

Data Privacy In Canada – A Quick Guide

MAY 20, 2023

By: Timi Olaoye



What is Data Privacy?

“The proper treatment of data, including consent, notice, and legal requirements, is a subset of data security known as data privacy or information privacy. Practical worries about data privacy frequently center on:

- If and how data is shared with outside parties.
- How information is lawfully gathered or stored.
- limits imposed by laws such as the CCPA, HIPAA, GLBA, or GDPR.”

However, in this piece, we will explore Canadian acts and regulations such as PIPEDA, Bill C64, and the Privacy Act.

What Canadian Laws and Regulations Apply to Data Privacy?

LEGISLATIONS AND ACTS

According to the Government of Canada, "Legislation, also known as the acts, are forms of law that can provide the authority to make regulations. Generally, legislation begins as a bill (draft form) and can originate either in the House of Commons or in the Senate. For a bill to become law, it must be approved by both the House of Commons and the Senate and by the Governor General of Canada (the Crown)."

The difference between an act and a regulation is that regulations hold more weight regarding enforcement as they contain more specific guidelines.

PIPEDA - PERSONAL INFORMATION PROTECTION AND ELECTRONIC DOCUMENTS ACT

All private sector businesses in Canada that gather, utilize, or divulge personal information while conducting business are subject to the PIPEDA.

Every time an organization that is subject to PIPEDA collects, uses, or discloses a person's personal information, they are generally required to have that person's consent. People have the right to see the personal data that businesses may have about them. They have the right to contest its veracity as well.

Only the uses for which personal information was gathered are permitted. New consent must be obtained if an organization plans to use it for a different purpose. A suitable level of protection must be provided for personal information.

For more information regarding PIPEDA please visit [PIPEDA Information Page OPC](#).

QUEBEC BILL C64 PRIVACY REGULATION

The Quebec National Assembly recently passed the bill known as C-64. The purpose of this law was to develop a more comprehensive and up-to-

date set of regulations that will safeguard personally identifiable information (PII), particularly in the form of online data.

For more information regarding BILL C64 please visit [Quebec Bill C64](#).

PRIVACY ACT

Your privacy rights in dealings with the federal government are outlined by the Privacy Act. It relates to how the government gathers, uses, and discloses your personal information. Your personal information held by governmental entities is protected by the Privacy Act. You have the right to view your personal information that is held by the federal government thanks to the Act.

The Privacy Act is applicable to how the government gathers, uses, discloses, keeps, or discards personal data when doing tasks like:

- Benefits for senior citizens
- Insurance for employees
- Border Safety
- Tax refunds and tax collection for federal enforcement and public safety

For more information regarding the PRIVACY ACT please visit [Privacy Act Information Page OPC](#).

OFFICE OF THE PRIVACY COMMISSIONER - OPC

Individuals can get guidance and information about protecting personal information from the Office of the Privacy Commissioner of Canada. Additionally, they enforce two federal privacy regulations that specify how federal agencies and particular companies must handle customer information. [OPC](#)

Sources:

[Quebec Bill 64 - Will This Personal Data Privacy Law Impact Your Business? | Data Sentinel \(data-sentinel.com\)](#)

[The Privacy Act in brief - Office of the Privacy Commissioner of Canada](#)

[Questions and answers - Bill 64 - Office of the Privacy Commissioner of Canada](#)

[PIPEDA in brief - Office of the Privacy Commissioner of Canada](#)