



## **LAW 25:**

***An Act to modernize legislative provisions as regards the protection of personal information***

- Is your organization prepared?
- Complying with Law 25 in 5 steps with Fasken

# What is Law 25?

It is **one of the largest privacy reforms in Québec** and it involves a wave of change for the rest of Canada:

- Greater responsibilities for organizations
- Greater rights for individuals
- Greater powers for the Commission d'accès à l'information



## Key changes since September 22, 2023



Law 25 introduces penalties of \$25 million or 4% of turnover as well as monetary administrative penalties, and increases litigation risk.



It's intended for private companies of all sizes, Crown corporations and public bodies.



Legislation applies regardless of the amount or sensitivity of the information.



Every organization holds personal information about its clients and employees.



There is no need to have an establishment in Québec; extraterritorial reach similar to the European GDPR.

## Key changes starting **September 22, 2024**



### **The need to guarantee the right to data portability.**

Users of your website must be able to export any personal information collected about them.

# Protection of Personal Information (Law 25): Your Customized Solution

5 simple steps, 1 personalized solution

Fasken offers a **turnkey service** tailored to your needs.

You will be accompanied by lawyers specialized in **cybersecurity** and the **protection of personal information**.

**10+**

lawyers

in Québec to help you comply

**100+**

businesses and organizations

supported in achieving compliance since September 2021

1

## Analyze

your situation and position under Law 25



2

## Draft

and implement your practices and policies



3

## Train

your teams and leaders



4

## Stay up to date

and compliant with privacy requirements



5

## Representing you

Ongoing guidance before, during and after compliance





# 1. Analyze

your situation and position under Law 25

1

## Legislative Provisions



Determine the applicable legislative provisions

2

## Governance



Identify key stakeholders and develop your governance structure

3

## Inventory



Conduct an inventory of the personal information you process

4

## Gap Analysis



Draft a report outlining deficiencies in your current practices and documents, and prioritize strategic recommendations

5

## Remediation Plan



Build an action plan to address the identified gaps



## 2. Draft

and implement your practices and policies

1

### Incident Response



Develop an incident response plan and test your tabletop workshop abilities

2

### Internal Governance



Create and/or review policies, guidelines and governance processes as needed

3

### Consent



Create external templates, consent and policies for your collection points

4

### Contracts



Review your contracts and provide you with contract negotiation tools

5

### Retention Schedule



Determine applicable retention periods and methods of destruction



## 3. Train

your teams and leaders

1

### Management and Board of Directors



Train the Audit Committee, Executive Committee and Board of Directors on risks and stakeholder responsibilities

2

### Privacy Officer



Train privacy officers on their role and responsibilities

3

### Employees



Train your employees with practical case studies tailored to your reality and business goals

4

### Privacy Impact Assessment (PIA)



Support you in detecting, analyzing and resolving the risks linked to all your projects involving the processing of personal information. Guide you in completing PIAs



## 4. Stay up to date

and compliant with privacy requirements

1

### Privacy Program



Update your privacy program

2

### Monitoring



Implement monitoring mechanisms and legislative monitoring services



## 5. Representing you

Ongoing guidance before, during and after compliance

1

Requests for access, verification or deletion

2

De-indexing requests

3

Complaints, inspections, investigations and sanctions

4

Civil suits and class actions

5

Assisting in privacy and cybersecurity incidents



# Take the next step

Learn more about Fasken's implementation milestones and solutions to ensure you're ready.

- > [Check out our publications and resources on Law 25.](#)
- > Contact our team for support in achieving compliance from coast-to-coast.



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**40+**  
**lawyers**

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comply