

**Office of the  
Privacy Commissioner  
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**Commissariat  
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la vie privée du Canada**

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**Nov. 30 2004**

Ms. Philippa Lawson  
Executive Director  
Canadian Internet Policy and Public Interest Clinic  
57 Louis-Pasteur  
Ottawa, ON  
K1N 6N5

Dear Pippa :

Re: Inquiry 055263 and Inquiry 054528

I am writing in response to your letters of June 14 and July 15, our subsequent phone calls and our meeting on October 22<sup>nd</sup>. You asked that the Commissioner investigate Abika and National Locator Services, both companies which offer background checks on individuals including Canadians. Specifically, you allege that the companies collect, use and disclose personal information about Canadians without their knowledge or consent in contravention of the *Personal Information Protection and Electronic Documents Act (PIPEDA)*. As well, you say that the information might be inaccurate.

Unfortunately, neither company has a physical presence in Canada. While the organization may well be collecting information on Canadians, our legislation does not extend to investigating organizations located only in the United States. We are, therefore, unable to investigate this matter under *PIPEDA*.

We appreciate your bringing this matter to our attention and are sorry that we cannot help you at this time.

Yours sincerely,

A handwritten signature in blue ink, appearing to read 'Ann Goldsmith', written over a horizontal line.

Ann Goldsmith  
A/Manager Inquiries