

The *Privacy Act* is changing in Québec. Fasken can help you.

On September 22, 2021, the *Act to modernize legislative provisions as regards the protection of personal information* received Royal Assent; it will be phased in over the next three years. Below are the enactment milestones together with the solutions that Fasken can provide to help you prepare for these changes:

September 22, 2022:

	Entry into force	Fasken Solutions
Compliance and governance	<ul style="list-style-type: none"> Appointment of a Privacy Officer 	<ul style="list-style-type: none"> Training Governance Plan and Risk/Maturity Analysis Processing inventory
Obligations	<ul style="list-style-type: none"> Notification of privacy incidents 	<ul style="list-style-type: none"> Incident Response Plan
Exemptions	<ul style="list-style-type: none"> Disclosure of information in commercial transactions Study and research projects 	<ul style="list-style-type: none"> Confidentiality agreement Preparation of documentation

September 22, 2023:

	Entry into force	Fasken Solutions
Compliance and governance	<ul style="list-style-type: none"> Adopt or update governance policies and practices to ensure protection of personal information Provide a framework for retention, destruction and anonymization Plan the roles and responsibilities of staff members throughout the life cycle of personal information Have a complaints process in place 	<ul style="list-style-type: none"> Training Governance Plan and Risk/Maturity Analysis Privacy Policy and Protection of Personal Information Processing inventory Document retention and destruction policy
Obligations	<ul style="list-style-type: none"> Publish information regarding policies and procedures on the website Privacy Impact Assessments (PIAs) for certain personal information processing Change consent parameters Destruction and anonymization New obligations before sending personal information outside Quebec Respond to requests to stop the release of personal information 	<ul style="list-style-type: none"> Privacy Impact Assessments (PIAs) (Methodology and Documentation) De-identification and anonymization policy Extra-provincial transfer policy
Penalties and sanctions	<ul style="list-style-type: none"> Administrative and criminal penalties up to \$25,000,000 and punitive damages 	<ul style="list-style-type: none"> Implementation of a prevention and due diligence strategy Advice and representation

	Entry into force	Fasken Solutions
Obligations	<ul style="list-style-type: none"> Implement measures to facilitate the right to data portability 	<ul style="list-style-type: none"> Policy on portability, access, correction Analysis of the use of profiling, AI Product design: Privacy by default

In concrete terms:

- > Changes are needed: **be proactive** and don't wait until the last minute to start your projects.
- > These modifications dictate changes in every business. The **potential monetary penalties of \$25,000,000** are a good incentive to make sure you are in compliance.

We can help you

- > Map your data
- > Review your policies
- > Implement a data governance program
- > Train your officers, directors and employees
- > Prepare for a privacy incident

Meet our experts:

- > Visit [our resource centre for information on this legislative reform](#), including our in-house compilation of the annotated *Act respecting the protection of personal information in the private sector*.
- > Contact a member of [our team](#) to help you achieve compliance.

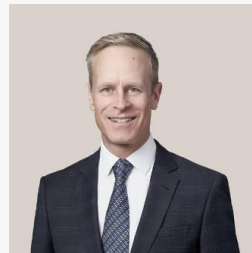
Best Lawyers®
The Best Lawyers in Canada (2021) named Fasken “Law Firm of the Year” in Privacy and Data Security Law.



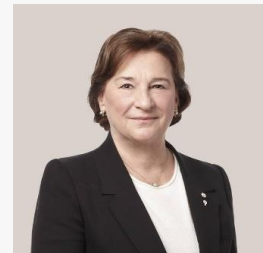
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