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DU CANADA

# 2023 OPERATIONS DAY



## Privacy – Operational Impacts

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# Privacy Regulations in Canada

## Quebec - [Act to modernize legislative provisions as regards the protection of personal information \(“Bill 64”\)](#)

- Received Royal Assent on September 22, 2021 and became **Law 25**
  1. Powers to the CAI to impose **administrative monetary penalties** up to C\$10M or, if greater, 2% of worldwide turnover
    - Failure to comply with transparency requirements
    - Collection, use, disclosure, retention or destruction of personal information in contravention of the law
    - Failure to report a confidentiality incident
    - Non-compliance with the provision on automated decision-making
  2. **Penal proceedings** - broad range of offences with fines up to C\$25M or, if greater, 4% of worldwide turnover
  3. **New private right of action** - punitive damages for unlawful invasion of privacy that causes harm (either intentional or due to gross negligence)

## [Federal Bill-27](#): introduced on June 16, 2022; passed 2<sup>nd</sup> reading in the House of Commons on April 24, 2023

- 3 new acts under Digital Charter Implementation Act, 2022:
  1. ***Consumer Privacy Protection Act (“CPPA”),***
  2. ***Personal Information and Data Protection Tribunal Act,*** and
  3. ***Artificial Intelligence and Data Act***



# Quebec's Law 25 – Requirements and Timeline

**Sept. 2022**

- Designation of person in charge of PI protection – Privacy Officer
- Mandatory reporting of confidentiality incidents

**Sept. 2023**

- Policies and procedures, including retention and destruction
- Project and vendor management, including transfers outside Quebec
- Transparency, consent requirements and individual rights
- Privacy parameters and privacy by default

**Sept. 2024**

- Right to data portability



# Privacy Matters

Having a strong privacy program is table stakes and a key client expectation

A privacy breach can cause irreparable damage

