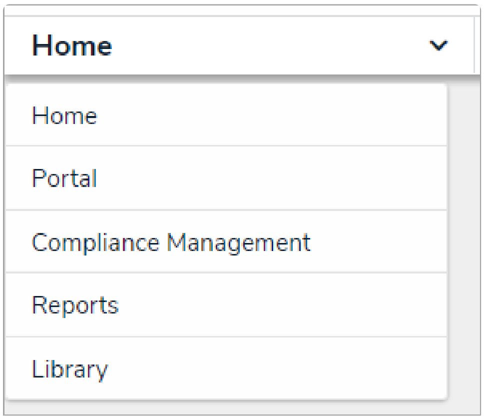
Perform an Applicability Assessment

Last Modified on 05/19/2022 10:53 am EDT

Once an assessment has been scoped, Compliance Team members must review its requirements. All requirements assigned to you and your team will be available in Compliance Management > Determine Applicability > Applicability Assessment.

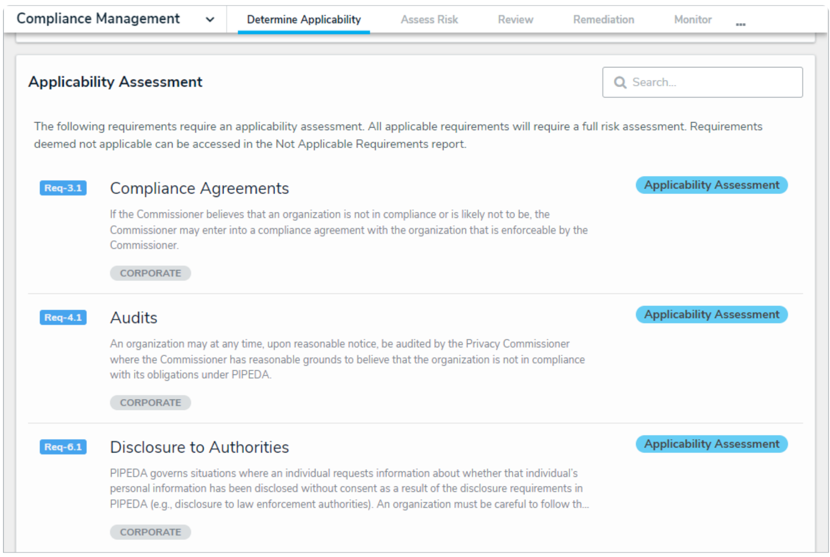
To perform an applicability assessment:

1. Log into a user account from the Compliance Team user group.
2. Click the dropdown bar in the nav bar > Compliance Management to display the Determine Applicability activity.



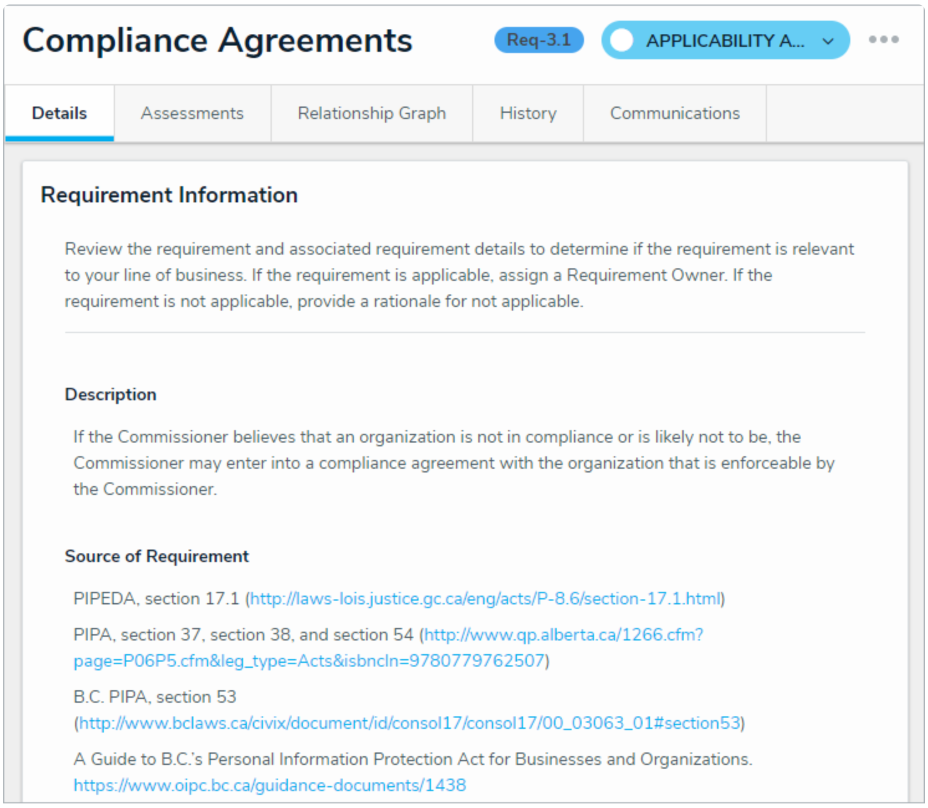
The Compliance Management activity.

3. Click a requirement in the Applicability Assessment section to display it.



The Applicability Assessment section from the Determine Applicability page.

4. Review the requirement to determine if it's relevant to your line of business.
   - The Requirement Name, Description, Subtopic, and Source of Requirement fields may already be completed, depending on the content in your compliance framework.



Compliance Agreements Req-3.1 APPLICABILITY A...

Details | Assessments | Relationship Graph | History | Communications

Requirement Information

Review the requirement and associated requirement details to determine if the requirement is relevant to your line of business. If the requirement is applicable, assign a Requirement Owner. If the requirement is not applicable, provide a rationale for not applicable.

Description

If the Commissioner believes that an organization is not in compliance or is likely not to be, the Commissioner may enter into a compliance agreement with the organization that is enforceable by the Commissioner.

Source of Requirement

PIPEDA, section 17.1 (http://laws-lois.justice.gc.ca/eng/acts/P-8.6/section-17.1.html)

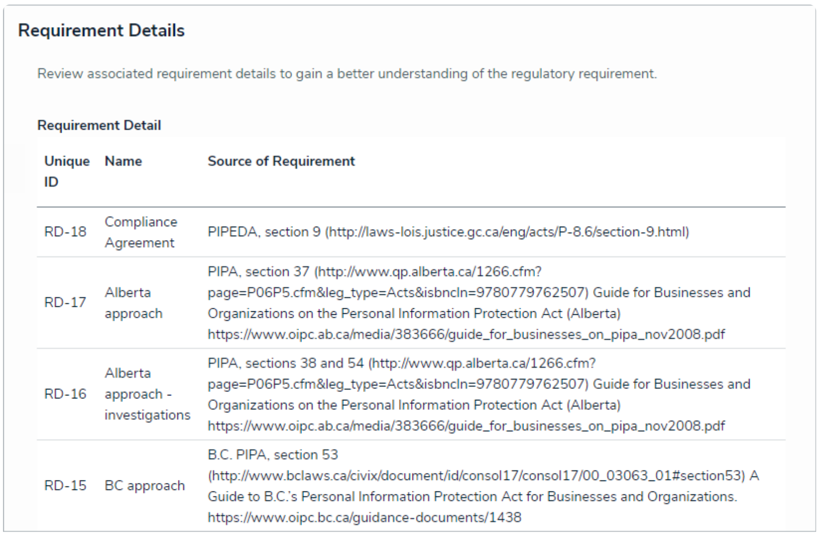
PIPA, section 37, section 38, and section 54 (http://www.qp.alberta.ca/1266.cfm?page=P06P5.cfm&leg_type=Acts&isbncln=9780779762507)

B.C. PIPA, section 53 (http://www.bclaws.ca/civix/document/id/consol17/consol17/00_03063_01#section53)

A Guide to B.C.'s Personal Information Protection Act for Businesses and Organizations. https://www.oipc.bc.ca/guidance-documents/1438

The Determine Applicability form.

5. Click the links within the **Requirement Details** section to review the specific areas your organization must comply with.



Requirement Details

Review associated requirement details to gain a better understanding of the regulatory requirement.

Requirement Detail

Unique ID	Name	Source of Requirement
RD-18	Compliance Agreement	PIPEDA, section 9 (http://laws-lois.justice.gc.ca/eng/acts/P-8.6/section-9.html)
RD-17	Alberta approach	PIPA, section 37 (http://www.qp.alberta.ca/1266.cfm?page=P06P5.cfm&leg_type=Acts&isbncln=9780779762507) Guide for Businesses and Organizations on the Personal Information Protection Act (Alberta) https://www.oipc.ab.ca/media/383666/guide_for_businesses_on_pipa_nov2008.pdf
RD-16	Alberta approach - investigations	PIPA, sections 38 and 54 (http://www.qp.alberta.ca/1266.cfm?page=P06P5.cfm&leg_type=Acts&isbncln=9780779762507) Guide for Businesses and Organizations on the Personal Information Protection Act (Alberta) https://www.oipc.ab.ca/media/383666/guide_for_businesses_on_pipa_nov2008.pdf
RD-15	BC approach	B.C. PIPA, section 53 (http://www.bclaws.ca/civix/document/id/consol17/consol17/00_03063_01#section53) A Guide to B.C.'s Personal Information Protection Act for Businesses and Organizations. https://www.oipc.bc.ca/guidance-documents/1438

Review Requirement Details.

6. Select either **Applicable** or **Not Applicable** in the **Applicability Assessment** field.

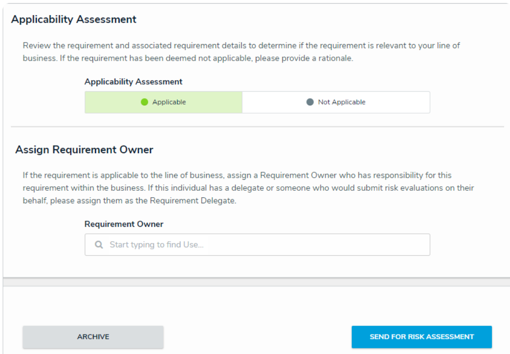
If you selected	Then

<table>
<tr>
<td>Applicable</td>
<td>

a. In the **Requirement Owner** and **Requirement Delegate** (if applicable) fields, start typing to display a list of available options, then select the relevant user and/or user group.

b. **Optional**: Click **View Requirement Profile** to view this assessment's **Requirement Profile** report, which summarizes all information about the requirement as well as its attached controls and issues.

c. Click **Send for Risk Assessment**. The Requirement Owner will get an email that a requirement has been assigned to them.



An applicable requirement.

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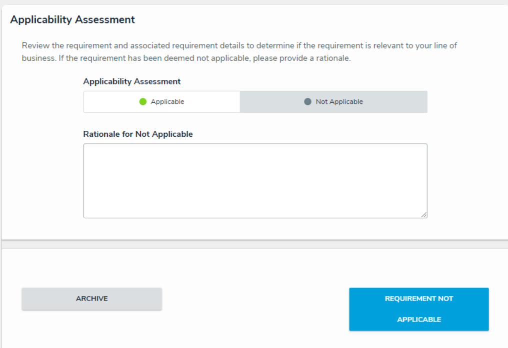
<tr>
<td>Not Applicable</td>
<td>

a. Enter your reason for marking this requirement **Not Applicable in** the **Rationale for Not Applicable** field.

b. Click **Requirement Not Applicable**. The Requirement will move to the **Not Applicable** workflow state and can be viewed in the **Reports** application. Note: Only the Compliance Team can reassess a requirement when it's deemed inapplicable.



Marking a requirement as Not Applicable.

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