

Countdown to Quebec's New Privacy Law

September 2022

Appointment of Privacy Officer

Each business is **required** to appoint a **Privacy Officer** to ensure the protection of **personal information**.

Mandatory Breach Reporting

New requirements including a more **prescriptive definition** of a confidentiality incident.

New Biometric Requirements

Notification to regulators (CAI) and **express consent** of the individual of the **use of biometrics systems** for the verification or confirmation of identity.

September 2023

Consent

Expressed consent required for the collection of **sensitive information**.

Enhanced Transparency

Clearly stated purposes for means and collection of PI, **rights of access and rectification** and the **right to withdraw consent** and the possibility that the information may be communicated outside Québec, and the **names or categories/third parties** to whom it is necessary to communicate the information for the required purposes.

Privacy by Default

Obligations stating that a public-facing technological product or service that has privacy parameters be **set by default** (without user intervention) **at the highest confidentiality level**.

Automated Processing

Provide **notice** when **exclusively** using **automated decision making** to render a decision and upon request, the business **must make available** additional information concerning the decision-making process, namely, the reasons and parameters that led to the decision.

Data Transfers

Organization must conduct an informal **privacy protection assessment** for any communication of personal information outside of Québec, **regardless of the destination jurisdiction**.

September 2024

Data Portability

Data portability rights in addition to right of access dictating that a person may **request** that their PI be communicated or **transferred** to the person/third-party in a structured and commonly used format.

Enforcement

Including reformed complaint and investigative procedures, administrative monetary penalties, penal offences with significant fines, and a private right of action.