

**Financial Services  
Commission  
of Ontario**

Chief Executive Officer and  
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**Commission des  
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de l'Ontario**

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May 9, 2017

Ms. Rhona DesRoches  
FAIR, Board Chair  
579A Lakeshore Road East  
PO Box 39522  
Mississauga ON L5G 4S6

Dear Ms. DesRoches:

Thank you for your letter regarding privacy issues involving Ontario's auto accident claimants. I take very seriously all matters relating to consumer protection and enhancing the public's confidence and as such, I will carefully consider your comments.

FSCO actively conducts on-site examinations to ensure insurance companies comply with their obligations under the Insurance Act and regulations. The examinations assess the controls, procedures and processes insurers have in place in order to achieve compliance with all applicable legislative provisions, including the Statutory Accident Benefits Schedule (SABS) and the Unfair or Deceptive Acts or Practices (UDAP) regulation for the proper adjustment and handling of SABS claims. To this end, FSCO expects all insurers to comply with s. 2(1) paragraph 7ii of the UDAP regulation which only permits the collection, use or disclosure of credit information if consent is obtained in compliance with the Personal Information Protection and Electronic Documents Act (PIPEDA).

It is my understanding that the Office of the Privacy Commissioner of Canada will require The Personal to demonstrate that it has fully implemented and complied with its recommendations by December 31, 2017. Please note that specific compliance with PIPEDA is the responsibility of the Office of the Privacy Commissioner of Canada.

Ms. Rhona DesRoches  
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Thank you for bringing this matter to my attention.

Yours truly,

A handwritten signature in dark ink, appearing to read "Brian Mills", with a stylized, cursive flourish extending to the right.

Brian Mills  
Chief Executive Officer and  
Superintendent of Financial Services