

## INSURANCE COUNCIL OF BRITISH COLUMBIA

### PENALTIES FOR UNAUTHORIZED ACCESS OF THE INSURANCE CORPORATION OF BRITISH COLUMBIA'S DATABASE

The Insurance Council of British Columbia ("Council") continues to see situations where insurance licensees have accessed and used policyowner information from the Insurance Corporation of British Columbia's ("ICBC") database in an unauthorized manner. This type of conduct is a breach of confidentiality and is not acceptable under any circumstance.

Information in ICBC's database may only be accessed for the purpose of conducting ICBC business, such as insurance, licensing and registration. Any other access or use of information is strictly prohibited.

Council takes any breach of confidentiality very seriously and believes it brings into question the integrity of the insurance industry. In some cases, licensees who have breached confidentiality have had their licences cancelled for a minimum of two years.

It is also important to note that when a breach of confidentiality arises, Council reviews the conduct and procedures of the agency, nominee and any supervising level 3 to determine if appropriate measures are in place to protect confidential data.

#### EXAMPLES OF PROHIBITED CONDUCT:

- an agency employee noted the licence plate numbers of vehicles in a parking lot, ran the plate numbers in ICBC's database to obtain personal information about the registered owners and then contacted the owners in an attempt to renew their vehicle insurance;
- an agency employee was involved in a road rage incident and accessed ICBC's database to obtain information on the other driver in the incident; and
- at the request of a third party, an agency employee accessed ICBC's database, obtained information about an ICBC policyowner and relayed the information to the third party.

Agencies and nominees are expected to take steps to ensure that employees clearly understand the terms and conditions under which information from ICBC's database may be accessed. If you have any questions about these terms and conditions, contact your local ICBC representative.

If you have any questions regarding this Notice, please contact Regulatory Services by calling Council's main number and at the prompt press "2".

November 27, 2009  
ICN #09-003