

ISEC 3078 Incident Handling and Response

Assignment 1 – Data Breaches

Issued: January 7, 2025

Due: January 31, 2025

Preamble

The purpose of the assignment is to examine the requirements and responsibilities for data breaches, disclosures, and improper storage of Public Sector Data in Nova Scotia. Conducting this review will familiarize you with standard practices and enable you to search out answers to the similar questions in other jurisdictions and application domains.

Requirements

This Assignment has multiple scenarios that are subject to various legislation. Your task is to identify the correct legislation and answer questions applicable to each scenario.

***YOUR ANSWERS MUST BE IN YOUR OWN WORDS. DO NOT JUST COPY RELEVANT TEXT FROM THE LEGISLATION**

Scenario 1 – Hospital Breach as the result of a hack

The IWK Hospital data has been breached as a result of a criminal hack of their information systems. There are several problems associated with this hack that must be addressed. However, your main focus is on the responsibilities and requirements of the Hospital regarding the un-authorized access to the data. The data was not encrypted. It is suspected that a Hospital Employee may have knowingly assisted the hackers, but this is not yet proven.

Scenario 1 Questions: (14 points)

1. Who is the “Head of the Public Body”?
2. Who is the “Custodian”?
3. What requirements does the Custodian have with regard to monitoring user activity on electronic information systems that are used to maintain health information.
4. What requirements does the Custodian have regarding safeguards of health information?
5. Who decides if any notification of affected individuals is required and what conditions determine whether such notification is required?
6. In the event that notification is required:
 - a. Who must be notified?
 - b. How soon (when) must the notification be issued?
7. If it is proven that an employee participated in the hack and therefore has participated in maliciously disclosing personal information, what are the possible penalties that may be imposed on the employee?

For the purposes of class discussion of this scenario, review the requirements placed on an agent and a researcher in the applicable legislation with regard to protection of information and reporting of data breaches. (You do not have to include these points in your assignment submission)

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Scenario 2 – Storage of Information Outside of Canada

A small municipality in Nova Scotia is struggling to manage its data storage from both a financial and technical perspective. These challenges have affected the operation of the municipality. Therefore, the CIO decides to store some data in a Cloud Service Provider (a corporation) located outside of Canada where the cost is less, and technical services are provided. The CIO waits the longest possible time (as described in the legislation) to inform the Minister of this action. Shortly after the Minister is informed a security audit is conducted and it is discovered that an Officer of the Service Provider maliciously permitted unauthorized access to this data by a third party immediately after the data was deposited in the Provider's system.

Scenario 2 Questions: (10 points)

1. Who is the "Head of the Public Body"?
2. Given the facts described in the above pre-amble (prior to the discovery of the unauthorized access), is the municipality permitted to store this public sector data outside of Canada? Justify your answer by describing the applicable section of the legislation including section numbers etc.
3. If the municipality stores data outside Canada on January 1 of this year (2025), when is the last possible date on which the Minister must be informed of this action.
4. What is the:
 - a. Maximum fine that can be imposed on the Service Provider as a corporation?
 - b. Maximum fine and maximum jail sentence that can be imposed on the Officer of the Provider?
5. Given the facts above, can the Officer of the Provider or the Provider as a corporation be charged with an offence? Justify your answer by describing the applicable section of the legislation including the Act and section numbers? (Hint: This is a puzzle and all the clues you need to answer this question using the appropriate legislation are provided above)

Submission Requirements

Your document must be uploaded to the dropbox on or before the due date. The document itself **must have a Title Page** containing the Course Code & Number (ISEC3078), Course Name ("Incident Handling and Response"), the Assignment Title ("Data Breaches") and your name and student number.

Document name must be YourLastName-YourFirstName-ISEC3078-As1.

REFERENCES ARE NOT REQUIRED IN THIS ASSIGNMENT

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Part 1 Rubric

This assignment worth 20% of your final mark and is marked out of 34.

| Criteria | Not Met | Somewhat Met | Met |
|---|---------|--------------|------|
| Document (Name, Title Page, Layout Grammer, Spelling) | 0 | 1 - 5 | 6-10 |
| Questions | | | 0-24 |
| Maximum Total By Column | 0 | 5 | 34 |