

TECHNATION to provide recommendations on Ontario Privacy Consultations & Reform

There is a growing consensus that Canadian privacy laws need to be modernized. The emergence of digital technologies and services has transformed data practices, creating both the benefits of data-driven innovation and risks associated with expanded collection, use and disclosure of personal information. Current privacy laws mostly pre-date this transformation, making it important to assess whether they are adequate to address real and significant concerns about the protection of personal information in a data-driven economy.

Ultimately, a balanced approach is needed – one that recognizes the right of privacy of individuals and the need for organizations to collect, use or disclose personal information.

Currently, TECHNATION is working through its Legal Working Group and associated members to finalize a response to the Government of Ontario, whether a made-in-Ontario private sector privacy law is needed.

Currently, the Personal Information Protection and Electronic Documents Act (PIPEDA), governs the collection, use and disclosure of information in the course of commercial activities within the province. This federal legislation, together with active enforcement by the Office of the Privacy Commissioner of Canada, has provided a resilient legal framework for regulating personal information practices of businesses operating in Ontario.

The Government of Canada has indicated that it is committed to modernizing PIPEDA. It has undertaken a formal consultation process in advance of introducing privacy reform legislation, with a bill expected to receive first reading in Parliament shortly.

To determine if whether a made-in-Ontario law is needed, TECHNATION and the Committee are addressing the following key areas of importance through its Submission:

- Privacy Reform
- Increased consent and clear transparency
- Data rights: erasure and portability
- Oversight, enforcement and fines
- Enabling data-sharing for innovation, while protecting privacy
- Transborder data flows
- Responsibilities of data controllers and data processors
- Employee privacy
- Codes of conduct and privacy certifications

The issue at hand is of value to Ontarians – both because of the importance of protecting their personal information and because of the importance of data to the Ontario economy and the health and well-being of all residents of the Province.

TECHNATION will be submitting its feedback to the Government of Ontario shortly; and will also be addressing a submission concerning Bill 64 in Quebec, in the coming weeks.

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