

# Quebec's New Privacy Law: Get Prepared

 iubenda walking you towards compliance, step-by-step

Law 25 (the "Law") aims to update Quebec's privacy rules. It makes a number of modifications to the current legal system, giving people important new rights regarding their personal information and additional responsibilities for the institutions that handle personal information.

**A phased implementation of Law 25 will take place between September 2022 and September 2024.**

While the strain is somewhat lessened by the phased implementation period, businesses **must now begin to prepare**. The upcoming changes will be extensive, and their implementation will take a lot of time and effort.

There will also be severe consequences for non-compliance.

## 2022

If you haven't done so already you need to start putting these two steps in place by **September 22nd**.

### Designate a Privacy Officer

Name a person to undertake the responsibility to ensure the implementation of and compliance with the Law. By default, the CEO, or equivalent figure, will be responsible for this duty, although any suitable person may be given the responsibility. Their name, title, and contact details must be made public on your website.

### Mandatory Breach Reporting

You are required to report any data breach involving personal information, that poses a severe risk of injury, to the Commission d'accès à l'information (CAI), as well as any impacted persons. Additionally, a confidentiality incidents register must be kept up to date.



## 2023

If you haven't done so already you need to start putting these two steps in place by **September 22nd**.

### Privacy policy

You must make sure to include required policies and implement mandatory practices regarding personal information. In order to comply with transparency requirements, you must outline your data protection policies and procedures in clear and simple terms and offer customers enough information (for instance, on the processing of personal information, confidentiality incidents, consent, access requests, and automatic decision-making).

### Establish consent and transparency procedures

Businesses are subject to new transparency requirements regarding the collection, retention, and sharing of personal information and data subjects' rights. The consent must be clear, free, and informed. Collecting sensitive information? Collecting sensitive information requires express consent.

### Compulsory Privacy Impact Assessments (PIA)

A PIA is now required whenever personal information is transferred outside of Quebec or in relation to the acquisition, development, and overhaul of an information system or electronic service delivery involving personal information.

### Anonymization

You must have a system in place to either delete personal information once the intended uses have been fulfilled or, if appropriate, anonymize it. If you are putting in place or updating an anonymization system, it must uphold the strict standard of guaranteeing that the individual in question cannot be discovered either directly or indirectly.

### The right to be forgotten

Evaluating requests to have personal information deleted is likely to be a difficult process. Make sure you have policies in place to take these requests into consideration and respond to them appropriately.



## 2024

To ensure compliance with Law 25 make sure you have this step in place by **September 22nd**.

### Enable the right to data portability

Make sure your business has the technology and training necessary to be ready to provide a digital copy of any personal data you possess on a person upon request.



As we can see, the data privacy landscape is changing across Canada. iubenda, as always, will follow these requirements closely and **keep you up-to-date with any updates you need to make**.