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VIA EMAIL

August 17, 2021

[applicant information]

Re: Request for Records: BCLC File 21-027

British Columbia Lottery Corporation (BCLC) writes further to your July 20, 2021 request under B.C.'s *Freedom of Information and Protection of Privacy Act* (FIPPA) and BCLC's letter of same date.

You requested:

"A list of any cyber incidents or data breaches involving personal information, with accompanying reports, that your corporation experienced from Jan. 2018 to [July 20, 2021]. Please sever personal information that cannot be released under FOI, but make available as much of the reports as possible."

BCLC has no records responsive to your request.

To assist your understanding of BCLC's response, BCLC interprets "data breaches involving personal information" in this context to mean the unauthorized disclosure of data to an external source, at least some of which was personal information.

BCLC further interprets "cyber incidents ... involving personal information" in this context to mean an at least partially successful cyber security attack that resulted in the release of data, at least some of which was personal information. BCLC applied this interpretation because there is no universally accepted definition of the term "cyber incident," and because the use of that phrase may cover a very broad range of circumstances. A good example can be found in Canada's Ministry of Public Safety and Solicitor General's National Cyber Security Strategy, which defines "cyber incident" as:

"Any unauthorized attempt, whether successful or not, to gain access to, modify, destroy, delete or render unavailable any computer network or system source"

Source: <https://www.publicsafety.gc.ca/cnt/rsrscs/pblctns/ntnl-cbr-scrtr-strtg/index-en.aspx>

The issue for BCLC here is twofold: First, due to the breadth of this definition and because there have been no cyber incidents involving personal information in the time period requested, if BCLC were to apply it literally such a list would be populated with what may have been attempted, but unsuccessful, cyber attacks. Second, it would be impractical (if not impossible) to determine whether the purpose of any of those unsuccessful attempts was directed at personal information or not.

BCLC has no business purpose to maintain a list of unsuccessful cyber incidents involving personal information, and to even begin to create such a list would unreasonably interfere with the operations of BCLC. Accordingly, it is BCLC's position that it is not obligated to do so pursuant to section 6(2) of FIPPA. Even if BCLC was able to create this list of unsuccessful attempts, BCLC would likely take the position to withhold it in its entirety pursuant to section

15 of FIPPA. This is because providing such technical details could provide potential attackers with information that would enable them to undermine BCLC's security and computer systems.

Accordingly, BCLC performed a thorough search and determined that there are no responsive records.

This response will be published a minimum of five business days after release at:
<https://corporate.bclc.com/who-we-are/corporate-reports/reports-disclosures.html>

If you have any questions or concerns regarding BCLC's processing of your request, please contact me at CPenkert@bclc.com, via mail or at (250) 852-5370.

Additionally, under section 52 of FIPPA, you may ask the Information and Privacy Commissioner to review this reply to your request for information. You have 30 business days from the receipt of this notice to request a review by writing to:

Office of the Information and Privacy Commissioner for British Columbia
P.O. Box 9038, Station Provincial Government
Victoria, BC V8W 9A4

T (250) 387-5629 F (250) 387-1696
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Sincerely,

[original signed by]

Christian Penkert
Senior Freedom of Information Analyst