information provided for an election or by-election, and by November 30 of each year in the case of the Annual Release of such data to members of the Assembly. If an outside service provider is engaged for this function, the service provider shall be required to provide a certificate of destruction.

14. Compliance with these destruction requirements does not require the Ontario Liberal Party to delete or wipe information that has been integrated into any database that the party or its service providers have created for electoral purposes.

15. The Chief Privacy Officer of the Ontario Liberal Party ("CPO") is responsible for preventing unauthorized parties from accessing elector information. This includes taking reasonable steps to protect the security and confidentiality of elector information during its storage, transportation, handling and destruction.

16. The CPO is responsible to:

(a) communicate the requirements of the *Guidelines* to persons who are given access to electors' personal information
(b) develop and implement privacy policies and answer questions about the Ontario Liberal Party's use of list products.
(c) provide clear direction to Ontario Liberal Party candidates, members, employees and agents regarding the proper use of the information obtained from the permanent register, absentee register and other electoral products.
(d) provide electoral products only to people who need access to electoral products to communicate with electors and constituents on behalf of the Ontario Liberal Party or to do work for electoral purposes on behalf of the Ontario Liberal Party.
(e) Limit the number of people who have access, in order to reduce the chances of a privacy breach.
(f) Ensure that electoral products are kept secure when not in use by storing electronic copies on a secure, password-protected computer and by keeping paper copies in locked filing cabinets or rooms.
(g) Ensure that strict control is maintained, using passwords and keys
(h) Ensure that all individuals who are given access to electors' personal information understand the importance of protecting the privacy of electors' information.
(i) Take all proper measures to ensure that each individual who is given such access provides a completed *Acknowledgement of Obligations Regarding Electoral Data*.

17. The actual or suspected unauthorized access, loss or theft of documents containing elector information constitutes a privacy breach that must be dealt with quickly and effectively. While any such incident will require a unique approach, the CPO shall, as appropriate, follow these general steps:

    (a) notify Elections Ontario of the breach and steps being taken to contain/mitigate the breach;
    (b) contain the breach and identify its source;
    (c) mitigate the harm resulting from the breach;
    (d) retrieve any documents that were lost or stolen;
    (e) document the circumstances that led to the incident and/or contact the police; and
    (f) review and update the internal policies of the Ontario Liberal Party and its processes and procedures in order to prevent a future incident.

18. Elections Ontario shall be notified once the person who is the CPO no longer holds the title and an updated privacy policy signed by the new CPO shall be submitted.

17/08/26
Date

Simon Tunstall
Chief Privacy Officer, Ontario Liberal Party

Attachments:

Acknowledgement of Obligations Regarding Electoral Data
Election Campaign Distribution Tracking Form
PREO Extract Distribution Tracking Form
Secure Destruction Record
Guidelines for the Use of Information obtained from the Permanent Register of Electors and the List of Electors

ONTARIO LIBERAL PARTY

Acknowledgement of Obligations Regarding Electoral Data

Surname	Given Name	Telephone

Home Address	Role

In consideration of the provision to me of access to information obtained from either or both or the Elections Ontario Permanent Register of Electors for Ontario and the List of Electors for any electoral district, I acknowledge that I understand that there are legal obligations that are placed on me under section 17.4 of the Election Act as amended. I do hereby agree that I will abide by the following requirements with respect to any such information, whether the information is in printed or electronic format or examined in either format without obtaining a copy:

a) I will only use such information for electoral purposes;

b) I will not use such information for commercial purposes;

c) I will comply with the Ontario Liberal Party privacy policy provided to me;

d) I will comply with the Elections Ontario Guidelines for the Use of Electoral Products; and

e) I will only disclose such information to any other person after obtaining a written acknowledgement like this, he or she is bound by these restrictions.

Name of Electoral District(s) for which information is to be provided

Signature

Date

ONTARIO LIBERAL PARTY

Election Campaign Distribution Tracking Form – List of Electors								
				List Version:				
Date of Distribution	Distributed To:	CD quantity	Printed copy quantity	Preliminary (**P**)	Advance Poll (**AP**)	Polling Day (**PD**)	Written Acknowledgement Completed	Date Returned

Electoral District Name

Candidate Name

Candidate Signature

Date

PREO / PREO Extract Distribution Tracking Form							
Date of Distribution	Distributed To:	CD quantity	Printed copy quantity	Version:		Written Acknowledgement Completed	Date Returned
				Permanent Register	Electoral District Extract from PREO		

Electoral District Name (if applicable)

Registered Party Name (if applicable)

Name (Please print)

Signature

Date

ONTARIO LIBERAL PARTY

Secure Destruction Record

Name of Individual or Company who securely destroyed electronic or paper copies		
Date of secure destruction		
Time of secure destruction		
Location of secure destruction		
Types of documents securely destroyed (Preliminary, Advance Poll or Polling Day List of Electors, All or part of the annual release of the Permanent Record of Electors issued in a particular year)	Paper type:	How many copies were destroyed?
	Electronic:	How many copies were destroyed?
Method of secure destruction	Paper:	
	Electronic:	
Signature and printed name of individual or authorized representative of company who destroyed electronic files or paper copies	_____ _____	
Has one or more Certificates of Destruction been provided by a shredding company?	YES (attach)	NO

_____
Ontario Liberal Party / Electoral District Name

_____
Candidate Name if applicable

_____
Signature of Candidate or Chief Privacy Officer

_____
Date