





# **From CPPA (Bill C-27) to PPCDA (Bill C-36):**

An Article-by-Article Legislative Comparison

This table provides an article-by-article comparative analysis of the key differences between the [Protecting Privacy and Consumer Data Act](#) (“PPCDA”) (Part 1 of Bill C-36), and the [Consumer Privacy Protection Act](#) (“CPPA”) (Part 1 of former Bill C-27). It is intended to help readers easily identify and understand what has changed under the new PPCDA as compared with the CPPA. Where applicable, corresponding provisions from the [Personal Information Protection and Electronic Documents Act](#) (“PIPEDA”) have also been included for reference purposes. References to PIPEDA are provided on a non-exhaustive basis and are intended solely to facilitate comparison with the proposed legislative framework.

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Current as of June 18, 2026.

	Unchanged
	Changes

## Comparative Analysis of PPCDA, CPPA, and PIPEDA

<b>PPCDA (BILL C-36)</b> <i>Protecting Privacy and Consumer Data Act</i>	<b>CPPA (BILL C-27)</b> <i>Consumer Privacy Protection Act</i>	<b>PIPEDA</b> <i>Personal Information Protection and Electronic Documents Act</i>
<p>An Act to enact the Protecting Privacy and Consumer Data Act, to amend the Personal Information Protection and Electronic Documents Act and to make amendments to other Acts</p> <p>His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:</p>	<p>An Act to enact the Consumer Privacy Protection Act, the Personal Information and Data Protection Tribunal Act and the Artificial Intelligence and Data Act and to make consequential and related amendments to other Acts</p> <p><b>Preamble</b></p> <p>Whereas there is a need to modernize Canada’s legislative framework so that it is suited to the digital age;</p> <p>Whereas the protection of the privacy interests of individuals with respect to their personal information is essential to individual autonomy and dignity and to the full enjoyment of fundamental rights and freedoms in Canada;</p>	<p>An Act to support and promote electronic commerce by protecting personal information that is collected, used or disclosed in certain circumstances, by providing for the use of electronic means to communicate or record information or transactions and by amending the Canada Evidence Act, the Statutory Instruments Act and the Statute Revision Act</p> <p>Her Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:</p> <p><b>Short title</b></p> <p>1 This Act may be cited as the <i>Personal Information Protection and Electronic Documents Act</i>.</p>

<b>PPCDA (BILL C-36)</b> <i>Protecting Privacy and Consumer Data Act</i>	<b>CPPA (BILL C-27)</b> <i>Consumer Privacy Protection Act</i>	<b>PIPEDA</b> <i>Personal Information Protection and Electronic Documents Act</i>
	<p>Whereas Parliament recognizes the importance of the privacy and data protection principles contained in various international instruments;</p> <p>Whereas trust in the digital and data-driven economy is key to ensuring its growth and fostering a more inclusive and prosperous Canada;</p> <p>Whereas Canada is a trading nation and trade and commerce rely on the analysis, circulation and exchange of personal information and data across borders and geographical boundaries;</p> <p>Whereas the design, development and deployment of artificial intelligence systems across provincial and international borders should be consistent with national and international standards to protect individuals from potential harm;</p> <p>Whereas organizations of all sizes operate in the digital and data-driven economy and an agile regulatory framework is necessary to facilitate compliance with rules by, and promote innovation within, those organizations;</p> <p>Whereas individuals expect a regulatory framework that ensures transparency and accountability with respect to how organizations handle their personal information and that is backed by meaningful enforcement;</p> <p>Whereas the modernization of national standards for privacy protection to align them with international standards ensures a level playing field for organizations across Canada and assists them in maintaining their competitive position;</p>	

<b>PPCDA (BILL C-36)</b> <i>Protecting Privacy and Consumer Data Act</i>	<b>CPPA (BILL C-27)</b> <i>Consumer Privacy Protection Act</i>	<b>PIPEDA</b> <i>Personal Information Protection and Electronic Documents Act</i>
	<p>Whereas a modern regulatory framework governing the protection of personal information should promote the collection responsible, use and disclosure of such information by organizations for purposes that are in the public interest;</p> <p>Whereas Parliament recognizes that artificial intelligence systems and other emerging technologies should uphold Canadian norms and values in line 15 with the principles of international human rights law;</p> <p>And whereas this Act aims to support the Government of Canada's efforts to foster an environment in which Canadians can seize the benefits of the digital and data-driven economy and to establish a regulatory framework that supports and protects Canadian norms and values, including the right to privacy;</p> <p>Now, therefore, Her Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:</p> <p>Short Title</p> <p><b>Short title</b></p> <p><b>1</b> This Act may be cited as the <i>Digital Charter Implementation Act, 2022</i>.</p>	
<p><b>PART 1</b></p> <p>Protecting Privacy and Consumer Data Act</p> <p><b>Enactment of Act</b></p> <p><b>1</b> The <i>Protecting Privacy and Consumer Data Act</i>, whose text is as follows and whose</p>	<p><b>PART 1</b></p> <p>Consumer Privacy Protection Act</p> <p><b>Enactment of Act</b></p> <p><b>Enactment</b></p>	<p><b>PART 1</b></p> <p>Protection of Personal Information in the Private Sector</p>

<p style="text-align: center;"><b>PPDA (BILL C-36)</b> <i>Protecting Privacy and Consumer Data Act</i></p>	<p style="text-align: center;"><b>CPA (BILL C-27)</b> <i>Consumer Privacy Protection Act</i></p>	<p style="text-align: center;"><b>PIPEDA</b> <i>Personal Information Protection and Electronic Documents Act</i></p>
<p><b>schedule is set out in the schedule to this Act, is enacted:</b></p> <p>An Act to support and promote digital commerce by protecting personal information that is collected, used or disclosed in the course of commercial activities</p>	<p><b>2 The Consumer Privacy Protection Act, whose text is as follows and whose schedule is set out in the schedule to this Act, is enacted:</b></p> <p>An Act to support and promote electronic commerce by protecting personal information that is collected, used or disclosed in the course of commercial activities</p>	
<p>Short Title</p> <p><b>Short title</b></p> <p>1 This Act may be cited as the <i>Protecting Privacy and Consumer Data Act</i>.</p>		
<p>Interpretation</p> <p><b>Definitions</b></p> <p>2 (1) The following definitions apply in this Act.</p> <p><b>alternative format</b>, with respect to personal information, means a format that allows an individual with a sensory disability to read or listen to the personal information. (<i>support de substitution</i>)</p> <p><b>anonymize</b> means to irreversibly and permanently modify personal information to ensure that there is no reasonably foreseeable risk in the circumstances that an individual can be identified from the information, whether directly or indirectly, by any means. (<i>anonymiser</i>)</p> <p><b>automated decision system</b> means any technology that assists or replaces the judgment of human decision-makers through the use of a rules-based system, regression analysis, predictive analytics, machine learning, deep</p>	<p>Interpretation</p> <p><b>Definitions</b></p> <p>2 (1) The following definitions apply in this Act.</p> <p><b>alternative format</b>, with respect to personal information, means a format that allows an individual with a sensory disability to read or listen to the personal information. (<i>support de substitution</i>)</p> <p><b>anonymize</b> means to irreversibly and permanently modify personal information, in accordance with generally accepted best practices, to ensure that no individual can be identified from the information, whether directly or indirectly, by any means. (<i>anonymiser</i>)</p> <p><b>automated decision system</b> means any technology that assists or replaces the judgment of human decision makers through the use of a rules-based system, regression analysis, predictive analytics, machine learning, deep</p>	<p>Interpretation</p> <p><b>Definitions</b></p> <p>2 (1) The definitions in this subsection apply in this Part.</p> <p><b>alternative format</b>, with respect to personal information, means a format that allows a person with a sensory disability to read or listen to the personal information. (<i>support de substitution</i>)</p> <p><b>breach of security safeguards</b> means the loss of, unauthorised access to or unauthorized disclosure of personal information resulting from a breach of an organization's security safeguards that are referred to in clause 4.7 of Schedule 1 or from a failure to establish those safeguards. (<i>atteinte aux mesures de sécurité</i>)</p> <p><b>business contact information</b> means any information that is used for the purpose of communicating or facilitating communication with an individual in relation to their employment, business or</p>

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<p>learning, a neural network or other technique. (<i>systeme decisionnel automatise</i>)</p> <p><b>breach of security safeguards</b> means the loss of, unauthorized access to or unauthorized disclosure of personal information resulting from a breach of an organization's security safeguards that are referred to in section 56 or from a failure to establish those safeguards. (<i>atteinte aux mesures de securite</i>)</p> <p><b>business transaction</b> includes</p> <ul style="list-style-type: none"> <li>• (a) the purchase, sale or other acquisition or disposition of an organization or a part of an organization, or any of its assets;</li> <li>• (b) the merger or amalgamation of two or more organizations;</li> <li>• (c) the making of a loan or provision of other financing to an organization or a part of an organization;</li> <li>• (d) the creating of a charge on, or the taking of a security interest in or a security on, any assets or securities of an organization;</li> <li>• (e) the lease or licensing of any of an organization's assets; and</li> <li>• (f) any other prescribed arrangement between two or more organizations to conduct a business activity. (<i>transaction commerciale</i>)</li> </ul> <p><b>Chairperson</b> means the Chairperson of the Commission, as designated under</p>	<p>learning, a neural network or other technique. (<i>systeme decisionnel automatise</i>)</p> <p><b>breach of security safeguards</b> means the loss of, unauthorized access to or unauthorized disclosure of personal information resulting from a breach of an organization's security safeguards that are referred to in section 57 or from a failure to establish those safeguards. (<i>atteinte aux mesures de securite</i>)</p> <p><b>business transaction</b> includes</p> <ul style="list-style-type: none"> <li>• (a) the purchase, sale or other acquisition or disposition of an organization or a part of an organization, or any of its assets;</li> <li>• (b) the merger or amalgamation of two or more organizations;</li> <li>• (c) the making of a loan or provision of other financing to an organization or a part of an organization;</li> <li>• (d) the creating of a charge on, or the taking of a security interest in or a security on, any assets or securities 10 of an organization;</li> <li>• (e) the lease or licensing of any of an organization's assets; and</li> <li>• (f) any other prescribed arrangement between two or more organizations to conduct a business activity. (<i>transaction commerciale</i>)</li> </ul> <p><b>commercial activity</b> means any particular transaction, act or conduct or any regular course</p>	<p>profession such as the individual's name, position name or title, work address, work telephone number, work fax number or work elec-tronic address. (<i>coordonnees d'affaires</i>)</p> <p><b>business transaction</b> includes</p> <ul style="list-style-type: none"> <li>• (a) the purchase, sale or other acquisition or disposition of an organization or a part of an organization, or any of its assets;</li> <li>• (b) the merger or amalgamation of two or more organizations;</li> <li>• (c) the making of a loan or provision of other financing to an organization or a part of an organization;</li> <li>• (d) the creating of a charge on, or the taking of a secu-rity interest in or a security on, any assets or securities of an organization;</li> <li>• (e) the lease or licensing of any of an organization's assets; and</li> <li>• (f) any other prescribed arrangement between two or more organizations to conduct a business activity. (<i>transaction commerciale</i>)</li> </ul> <p><b>commercial activity</b> means any particular transaction, act or conduct or any regular course of conduct that is of a commercial character, including the selling, bartering or leasing of donor, membership or other fundraising lists. (<i>activite commerciale</i>)</p>

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<p>subsection 17(1) of the <i>Digital Safety and Data Protection Commission of Canada Act</i>. (<i>président</i>)</p> <p><b>child</b> means an individual who is under 18 years of age. (<i>enfant</i>)</p> <p><b>commercial activity</b> means any particular transaction, act or conduct or any regular course of conduct that is of a commercial character, including the selling, bartering or leasing of donor, membership or other fundraising lists. (<i>activité commerciale</i>)</p> <p><b>Commission</b> means the Digital Safety and Data Protection Commission of Canada referred to in section 4 of the <i>Digital Safety and Data Protection Commission of Canada Act</i>. (<i>Commission</i>)</p> <p><b>Commissioner</b> means the Privacy and Consumer Data Commissioner, as designated under subsection 85(1). (<i>commissaire</i>)</p> <p><b>de-identify</b> means to modify personal information so that an individual cannot be directly identified from it, although a risk of the individual being identified remains. (<i>dépersonnaliser</i>)</p> <p><b>Division</b> means the Privacy and Consumer Data Division established under section 89. (<i>Section</i>)</p> <p><b>dispose</b> means to permanently and irreversibly delete personal information or to anonymize it. (<i>retrait</i>)</p> <p><b>federal work, undertaking or business</b> means any work, undertaking or business that is within the legislative authority of Parliament. It includes</p>	<p>of conduct that is of a commercial character, including the selling, bartering or leasing of donor, membership or other fundraising lists. (<i>activité commerciale</i>)</p> <p><b>Commissioner</b> means the Privacy Commissioner appointed under section 53 of the Privacy Act. (<i>commissaire</i>)</p> <p><b>de-identify</b> means to modify personal information so that an individual cannot be directly identified from it, though a risk of the individual being identified remains. (<i>dépersonnaliser</i>)</p> <p><b>dispose</b> means to permanently and irreversibly delete personal information or to anonymize it. (<i>retrait</i>)</p> <p><b>federal work, undertaking or business</b> means any work, undertaking or business that is within the legislative authority of Parliament. It includes</p> <ul style="list-style-type: none"> <li>(a) a work, undertaking or business that is operated or carried on for or in connection with navigation and shipping, whether inland or maritime, including the operation of ships and transportation by ship anywhere in Canada;</li> <li>(b) a railway, canal, telegraph or other work or undertaking that connects a province with another province, or that extends beyond the limits of a province;</li> <li>(c) a line of ships that connects a province with another province, or that extends beyond the limits of a province;</li> </ul>	<p><b>Commissioner</b> means the Privacy Commissioner appointed under section 53 of the <i>Privacy Act</i>. (<i>commissaire</i>)</p> <p><b>Court</b> means the Federal Court. (<i>Cour</i>)</p> <p><b>federal work, undertaking or business</b> means any work, undertaking or business that is within the legislative authority of Parliament. It includes</p> <ul style="list-style-type: none"> <li>(a) a work, undertaking or business that is operated or carried on for or in connection with navigation and shipping, whether inland or maritime, including the operation of ships and transportation by ship anywhere in Canada;</li> <li>(b) a railway, canal, telegraph or other work or undertaking that connects a province with another province, or that extends beyond the limits of a province;</li> <li>(c) a line of ships that connects a province with another province, or that extends beyond the limits of a province;</li> <li>(d) a ferry between a province and another province or between a province and a country other than Canada;</li> <li>(e) aerodromes, aircraft or a line of air transportation;</li> <li>(f) a radio broadcasting station;</li> <li>(g) a bank or an authorized foreign bank as defined in section 2 of the <i>Bank Act</i>;</li> <li>(h) a work that, although wholly situated within a province, is before or after its execution declared</li> </ul>

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<p>(a) a work, undertaking or business that is operated or carried on for or in connection with navigation and shipping, whether inland or maritime, including the operation of ships and transportation by ship anywhere in Canada;</p> <p>(b) a railway, canal, telegraph or other work or undertaking that connects a province with another province, or that extends beyond the limits of a province;</p> <p>(c) a line of ships that connects a province with another province, or that extends beyond the limits of a province;</p> <p>(d) a ferry between a province and another province or between a province and a country other than Canada;</p> <p>(e) aerodromes, aircraft or a line of air transportation;</p> <p>(f) a radio broadcasting station;</p> <p>(g) a bank or an authorized foreign bank as those terms are defined in section 2 of the <i>Bank Act</i>;</p> <p>(h) a work that, although wholly situated within a province, is before or after its execution declared by Parliament to be for the general advantage of Canada or for the advantage of two or more provinces;</p> <p>(i) a work, undertaking or business outside the exclusive legislative authority of the legislatures of the provinces; and</p>	<p>(d) a ferry between a province and another province or between a province and a country other than Canada;</p> <p>(e) aerodromes, aircraft or a line of air transportation;</p> <p>(f) a radio broadcasting station;</p> <p>(g) a bank or an authorized foreign bank as defined in section 2 of the <i>Bank Act</i>;</p> <p>(h) a work that, although wholly situated within a province, is before or after its execution declared by Parliament to be for the general advantage of Canada or for the advantage of two or more provinces;</p> <p>(i) a work, undertaking or business outside the exclusive legislative authority of the legislatures of the provinces; and</p> <p>(j) a work, undertaking or business to which federal laws, within the meaning of section 2 of the Oceans Act, apply under section 20 of that Act and any regulations made under paragraph 26(1)(k) of that Act. (<i>entreprises fédérales</i>)</p> <p><b>Minister</b> means the member of the Queen's Privy Council for Canada designated under section 3 or, if no member is designated, the Minister of Industry. (<i>ministre</i>)</p> <p><b>organization</b> includes an association, a partnership, a person or a trade union. (<i>organisation</i>)</p>	<p>by Parliament to be for the general advantage of Canada or for the advantage of two or more provinces;</p> <p>(i) a work, undertaking or business outside the exclusive legislative authority of the legislatures of the provinces; and</p> <p>(j) a work, undertaking or business to which federal laws, within the meaning of section 2 of the Oceans Act, apply under section 20 of that Act and any regulations made under paragraph 26(1)(k) of that Act. (<i>entreprises fédérales</i>)</p> <p><b>organization</b> includes an association, a partnership, a person or a trade union. (<i>organisation</i>)</p> <p><b>personal health information</b>, with respect to an individual, whether living or deceased, means</p> <p>(a) information concerning the physical or mental health of the individual;</p> <p>(b) information concerning any health service provided to the individual;</p> <p>(c) information concerning the donation by the individual of any body part or any bodily substance of the individual or information derived from the testing or examination of a body part or bodily substance of the individual;</p> <p>(d) information that is collected in the course of providing health services to the individual; or</p> <p>(e) information that is collected incidentally to the provision of health services to the individual. (<i>renseignement personnel sur la santé</i>)</p>

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<p><b>(j)</b> a work, undertaking or business to which <i>federal laws</i>, as defined in section 2 of the <i>Oceans Act</i>, apply under section 20 of that Act and any regulations made under paragraph 26(1)(k) of that Act. (<i>entreprises fédérales</i>)</p> <p><b>Minister</b> means the member of the King's Privy Council for Canada designated under section 3 or, if no member is designated, the Minister of Industry. (<i>ministre</i>)</p> <p><b>organization</b> includes an association, a partnership, a person or a trade union. (<i>organisation</i>)</p> <p><b>personal information</b> means information about an identifiable individual, including information that is inferred about the individual. (<i>renseignement personnel</i>)</p> <p><b>prescribed</b> means prescribed by regulation. (<i>Version anglaise seulement</i>)</p> <p><b>record</b> means any documentary material, regardless of medium or form. (<i>document</i>)</p> <p><b>sensitive</b> describes personal information in respect of which, taking into account the circumstances, an individual has a heightened expectation of privacy, including, as the case may be, a child's personal information, personal information revealing an individual's racial or ethnic origin, political opinions or religious or philosophical beliefs, an individual's trade union membership, genetic information or health information, biometric information that is capable of uniquely identifying the individual or information</p>	<p><b>personal information</b> means information about an identifiable individual. (<i>renseignement personnel</i>)</p> <p><b>prescribed</b> means prescribed by regulation. (<i>Version anglaise seulement</i>)</p> <p><b>record</b> means any documentary material, regardless of medium or form. (<i>document</i>)</p> <p><b>service provider</b> means an organization, including a parent corporation, subsidiary, affiliate, contractor or subcontractor, that provides services for or on behalf of another organization to assist the organization in fulfilling its purposes. (<i>fournisseur de services</i>)</p> <p><b>Tribunal</b> means the Personal Information and Data Protection Tribunal established under section 4 of the Personal Information and Data Protection Tribunal Act. (<i>Tribunal</i>)</p> <p><b>Interpretation — minors</b></p> <p><b>(2)</b> For the purposes of this Act, the personal information of minors is considered to be sensitive information.</p> <p><b>Interpretation — de-identified information</b></p> <p><b>(3)</b> For the purposes of this Act, other than sections 20 and 21, subsections 22(1) and 39(1), sections 55 and 56, subsection 63(1) and sections 71, 72, 74, 75 and 116, personal information that has been de-identified is considered to be personal information</p>	<p><b>personal information</b> means information about an identifiable individual. (<i>renseignement personnel</i>)</p> <p><b>prescribed</b> means prescribed by regulation. (<i>Version anglaise seulement</i>)</p> <p><b>record</b> includes any correspondence, memorandum, book, plan, map, drawing, diagram, pictorial or graphic work, photograph, film, microform, sound recording, videotape, machine-readable record and any other documentary material, regardless of physical form or characteristics, and any copy of any of those things. (<i>document</i>)</p> <p><b>Notes in Schedule 1</b></p> <p>(2) In this Part, a reference to clause 4.3 or 4.9 of Schedule 1 does not include a reference to the note that accompanies that clause.</p>

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<p>concerning an individual's sexual orientation. (<i>caractère sensible</i>)</p> <p><b>service provider</b> means an organization, including a parent corporation, subsidiary, affiliate, contractor or subcontractor, that provides services for or on behalf of another organization to assist the organization in fulfilling its purposes. (<i>fournisseur de services</i>)</p> <p><b>Interpretation — de-identified personal information</b></p> <p>(2) For greater certainty, de-identified personal information does not cease to be personal information.</p>		
<p><b>Order designating Minister</b></p> <p>3 The Governor in Council may, by order, designate any member of the King's Privy Council for Canada to be the Minister for the purposes of this Act.</p>	<p><b>Order designating Minister</b></p> <p>3 The Governor in Council may, by order, designate any member of the Queen's Privy Council for Canada to be the Minister for the purposes of this Act.</p>	<p>[No equivalent provision]</p>
<p><b>Authorized representatives</b></p> <p>4 The rights provided for under this Act, including any right of recourse, may be exercised</p> <p>(a) on behalf of a child, by a parent, guardian or tutor, unless the child wishes to personally exercise those rights and is capable of doing so;</p> <p>(b) on behalf of an individual, other than a child, under a legal incapacity, by a person authorized by law to administer the affairs or property of that individual;</p>	<p><b>Authorized representatives</b></p> <p>4 The rights and recourses provided under this Act may be exercised</p> <p>(a) on behalf of a minor, by a parent, guardian or tutor, unless the minor wishes to personally exercise those rights and recourses and is capable of doing so;</p> <p>(b) on behalf of an individual, other than a minor, under a legal incapacity by a person authorized by law to administer the affairs or property of that individual; and</p>	<p>[No equivalent provision]</p>

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<p><b>(c)</b> on behalf of a deceased individual, by a person authorized by law to administer the estate or succession of that individual, but only for the purpose of that administration; and</p> <p><b>(d)</b> on behalf of any other individual, by a person authorized in writing by that individual to do so.</p>	<p><b>(c)</b> on behalf of a deceased individual by a person authorized by law to administer the estate or succession of that individual, but only for the purpose of that administration.</p>	
<p>Purpose and Application</p> <p><b>Purpose</b></p> <p><b>5</b> The purpose of this Act is to establish — in an era in which data is constantly flowing across borders and geographical boundaries and significant economic activity relies on the analysis, circulation and exchange of personal information — rules to govern the protection of personal information in a manner that recognizes the <b>fundamental</b> right of privacy of individuals with respect to their personal information and the need of organizations to collect, use or disclose personal information for purposes that a reasonable person would consider appropriate in the circumstances.</p>	<p>Purpose and Application</p> <p><b>Purpose</b></p> <p><b>5</b> The purpose of this Act is to establish — in an era in which data is constantly flowing across borders and geographical boundaries and significant economic activity relies on the analysis, circulation and exchange of personal information — rules to govern the protection of personal information in a manner that recognizes the right of privacy of individuals with respect to their personal information and the need of organizations to collect, use or disclose personal information for purposes that a reasonable person would consider appropriate in the circumstances.</p>	<p>Purpose</p> <p><b>Purpose</b></p> <p><b>3</b> The purpose of this Part is to establish, in an era in which technology increasingly facilitates the circulation and exchange of information, rules to govern the collection, use and disclosure of personal information in a manner that recognizes the right of privacy of individuals with respect to their personal information and the need of organizations to collect, use or disclose personal information for purposes that a reasonable person would consider appropriate in the circumstances.</p>
<p><b>Application</b></p> <p><b>6 (1)</b> This Act applies to every organization in respect of personal information that</p> <ul style="list-style-type: none"> <li>• <b>(a)</b> the organization collects, uses or discloses in the course of commercial activities; or</li> <li>• <b>(b)</b> is about an employee of, or an applicant for employment with, the</li> </ul>	<p><b>Application</b></p> <p><b>6 (1)</b> This Act applies to every organization in respect of personal information that</p> <ul style="list-style-type: none"> <li>• <b>(a)</b> the organization collects, uses or discloses in the course of commercial activities; or</li> <li>• <b>(b)</b> is about an employee of, or an applicant for employment with, the</li> </ul>	<p><b>Application</b></p> <p><b>6 (1)</b> This Act applies to every organization in respect of personal information that</p> <ul style="list-style-type: none"> <li>• <b>(a)</b> the organization collects, uses or discloses in the course of commercial activities; or</li> </ul> <p><b>(b)</b> is about an employee of, or an applicant for employment with, the organization and that the organization collects, uses or discloses in connection</p>

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<p>organization and that the organization collects, uses or discloses in connection with the operation of a federal work, undertaking or business.</p> <p><b>For greater certainty</b></p> <p>(2) For greater certainty, this Act applies in respect of personal information</p> <ul style="list-style-type: none"> <li>(a) that is collected, used or disclosed interprovincially or internationally by an organization; or</li> <li>(b) that is collected, used or disclosed by an organization within a province, to the extent that the organization is not exempt from the application of this Act under an order made under paragraph 139(2)(b).</li> </ul> <p><b>Application</b></p> <p>(3) This Act also applies to an organization set out in column 1 of the schedule in respect of personal information set out in column 2.</p> <p><b>Non-application</b></p> <p>(4) This Act does not apply to</p> <ul style="list-style-type: none"> <li>(a) any government institution to which the <i>Privacy Act</i> applies;</li> <li>(b) any individual in respect of personal information that the individual collects, uses or discloses solely for personal or domestic purposes;</li> </ul>	<p>organization and that the organization collects, uses or discloses in connection with the operation of a federal work, undertaking or business.</p> <p><b>For greater certainty</b></p> <p>(2) For greater certainty, this Act applies in respect of personal information</p> <ul style="list-style-type: none"> <li>(a) that is collected, used or disclosed interprovincially or internationally by an organization; or</li> <li>(b) that is collected, used or disclosed by an organization within a province, to the extent that the organization is not exempt from the application of this Act under an order made under paragraph 122(2)(b).</li> </ul> <p><b>Application</b></p> <p>(3) This Act also applies to an organization set out in column 1 of the schedule in respect of personal information set out in column 2.</p> <p><b>Limit</b></p> <p>(4) This Act does not apply to</p> <ul style="list-style-type: none"> <li>(a) any government institution to which the <i>Privacy Act</i> applies;</li> <li>(b) any individual in respect of personal information that the individual collects, uses or discloses solely for personal or domestic purposes;</li> </ul>	<p>with the operation of a federal work, undertaking or business.</p> <p><b>Application</b></p> <p>(1.1) This Part applies to an organization set out in column 1 of Schedule 4 in respect of personal information set out in column 2.</p> <p><b>Limit</b></p> <p>(4) This Act does not apply to</p> <ul style="list-style-type: none"> <li>(a) any government institution to which the <i>Privacy Act</i> applies;</li> <li>(b) any individual in respect of personal information that the individual collects, uses or discloses for personal or domestic purposes and does not collect, use or disclose for any other purpose; or;</li> <li>(c) any organization in respect of personal information that the organization collects, uses or discloses solely for journalistic, artistic or literary purposes;</li> </ul> <p><b>Other Acts</b></p> <p>(3) Every provision of this Part applies despite any provision, enacted after this subsection comes into force, of any other Act of Parliament, unless the other Act expressly declares that that provision operates despite the provision of this Part</p>

<b>PPCDA (BILL C-36)</b> <i>Protecting Privacy and Consumer Data Act</i>	<b>CPPA (BILL C-27)</b> <i>Consumer Privacy Protection Act</i>	<b>PIPEDA</b> <i>Personal Information Protection and Electronic Documents Act</i>
<ul style="list-style-type: none"> <li>• <b>(c)</b> any organization in respect of personal information that the organization collects, uses or discloses solely for journalistic, artistic or literary purposes;</li> <li>• <b>(d)</b> any organization in respect of an individual's personal information that the organization collects, uses or discloses solely for the purpose of communicating or facilitating communication with the individual in relation to their employment, business or profession; or</li> <li>• <b>(e)</b> any organization that is, under an order made under paragraph 139(2)(b), exempt from the application of this Act in respect of the collection, use or disclosure of personal information that occurs within a province in respect of which the order was made.</li> </ul> <p><b>For greater certainty</b></p> <p><b>(5)</b> For greater certainty, this Act does not apply in respect of anonymized information.</p> <p><b>Other Acts</b></p> <p><b>(6)</b> Every provision of this Act applies despite any provision, enacted after December 31, 2000, of any other Act of Parliament, unless the other Act expressly declares that that provision operates despite the provision of this Act.</p>	<ul style="list-style-type: none"> <li>• <b>(c)</b> any organization in respect of personal information that the organization collects, uses or discloses solely for journalistic, artistic or literary purposes;</li> <li>• <b>(d)</b> any organization in respect of an individual's personal information that the organization collects, uses or discloses solely for the purpose of communicating or facilitating communication with the individual in relation to their employment, business or profession; or</li> <li>• <b>(e)</b> any organization that is, under an order made under paragraph 122(2)(b), exempt from the application of this Act in respect of the collection, use or disclosure of personal information that occurs within a province in respect of which the order was made.</li> </ul> <p><b>For greater certainty</b></p> <p><b>(5)</b> For greater certainty, this Act does not apply in respect of <b>personal</b> information <b>that has been</b> anonymized.</p> <p><b>Other Acts</b></p> <p><b>(6)</b> Every provision of this Act applies despite any provision, enacted after December 31, 2000, of any other Act of Parliament, unless the other Act expressly declares that that provision operates despite the provision of this Act.</p>	<p><b>Business contact information</b></p> <p>4.01 This Part does not apply to an organization in respect of the business contact information of an individual that the organization collects, uses or discloses solely for the purpose of communicating or facilitating communication with the individual in relation to their employment, business or profession.</p>
<b>PART 1</b>	<b>PART 1</b>	<b>Schedule 1</b>

<b>PPCDA (BILL C-36)</b> <i>Protecting Privacy and Consumer Data Act</i>	<b>CPPA (BILL C-27)</b> <i>Consumer Privacy Protection Act</i>	<b>PIPEDA</b> <i>Personal Information Protection and Electronic Documents Act</i>
<p>Obligations of Organizations</p> <p>Accountability of Organizations</p> <p><b>Accountability — personal information under organization’s control</b></p> <p><b>7 (1)</b> An organization is accountable for personal information that is under its control.</p> <p><b>Personal information under organization’s control</b></p> <p><b>(2)</b> Personal information is under the control of the organization that decides to collect it and that determines the purposes for its collection, use or disclosure, regardless of whether the information is collected, used or disclosed by the organization itself or by a service provider on behalf of the organization.</p>	<p>Obligations of Organizations</p> <p>Accountability of Organizations</p> <p><b>Accountability — personal information under organization’s control</b></p> <p><b>7 (1)</b> An organization is accountable for personal information that is under its control.</p> <p><b>Personal information under control of organization</b></p> <p><b>(2)</b> Personal information is under the control of the organization that decides to collect it and that determines the purposes for its collection, use or disclosure, regardless of whether the information is collected, used or disclosed by the organization itself or by a service provider on behalf of the organization.</p>	<p><b>4.1 Principle 1 — Accountability</b></p> <p>An organization is responsible for personal information under its control and shall designate an individual or individuals who are accountable for the organization’s compliance with the following principles.</p> <p><b>4.1.1</b></p> <p>Accountability for the organization’s compliance with the principles rests with the designated individual(s), even though other individuals within the organization may be responsible for the day-to-day collection and processing of personal information. In addition, other individuals within the organization may be delegated to act on behalf of the designated individual(s).</p> <p><b>4.1.3</b></p> <p>An organization is responsible for personal information in its possession or custody, including information that has been transferred to a third party for processing. The organization shall use contractual or other means to provide a comparable level of protection while the information is being processed by a third party.</p> <p><b>4.1.4</b></p> <p>Organizations shall implement policies and practices to give effect to the principles, including</p> <ul style="list-style-type: none"> <li>• <b>(a)</b> implementing procedures to protect personal information;</li> <li>• <b>(b)</b> establishing procedures to receive and respond to complaints and inquiries;</li> </ul>

<b>PPCDA (BILL C-36)</b> <i>Protecting Privacy and Consumer Data Act</i>	<b>CPPA (BILL C-27)</b> <i>Consumer Privacy Protection Act</i>	<b>PIPEDA</b> <i>Personal Information Protection and Electronic Documents Act</i>
		<ul style="list-style-type: none"> <li>• <b>(c)</b> training staff and communicating to staff information about the organization's policies and practices; and</li> <li>• <b>(d)</b> developing information to explain the organization's policies and procedures.</li> </ul>
<p><b>Designated individual</b></p> <p><b>8 (1)</b> An organization must designate one or more individuals to be responsible for matters related to its obligations under this Act. It must provide the designated individual's business contact information to any person who requests it.</p> <p><b>Effect of designation of individual</b></p> <p><b>(2)</b> The designation of an individual under subsection (1) does not relieve the organization of its obligations under this Act.</p>	<p><b>Designated individual</b></p> <p><b>8 (1)</b> An organization must designate one or more individuals to be responsible for matters related to its obligations under this Act. It must provide the designated individual's business contact information to any person who requests it.</p> <p><b>Effect of designation of individual</b></p> <p><b>(2)</b> The designation of an individual under subsection (1) does not relieve the organization of its obligations under this Act</p>	<p><b>4.1.2</b></p> <p>The identity of the individual(s) designated by the organization to oversee the organization's compliance with the principles shall be made known upon request.</p>
<p><b>Privacy management program</b></p> <p><b>9 (1)</b> Every organization must implement and maintain a privacy management program that includes the policies, practices and procedures the organization has put in place to fulfill its obligations under this Act, including policies, practices and procedures respecting</p> <ul style="list-style-type: none"> <li>• <b>(a)</b> the protection of personal information;</li> <li>• <b>(b)</b> how requests for information and complaints are received and dealt with;</li> <li>• <b>(c)</b> the training and information provided to the organization's staff respecting its policies, practices and procedures; and</li> </ul>	<p><b>Privacy management program</b></p> <p><b>9 (1)</b> Every organization must implement and maintain a privacy management program that includes the policies, practices and procedures the organization has put in place to fulfill its obligations under this Act, including policies, practices and procedures respecting</p> <ul style="list-style-type: none"> <li>• <b>(a)</b> the protection of personal information;</li> <li>• <b>(b)</b> how requests for information and complaints are received and dealt with;</li> <li>• <b>(c)</b> the training and information provided to the organization's staff respecting its policies, practices and procedures; and</li> </ul>	<p>[no equivalent provision]</p>

<b>PPCDA (BILL C-36)</b> <i>Protecting Privacy and Consumer Data Act</i>	<b>CPPA (BILL C-27)</b> <i>Consumer Privacy Protection Act</i>	<b>PIPEDA</b> <i>Personal Information Protection and Electronic Documents Act</i>
<ul style="list-style-type: none"> <li>• <b>(d)</b> the development of materials to explain the organization’s policies and procedures.</li> </ul> <p><b>Volume and sensitivity</b></p> <p><b>(2)</b> In developing its privacy management program, the organization must take into account the volume of personal information under its control and the sensitivity of that information.</p>	<ul style="list-style-type: none"> <li>• <b>(d)</b> the development of materials to explain the organization’s policies and procedures.</li> </ul> <p><b>Volume and sensitivity</b></p> <p><b>(2)</b> In developing its privacy management program, the organization must take into account the volume and sensitivity of the personal information under its control.</p>	
<p><b>Access — privacy management program</b></p> <p><b>10 (1)</b> An organization must, on request, provide the Commission with access to the policies, practices and procedures that are included in its privacy management program.</p> <p><b>Guidance and corrective measures</b></p> <p><b>(2)</b> The Commission may, after reviewing the policies, practices and procedures, provide guidance on, or recommend that corrective measures be taken by the organization in relation to, its privacy management program.</p>	<p><b>Access — privacy management program</b></p> <p><b>10 (1)</b> An organization must, on request of the Commissioner, provide the Commissioner with access to the policies, practices and procedures that are included in its privacy management program.</p> <p><b>Guidance and corrective measures</b></p> <p><b>(2)</b> The Commissioner may, after reviewing the policies, practices and procedures, provide guidance on, or recommend that corrective measures be taken by the organization in relation to, its privacy management program.</p>	[no equivalent provision]
<p><b>Same protection</b></p> <p><b>11 (1)</b> If an organization transfers personal information to a service provider, the organization must ensure, by contract or otherwise, that the service provider provides a level of protection in respect of the personal information equivalent to that which the organization is required to provide under this Act.</p>	<p><b>Same protection</b></p> <p><b>11 (1)</b> If an organization transfers personal information to a service provider, the organization must ensure, by contract or otherwise, that the service provider provides a level of protection of the personal information equivalent to that which the organization is required to provide under this Act.</p>	[No equivalent provision]

<b>PPCDA (BILL C-36)</b> <i>Protecting Privacy and Consumer Data Act</i>	<b>CPA (BILL C-27)</b> <i>Consumer Privacy Protection Act</i>	<b>PIPEDA</b> <i>Personal Information Protection and Electronic Documents Act</i>
<p><b>Service provider obligations</b></p> <p>(2) The obligations under this Part, other than those set out in sections 56 and 61, do not apply to a service provider in respect of personal information that is transferred to it. However, the service provider is subject to all of the obligations under this Part if it collects, uses or discloses that information for any purpose other than the purposes for which the information was transferred to it.</p>	<p><b>Service provider obligations</b></p> <p>(2) The obligations under this Part, other than those set out in sections 57 and 61, do not apply to a service provider in respect of personal information that is transferred to it. However, the service provider is subject to all of the obligations under this Part if it collects, uses or discloses that information for any purpose other than the purposes for which the information was transferred.</p>	
<p>Appropriate Purposes</p> <p><b>Appropriate purposes</b></p> <p>12 (1) An organization may collect, use or disclose personal information only in a manner and for purposes that a reasonable person would consider appropriate in the circumstances, whether or not consent is required under this Act.</p> <p><b>Factors to take into account</b></p> <p>(2) All relevant factors must be taken into account in determining whether the manner and purposes referred to in subsection (1) are appropriate, including, if applicable</p> <ul style="list-style-type: none"> <li>• (a) the sensitivity of the personal information;</li> <li>• (b) whether the purposes represent legitimate business needs of the organization;</li> <li>• (c) the degree of effectiveness of the collection, use or disclosure in meeting</li> </ul>	<p>Appropriate Purposes</p> <p><b>Appropriate purposes</b></p> <p>12 (1) An organization may collect, use or disclose personal information only in a manner and for purposes that a reasonable person would consider appropriate in the circumstances, whether or not consent is required under this Act.</p> <p><b>Factors to consider</b></p> <p>(2) The following factors must be taken into account in determining whether the manner and purposes referred to in subsection (1) are appropriate:</p> <ul style="list-style-type: none"> <li>(a) the sensitivity of the personal information;</li> <li>(b) whether the purposes represent legitimate business needs of the organization;</li> <li>(c) the effectiveness of the collection, use or disclosure in meeting the organization's legitimate business needs;</li> </ul>	<p><b>SCHEDULE 1</b></p> <p><b>4.2 Principle 2 — Identifying Purposes</b></p> <p>The purposes for which personal information is collected shall be identified by the organization at or before the time the information is collected.</p> <p><b>4.2.1</b></p> <p>The organization shall document the purposes for which personal information is collected in order to comply with the Openness principle (Clause 4.8) and the Individual Access principle (Clause 4.9).</p> <p><b>4.2.2</b></p> <p>Identifying the purposes for which personal information is collected at or before the time of collection allows organizations to determine the information they need to collect to fulfil these purposes. The Limiting Collection principle (Clause 4.4) requires an organization to collect only that information necessary for the purposes that have been identified.</p> <p><b>4.2.3</b></p>

<b>PPCDA (BILL C-36)</b> <i>Protecting Privacy and Consumer Data Act</i>	<b>CPPA (BILL C-27)</b> <i>Consumer Privacy Protection Act</i>	<b>PIPEDA</b> <i>Personal Information Protection and Electronic Documents Act</i>
<p>the organization's legitimate business needs;</p> <ul style="list-style-type: none"> <li>• <b>(d)</b> whether there are less intrusive means of achieving those purposes at a comparable cost and with comparable benefits; and</li> <li>• <b>(e)</b> whether the individual's loss of privacy is proportionate to the benefits in light of the measures, technical or otherwise, implemented by the organization to mitigate the impacts of the loss of privacy on the individual.</li> </ul> <p><b>Purposes</b></p> <p><b>(3)</b> The organization must determine at or before the time of the collection of any personal information each of the purposes for which the information <b>is or</b> is to be collected, used or disclosed and record those purposes.</p> <p><b>New purpose</b></p> <p><b>(4)</b> If the organization determines that the personal information it has collected is to be used or disclosed for a new purpose, the organization must record that new purpose before using or disclosing that information for the new purpose.</p>	<p><b>(d)</b> whether there are less intrusive means of achieving those purposes at a comparable cost and with comparable benefits; and</p> <p><b>(e)</b> whether the individual's loss of privacy is proportionate to the benefits in light of the measures, technical or otherwise, implemented by the organization to mitigate the impacts of the loss of privacy on the individual.</p> <p><b>Purposes</b></p> <p><b>(3)</b> An organization must determine at or before the time of the collection of any personal information each of the purposes for which the information is to be collected, used or disclosed and record those purposes.</p> <p><b>New purpose</b></p> <p><b>(4)</b> If the organization determines that the personal information it has collected is to be used or disclosed for a new purpose, the organization must record that new purpose before using or disclosing that information for the new purpose.</p>	<p>The identified purposes should be specified at or before the time of collection to the individual from whom the personal information is collected. Depending upon the way in which the information is collected, this can be done orally or in writing. An application form, for example, may give notice of the purposes.</p> <p><b>4.2.4</b></p> <p>When personal information that has been collected is to be used for a purpose not previously identified, the new purpose shall be identified prior to use. Unless the new purpose is required by law, the consent of the individual is required before information can be used for that purpose. For an elaboration on consent, please refer to the Consent principle (Clause 4.3).</p> <p><b>4.2.5</b></p> <p>Persons collecting personal information should be able to explain to individuals the purposes for which the information is being collected.</p> <p><b>4.2.6</b></p> <p>This principle is linked closely to the Limiting Collection principle (Clause 4.4) and the Limiting Use, Disclosure, and Retention principle (Clause 4.5).</p> <p>Protection of Personal Information</p> <p><b>Compliance with obligations</b></p> <p><b>5 (1)</b> Subject to <u>sections 6 to 9</u>, every organization shall comply with the obligations set out in Schedule 1.</p> <p><b>Meaning of <i>should</i></b></p>

<b>PPCDA (BILL C-36)</b> <i>Protecting Privacy and Consumer Data Act</i>	<b>CPPA (BILL C-27)</b> <i>Consumer Privacy Protection Act</i>	<b>PIPEDA</b> <i>Personal Information Protection and Electronic Documents Act</i>
		<p><b>(2)</b> The word <b><i>should</i></b>, when used in Schedule 1, indicates a recommendation and does not impose an obligation.</p> <p><b>Appropriate purposes</b></p> <p><b>(3)</b> An organization may collect, use or disclose personal information only for purposes that a reasonable person would consider are appropriate in the circumstances.</p>
<p>Limiting Collection, Use and Disclosure</p> <p><b>Limiting collection</b></p> <p><b>13</b> An organization may collect only the personal information that is necessary for the purposes determined and recorded under subsection 12(3).</p>	<p>Limiting Collection, Use and Disclosure</p> <p><b>Limiting collection</b></p> <p><b>13</b> The organization may collect only the personal information that is necessary for the purposes determined and recorded under subsection 12(3).</p>	<p><b>4.4 Principle 4 — Limiting Collection</b></p> <p>The collection of personal information shall be limited to that which is necessary for the purposes identified by the organization. Information shall be collected by fair and lawful means.</p> <p><b>4.4.1</b></p> <p>Organizations shall not collect personal information indiscriminately. Both the amount and the type of information collected shall be limited to that which is necessary to fulfil the purposes identified. Organizations shall specify the type of information collected as part of their information-handling policies and practices, in accordance with the Openness principle (Clause 4.8).</p> <p><b>4.4.2</b></p> <p>The requirement that personal information be collected by fair and lawful means is intended to prevent organizations from collecting information by misleading or deceiving individuals about the purpose for which information is being collected. This requirement implies that consent with respect to collection must not be obtained through deception.</p>

<b>PPCDA (BILL C-36)</b> <i>Protecting Privacy and Consumer Data Act</i>	<b>CPPA (BILL C-27)</b> <i>Consumer Privacy Protection Act</i>	<b>PIPEDA</b> <i>Personal Information Protection and Electronic Documents Act</i>
		<b>4.4.3</b>  This principle is linked closely to the Identifying Purposes principle (Clause 4.2) and the Consent principle (Clause 4.3).
<p><b>New purpose</b></p> <p><b>14 (1)</b> An organization must not use or disclose personal information for a purpose other than a purpose determined and recorded under subsection 12(3), unless the organization obtains the individual's valid consent before any use or disclosure for that other purpose.</p> <p><b>Use or disclosure — other purposes</b></p> <p><b>(2)</b> Despite subsection (1), an organization may</p> <ul style="list-style-type: none"> <li><b>(a)</b> use personal information for a purpose other than a purpose determined and recorded under subsection 12(3) in any of the circumstances set out in sections 18, 20 and 21, subsections 22(1) and (3) and sections 23, 24, 26, 30, 39 and 50; or</li> <li><b>(b)</b> disclose personal information for a purpose other than a purpose determined and recorded under subsection 12(3) in any of the circumstances set out in section 18, subsections 22(1) and (3), sections 23 to 28 and 31 to 36, subsection 38(3) and sections 40 to 50.</li> </ul>	<p><b>New purpose</b></p> <p><b>14 (1)</b> An organization must not use or disclose personal information for a purpose other than a purpose determined and recorded under subsection 12(3), unless the organization obtains the individual's valid consent before any use or disclosure for that other purpose.</p> <p><b>Use or disclosure — other purposes</b></p> <p><b>(2)</b> Despite subsection (1), an organization may</p> <ul style="list-style-type: none"> <li><b>(a)</b> use personal information for a purpose other than a purpose determined and recorded under subsection 12(3) in any of the circumstances set out in sections 18, 20 and 21, subsections 22(1) and (3) and sections 23, 24, 26, 30, 41 and 51; or</li> <li><b>(b)</b> disclose personal information for a purpose other than a purpose determined and recorded under subsection 12(3) in any of the circumstances set out in subsections 22(1) and (3), sections 23 to 28, 31 to 37 and 39, subsection 40(3) and sections 42 and 43 to 51.</li> </ul>	<p><b>Schedule 1</b></p> <p><b>4.2.4</b></p> <p>When personal information that has been collected is to be used for a purpose not previously identified, the new purpose shall be identified prior to use. Unless the new purpose is required by law, the consent of the individual is required before information can be used for that purpose. For an elaboration on consent, please refer to the Consent principle (Clause 4.3).</p>

<p>Consent</p> <p><b>Consent required</b></p> <p><b>15 (1)</b> Unless this Act provides otherwise, an organization must obtain an individual's valid consent for the collection, use or disclosure of the individual's personal information.</p> <p><b>Timing of consent</b></p> <p><b>(2)</b> The individual's consent must be obtained at or before the time of the collection of the personal information or, if the information is to be used or disclosed for a purpose other than a purpose determined and recorded under subsection 12(3), before any use or disclosure of the information for that other purpose.</p> <p><b>Information for consent to be valid</b></p> <p><b>(3)</b> The individual's consent is valid only if, at or before the time that the organization seeks the individual's consent, <b>the organization</b> provides the individual with the following information:</p> <ul style="list-style-type: none"> <li>• <b>(a)</b> the purposes for the collection, use or disclosure of the personal information determined by the organization and recorded under subsection 12(3) or (4);</li> <li>• <b>(b)</b> the manner in which the personal information is to be collected, used or disclosed;</li> <li>• <b>(c)</b> any reasonably foreseeable consequences of the collection, use or disclosure of the personal information;</li> </ul>	<p>Consent</p> <p><b>Consent required</b></p> <p><b>15 (1)</b> Unless this Act provides otherwise, an organization must obtain an individual's valid consent for the collection, use or disclosure of the individual's personal information.</p> <p><b>Timing of consent</b></p> <p><b>(2)</b> The individual's consent must be obtained at or before the time of the collection of the personal information or, if the information is to be used or disclosed for a purpose other than a purpose determined and recorded under subsection 12(3), before any use or disclosure of the information for that other purpose.</p> <p><b>Information for consent to be valid</b></p> <p><b>(3)</b> The individual's consent is valid only if, at or before the time that the organization seeks the individual's consent, <b>it</b> provides the individual with the following information:</p> <ul style="list-style-type: none"> <li><b>(a)</b> the purposes for the collection, use or disclosure of the personal information determined by the organization and recorded under subsection 12(3) or (4);</li> <li><b>(b)</b> the manner in which the personal information is to be collected, used or disclosed;</li> <li><b>(c)</b> any reasonably foreseeable consequences of the collection, use or disclosure of the personal information;</li> <li><b>(d)</b> the specific type of personal information that is to be collected, used or disclosed; and</li> </ul>	<p><b>Schedule 1</b></p> <p><b>4.3 Principle 3 - Consent</b></p> <p>The knowledge and consent of the individual are required for the collection, use, or disclosure of personal information, except where inappropriate.</p> <p>Note: In certain circumstances personal information can be collected, used, or disclosed without the knowledge and consent of the individual. For example, legal, medical, or security reasons may make it impossible or impractical to seek consent. When information is being collected for the detection and prevention of fraud or for law enforcement, seeking the consent of the individual might defeat the purpose of collecting the information. Seeking consent may be impossible or inappropriate when the individual is a minor, seriously ill, or mentally incapacitated. In addition, organizations that do not have a direct relationship with the individual may not always be able to seek consent. For example, seeking consent may be impractical for a charity or a direct-marketing firm that wishes to acquire a mailing list from another organization. In such cases, the organization providing the list would be expected to obtain consent before disclosing personal information.</p> <p><b>4.3.1</b></p> <p>Consent is required for the collection of personal information and the subsequent use or disclosure of this information. Typically, an organization will seek consent for the use or disclosure of the information at the time of collection. In certain circumstances, consent with respect to use or disclosure may be sought after the information has been collected but before use (for example, when an organization wants to use information for a purpose not previously identified).</p>
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<ul style="list-style-type: none"> <li>• <b>(d)</b> the specific type of personal information that is to be collected, used or disclosed; and</li> <li>• <b>(e)</b> the names of any third parties or types of third parties to which the organization may disclose the personal information.</li> </ul> <p><b>Plain language</b></p> <p><b>(4)</b> The organization must provide the information referred to in subsection (3) in plain language that an individual to whom the organization’s activities are directed would reasonably be expected to understand.</p> <p><b>Form of consent</b></p> <p><b>(5)</b> Consent must be expressly obtained unless, subject to subsection (6), it is appropriate to rely on an individual’s implied consent, taking into account the reasonable expectations of the individual and the sensitivity of the personal information that is to be collected, used or disclosed.</p> <p><b>Business activities</b></p> <p><b>(6)</b> It is not appropriate to rely on an individual’s implied consent if their personal information is collected or used for an activity described in subsection 18(2) or if it is collected, used or disclosed for an activity described in subsection 18(3).</p> <p><b>Consent — provision of product or service</b></p> <p><b>(7)</b> The organization must not, as a condition of the provision of a product or service, require an individual to consent to the collection, use or disclosure of their personal information beyond</p>	<p><b>(e)</b> the names of any third parties or types of third parties to which the organization may disclose the personal information.</p> <p><b>Plain language</b></p> <p><b>(4)</b> The organization must provide the information referred to in subsection (3) in plain language that an individual to whom the organization’s activities are directed would reasonably be expected to understand.</p> <p><b>Form of consent</b></p> <p><b>(5)</b> Consent must be expressly obtained unless, subject to subsection (6), it is appropriate to rely on an individual’s implied consent, taking into account the reasonable expectations of the individual and the sensitivity of the personal information that is to be collected, used or disclosed.</p> <p><b>Business activities</b></p> <p><b>(6)</b> It is not appropriate to rely on an individual’s implied consent if their personal information is collected or used for an activity described in subsection 18(2) or (3).</p> <p><b>Consent — provision of product or service</b></p> <p><b>(7)</b> The organization must not, as a condition of the provision of a product or service, require an individual to consent to the collection, use or disclosure of their personal information beyond what is necessary to provide the product or service.</p>	<p><b>4.3.2</b></p> <p>The principle requires “knowledge and consent”. Organizations shall make a reasonable effort to ensure that the individual is advised of the purposes for which the information will be used. To make the consent meaningful, the purposes must be stated in such a manner that the individual can reasonably understand how the information will be used or disclosed.</p> <p><b>4.3.3</b></p> <p>An organization shall not, as a condition of the supply of a product or service, require an individual to consent to the collection, use, or disclosure of information beyond that required to fulfil the explicitly specified, and legitimate purposes.</p> <p><b>4.3.4</b></p> <p>The form of the consent sought by the organization may vary, depending upon the circumstances and the type of information. In determining the form of consent to use, organizations shall take into account the sensitivity of the information. Although some information (for example, medical records and income records) is almost always considered to be sensitive, any information can be sensitive, depending on the context. For example, the names and addresses of subscribers to a newsmagazine would generally not be considered sensitive information. However, the names and addresses of subscribers to some special-interest magazines might be considered sensitive.</p> <p><b>4.3.5</b></p> <p>In obtaining consent, the reasonable expectations of the individual are also relevant. For example, an individual buying a subscription to a magazine should reasonably expect that the organization, in addition to using the individual’s name and address for mailing</p>
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what is necessary to provide the product or service.

and billing purposes, would also contact the person to solicit the renewal of the subscription. In this case, the organization can assume that the individual's request constitutes consent for specific purposes. On the other hand, an individual would not reasonably expect that personal information given to a health-care professional would be given to a company selling health-care products, unless consent were obtained. Consent shall not be obtained through deception.

#### 4.3.6

The way in which an organization seeks consent may vary, depending on the circumstances and the type of information collected. An organization should generally seek express consent when the information is likely to be considered sensitive. Implied consent would generally be appropriate when the information is less sensitive. Consent can also be given by an authorized representative (such as a legal guardian or a person having power of attorney).

#### 4.3.7

Individuals can give consent in many ways. For example:

- **(a)** an application form may be used to seek consent, collect information, and inform the individual of the use that will be made of the information. By completing and signing the form, the individual is giving consent to the collection and the specified uses;
- **(b)** a checkoff box may be used to allow individuals to request that their names and addresses not be given to other organizations. Individuals who do not check the box are assumed to consent to the transfer of this information to third parties;

<b>PPCDA (BILL C-36)</b> <i>Protecting Privacy and Consumer Data Act</i>	<b>CPPA (BILL C-27)</b> <i>Consumer Privacy Protection Act</i>	<b>PIPEDA</b> <i>Personal Information Protection and Electronic Documents Act</i>
		<ul style="list-style-type: none"> <li>• <b>(c)</b> consent may be given orally when information is collected over the telephone; or</li> <li>• <b>(d)</b> consent may be given at the time that individuals use a product or service.</li> </ul> <p><b>4.3.8</b></p> <p>An individual may withdraw consent at any time, subject to legal or contractual restrictions and reasonable notice. The organization shall inform the individual of the implications of such withdrawal.</p>
<p><b>Consent obtained by deception</b></p> <p><b>16</b> An organization must not obtain or attempt to obtain an individual's consent by providing false or misleading information or using deceptive or misleading practices. Any consent obtained under those circumstances is invalid.</p>	<p><b>Consent obtained by deception</b></p> <p><b>16</b> An organization must not obtain or attempt to obtain an individual's consent by providing false or misleading information or using deceptive or misleading practices. Any consent obtained under those circumstances is invalid.</p>	<p><b>Schedule 1</b></p> <p><b>4.4.2</b></p> <p>The requirement that personal information be collected by fair and lawful means is intended to prevent organizations from collecting information by misleading or deceiving individuals about the purpose for which information is being collected. This requirement implies that consent with respect to collection must not be obtained through deception.</p>
<p><b>Withdrawal of consent</b></p> <p><b>17 (1)</b> On giving reasonable notice to an organization, an individual may, at any time, subject to this Act, to federal or provincial law or to the reasonable terms of a contract, withdraw their consent in whole or in part.</p> <p><b>Collection, use or disclosure to cease</b></p> <p><b>(2)</b> On receiving the notice from the individual, the organization must inform the individual of the consequences of the withdrawal of their consent and, as soon as feasible after that, cease the</p>	<p><b>Withdrawal of consent</b></p> <p><b>17 (1)</b> On giving reasonable notice to an organization, an individual may, at any time, subject to this Act, to federal or provincial law or to the reasonable terms of a contract, withdraw their consent in whole or in part.</p> <p><b>Collection, use or disclosure to cease</b></p> <p><b>(2)</b> On receiving the notice from the individual, the organization must inform the individual of the consequences of the withdrawal of their consent and, as soon as feasible after that, cease the</p>	<p><b>Schedule 1</b></p> <p><b>4.3.8</b></p> <p>An individual may withdraw consent at any time, subject to legal or contractual restrictions and reasonable notice. The organization shall inform the individual of the implications of such withdrawal.</p>

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<p>collection, use or disclosure of the individual's personal information in respect of which the consent was withdrawn.</p>	<p>collection, use or disclosure of the individual's personal information in respect of which the consent was withdrawn.</p>	
<p>Exceptions to Requirement for Consent</p> <p>Business Activities</p> <p><b>Business activities</b></p> <p><b>18 (1)</b> An organization may collect or use an individual's personal information without their knowledge or consent if the collection or use is made for the purpose of a business activity described in subsection (2) and</p> <ul style="list-style-type: none"> <li>• <b>(a)</b> a reasonable person would expect the collection or use for such an activity; and</li> <li>• <b>(b)</b> the personal information is not collected or used for the purpose of influencing the individual's behaviour or decisions.</li> </ul> <p><b>List of activities</b></p> <p><b>(2)</b> Subject to the regulations, the following activities are business activities for the purposes of subsection (1):</p> <ul style="list-style-type: none"> <li>• <b>(a)</b> an activity that is necessary to provide a product or service that the individual has requested from the organization;</li> <li>• <b>(b)</b> an activity that is necessary for the security of the organization's information, systems or networks;</li> </ul>	<p>Exceptions to Requirement for Consent</p> <p>Business Operations</p> <p><b>Business activities</b></p> <p><b>18 (1)</b> An organization may collect or use an individual's personal information without their knowledge or consent if the collection or use is made for the purpose of a business activity described in subsection (2) and</p> <ul style="list-style-type: none"> <li><b>(a)</b> a reasonable person would expect the collection or use for such an activity; and</li> <li><b>(b)</b> the personal information is not collected or used for the purpose of influencing the individual's behaviour or decisions.</li> </ul> <p><b>List of activities</b></p> <p><b>(2)</b> Subject to the regulations, the following activities are business activities for the purpose of subsection (1):</p> <ul style="list-style-type: none"> <li><b>(a)</b> an activity that is necessary to provide a product or service that the individual has requested from the organization;</li> <li><b>(b)</b> an activity that is necessary for the organization's information, system or network security;</li> </ul>	

<b>PPCPA (BILL C-36)</b> <i>Protecting Privacy and Consumer Data Act</i>	<b>CPPA (BILL C-27)</b> <i>Consumer Privacy Protection Act</i>	<b>PIPEDA</b> <i>Personal Information Protection and Electronic Documents Act</i>
<ul style="list-style-type: none"> <li>• <b>(c)</b> an activity that is necessary for the safety of a product or service that the organization provides; and</li> <li>• <b>(d)</b> any other prescribed activity.</li> </ul> <p><b>Legitimate interest</b></p> <p><b>(3)</b> An organization may collect, use or disclose an individual's personal information without their knowledge or consent if the collection, use or disclosure is made for the purpose of an activity in which the organization has a legitimate interest that outweighs any reasonably foreseeable adverse effect on the individual that could result from that collection, use or disclosure and</p> <ul style="list-style-type: none"> <li>• <b>(a)</b> a reasonable person would expect the collection, use or disclosure for such an activity; and</li> <li>• <b>(b)</b> the personal information is not collected, used or disclosed for the purpose of influencing the individual's behaviour or decisions.</li> </ul> <p><b>Conditions precedent</b></p> <p><b>(4)</b> Before collecting, using or disclosing personal information under subsection (3), the organization must</p> <ul style="list-style-type: none"> <li>• <b>(a)</b> identify and describe its legitimate interest in the proposed activity;</li> <li>• <b>(b)</b> carry out, in accordance with the prescribed requirements, a privacy impact assessment in which the organization must identify any reasonably foreseeable</li> </ul>	<ul style="list-style-type: none"> <li>• <b>(c)</b> an activity that is necessary for the safety of a product or service that the organization provides; and</li> <li>• <b>(d)</b> any other prescribed activity.</li> </ul> <p><b>Legitimate interest</b></p> <p><b>(3)</b> An organization may collect or use an individual's personal information without their knowledge or consent if the collection or use is made for the purpose of an activity in which the organization has a legitimate interest that outweighs any potential adverse effect on the individual resulting from that collection or use and</p> <ul style="list-style-type: none"> <li>• <b>(a)</b> a reasonable person would expect the collection or use for such an activity; and</li> <li>• <b>(b)</b> the personal information is not collected or used for the purpose of influencing the individual's behaviour or decisions.</li> </ul> <p><b>Conditions precedent</b></p> <p><b>(4)</b> Prior to collecting or using personal information under subsection (3), the organization must</p> <ul style="list-style-type: none"> <li>• <b>(a)</b> identify any potential adverse effect on the individual that is likely to result from the collection or use;</li> <li>• <b>(b)</b> identify and take reasonable measures to reduce the likelihood that the effects will occur or to mitigate or eliminate them; and</li> <li>• <b>(c)</b> comply with any prescribed requirements.</li> </ul>	

<b>PPCDA (BILL C-36)</b> <i>Protecting Privacy and Consumer Data Act</i>	<b>CPPA (BILL C-27)</b> <i>Consumer Privacy Protection Act</i>	<b>PIPEDA</b> <i>Personal Information Protection and Electronic Documents Act</i>
<p>adverse effect on the individual that is likely to result from the collection, use or disclosure;</p> <ul style="list-style-type: none"> <li>• <b>(c)</b> identify and take reasonable measures to reduce the likelihood that the effects will occur or to mitigate or eliminate them; and</li> <li>• <b>(d)</b> comply with any prescribed requirements.</li> </ul> <p><b>Record</b></p> <p><b>(5)</b> The organization must record the description of its legitimate interest and must, on request, provide the Commission with access to, or a copy of, the description and assessment.</p>	<p><b>Record of assessment</b></p> <p><b>(5)</b> The organization must record its assessment of how it meets the conditions set out in subsection (4) and must, on request, provide a copy of the assessment to the Commissioner.</p>	
<p><b>Transfer to service provider</b></p> <p><b>19</b> An organization may transfer an individual's personal information to a service provider without their knowledge or consent.</p>	<p><b>Transfer to service provider</b></p> <p><b>19</b> An organization may transfer an individual's personal information to a service provider without their knowledge or consent.</p>	<p>[No equivalent provision]</p>
<p><b>De-identification or anonymization</b></p> <p><b>20</b> An organization may use an individual's personal information without their knowledge or consent to de-identify or anonymize the information.</p>	<p><b>De-identification of personal information</b></p> <p><b>20</b> An organization may use an individual's personal information without their knowledge or consent to de-identify the information.</p>	<p>[No equivalent provision]</p>
<p><b>Research, analysis and development</b></p> <p><b>21</b> An organization may use an individual's personal information without their knowledge or consent for the organization's internal research,</p>	<p><b>Research, analysis and development</b></p> <p><b>21</b> An organization may use an individual's personal information without their knowledge or consent for the organization's internal research,</p>	<p>[No equivalent provision]</p>

<b>PPCDA (BILL C-36)</b> <i>Protecting Privacy and Consumer Data Act</i>	<b>CPPA (BILL C-27)</b> <i>Consumer Privacy Protection Act</i>	<b>PIPEDA</b> <i>Personal Information Protection and Electronic Documents Act</i>
analysis and development purposes if the information is de-identified before it is used.	analysis and development purposes, if the information is de-identified before it is used	
<p><b>Prospective business transaction</b></p> <p><b>22 (1)</b> Organizations that are parties to a prospective business transaction may use and disclose an individual's personal information without their knowledge or consent if</p> <ul style="list-style-type: none"> <li>• <b>(a)</b> the information is de-identified before it is used or disclosed and remains so until the transaction is completed;</li> <li>• <b>(b)</b> the organizations have entered into an agreement that requires the organization that receives the information               <ul style="list-style-type: none"> <li>○ <b>(i)</b> to use and disclose that information solely for purposes related to the transaction,</li> <li>○ <b>(ii)</b> to protect the information by security safeguards proportionate to the sensitivity of the information, and</li> <li>○ <b>(iii)</b> if the transaction does not proceed, to return the information to the organization that disclosed it, or dispose of it, within a reasonable time;</li> </ul> </li> <li>• <b>(c)</b> the organizations comply with the terms of that agreement; and</li> <li>• <b>(d)</b> the information is necessary</li> </ul>	<p><b>Prospective business transaction</b></p> <p><b>22 (1)</b> Organizations that are parties to a prospective business transaction may use and disclose an individual's personal information without their knowledge or consent if</p> <ul style="list-style-type: none"> <li>• <b>(a)</b> the information is de-identified before it is used or disclosed and remains so until the transaction is completed;</li> <li>• <b>(b)</b> the organizations have entered into an agreement that requires the organization that receives the information               <ul style="list-style-type: none"> <li>○ <b>(i)</b> to use and disclose that information solely for purposes related to the transaction,</li> <li>○ <b>(ii)</b> to protect the information by security safeguards proportionate to the sensitivity of the information, and</li> <li>○ <b>(iii)</b> if the transaction does not proceed, to return the information to the organization that disclosed it, or dispose of it, within a reasonable time;</li> </ul> </li> <li>• <b>(c)</b> the organizations comply with the terms of that agreement; and</li> <li>• <b>(d)</b> the information is necessary</li> </ul>	<p><b>Prospective business transaction</b></p> <p><b>7.2 (1)</b> In addition to the circumstances set out in subsections 7(2) and (3), for the purpose of clause 4.3 of Schedule 1, and despite the note that accompanies that clause, organizations that are parties to a prospective business transaction may use and disclose personal information without the knowledge or consent of the individual if</p> <p><b>(a)</b> the organizations have entered into an agreement that requires the organization that receives the personal information</p> <p><b>(i)</b> to use and disclose that information solely for purposes related to the transaction,</p> <p><b>(ii)</b> to protect that information by security safeguards appropriate to the sensitivity of the information, and</p> <p><b>(iii)</b> if the transaction does not proceed, to return that information to the organization that disclosed it, or destroy it, within a reasonable time; and</p> <p><b>(b)</b> the personal information is necessary</p> <p><b>(i)</b> to determine whether to proceed with the transaction, and</p> <p><b>(ii)</b> if the determination is made to proceed with the transaction, to complete it.</p>

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<ul style="list-style-type: none"> <li>○ <b>(i)</b> to determine whether to proceed with the transaction, and</li> <li>○ <b>(ii)</b> if the determination is made to proceed with the transaction, to complete it.</li> </ul> <p><b>Exception — paragraph (1)(a)</b></p> <p><b>(2)</b> The requirement referred to in paragraph (1)(a) does not apply if it would undermine the objectives for carrying out the transaction and the organization has taken into account the risk of harm to the individual that could result from using or disclosing the information.</p> <p><b>Completed business transaction</b></p> <p><b>(3)</b> If the business transaction is completed, the organizations that are parties to the transaction may use and disclose the personal information referred to in subsection (1) without the individual's knowledge or consent if</p> <ul style="list-style-type: none"> <li>• <b>(a)</b> the organizations have entered into an agreement that requires each of them <ul style="list-style-type: none"> <li>○ <b>(i)</b> to use and disclose the information under its control solely for the purposes for which the information was collected or permitted to be used or disclosed before the transaction was completed,</li> <li>○ <b>(ii)</b> to protect that information by security safeguards proportionate to the sensitivity of the information, and</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>○ <b>(i)</b> to determine whether to proceed with the transaction, and</li> <li>○ <b>(ii)</b> if the determination is made to proceed with the transaction, to complete it.</li> </ul> <p><b>Exception — paragraph (1)(a)</b></p> <p><b>(2)</b> The requirement referred to in paragraph (1)(a) does not apply if it would undermine the objectives for carrying out the transaction and the organization has taken into account the risk of harm to the individual that could result from using or disclosing the information.</p> <p><b>Completed business transaction</b></p> <p><b>(3)</b> If the business transaction is completed, the organizations that are parties to the transaction may use and disclose the personal information referred to in subsection (1) without the individual's knowledge or consent if</p> <ul style="list-style-type: none"> <li>• <b>(a)</b> the organizations have entered into an agreement that requires each of them <ul style="list-style-type: none"> <li>○ <b>(i)</b> to use and disclose the information under its control solely for the purposes for which the information was collected or permitted to be used or disclosed before the transaction was completed,</li> <li>○ <b>(ii)</b> to protect that information by security safeguards proportionate to the sensitivity of the information, and</li> </ul> </li> </ul>	<p><b>Completed business transaction</b></p> <p><b>(2)</b> In addition to the circumstances set out in subsections 7(2) and (3), for the purpose of clause 4.3 of Schedule 1, and despite the note that accompanies that clause, if the business transaction is completed, organizations that are parties to the transaction may use and disclose personal information, which was disclosed under subsection (1), without the knowledge or consent of the individual if</p> <p><b>(a)</b> the organizations have entered into an agreement that requires each of them</p> <p><b>(i)</b> to use and disclose the personal information under its control solely for the purposes for which the personal information was collected, permitted to be used or disclosed before the transaction was completed,</p> <p><b>(ii)</b> to protect that information by security safeguards appropriate to the sensitivity of the information, and</p> <p><b>(iii)</b> to give effect to any withdrawal of consent made under clause 4.3.8 of Schedule 1;</p> <p><b>(b)</b> the personal information is necessary for carrying on the business or activity that was the object of the transaction; and</p> <p><b>(c)</b> one of the parties notifies the individual, within a reasonable time after the transaction is completed, that the transaction has been completed and that their personal information has been disclosed under subsection (1).</p>

<b>PPCDA (BILL C-36)</b> <i>Protecting Privacy and Consumer Data Act</i>	<b>CPPA (BILL C-27)</b> <i>Consumer Privacy Protection Act</i>	<b>PIPEDA</b> <i>Personal Information Protection and Electronic Documents Act</i>
<ul style="list-style-type: none"> <li>○ <b>(iii)</b> to give effect to any withdrawal of consent made under subsection 17(1);</li> <li>• <b>(b)</b> the organizations comply with the terms of that agreement;</li> <li>• <b>(c)</b> the information is necessary for carrying on the business or activity that was the object of the transaction; and</li> <li>• <b>(d)</b> one of the parties notifies the individual, within a reasonable time after the transaction is completed, that the transaction has been completed and that their information has been disclosed under subsection (1).</li> </ul> <p><b>Exception</b></p> <p><b>(4)</b> Subsections (1) and (3) do not apply to a business transaction of which the primary purpose or result is the purchase, sale or other acquisition or disposition, or lease, of personal information.</p>	<ul style="list-style-type: none"> <li>○ <b>(iii)</b> to give effect to any withdrawal of consent made under subsection 17(1);</li> <li>• <b>(b)</b> the organizations comply with the terms of that agreement;</li> <li>• <b>(c)</b> the information is necessary for carrying on the business or activity that was the object of the transaction; and</li> <li>• <b>(d)</b> one of the parties notifies the individual, within a reasonable time after the transaction is completed, that the transaction has been completed and that their information has been disclosed under subsection (1).</li> </ul> <p><b>Exception</b></p> <p><b>(4)</b> Subsections (1) and (3) do not apply to a business transaction of which the primary purpose or result is the purchase, sale or other acquisition or disposition, or lease, of personal information.</p>	<p><b>Agreements binding</b></p> <p><b>(3)</b> An organization shall comply with the terms of any agreement into which it enters under paragraph (1)(a) or (2)(a).</p> <p><b>Exception</b></p> <p><b>(4)</b> Subsections (1) and (2) do not apply to a business transaction of which the primary purpose or result is the purchase, sale or other acquisition or disposition, or lease, of personal information.</p>
<p><b>Information produced in employment, business or profession</b></p> <p><b>23</b> An organization may collect, use or disclose an individual's personal information without their knowledge or consent if it was produced by the individual in the course of their employment, business or profession and the collection, use or disclosure is consistent with the purposes for which the information was produced.</p>	<p><b>Information produced in employment, business or profession</b></p> <p><b>23</b> An organization may collect, use or disclose an individual's personal information without their knowledge or consent if it was produced by the individual in the course of their employment, business or profession and the collection, use or disclosure is consistent with the purposes for which the information was produced.</p>	<p><b>Collection without knowledge or consent</b></p> <p><b>7 (1)</b> For the purpose of clause 4.3 of Schedule 1, and despite the note that accompanies that clause, an organization may collect personal information without the knowledge or consent of the individual only if</p> <p>[...]</p> <p><b>(b.2)</b> <u>it was produced by the individual in the course of their employment, business or profession and the</u></p>

<b>PPCDA (BILL C-36)</b> <i>Protecting Privacy and Consumer Data Act</i>	<b>CPPA (BILL C-27)</b> <i>Consumer Privacy Protection Act</i>	<b>PIPEDA</b> <i>Personal Information Protection and Electronic Documents Act</i>
		<p><u>collection is consistent with the purposes for which the information was produced;</u></p> <p>[...]</p>
<p><b>Employment relationship — federal work, undertaking or business</b></p> <p><b>24</b> An organization that operates a federal work, undertaking or business may collect, use or disclose an individual's personal information without their consent if</p> <ul style="list-style-type: none"> <li>• <b>(a)</b> the collection, use or disclosure is necessary to establish, manage or terminate an employment relationship between the organization and the individual in connection with the operation of a federal work, undertaking or business; and</li> <li>• <b>(b)</b> the organization has informed the individual that the personal information will be or may be collected, used or disclosed for those purposes.</li> </ul>	<p><b>Employment relationship — federal work, undertaking or business</b></p> <p><b>24</b> An organization that operates a federal work, undertaking or business may collect, use or disclose an individual's personal information without their consent if</p> <ul style="list-style-type: none"> <li>• <b>(a)</b> the collection, use or disclosure is necessary to establish, manage or terminate an employment relationship between the organization and the individual in connection with the operation of a federal work, undertaking or business; and</li> <li>• <b>(b)</b> the organization has informed the individual that the personal information will be or may be collected, used or disclosed for those purposes.</li> </ul>	<p><b>Employment relationship</b></p> <p><b>7.3</b> In addition to the circumstances set out in <u>section 7</u>, for the purpose of clause 4.3 of Schedule 1, and despite the note that accompanies that clause, a federal work, undertaking or business may collect, use and disclose personal information without the consent of the individual if</p> <ul style="list-style-type: none"> <li>• <b>(a)</b> the collection, use or disclosure is necessary to establish, manage or terminate an employment relationship between the federal work, undertaking or business and the individual; and</li> <li>• <b>(b)</b> the federal work, undertaking or business has informed the individual that the personal information will be or may be collected, used or disclosed for those purposes.</li> </ul>
<p><b>Disclosure to lawyer or notary</b></p> <p><b>25</b> An organization may disclose an individual's personal information without their knowledge or consent to a lawyer or, in Quebec, a lawyer or notary, who is representing the organization.</p>	<p><b>Disclosure to lawyer or notary</b></p> <p><b>25</b> An organization may disclose an individual's personal information without their knowledge or consent to a lawyer or, in Quebec, a lawyer or notary, who is representing the organization.</p>	<p><b>Disclosure without knowledge or consent</b></p> <p><b>7 (3)</b> For the purpose of clause 4.3 of Schedule 1, and despite the note that accompanies that clause, an organization may disclose personal information without the knowledge or consent of the individual only if the disclosure is</p> <ul style="list-style-type: none"> <li>• <b>(a)</b> <u>made to, in the Province of Quebec, an advocate or notary or, in any other province, a barrister or solicitor who is representing the organization;</u></li> </ul>

<b>PPCDA (BILL C-36)</b> <i>Protecting Privacy and Consumer Data Act</i>	<b>CPPA (BILL C-27)</b> <i>Consumer Privacy Protection Act</i>	<b>PIPEDA</b> <i>Personal Information Protection and Electronic Documents Act</i>
<p><b>Witness statement</b></p> <p><b>26</b> An organization may collect, use or disclose an individual's personal information without their knowledge or consent if the information is contained in a witness statement and the collection, use or disclosure is necessary to assess, process or settle an insurance claim.</p>	<p><b>Witness statement</b></p> <p><b>26</b> An organization may collect, use or disclose an individual's personal information without their knowledge or consent if the information is contained in a witness statement and the collection, use or disclosure is necessary to assess, process or settle an insurance claim.</p>	<p>[...]</p> <p><b>Collection without knowledge or consent</b></p> <ul style="list-style-type: none"> <li>• <b>7 (1)</b> For the purpose of clause 4.3 of Schedule 1, and despite the note that accompanies that clause, an organization may collect personal information without the knowledge or consent of the individual only if <ul style="list-style-type: none"> <li>○ <b>(b.1)</b> <u>it is contained in a witness statement and the collection is necessary to assess, process or settle an insurance claim;</u></li> </ul> </li> </ul> <p>[...]</p>
<p><b>Prevention, detection or suppression of fraud</b></p> <p><b>27 (1)</b> An organization may disclose an individual's personal information to another organization without the individual's knowledge or consent if the disclosure is reasonable for the purpose of detecting or suppressing fraud or of preventing fraud that is likely to be committed and it is reasonable to expect that the disclosure with the individual's knowledge or consent would compromise the ability to prevent, detect or suppress the fraud.</p> <p><b>Collection or use</b></p> <p><b>(2)</b> An organization may collect or use an individual's personal information without their knowledge or consent if the information was disclosed to it under subsection (1).</p>	<p><b>Prevention, detection or suppression of fraud</b></p> <p><b>27 (1)</b> An organization may disclose an individual's personal information to another organization without the individual's knowledge or consent if the disclosure is reasonable for the purposes of detecting or suppressing fraud or of preventing fraud that is likely to be committed and it is reasonable to expect that the disclosure with the individual's knowledge or consent would compromise the ability to prevent, detect or suppress the fraud.</p> <p><b>Collection</b></p> <p><b>(2)</b> An organization may collect or use an individual's personal information without their knowledge or consent if the information was disclosed to it under subsection (1).</p>	<p><b>4.3 Principle 3 - Consent</b></p> <p>The knowledge and consent of the individual are required for the collection, use, or disclosure of personal information, except where inappropriate.</p> <p>Note: In certain circumstances personal information can be collected, used, or disclosed without the knowledge and consent of the individual. For example, legal, medical, or security reasons may make it impossible or impractical to seek consent. <u>When information is being collected for the detection and prevention of fraud or for law enforcement, seeking the consent of the individual might defeat the purpose of collecting the information.</u> Seeking consent may be impossible or inappropriate when the individual is a minor, seriously ill, or mentally incapacitated. In addition, organizations that do not have a direct relationship with the individual may not always be able to seek consent. For example, seeking consent may be impractical for a charity or a direct-marketing firm that wishes to acquire a mailing list from another organization. In such cases, the</p>

<b>PPCDA (BILL C-36)</b> <i>Protecting Privacy and Consumer Data Act</i>	<b>CPPA (BILL C-27)</b> <i>Consumer Privacy Protection Act</i>	<b>PIPEDA</b> <i>Personal Information Protection and Electronic Documents Act</i>
		organization providing the list would be expected to obtain consent before disclosing personal information.
<p><b>Debt collection</b></p> <p><b>28</b> An organization may disclose an individual's personal information without their knowledge or consent for the purpose of collecting a debt owed by the individual to the organization.</p>	<p><b>Debt collection</b></p> <p><b>28</b> An organization may disclose an individual's personal information without their knowledge or consent for the purpose of collecting a debt owed by the individual to the organization.</p>	<p><b>Disclosure without knowledge or consent</b></p> <p>[...]</p> <p><b>7(3)</b> For the purpose of clause 4.3 of Schedule 1, and despite the note that accompanies that clause, an organization may disclose personal information without the knowledge or consent of the individual only if the disclosure is</p> <ul style="list-style-type: none"> <li>• <b>(a)</b> made to, in the Province of Quebec, an advocate or notary or, in any other province, a barrister or solicitor who is representing the organization;</li> <li>• <b>(b)</b> <u>for the purpose of collecting a debt owed by the individual to the organization;</u></li> <li>• <b>(c)</b> required to comply with a subpoena or warrant is sued or an order made by a court, person or body with jurisdiction to compel the production of information, or to comply with rules of court relating to the production of records;</li> <li>• <b>(c.1)</b> made to a government institution or part of a government institution that has made a request for the information, identified its lawful authority to obtain the information and indicated that</li> <li>• (i) it suspects that the information relates to national security, the defence of Canada or the conduct of international affairs,</li> </ul>

<b>PPCDA (BILL C-36)</b> <i>Protecting Privacy and Consumer Data Act</i>	<b>CPA (BILL C-27)</b> <i>Consumer Privacy Protection Act</i>	<b>PIPEDA</b> <i>Personal Information Protection and Electronic Documents Act</i>
		<ul style="list-style-type: none"> <li>• (ii) the disclosure is requested for the purpose of enforcing any law of Canada, a province or a foreign jurisdiction, carrying out an investigation relating to the enforcement of any such law or gathering intelligence for the purpose of enforcing any such law,</li> <li>• (iii) the disclosure is requested for the purpose of administering any law of Canada or a province, or (iv) the disclosure is requested for the purpose of communicating with the next of kin or authorized</li> </ul> <p>[...]</p>
<p>Public Interest</p> <p><b>Individual's interest</b></p> <p><b>29 (1)</b> An organization may collect an individual's personal information without their knowledge or consent if the collection is clearly in the interests of the individual and consent cannot be obtained in a timely way.</p> <p><b>Use</b></p> <p><b>(2)</b> An organization may use an individual's personal information without their knowledge or consent if the information was collected under subsection (1).</p>	<p>Public Interest</p> <p><b>Individual's interest</b></p> <p><b>29 (1)</b> An organization may collect an individual's personal information without their knowledge or consent if the collection is clearly in the interests of the individual and consent cannot be obtained in a timely way.</p> <p><b>Use</b></p> <p><b>(2)</b> An organization may use an individual's personal information without their knowledge or consent if the information was collected under subsection (1).</p>	<p><b>General</b></p> <p><b>Confidentiality</b></p> <p><b>20 (1)</b> Subject to subsections (2) to (7), 12(3), 12.2(3), 13(3), 19(1), 23(3) and 23.1(1) and section 25, the Commissioner or any person acting on behalf or under the direction of the Commissioner shall not disclose any information that comes to their knowledge as a result of the performance or exercise of any of the Commissioner's duties or powers under this Part other than those referred to in subsection 10.1(1) or 10.3(2).</p> <p><b>Confidentiality — reports and records</b></p> <p>(1.1) Subject to subsections (2) to (7), 12(3), 12.2(3), 13(3), 19(1), 23(3) and 23.1(1) and section 25, the Commissioner or any person acting on behalf or under the direction of the Commissioner shall not disclose any information contained in a report made under subsection 10.1(1) or in a record obtained under subsection 10.3(2).</p>

<p><b>PPDA (BILL C-36)</b> <i>Protecting Privacy and Consumer Data Act</i></p>	<p><b>CPA (BILL C-27)</b> <i>Consumer Privacy Protection Act</i></p>	<p><b>PIPEDA</b> <i>Personal Information Protection and Electronic Documents Act</i></p>
		<p><b><u>Public interest</u></b></p> <p><b>(2)</b> <u>The Commissioner may, if the Commissioner considers that it is in the public interest to do so, make public any information that comes to his or her knowledge in the performance or exercise of any of his or her duties or powers under this Part.</u></p> <ul style="list-style-type: none"> <li>• <b>Disclosure of necessary information</b></li> </ul> <p><b>(3)</b> The Commissioner may disclose, or may authorize any person acting on behalf or under the direction of the Commissioner to disclose, information that in the Commissioner's opinion is necessary to</p> <ul style="list-style-type: none"> <li>○ <b>(a)</b> conduct an investigation or audit under this Part; or</li> <li>○ <b>(b)</b> establish the grounds for findings and recommendations contained in any report under this Part.</li> </ul> <ul style="list-style-type: none"> <li>• <b>Disclosure in the course of proceedings</b></li> </ul> <p><b>(4)</b> The Commissioner may disclose, or may authorize any person acting on behalf or under the direction of the Commissioner to disclose, information in the course of</p> <ul style="list-style-type: none"> <li>○ <b>(a)</b> a prosecution for an offence under <u>section 28</u>;</li> <li>○ <b>(b)</b> a prosecution for an offence under <u>section 132</u> of the <i>Criminal Code</i> (perjury) in respect of a statement made under this Part;</li> </ul>

<b>PPCDA (BILL C-36)</b> <i>Protecting Privacy and Consumer Data Act</i>	<b>CPPA (BILL C-27)</b> <i>Consumer Privacy Protection Act</i>	<b>PIPEDA</b> <i>Personal Information Protection and Electronic Documents Act</i>
		<ul style="list-style-type: none"> <li>○ <b>(c)</b> a hearing before the Court under this Part;</li> <li>○ <b>(d)</b> an appeal from a decision of the Court; or</li> <li>○ <b>(e)</b> a judicial review in relation to the performance or exercise of any of the Commissioner's duties or powers under this Part.</li> </ul> <ul style="list-style-type: none"> <li>• <b>Disclosure of offence authorized</b></li> </ul> <p><b>(5)</b> The Commissioner may disclose to the Attorney General of Canada or of a province, as the case may be, information relating to the commission of an offence against any law of Canada or a province on the part of an officer or employee of an organization if, in the Commissioner's opinion, there is evidence of an offence.</p> <ul style="list-style-type: none"> <li>• <b>Disclosure of breach of security safeguards</b></li> </ul> <p><b>(6)</b> The Commissioner may disclose, or may authorize any person acting on behalf or under the direction of the Commissioner to disclose to a government institution or a part of a government institution, any information contained in a report made under <u>subsection 10.1(1)</u> or in a record obtained under <u>subsection 10.3(2)</u> if the Commissioner has reasonable grounds to believe that the information could be useful in the investigation of a contravention of the laws of Canada or a province that has been, is being or is about to be committed.</p> <ul style="list-style-type: none"> <li>• <b>Disclosure</b></li> </ul> <p><b>(7)</b> The Commissioner may disclose information, or may authorize any person acting on behalf or under</p>

<b>PPCDA (BILL C-36)</b> <i>Protecting Privacy and Consumer Data Act</i>	<b>CPPA (BILL C-27)</b> <i>Consumer Privacy Protection Act</i>	<b>PIPEDA</b> <i>Personal Information Protection and Electronic Documents Act</i>
		<p>the direction of the Commissioner to disclose information, in the course of proceedings in which the Commissioner has intervened under <u>paragraph 50(c) of An Act to promote the efficiency and adaptability of the Canadian economy by regulating certain activities that discourage reliance on electronic means of carrying out commercial activities, and to amend the Canadian Radio-television and Telecommunications Commission Act, the Competition Act, the Personal Information Protection and Electronic Documents Act and the Telecommunications Act</u> or in accordance with subsection 58(3) or 60(1) of that Act.</p>
<p><b>Emergency — use</b></p> <p><b>30</b> An organization may use an individual's personal information without their knowledge or consent for the purpose of acting in respect of an emergency that threatens the life, health or security of any individual.</p>	<p><b>Emergency — use</b></p> <p><b>30</b> An organization may use an individual's personal information without their knowledge or consent for the purpose of acting in respect of an emergency that threatens the life, health or security of any individual.</p>	<p><b>Collection without knowledge or consent</b></p> <p>[...]</p> <p><b>7 (2)</b> For the purpose of clause 4.3 of Schedule 1, and despite the note that accompanies that clause, an organization may, without the knowledge or consent of the individual, use personal information only if</p> <ul style="list-style-type: none"> <li>○ <b>(a)</b> in the course of its activities, the organization becomes aware of information that it has reasonable grounds to believe could be useful in the investigation of a contravention of the laws of Canada, a province or a foreign jurisdiction that has been, is being or is about to be committed, and the information is used for the purpose of investigating that contravention;</li> <li>○ <b>(b)</b> <u>it is used for the purpose of acting in respect of an emergency that threatens the life, health or security of an individual;</u></li> </ul>

<b>PPCDA (BILL C-36)</b> <i>Protecting Privacy and Consumer Data Act</i>	<b>CPPA (BILL C-27)</b> <i>Consumer Privacy Protection Act</i>	<b>PIPEDA</b> <i>Personal Information Protection and Electronic Documents Act</i>
<p><b>Emergency — disclosure</b></p> <p><b>31</b> An organization may disclose an individual’s personal information without their knowledge or consent to a person who needs the information because of an emergency that threatens the life, health or security of any individual. If the individual whom the information is about is alive, the organization must, in writing and without delay, inform that individual of the disclosure.</p>	<p><b>Emergency — disclosure</b></p> <p><b>31</b> An organization may disclose an individual’s personal information without their knowledge or consent to a person who needs the information because of an emergency that threatens the life, health or security of any individual. If the individual whom the information is about is alive, the organization must inform that individual in writing without delay of the disclosure.</p>	<p><b>Collection without knowledge or consent</b></p> <p><b>7 (1)</b> For the purpose of clause 4.3 of Schedule 1, and despite the note that accompanies that clause, an organization may collect personal information without the knowledge or consent of the individual only if</p> <p>[...]</p> <ul style="list-style-type: none"> <li>• <b>(e)</b> made to a person who needs the information because of an emergency that threatens the life, health or security of an individual and, if the individual whom the information is about is alive, the organization informs that individual in writing without delay of the disclosure;</li> </ul> <p>[...]</p>
<p><b>Identification of individual</b></p> <p><b>32</b> An organization may disclose an individual’s personal information without their knowledge or consent if the disclosure is necessary to identify the individual who is injured, ill or deceased and is made to a government institution, a part of a government institution or the individual’s next of kin or authorized representative. If the individual is alive, the organization must, in writing and without delay, inform them of the disclosure.</p>	<p><b>Identification of individual</b></p> <p><b>32</b> An organization may disclose an individual’s personal information without their knowledge or consent if the disclosure is necessary to identify the individual who is injured, ill or deceased and is made to a government institution, a part of a government institution or the individual’s next of kin or authorized representative. If the individual is alive, the organization must inform them in writing without delay of the disclosure.</p>	<p><b>Disclosure without knowledge or consent</b></p> <p><b>7 (3)</b> For the purpose of clause 4.3 of Schedule 1, and despite the note that accompanies that clause, an organization may disclose personal information without the knowledge or consent of the individual only if the disclosure is</p> <p>[...]</p> <p><b>(c.1)</b> made to a government institution or part of a government institution that has made a request for the information, identified its lawful authority to obtain the information and indicated that</p> <ul style="list-style-type: none"> <li>• <b>(iv)</b> the disclosure is requested for the purpose of communicating with the next of</li> </ul>

<b>PPCDA (BILL C-36)</b> <i>Protecting Privacy and Consumer Data Act</i>	<b>CPPA (BILL C-27)</b> <i>Consumer Privacy Protection Act</i>	<b>PIPEDA</b> <i>Personal Information Protection and Electronic Documents Act</i>
		kin or authorized representative of an injured, ill or deceased individual;  [...]
<b>Communication with next of kin or authorized representative</b>  <b>33</b> An organization may disclose an individual's personal information without their knowledge or consent to a government institution or part of a government institution that has made a request for the information, identified its lawful authority to obtain the information and indicated that the disclosure is requested for the purpose of communicating with the next of kin or authorized representative of an injured, ill or deceased individual.	<b>Communication with next of kin or authorized representative</b>  <b>33</b> An organization may disclose an individual's personal information without their knowledge or consent to a government institution or part of a government institution that has made a request for the information, identified its lawful authority to obtain the information and indicated that the disclosure is requested for the purpose of communicating with the next of kin or authorized representative of an injured, ill or deceased individual.	<b>Disclosure without knowledge or consent</b>  <b>(3)</b> For the purpose of clause 4.3 of Schedule 1, and despite the note that accompanies that clause, an organization may disclose personal information without the knowledge or consent of the individual only if the disclosure is  <b>(c.1)</b> made to a government institution or part of a government institution that has made a request for the information, identified its lawful authority to obtain the information and indicated that
<b>Financial abuse</b>  <b>34</b> An organization may on its own initiative disclose an individual's personal information without their knowledge or consent to a government institution, a part of a government institution or the individual's next of kin or authorized representative if <ul style="list-style-type: none"> <li>• <b>(a)</b> the organization has reasonable grounds to believe that the individual has been, is or may be the victim of financial abuse;</li> <li>• <b>(b)</b> the disclosure is made solely for purposes related to preventing or investigating the abuse; and</li> </ul>	<b>Financial abuse</b>  <b>34</b> An organization may on its own initiative disclose an individual's personal information without their knowledge or consent to a government institution, a part of a government institution or the individual's next of kin or authorized representative if <ul style="list-style-type: none"> <li>• <b>(a)</b> the organization has reasonable grounds to believe that the individual has been, is or may be the victim of financial abuse;</li> <li>• <b>(b)</b> the disclosure is made solely for purposes related to preventing or investigating the abuse; and</li> </ul>	<b>Disclosure without knowledge or consent</b>  <b>7(3)</b> For the purpose of clause 4.3 of Schedule 1, and despite the note that accompanies that clause, an organization may disclose personal information without the knowledge or consent of the individual only if the disclosure is  [...]  <b>(d.3)</b> made on the initiative of the organization to a government institution, a part of a government institution or the individual's next of kin or authorized representative and

<b>PPCDA (BILL C-36)</b> <i>Protecting Privacy and Consumer Data Act</i>	<b>CPPA (BILL C-27)</b> <i>Consumer Privacy Protection Act</i>	<b>PIPEDA</b> <i>Personal Information Protection and Electronic Documents Act</i>
<ul style="list-style-type: none"> <li>• <b>(c)</b> it is reasonable to expect that disclosure with the knowledge or consent of the individual would compromise the ability to prevent or investigate the abuse.</li> </ul>	<ul style="list-style-type: none"> <li>• <b>(c)</b> it is reasonable to expect that disclosure with the knowledge or consent of the individual would compromise the ability to prevent or investigate the abuse.</li> </ul>	<ul style="list-style-type: none"> <li>• <b>(i)</b> the organization has reasonable grounds to believe that the individual has been, is or may be the victim of financial abuse,</li> </ul> <p>[...]</p>
<p><b>Records of historical or archival importance</b></p> <p><b>35</b> An organization may disclose an individual's personal information without their knowledge or consent to an institution whose functions include the conservation of records of historical or archival importance, if the disclosure is made for the purpose of such conservation.</p>	<p><b>Records of historic or archival importance</b></p> <p><b>36</b> An organization may disclose an individual's personal information without their knowledge or consent to an institution whose functions include the conservation of records of historic or archival importance, if the disclosure is made for the purpose of such conservation.</p>	<p><b>Disclosure without knowledge or consent</b></p> <p><b>7(3)</b> For the purpose of clause 4.3 of Schedule 1, and despite the note that accompanies that clause, an organization may disclose personal information without the knowledge or consent of the individual only if the disclosure is</p> <p>[...]</p> <ul style="list-style-type: none"> <li>• <b>(g)</b> made to an institution whose functions include the conservation of records of historic or archival importance, and the disclosure is made for the purpose of such conservation;</li> </ul> <p>[...]</p>
	<p><b>Statistics, study or research</b></p> <p><b>35</b> An organization may disclose an individual's personal information without their knowledge or consent if</p> <ul style="list-style-type: none"> <li>• <b>(a)</b> the disclosure is made for statistical purposes or for study or research purposes and those purposes cannot be</li> </ul>	<p><b>Use without knowledge or consent</b></p> <p><b>7(2)</b> For the purpose of clause 4.3 of Schedule 1, and despite the note that accompanies that clause, an organization may, without the knowledge or consent of the individual, use personal information only if</p> <p>[...]</p>

<b>PPCDA (BILL C-36)</b> <i>Protecting Privacy and Consumer Data Act</i>	<b>CPPA (BILL C-27)</b> <i>Consumer Privacy Protection Act</i>	<b>PIPEDA</b> <i>Personal Information Protection and Electronic Documents Act</i>
	<p>achieved without disclosing the information;</p> <ul style="list-style-type: none"> <li>• <b>(b)</b> it is impracticable to obtain consent; and</li> <li>• <b>(c)</b> the organization informs the Commissioner of the disclosure before the information is disclosed.</li> </ul>	<ul style="list-style-type: none"> <li>• <b>(c)</b> it is used for statistical, or scholarly study or research, purposes that cannot be achieved without using the information, the information is used in a manner that will ensure its confidentiality, it is impracticable to obtain consent and the organization informs the Commissioner of the use before the information is used;</li> </ul> <p>[...]</p> <p><b>Disclosure without knowledge or consent</b></p> <p><b>7(3)</b> For the purpose of clause 4.3 of Schedule 1, and despite the note that accompanies that clause, an organization may disclose personal information without the knowledge or consent of the individual only if the disclosure is</p> <p>[...]</p> <ul style="list-style-type: none"> <li>• <b>(f)</b> for statistical, or scholarly study or research, purposes that cannot be achieved without disclosing the information, it is impracticable to obtain consent and the organization informs the Commissioner of the disclosure before the information is disclosed;</li> </ul> <p>[...]</p>
<p><b>Disclosure after period of time</b></p> <p><b>36</b> An organization may disclose an individual's personal information without their knowledge or consent after the earlier of</p> <ul style="list-style-type: none"> <li>• <b>(a)</b> 100 years after the record containing the information was created, and</li> </ul>	<p><b>Disclosure after period of time</b></p> <p><b>37</b> An organization may disclose an individual's personal information without their knowledge or consent after the earlier of</p> <ul style="list-style-type: none"> <li>• <b>(a)</b> 100 years after the record containing the information was created, and</li> </ul>	<p><b>Disclosure without knowledge or consent</b></p> <p><b>7(3)</b> For the purpose of clause 4.3 of Schedule 1, and despite the note that accompanies that clause, an organization may disclose personal information without the knowledge or consent of the individual only if the disclosure is</p>

<b>PPDA (BILL C-36)</b> <i>Protecting Privacy and Consumer Data Act</i>	<b>CPA (BILL C-27)</b> <i>Consumer Privacy Protection Act</i>	<b>PIPEDA</b> <i>Personal Information Protection and Electronic Documents Act</i>
<ul style="list-style-type: none"> <li>• <b>(b)</b> 20 years after the death of the individual.</li> </ul>	<ul style="list-style-type: none"> <li>• <b>(b)</b> 20 years after the death of the individual</li> </ul>	<p>[...]</p> <ul style="list-style-type: none"> <li>• <b>(h)</b> made after the earlier of               <ul style="list-style-type: none"> <li>○ <b>(i)</b> one hundred years after the record containing the information was created, and</li> <li>○ <b>(ii)</b> twenty years after the death of the individual whom the information is about;</li> </ul> </li> </ul> <p>[...]</p>
<p><b>Journalistic, artistic or literary purposes</b></p> <p><b>37</b> An organization may collect an individual's personal information without their knowledge or consent if the collection is solely for journalistic, artistic or literary purposes.</p>	<p><b>Journalistic, artistic or literary purposes</b></p> <p><b>38</b> An organization may collect an individual's personal information without their knowledge or consent if the collection is solely for journalistic, artistic or literary purposes.</p>	<p><b>Collection without knowledge or consent</b></p> <p><b>7 (1)</b> For the purpose of clause 4.3 of Schedule 1, and despite the note that accompanies that clause, an organization may collect personal information without the knowledge or consent of the individual only if</p> <p>[...]</p> <ul style="list-style-type: none"> <li>• <b>(c)</b> the collection is solely for journalistic, artistic or literary purposes;</li> </ul> <p>[...]</p>
<p>Investigations</p> <p><b>Breach of agreement or contravention</b></p> <p><b>38 (1)</b> An organization may collect an individual's personal information without their knowledge or consent if it is reasonable to expect that the collection with their knowledge or consent would compromise the availability or the accuracy of the information and the collection is reasonably made</p>	<p>Investigations</p> <p><b>Breach of agreement or contravention</b></p> <p><b>40 (1)</b> An organization may collect an individual's personal information without their knowledge or consent if it is reasonable to expect that the collection with their knowledge or consent would compromise the availability or the accuracy of the information and the collection is reasonable for</p>	<p><b>Collection without knowledge or consent</b></p> <p><b>7 (1)</b> For the purpose of clause 4.3 of Schedule 1, and despite the note that accompanies that clause, an organization may collect personal information without the knowledge or consent of the individual only if</p> <p>[...]</p>

<b>PPCDA (BILL C-36)</b> <i>Protecting Privacy and Consumer Data Act</i>	<b>CPPA (BILL C-27)</b> <i>Consumer Privacy Protection Act</i>	<b>PIPEDA</b> <i>Personal Information Protection and Electronic Documents Act</i>
<p>for a purpose related to investigating a breach of an agreement or a contravention of federal or provincial law.</p> <p><b>Use</b></p> <p><b>(2)</b> An organization may use an individual's personal information without their knowledge or consent if the information was collected under subsection (1).</p> <p><b>Disclosure</b></p> <p><b>(3)</b> An organization may disclose an individual's personal information without their knowledge or consent if the disclosure is reasonably made to another organization for a purpose related to investigating a breach of an agreement or a contravention of federal or provincial law that has been, is being or is about to be committed and it is reasonable to expect that disclosure with the individual's knowledge or consent would compromise the investigation.</p>	<p>purposes related to investigating a breach of an agreement or a contravention of federal or provincial law.</p> <p><b>Use</b></p> <p><b>(2)</b> An organization may use an individual's personal information without their knowledge or consent if the information was collected under subsection (1).</p> <p><b>Disclosure</b></p> <p><b>(3)</b> An organization may disclose an individual's personal information without their knowledge or consent if the disclosure is made to another organization and is reasonable for the purposes of investigating a breach of an agreement or a contravention of federal or provincial law that has been, is being or is about to be committed and it is reasonable to expect that disclosure with the knowledge or consent of the individual would compromise the investigation.</p>	<ul style="list-style-type: none"> <li>• <b>(b)</b> it is reasonable to expect that the collection with the knowledge or consent of the individual would compromise the availability or the accuracy of the information and the collection is reasonable for purposes related to investigating a breach of an agreement or a contravention of the laws of Canada or a province;</li> </ul> <p>[...]</p> <p><b>Disclosure without knowledge or consent</b></p> <p><b>7(3)</b> For the purpose of clause 4.3 of Schedule 1, and despite the note that accompanies that clause, an organization may disclose personal information without the knowledge or consent of the individual only if the disclosure is</p> <p>[...]</p> <ul style="list-style-type: none"> <li>• <b>(d.1)</b> made to another organization and is reasonable for the purposes of investigating a breach of an agreement or a contravention of the laws of Canada or a province that has been, is being or is about to be committed and it is reasonable to expect that disclosure with the knowledge or consent of the individual would compromise the investigation;</li> </ul> <p>[...]</p>

<b>PPCDA (BILL C-36)</b> <i>Protecting Privacy and Consumer Data Act</i>	<b>CPPA (BILL C-27)</b> <i>Consumer Privacy Protection Act</i>	<b>PIPEDA</b> <i>Personal Information Protection and Electronic Documents Act</i>
<p><b>Use for investigations</b></p> <p><b>39</b> An organization may use an individual's personal information without their knowledge or consent if, in the course of its activities, the organization becomes aware of information that it has reasonable grounds to believe could be useful in the investigation of a contravention of federal or provincial law or a law of a foreign jurisdiction that has been, is being or is about to be committed and the information is used for the purpose of investigating that contravention.</p>	<p><b>Use for investigations</b></p> <p><b>41</b> An organization may use an individual's personal information without their knowledge or consent if, in the course of its activities, the organization becomes aware of information that it has reasonable grounds to believe could be useful in the investigation of a contravention of federal or provincial law or law of a foreign jurisdiction that has been, is being or is about to be committed and the information is used for the purpose of investigating that contravention.</p>	<p><b>Use without knowledge or consent</b></p> <p><b>7(2)</b> For the purpose of clause 4.3 of Schedule 1, and despite the note that accompanies that clause, an organization may, without the knowledge or consent of the individual, use personal information only if</p> <ul style="list-style-type: none"> <li>• <b>(a)</b> in the course of its activities, the organization becomes aware of information that it has reasonable grounds to believe could be useful in the investigation of a contravention of the laws of Canada, a province or a foreign jurisdiction that has been, is being or is about to be committed, and the information is used for the purpose of investigating that contravention;</li> </ul> <p>[...]</p>
	<p><b>Socially beneficial purposes</b></p> <p><b>39 (1)</b> An organization may disclose an individual's personal information without their knowledge or consent if</p> <ul style="list-style-type: none"> <li>• <b>(a)</b> the personal information is de-identified before the disclosure is made;</li> <li>• <b>(b)</b> the disclosure is made to <ul style="list-style-type: none"> <li>○ <b>(i)</b> a government institution or part of a government institution in Canada,</li> <li>○ <b>(ii)</b> a health care institution, post-secondary educational institution or public library in Canada,</li> </ul> </li> </ul>	<p>[No equivalent provision]</p>

<b>PPCDA (BILL C-36)</b> <i>Protecting Privacy and Consumer Data Act</i>	<b>CPPA (BILL C-27)</b> <i>Consumer Privacy Protection Act</i>	<b>PIPEDA</b> <i>Personal Information Protection and Electronic Documents Act</i>
	<ul style="list-style-type: none"> <li>○ <b>(iii)</b> any organization that is mandated, under a federal or provincial law or by contract with a government institution or part of a government institution in Canada, to carry out a socially beneficial purpose, or</li> <li>○ <b>(iv)</b> any other prescribed entity; and</li> </ul> <ul style="list-style-type: none"> <li>• <b>(c)</b> the disclosure is made for a socially beneficial purpose.</li> </ul> <p><b>Definition of <i>socially beneficial purpose</i></b></p> <p><b>(2)</b> For the purpose of this section, <b><i>socially beneficial purpose</i></b> means a purpose related to health, the provision or improvement of public amenities or infrastructure, the protection of the environment or any other prescribed purpose.</p>	
<p><b>Breach of security safeguards</b></p> <p><b>40</b> An organization may disclose an individual's personal information without their knowledge or consent if</p> <ul style="list-style-type: none"> <li>• <b>(a)</b> the disclosure is made to the other organization, government institution or part of a government institution that was notified of a breach under subsection 59(1); and</li> <li>• <b>(b)</b> the disclosure is made solely for the <b>purpose</b> of reducing the risk of harm to the individual that could result from the breach or mitigating that harm.</li> </ul>	<p><b>Breach of security safeguards</b></p> <p><b>42</b> An organization may disclose an individual's personal information without their knowledge or consent if</p> <ul style="list-style-type: none"> <li>• <b>(a)</b> the disclosure is made to the other organization, government institution or part of a government institution that was notified of a breach under subsection 59(1); and</li> <li>• <b>(b)</b> the disclosure is made solely for the <b>purposes</b> of reducing the risk of harm to the individual that could result from the breach or mitigating that harm.</li> </ul>	<p><b>Notification to organizations</b></p> <p><b>10.2 (1)</b> An organization that notifies an individual of a breach of security safeguards under <u>subsection 10.1(3)</u> shall notify any other organization, a government institution or a part of a government institution of the breach if the notifying organization believes that the other organization or the government institution or part concerned may be able to reduce the risk of harm that could result from it or mitigate that harm, or if any of the prescribed conditions are satisfied.</p> <p><b>Time to give notification</b></p>

<b>PPCDA (BILL C-36)</b> <i>Protecting Privacy and Consumer Data Act</i>	<b>CPPA (BILL C-27)</b> <i>Consumer Privacy Protection Act</i>	<b>PIPEDA</b> <i>Personal Information Protection and Electronic Documents Act</i>
		<p><b>(2)</b> The notification shall be given as soon as feasible after the organization determines that the breach has occurred.</p> <p><b>Disclosure of personal information</b></p> <p><b>(3)</b> In addition to the circumstances set out in <u>subsection 7(3)</u>, for the purpose of clause 4.3 of Schedule 1, and despite the note that accompanies that clause, an organization may disclose personal information without the knowledge or consent of the individual if</p> <ul style="list-style-type: none"> <li>○ <u>(a) the disclosure is made to the other organization, the government institution or the part of a government institution that was notified of the breach under subsection (1); and</u></li> <li>○ <u>(b) the disclosure is made solely for the purposes of reducing the risk of harm to the individual that could result from the breach or mitigating that harm.</u></li> </ul> <p><b>Disclosure without consent</b></p> <p><b>(4)</b> Despite clause 4.5 of Schedule 1, an organization may disclose personal information for purposes other than those for which it was collected in the circumstance set out in subsection (3).</p>
<p><b><i>Proceeds of Crime (Money Laundering) and Terrorist Financing Act</i></b></p> <p><b>41 (1)</b> An organization may disclose an individual's personal information without their knowledge or consent to another organization under subsection 11.01(1) of the <i>Proceeds of</i></p>		<p><b>Disclosure without knowledge or consent</b></p> <p><b>7(3)</b> For the purpose of clause 4.3 of Schedule 1, and despite the note that accompanies that clause, an organization may disclose personal information without the knowledge or consent of the individual only if the disclosure is</p>

<b>PPCDA (BILL C-36)</b> <i>Protecting Privacy and Consumer Data Act</i>	<b>CPPA (BILL C-27)</b> <i>Consumer Privacy Protection Act</i>	<b>PIPEDA</b> <i>Personal Information Protection and Electronic Documents Act</i>
<p><i>Crime (Money Laundering) and Terrorist Financing Act.</i></p> <p><b>Collection</b></p> <p><b>(2)</b> An organization may collect an individual's personal information without their knowledge or consent if the personal information is disclosed to it under subsection (1).</p> <p><b>Use</b></p> <p><b>(3)</b> An organization may use an individual's personal information without their knowledge or consent if it was collected under subsection (2)</p>		<p>[...]</p> <ul style="list-style-type: none"> <li>• <b>(c.2)</b> made to the government institution mentioned in <u>section 7</u> of the <u><i>Proceeds of Crime (Money Laundering) and Terrorist Financing Act</i></u> as required by that section;</li> </ul> <p>[...]</p> <ul style="list-style-type: none"> <li>• <b>(d.21)</b> made to another organization under subsection 11.01(1) of the <u><i>Proceeds of Crime (Money Laundering) and Terrorist Financing Act</i></u>;</li> </ul> <p>[...]</p>
<p>Disclosures to Government Institutions</p> <p><b>Administering law — request of government institution</b></p> <p><b>42</b> An organization may disclose an individual's personal information without their knowledge or consent to a government institution or part of a government institution that has made a request for the information, identified its lawful authority to obtain the information and indicated that the disclosure is requested for the purpose of administering federal or provincial law.</p>	<p>Disclosures to Government Institutions</p> <p><b>Administering law — request of government institution</b></p> <p><b>43</b> An organization may disclose an individual's personal information without their knowledge or consent to a government institution or part of a government institution that has made a request for the information, identified its lawful authority to obtain the information and indicated that the disclosure is requested for the purpose of administering federal or provincial law.</p>	<p><b>Disclosure without knowledge or consent</b></p> <p><b>7(3)</b> For the purpose of clause 4.3 of Schedule 1, and despite the note that accompanies that clause, an organization may disclose personal information without the knowledge or consent of the individual only if the disclosure is</p> <p>[...]</p> <ul style="list-style-type: none"> <li>• <b>(c.1)</b> made to a government institution or part of a government institution that has made a request for the information, identified its lawful authority to obtain the information and indicated that <ul style="list-style-type: none"> <li>○ <b>(i)</b> it suspects that the information relates to national security, the</li> </ul> </li> </ul>

<b>PPCDA (BILL C-36)</b> <i>Protecting Privacy and Consumer Data Act</i>	<b>CPA (BILL C-27)</b> <i>Consumer Privacy Protection Act</i>	<b>PIPEDA</b> <i>Personal Information Protection and Electronic Documents Act</i>
		<p>defence of Canada or the conduct of international affairs,</p> <ul style="list-style-type: none"> <li>○ <b>(ii)</b> the disclosure is requested for the purpose of enforcing any law of Canada, a province or a foreign jurisdiction, carrying out an investigation relating to the enforcement of any such law or gathering intelligence for the purpose of enforcing any such law,</li> <li>○ <b>(iii)</b> <u>the disclosure is requested for the purpose of administering any law of Canada or a province, or</u></li> <li>○ <b>(iv)</b> the disclosure is requested for the purpose of communicating with the next of kin or authorized representative of an injured, ill or deceased individual;</li> </ul> <p>[...]</p>
<p><b>Law enforcement — request of government institution</b></p> <p><b>43</b> An organization may disclose an individual’s personal information without their knowledge or consent to a government institution or part of a government institution that has made a request for the information, identified its lawful authority to obtain the information and indicated that the disclosure is requested for the purpose of enforcing federal or provincial law or the law of a foreign jurisdiction, carrying out an investigation relating to the enforcement of any such law or</p>	<p><b>Law enforcement — request of government institution</b></p> <p><b>44</b> An organization may disclose an individual’s personal information without their knowledge or consent to a government institution or part of a government institution that has made a request for the information, identified its lawful authority to obtain the information and indicated that the disclosure is requested for the purpose of enforcing federal or provincial law or law of a foreign jurisdiction, carrying out an investigation relating to the enforcement of any such law or</p>	<p><b>4.3 Principle 3 - Consent</b></p> <p>The knowledge and consent of the individual are required for the collection, use, or disclosure of personal information, except where inappropriate.</p> <p>Note: In certain circumstances personal information can be collected, used, or disclosed without the knowledge and consent of the individual. For example, legal, medical, or security reasons may make it impossible or impractical to seek consent. When information is being collected for the detection and prevention of fraud or for law enforcement, seeking the consent of the individual might defeat the</p>

<b>PPCDA (BILL C-36)</b> <i>Protecting Privacy and Consumer Data Act</i>	<b>CPPA (BILL C-27)</b> <i>Consumer Privacy Protection Act</i>	<b>PIPEDA</b> <i>Personal Information Protection and Electronic Documents Act</i>
<p>gathering intelligence for the purpose of enforcing any such law.</p>	<p>gathering intelligence for the purpose of enforcing any such law.</p>	<p>purpose of collecting the information. Seeking consent may be impossible or inappropriate when the individual is a minor, seriously ill, or mentally incapacitated. In addition, organizations that do not have a direct relationship with the individual may not always be able to seek consent. For example, seeking consent may be impractical for a charity or a direct-marketing firm that wishes to acquire a mailing list from another organization. In such cases, the organization providing the list would be expected to obtain consent before disclosing personal information.</p>
<p><b>Contravention of law — initiative of organization</b></p> <p><b>44</b> An organization may on its own initiative disclose an individual’s personal information without their knowledge or consent to a government institution or a part of a government institution if the organization has reasonable grounds to believe that the information relates to a contravention of federal or provincial law or <b>the</b> law of a foreign jurisdiction that has been, is being or is about to be committed.</p>	<p><b>Contravention of law — initiative of organization</b></p> <p><b>45</b> An organization may on its own initiative disclose an individual’s personal information without their knowledge or consent to a government institution or a part of a government institution if the organization has reasonable grounds to believe that the information relates to a contravention of federal or provincial law or law of a foreign jurisdiction that has been, is being or is about to be committed.</p>	<p><b>Collection without knowledge or consent</b></p> <p><b>Disclosure without knowledge or consent</b></p> <p><b>7(3)</b> For the purpose of clause 4.3 of Schedule 1, and despite the note that accompanies that clause, an organization may disclose personal information without the knowledge or consent of the individual only if the disclosure is</p> <p>[...]</p> <p><b>(d)</b> made on the initiative of the organization to a government institution or a part of a government institution and the organization</p> <p>[...]</p>
<p><b><i>Proceeds of Crime (Money Laundering) and Terrorist Financing Act</i></b></p> <p><b>45</b> An organization may disclose an individual’s personal information without their knowledge or consent to the government institution referred to in section 7 of the <i>Proceeds of Crime (Money</i></p>	<p><b><i>Proceeds of Crime (Money Laundering) and Terrorist Financing Act</i></b></p> <p><b>46</b> An organization may disclose an individual’s personal information without their knowledge or consent to the government institution referred to in section 7 of the <i>Proceeds of Crime (Money</i></p>	<p><b>Disclosure without knowledge or consent</b></p> <p><b>7(3)</b> For the purpose of clause 4.3 of Schedule 1, and despite the note that accompanies that clause, an organization may disclose personal information without the</p>

<b>PPCDA (BILL C-36)</b> <i>Protecting Privacy and Consumer Data Act</i>	<b>CPPA (BILL C-27)</b> <i>Consumer Privacy Protection Act</i>	<b>PIPEDA</b> <i>Personal Information Protection and Electronic Documents Act</i>
<p><i>Laundrying) and Terrorist Financing Act as required by that section.</i></p>	<p><i>Laundrying) and Terrorist Financing Act as required by that section.</i></p>	<p>knowledge or consent of the individual only if the disclosure is</p> <p>[...]</p> <ul style="list-style-type: none"> <li>• <b>(c.2)</b> made to the government institution mentioned in <u>section 7 of the <i>Proceeds of Crime (Money Laundering) and Terrorist Financing Act</i></u> as required by that section;</li> </ul> <p>[...]</p>
<p><b>National security, defence or international affairs — request by government institution</b></p> <p><b>46 (1)</b> An organization may disclose an individual's personal information without their knowledge or consent to a government institution or part of a government institution that has made a request for the information, identified its lawful authority to obtain the information and indicated that it suspects that the information relates to national security, the defence of Canada or the conduct of international affairs.</p> <p><b>Collection</b></p> <p><b>(2)</b> An organization may collect an individual's personal information without their knowledge or consent for the purpose of making a disclosure under subsection (1).</p>	<p><b>National security, defence or international affairs — request by government institution</b></p> <p><b>47 (1)</b> An organization may disclose an individual's personal information without their knowledge or consent to a government institution or part of a government institution that has made a request for the information, identified its lawful authority to obtain the information and indicated that it suspects that the information relates to national security, the defence of Canada or the conduct of international affairs.</p> <p><b>Collection</b></p> <p><b>(2)</b> An organization may collect an individual's personal information without their knowledge or consent for the purpose of making a disclosure under subsection (1).</p>	<p><b>Disclosure without knowledge or consent</b></p> <p><b>7(3)</b> For the purpose of clause 4.3 of Schedule 1, and despite the note that accompanies that clause, an organization may disclose personal information without the knowledge or consent of the individual only if the disclosure is</p> <p>[...]</p> <ul style="list-style-type: none"> <li>• <b>(c.1)</b> made to a government institution or part of a government institution that has made a request for the information, identified its lawful authority to obtain the information and indicated that <ul style="list-style-type: none"> <li>○ <b>(i)</b> it suspects that the information relates to national security, the defence of Canada or the conduct of international affairs,</li> <li>○ <b>(ii)</b> the disclosure is requested for the purpose of enforcing any law of Canada, a province or a foreign</li> </ul> </li> </ul>

<b>PPCDA (BILL C-36)</b> <i>Protecting Privacy and Consumer Data Act</i>	<b>CPPA (BILL C-27)</b> <i>Consumer Privacy Protection Act</i>	<b>PIPEDA</b> <i>Personal Information Protection and Electronic Documents Act</i>
<p><b>Use</b></p> <p><b>(3)</b> An organization may use an individual's personal information without their knowledge or consent if it was collected under subsection (2).</p>	<p><b>Use</b></p> <p><b>(3)</b> An organization may use an individual's personal information without their knowledge or consent if it was collected under subsection (2).</p>	<p>jurisdiction, carrying out an investigation relating to the enforcement of any such law or gathering intelligence for the purpose of enforcing any such law,</p> <ul style="list-style-type: none"> <li>○ <b>(iii)</b> the disclosure is requested for the purpose of administering any law of Canada or a province, or</li> <li>○ <b>(iv)</b> the disclosure is requested for the purpose of communicating with the next of kin or authorized representative of an injured, ill or deceased individual;</li> </ul> <p>[...]</p>
<p><b>National security, defence or international affairs — initiative of organization</b></p> <p><b>47 (1)</b> An organization may on its own initiative disclose an individual's personal information without their knowledge or consent to a government institution or a part of a government institution if the organization suspects that the information relates to national security, the defence of Canada or the conduct of international affairs.</p> <p><b>Collection</b></p> <p><b>(2)</b> An organization may collect an individual's personal information without their knowledge or consent for the purpose of making a disclosure under subsection (1).</p>	<p><b>National security, defence or international affairs — initiative of organization</b></p> <p><b>48 (1)</b> An organization may on its own initiative disclose an individual's personal information without their knowledge or consent to a government institution or a part of a government institution if the organization suspects that the information relates to national security, the defence of Canada or the conduct of international affairs.</p> <p><b>Collection</b></p> <p><b>(2)</b> An organization may collect an individual's personal information without their knowledge or consent for the purpose of making a disclosure under subsection (1).</p>	<p><b>Disclosure without knowledge or consent</b></p> <p><b>7(3)</b> For the purpose of clause 4.3 of Schedule 1, and despite the note that accompanies that clause, an organization may disclose personal information without the knowledge or consent of the individual only if the disclosure is</p> <p>[...]</p> <ul style="list-style-type: none"> <li>• <b>(d)</b> made on the initiative of the organization to a government institution or a part of a government institution and the organization <ul style="list-style-type: none"> <li>○ <b>(i)</b> has reasonable grounds to believe that the information relates to a contravention of the laws of Canada, a province or a foreign jurisdiction that has been, is being or is about to be committed, or</li> </ul> </li> </ul>

<b>PPCDA (BILL C-36)</b> <i>Protecting Privacy and Consumer Data Act</i>	<b>CPA (BILL C-27)</b> <i>Consumer Privacy Protection Act</i>	<b>PIPEDA</b> <i>Personal Information Protection and Electronic Documents Act</i>
<p><b>Use</b></p> <p><b>(3)</b> An organization may use an individual's personal information without their knowledge or consent if it was collected under subsection (2).</p>	<p><b>Use</b></p> <p><b>(3)</b> An organization may use an individual's personal information without their knowledge or consent if it was collected under subsection (2).</p>	<ul style="list-style-type: none"> <li>○ <b>(ii)</b> suspects that the information relates to national security, the defence of Canada or the conduct of international affairs;</li> </ul> <p>[...]</p>
<p>Required by Law</p> <p><b>Required by law — collection</b></p> <p><b>48 (1)</b> An organization may collect an individual's personal information without their knowledge or consent for the purpose of making a disclosure that is required by law.</p> <p><b>Use</b></p> <p><b>(2)</b> An organization may use an individual's personal information without their knowledge or consent if it was collected under subsection (1).</p> <p><b>Disclosure</b></p> <p><b>(3)</b> An organization may disclose an individual's personal information without their knowledge or consent if the disclosure is required by law.</p>	<p>Required by Law</p> <p><b>Required by law — collection</b></p> <p><b>49 (1)</b> An organization may collect an individual's personal information without their knowledge or consent for the purpose of making a disclosure that is required by law.</p> <p><b>Use</b></p> <p><b>(2)</b> An organization may use an individual's personal information without their knowledge or consent if it was collected under subsection (1).</p> <p><b>Disclosure</b></p> <p><b>(3)</b> An organization may disclose an individual's personal information without their knowledge or consent if the disclosure is required by law.</p>	<p><b>SCHEDULE 1</b></p> <p><b>4.5 Principle 5 —Limiting Use, Disclosure, and Retention</b></p> <p>Personal information shall not be used or disclosed for purposes other than those for which it was collected, except with the consent of the individual or as required by law. Personal information shall be retained only as long as necessary for the fulfilment of those purposes.</p>
<p><b>Subpoena, warrant or order</b></p> <p><b>49</b> An organization may disclose an individual's personal information without their knowledge or consent if the disclosure is required to comply with a subpoena or warrant issued or an order made by a court, person or body with jurisdiction to compel the production of information, or to comply</p>	<p><b>Subpoena, warrant or order</b></p> <p><b>50</b> An organization may disclose an individual's personal information without their knowledge or consent if the disclosure is required to comply with a subpoena or warrant issued or an order made by a court, person or body with jurisdiction to compel the production of information, or to comply with</p>	<p><b>Disclosure without knowledge or consent</b></p> <p><b>7(3)</b> For the purpose of clause 4.3 of Schedule 1, and despite the note that accompanies that clause, an organization may disclose personal information without the knowledge or consent of the individual only if the disclosure is</p> <ul style="list-style-type: none"> <li>• <b>(a)</b> made to, in the Province of Quebec, an advocate or notary or, in any other province,</li> </ul>

<b>PPCDA (BILL C-36)</b> <i>Protecting Privacy and Consumer Data Act</i>	<b>CPPA (BILL C-27)</b> <i>Consumer Privacy Protection Act</i>	<b>PIPEDA</b> <i>Personal Information Protection and Electronic Documents Act</i>
<p>with rules of procedure relating to the production of records.</p>	<p>rules of procedure relating to the production of records.</p>	<p>a barrister or solicitor who is representing the organization;</p> <ul style="list-style-type: none"> <li>• <b>(b)</b> for the purpose of collecting a debt owed by the individual to the organization;</li> <li>• <b>(c)</b> <u>required to comply with a subpoena or warrant issued or an order made by a court, person or body with jurisdiction to compel the production of information, or to comply with rules of court relating to the production of records;</u></li> </ul> <p>[...]</p>
<p>Publicly Available Information</p> <p><b>Information specified by regulations</b></p> <p><b>50</b> An organization may collect, use or disclose an individual's personal information without their knowledge or consent if the personal information is publicly available and is specified by the regulations.</p>	<p>Publicly Available Information</p> <p><b>Information specified by regulations</b></p> <p><b>51</b> An organization may collect, use or disclose an individual's personal information without their knowledge or consent if the personal information is publicly available and is specified by the regulations.</p>	<p><b>Disclosure without knowledge or consent</b></p> <p><b>7(3)</b> For the purpose of clause 4.3 of Schedule 1, and despite the note that accompanies that clause, an organization may disclose personal information without the knowledge or consent of the individual only if the disclosure is</p> <p>[...]</p> <ul style="list-style-type: none"> <li>• <b>(h.1)</b> of information that is publicly available and is specified by the regulations; or</li> </ul> <p>[...]</p>
<p>Non-application of Certain Exceptions — Electronic Addresses and Computer Systems</p> <p><b>Definitions</b></p> <p><b>51 (1)</b> The following definitions apply in this section.</p>	<p>Non-application of Certain Exceptions — Electronic Addresses and Computer Systems</p> <p><b>Definitions</b></p> <p><b>52 (1)</b> The following definitions apply in this section.</p>	<p><b>Definitions</b></p> <ul style="list-style-type: none"> <li>• <b>7.1 (1)</b> The following definitions apply in this section.</li> </ul> <p><b>access</b> means to program, to execute programs on, to communicate with, to store data in, to retrieve data from, or to otherwise make use of any resources,</p>

<b>PPCDA (BILL C-36)</b> <i>Protecting Privacy and Consumer Data Act</i>	<b>CPPA (BILL C-27)</b> <i>Consumer Privacy Protection Act</i>	<b>PIPEDA</b> <i>Personal Information Protection and Electronic Documents Act</i>
<p><b>access</b> means to program, execute programs on, communicate with, store data in, retrieve data from or otherwise make use of any resources, including data or programs of a computer system or a computer network. (<i>utiliser</i>)</p> <p><b>computer program</b> has the same meaning as in subsection 342.1(2) of the <i>Criminal Code</i>. (<i>programme d'ordinateur</i>)</p> <p><b>computer system</b> has the same meaning as in subsection 342.1(2) of the <i>Criminal Code</i>. (<i>ordinateur</i>)</p> <p><b>electronic address</b> means an address used in connection with</p> <ul style="list-style-type: none"> <li>• (a) an electronic mail account;</li> <li>• (b) an instant messaging account; or</li> <li>• (c) any similar account. (<i>adresse électronique</i>)</li> </ul> <p><b>Collection and use of electronic addresses</b></p> <p>(2) An organization is not authorized under section 18, 23 or 26, subsection 29(1) or section 30, 37, 39 or 50 to</p> <ul style="list-style-type: none"> <li>• (a) collect an individual's electronic address without their knowledge or consent, if the address is collected by the use of a computer program that is designed or marketed primarily for use in generating or searching for, and collecting, electronic addresses; or</li> </ul>	<p><b>access</b> means to program, execute programs on, communicate with, store data in, retrieve data from or otherwise make use of any resources, including data or programs of a computer system or a computer network. (<i>utiliser</i>)</p> <p><b>computer program</b> has the same meaning as in subsection 342.1(2) of the <i>Criminal Code</i>. (<i>programme d'ordinateur</i>)</p> <p><b>computer system</b> has the same meaning as in subsection 342.1(2) of the <i>Criminal Code</i>. (<i>ordinateur</i>)</p> <p><b>electronic address</b> means an address used in connection with</p> <ul style="list-style-type: none"> <li>• (a) an electronic mail account;</li> <li>• (b) an instant messaging account; or</li> <li>• (c) any similar account. (<i>adresse électronique</i>)</li> </ul> <p><b>Collection and use of electronic addresses</b></p> <p>(2) An organization is not authorized under any of sections 18, 23 and 26, subsection 29(1) and sections 30, 38, 41 and 51 to</p> <ul style="list-style-type: none"> <li>• (a) collect an individual's electronic address without their knowledge or consent, if the address is collected by the use of a computer program that is designed or marketed primarily for use in generating or searching for, and collecting, electronic addresses; or</li> </ul>	<p>including data or programs on a computer system or a computer network. (<i>utiliser</i>)</p> <p><b>computer program</b> has the same meaning as in subsection 342.1(2) of the <i>Criminal Code</i>. (<i>programme d'ordinateur</i>)</p> <p><b>computer system</b> has the same meaning as in subsection 342.1(2) of the <i>Criminal Code</i>. (<i>ordinateur</i>)</p> <p><b>electronic address</b> means an address used in connection with</p> <ul style="list-style-type: none"> <li>○ (a) an electronic mail account;</li> <li>○ (b) an instant messaging account; or</li> <li>○ (c) any similar account. (<i>adresse électronique</i>)</li> </ul> <ul style="list-style-type: none"> <li>• <b>Collection of electronic addresses, etc.</b></li> </ul> <p>(2) Paragraphs 7(1)(a) and (b.1) to (d) and (2)(a) to (c.1) and the exception set out in clause 4.3 of Schedule 1 do not apply in respect of</p> <ul style="list-style-type: none"> <li>○ (a) the collection of an individual's electronic address, if the address is collected by the use of a computer program that is designed or marketed primarily for use in generating or searching for, and collecting, electronic addresses; or</li> <li>○ (b) the use of an individual's electronic address, if the address is</li> </ul>

<b>PPCDA (BILL C-36)</b> <i>Protecting Privacy and Consumer Data Act</i>	<b>CPA (BILL C-27)</b> <i>Consumer Privacy Protection Act</i>	<b>PIPEDA</b> <i>Personal Information Protection and Electronic Documents Act</i>
<ul style="list-style-type: none"> <li>• <b>(b)</b> use an individual's electronic address without their knowledge or consent, if the address is collected by the use of a computer program described in paragraph (a).</li> </ul> <p><b>Collection and use of personal information</b></p> <p><b>(3)</b> An organization is not authorized under section 18, 23 or 26, subsection 29(1), section 30 or 37, subsection 38(1) or section 39 or 50 to</p> <ul style="list-style-type: none"> <li>• <b>(a)</b> collect an individual's personal information without their knowledge or consent, through any means of telecommunication, if the information is collected by accessing a computer system or causing a computer system to be accessed in contravention of an Act of Parliament; or</li> <li>• <b>(b)</b> use an individual's personal information without their knowledge or consent, if the information is collected in a manner described in paragraph (a).</li> </ul> <p><b>Express consent</b></p> <p><b>(4)</b> Despite subsection 15(5), an organization is not to rely on an individual's implied consent in respect of any collection of personal information described in paragraph (2)(a) or (3)(a) or any use of personal information described in paragraph (2)(b) or (3)(b).</p>	<ul style="list-style-type: none"> <li>• <b>(b)</b> use an individual's electronic address without their knowledge or consent, if the address is collected by the use of a computer program described in paragraph (a).</li> </ul> <p><b>Accessing computer system to collect personal information, etc.</b></p> <p><b>(3)</b> An organization is not authorized under any of sections 18, 23 and 26, subsection 29(1), sections 30 and 38, subsection 40(1) and sections 41 and 51 to</p> <ul style="list-style-type: none"> <li>• <b>(a)</b> collect an individual's personal information without their knowledge or consent, through any means of telecommunication, if the information is collected by accessing a computer system or causing a computer system to be accessed in contravention of an Act of Parliament; or</li> <li>• <b>(b)</b> use an individual's personal information without their knowledge or consent, if the information is collected in a manner described in paragraph (a).</li> </ul> <p><b>Express consent</b></p> <p><b>(4)</b> Despite subsection 15(5), an organization is not to rely on an individual's implied consent in respect of any collection of personal information described in paragraph (2)(a) or (3)(a) or any use of personal information described in paragraph (2)(b) or (3)(b).</p>	<p>collected by the use of a computer program described in paragraph (a).</p> <ul style="list-style-type: none"> <li>• <b>Accessing a computer system to collect personal information, etc.</b></li> </ul> <p><b>(3)</b> Paragraphs 7(1)(a) to (d) and (2)(a) to (c.1) and the exception set out in clause 4.3 of Schedule 1 do not apply in respect of</p> <ul style="list-style-type: none"> <li>○ <b>(a)</b> the collection of personal information, through any means of telecommunication, if the collection is made by accessing a computer system or causing a computer system to be accessed in contravention of an Act of Parliament; or</li> <li>○ <b>(b)</b> the use of personal information that is collected in a manner described in paragraph (a).</li> </ul>

<b>PPCDA (BILL C-36)</b> <i>Protecting Privacy and Consumer Data Act</i>	<b>CPPA (BILL C-27)</b> <i>Consumer Privacy Protection Act</i>	<b>PIPEDA</b> <i>Personal Information Protection and Electronic Documents Act</i>
<p>Retention and Disposal of Personal Information</p> <p><b>Period for retention and disposal</b></p> <p><b>52 (1)</b> An organization must not retain personal information for a period longer than necessary to</p> <ul style="list-style-type: none"> <li>• <b>(a)</b> fulfill the purposes for which the information was collected, used or disclosed; or</li> <li>• <b>(b)</b> comply with the requirements of this Act, of federal or provincial law or of the reasonable terms of a contract.</li> </ul> <p>The organization must dispose of the information as soon as feasible after that period.</p> <p><b>Sensitivity of personal information</b></p> <p><b>(2)</b> For the purposes of paragraph (1)(a), when determining the retention period, the organization must take into account the sensitivity of the information.</p>	<p>Retention and Disposal of Personal Information</p> <p><b>Period for retention and disposal</b></p> <p><b>53 (1)</b> An organization must not retain personal information for a period longer than necessary to</p> <ul style="list-style-type: none"> <li>• <b>(a)</b> fulfill the purposes for which the information was collected, used or disclosed; or</li> <li>• <b>(b)</b> comply with the requirements of this Act, of federal or provincial law or of the reasonable terms of a contract.</li> </ul> <p>The organization must dispose of the information as soon as feasible after that period.</p> <p><b>Sensitivity of personal information</b></p> <p><b>(2)</b> For the purposes of paragraph (1)(a), when determining the retention period, the organization must take into account the sensitivity of the information.</p>	<p><b>Retention of information</b></p> <p><b>(8)</b> Despite clause 4.5 of Schedule 1, an organization that has personal information that is the subject of a request shall retain the information for as long as is necessary to allow the individual to exhaust any recourse under this Part that they may have.</p>
<p><b>Personal information used for decision-making</b></p> <p><b>53</b> An organization that uses personal information to make a decision about an individual must retain the information for a sufficient period of time to permit the individual to make a request for access under section 63.</p>	<p><b>Personal information used for decision-making</b></p> <p><b>54</b> An organization that uses personal information to make a decision about an individual must retain the information for a sufficient period of time to permit the individual to make a request for access under section 63.</p>	<p><b>SCHEDULE 1</b></p> <p><b>4.5.2</b></p> <p>Organizations should develop guidelines and implement procedures with respect to the retention of personal information. These guidelines should include minimum and maximum retention periods. Personal information that has been used to make a decision about an individual shall be retained long enough to allow the individual access to the information after the decision has been made. An organization may be</p>

<b>PPCDA (BILL C-36)</b> <i>Protecting Privacy and Consumer Data Act</i>	<b>CPPA (BILL C-27)</b> <i>Consumer Privacy Protection Act</i>	<b>PIPEDA</b> <i>Personal Information Protection and Electronic Documents Act</i>
		subject to legislative requirements with respect to retention periods.
<p><b>Disposal at individual's request</b></p> <p><b>54 (1)</b> If an organization receives a written request from an individual to dispose of their personal information that is under the organization's control, the organization must, as soon as feasible, dispose of the information, if</p> <ul style="list-style-type: none"> <li>• <b>(a)</b> the information was collected, used or disclosed in contravention of this Act;</li> <li>• <b>(b)</b> the individual has withdrawn their consent, in whole or in part, to the collection, use or disclosure of the information; or</li> <li>• <b>(c)</b> the information is no longer necessary for the continued provision of a product or service requested by the individual.</li> </ul> <p><b>Exception</b></p> <p><b>(2)</b> An organization may refuse a request to dispose of personal information in the circumstances described in paragraph (1)(b) or (c) if</p> <ul style="list-style-type: none"> <li>• <b>(a)</b> the disposal of the information would result in the disposal of personal information about another individual and the information cannot be severed without imposing an undue burden on the organization;</li> <li>• <b>(b)</b> there are other requirements of this Act, of federal or provincial law or of the reasonable terms of a contract that prevent it from disposing of the information;</li> <li>• <b>(c)</b> the information is necessary for the establishment of a legal defence or in the</li> </ul>	<p><b>Disposal at individual's request</b></p> <p><b>55 (1)</b> If an organization receives a written request from an individual to dispose of their personal information that is under the organization's control, the organization must, as soon as feasible, dispose of the information, if</p> <ul style="list-style-type: none"> <li>• <b>(a)</b> the information was collected, used or disclosed in contravention of this Act;</li> <li>• <b>(b)</b> the individual has withdrawn their consent, in whole or in part, to the collection, use or disclosure of the information; or</li> <li>• <b>(c)</b> the information is no longer necessary for the continued provision of a product or service requested by the individual.</li> </ul> <p><b>Exception</b></p> <p><b>(2)</b> An organization may refuse a request to dispose of personal information in the circumstances described in paragraph (1)(b) or (c) if</p> <ul style="list-style-type: none"> <li>• <b>(a)</b> disposing of the information would result in the disposal of personal information about another individual and the information is not severable;</li> </ul> <p><b>(b)</b> there are other requirements of this Act, of federal or provincial law or of the reasonable terms of a contract that</p> <ul style="list-style-type: none"> <li>• prevent it from disposing of the information;</li> <li>• <b>(c)</b> the information is necessary for the establishment of a legal defence or in the exercise of other legal remedies by the organization;</li> </ul>	<p>[No equivalent provision]</p>

<b>PPCDA (BILL C-36)</b> <i>Protecting Privacy and Consumer Data Act</i>	<b>CPPA (BILL C-27)</b> <i>Consumer Privacy Protection Act</i>	<b>PIPEDA</b> <i>Personal Information Protection and Electronic Documents Act</i>
<p>exercise of other legal remedies by the organization;</p> <ul style="list-style-type: none"> <li>• <b>(d)</b> the information is not in relation to a <b>child</b> and the disposal of the information would have an undue adverse <b>effect</b> on the accuracy or integrity of information that is necessary to the ongoing provision of a product or service to the individual in question;</li> <li>• <b>(e)</b> the request is vexatious or made in bad faith; or</li> <li>• <b>(f)</b> the disposal of the information would have an undue adverse effect on the organization that outweighs any potential adverse effect on the individual resulting from the retention of the information.</li> </ul> <p><b>Exception</b></p> <p><b>(3)</b> An organization is not required to dispose of de-identified personal information.</p> <p><b>Reasons for refusal</b></p> <p><b>(4)</b> An organization that refuses to dispose of an individual's personal information must</p> <ul style="list-style-type: none"> <li>• <b>(a)</b> inform them in writing of the refusal, setting out the reasons and any recourse that they may have under section 73 or subsection 97(1); and</li> <li>• <b>(b)</b> in the case of a request that is refused under paragraph (2)(f), inform the Commission in writing of the refusal, setting out the reasons.</li> </ul> <p><b>Disposal of transferred personal information</b></p> <p><b>(5)</b> If an organization disposes of personal information at an individual's request, it must, as soon as feasible, inform any service provider to which it has transferred the information of the request and ensure that the service provider <b>disposes</b> of the information.</p>	<ul style="list-style-type: none"> <li>• <b>(d)</b> the information is not in relation to a <b>minor</b> and the disposal of the information would have an undue adverse <b>impact</b> on the accuracy or integrity of information that is necessary to the ongoing provision of a product or service to the individual in question;</li> <li>• <b>(e)</b> the request is vexatious or made in bad faith; or</li> <li>• <b>(f)</b> the information is not in relation to a <b>minor</b> and it is scheduled to be disposed of in accordance with the organization's information retention policy, and the organization informs the individual of the remaining period of time for which the information will be retained.</li> </ul> <p><b>Reasons for refusal</b></p> <p><b>(3)</b> An organization that refuses to dispose of an individual's personal information must inform them in writing of the refusal, setting out the reasons and any recourse that they may have under section 73 or subsection 82(1).</p> <p><b>Disposal of transferred personal information</b></p> <p><b>(4)</b> If an organization disposes of personal information at an individual's request, it must, as soon as feasible, inform any service provider to which it has transferred the information of the request and ensure that the service provider <b>has disposed</b> of the information.</p>	

<b>PPCPA (BILL C-36)</b> <i>Protecting Privacy and Consumer Data Act</i>	<b>CPPA (BILL C-27)</b> <i>Consumer Privacy Protection Act</i>	<b>PIPEDA</b> <i>Personal Information Protection and Electronic Documents Act</i>
<p>Accuracy of Personal Information</p> <p><b>Accuracy of information</b></p> <p><b>55 (1)</b> An organization must take reasonable steps to ensure that personal information under its control is as accurate, <b>up to date</b> and complete as is necessary to fulfill the purposes for which the information is collected, used or disclosed.</p> <p><b>Exception</b></p> <p><b>(2)</b> An organization is not required to take the steps referred to in subsection (1) in respect of de-identified personal information.</p> <p><b>Extent of accuracy</b></p> <p><b>(3)</b> In determining the extent to which personal information must be accurate, complete and up to date, the organization must take into account the individual's interests, including</p> <ul style="list-style-type: none"> <li>• <b>(a)</b> whether the information may be used to make a decision about the individual;</li> <li>• <b>(b)</b> whether the information is used on an ongoing basis; and</li> <li>• <b>(c)</b> whether the information is disclosed to third parties.</li> </ul> <p><b>Routine updating</b></p> <p><b>(4)</b> An organization is not to routinely update personal information unless it is necessary to fulfill the purposes for which the information is collected, used or disclosed.</p>	<p>Accuracy of Personal Information</p> <p><b>Accuracy of information</b></p> <p><b>56 (1)</b> An organization must take reasonable steps to ensure that personal information under its control is as accurate, <b>up-to-date</b> and complete as is necessary to fulfill the purposes for which the information is collected, used or disclosed.</p> <p><b>Extent of accuracy</b></p> <p><b>(2)</b> In determining the extent to which personal information must be accurate, complete and up-to-date, the organization must take into account the individual's interests, including</p> <ul style="list-style-type: none"> <li>• <b>(a)</b> whether the information may be used to make a decision about the individual;</li> <li>• <b>(b)</b> whether the information is used on an ongoing basis; and</li> <li>• <b>(c)</b> whether the information is disclosed to third parties.</li> </ul> <p><b>Routine updating</b></p> <p><b>(3)</b> An organization is not to routinely update personal information unless it is necessary to fulfill the purposes for which the information is collected, used or disclosed.</p>	<p><b>SCHEDULE 1</b></p> <p><b>4.6 Principle 6 — Accuracy</b></p> <p>Personal information shall be as accurate, complete, and up-to-date as is necessary for the purposes for which it is to be used.</p> <p><b>4.6.1</b></p> <p>The extent to which personal information shall be accurate, complete, and up-to-date will depend upon the use of the information, taking into account the interests of the individual. Information shall be sufficiently accurate, complete, and up-to-date to minimize the possibility that inappropriate information may be used to make a decision about the individual.</p> <p><b>4.6.2</b></p> <p>An organization shall not routinely update personal information, unless such a process is necessary to fulfil the purposes for which the information was collected.</p> <p><b>4.6.3</b></p> <p>Personal information that is used on an ongoing basis, including information that is disclosed to third parties, should generally be accurate and up-to-date, unless limits to the requirement for accuracy are clearly set out.</p>

<b>PPCDA (BILL C-36)</b> <i>Protecting Privacy and Consumer Data Act</i>	<b>CPPA (BILL C-27)</b> <i>Consumer Privacy Protection Act</i>	<b>PIPEDA</b> <i>Personal Information Protection and Electronic Documents Act</i>
<p>Security Safeguards</p> <p><b>Security safeguards</b></p> <p><b>56 (1)</b> An organization must protect personal information through physical, organizational and technological security safeguards. The level of protection provided by those safeguards must be proportionate to the sensitivity of the information.</p> <p><b>Factors to take into account</b></p> <p><b>(2)</b> In addition to the sensitivity of the information, the organization must, in establishing its security safeguards, take into account the quantity, distribution, format and method of storage of the information, as well as any reasonably foreseeable privacy implications that may arise in relation to the transfer of personal information to a service provider.</p> <p><b>Scope of security safeguards</b></p> <p><b>(3)</b> The security safeguards must protect personal information against, among other things, loss, theft or unauthorized access, disclosure, copying, use or modification and must include reasonable measures to authenticate the identity of the individual to whom the personal information relates.</p>	<p>Security Safeguards</p> <p><b>Security safeguards</b></p> <p><b>57 (1)</b> An organization must protect personal information through physical, organizational and technological security safeguards. The level of protection provided by those safeguards must be proportionate to the sensitivity of the information.</p> <p><b>Factors to consider</b></p> <p><b>(2)</b> In addition to the sensitivity of the information, the organization must, in establishing its security safeguards, take into account the quantity, distribution, format and method of storage of the information.</p> <p><b>Scope of security safeguards</b></p> <p><b>(3)</b> The security safeguards must protect personal information against, among other things, loss, theft and unauthorized access, disclosure, copying, use and modification and must include reasonable measures to authenticate the identity of the individual to whom the personal information relates.</p>	<p><b>SCHEDULE 1</b></p> <p><b>4.7 Principle 7 — Safeguards</b></p> <p>Personal information shall be protected by security safeguards appropriate to the sensitivity of the information.</p> <p><b>4.7.1</b></p> <p>The security safeguards shall protect personal information against loss or theft, as well as unauthorized access, disclosure, copying, use, or modification. Organizations shall protect personal information regardless of the format in which it is held.</p> <p><b>4.7.2</b></p> <p>The nature of the safeguards will vary depending on the sensitivity of the information that has been collected, the amount, distribution, and format of the information, and the method of storage. More sensitive information should be safeguarded by a higher level of protection. The concept of sensitivity is discussed in Clause 4.3.4.</p> <p><b>4.7.3</b></p> <p>The methods of protection should include</p> <ul style="list-style-type: none"> <li>• <b>(a)</b> physical measures, for example, locked filing cabinets and restricted access to offices;</li> <li>• <b>(b)</b> organizational measures, for example, security clearances and limiting access on a “need-to-know” basis; and</li> </ul>

<p><b>PPCDA (BILL C-36)</b> <i>Protecting Privacy and Consumer Data Act</i></p>	<p><b>CPPA (BILL C-27)</b> <i>Consumer Privacy Protection Act</i></p>	<p><b>PIPEDA</b> <i>Personal Information Protection and Electronic Documents Act</i></p>
		<ul style="list-style-type: none"> <li>• <b>(c)</b> technological measures, for example, the use of passwords and encryption.</li> </ul> <p><b>4.7.4</b></p> <p>Organizations shall make their employees aware of the importance of maintaining the confidentiality of personal information.</p> <p><b>4.7.5</b></p> <p>Care shall be used in the disposal or destruction of personal information, to prevent unauthorized parties from gaining access to the information (see Clause 4.5.3).</p>
<p><b>Disclosure or transfer outside of Canada</b></p> <p><b>57 (1)</b> Before disclosing or transferring personal information outside of Canada, an organization must</p> <ul style="list-style-type: none"> <li>• <b>(a)</b> carry out, in accordance with the prescribed requirements, a privacy impact assessment; and</li> <li>• <b>(b)</b> implement measures to mitigate the risks identified in the privacy impact assessment, such as contractual privacy protection measures, adherence to a code of practice or certification process approved by the Division or any other prescribed measures.</li> </ul>		

<b>PPCDA (BILL C-36)</b> <i>Protecting Privacy and Consumer Data Act</i>	<b>CPPA (BILL C-27)</b> <i>Consumer Privacy Protection Act</i>	<b>PIPEDA</b> <i>Personal Information Protection and Electronic Documents Act</i>
<p><b>Provision to Commission</b></p> <p>(2) An organization must, on request, provide the Commission with access to, or a copy of, the assessment.</p>		
<p><b>Report to Commission</b></p> <p><b>58 (1)</b> An organization must report to the Commission any breach of security safeguards involving personal information under the organization's control if it is reasonable in the circumstances to believe that the breach creates a real risk of significant harm to an individual.</p> <p><b>Report requirements</b></p> <p>(2) The report must contain the prescribed information and must be made in the prescribed form and manner as soon as feasible after the organization determines that the breach has occurred.</p> <p><b>Notification to individual</b></p> <p>(3) Unless otherwise prohibited by law, an organization must notify an individual of any breach of security safeguards involving the individual's personal information under the organization's control if it is reasonable in the circumstances to believe that the breach creates a real risk of significant harm to the individual.</p> <p><b>Contents of notification</b></p> <p>(4) The notification must contain sufficient information to allow the individual to understand the significance to them of the breach and to take steps, if any are possible, to reduce the risk of harm that could result from it or to mitigate that</p>	<p><b>Report to Commissioner</b></p> <p><b>58 (1)</b> An organization must report to the Commissioner any breach of security safeguards involving personal information under its control if it is reasonable in the circumstances to believe that the breach creates a real risk of significant harm to an individual.</p> <p><b>Report requirements</b></p> <p>(2) The report must contain the prescribed information and must be made in the prescribed form and manner as soon as feasible after the organization determines that the breach has occurred.</p> <p><b>Notification to individual</b></p> <p>(3) Unless otherwise prohibited by law, an organization must notify an individual of any breach of security safeguards involving the individual's personal information under the organization's control if it is reasonable in the circumstances to believe that the breach creates a real risk of significant harm to the individual.</p> <p><b>Contents of notification</b></p> <p>(4) The notification must contain sufficient information to allow the individual to understand the significance to them of the breach and to take steps, if any are possible, to reduce the risk of harm that could result from it or to mitigate that</p>	<p>Breaches of Security Safeguards</p> <p><b>Report to Commissioner</b></p> <p><b>10.1 (1)</b> An organization shall report to the Commissioner any breach of security safeguards involving personal information under its control if it is reasonable in the circumstances to believe that the breach creates a real risk of significant harm to an individual.</p> <p><b>Report requirements</b></p> <p>(2) The report shall contain the prescribed information and shall be made in the prescribed form and manner as soon as feasible after the organization determines that the breach has occurred.</p> <p><b>Notification to individual</b></p> <p>(3) Unless otherwise prohibited by law, an organization shall notify an individual of any breach of security safeguards involving the individual's personal information under the organization's control if it is reasonable in the circumstances to believe that the breach creates a real risk of significant harm to the individual.</p> <p><b>Contents of notification</b></p> <p>(4) The notification shall contain sufficient information to allow the individual to understand the significance to them of the breach and to take steps, if any are possible, to reduce the risk of harm that could result</p>

<b>PPCDA (BILL C-36)</b> <i>Protecting Privacy and Consumer Data Act</i>	<b>CPPA (BILL C-27)</b> <i>Consumer Privacy Protection Act</i>	<b>PIPEDA</b> <i>Personal Information Protection and Electronic Documents Act</i>
<p>harm. It must also contain any other prescribed information.</p> <p><b>Form and manner</b></p> <p>(5) The notification must be conspicuous and must be given directly to the individual in the prescribed form and manner, except in prescribed circumstances, in which case it must be given indirectly in the prescribed form and manner.</p> <p><b>Time to give notification</b></p> <p>(6) The notification must be given as soon as feasible after the organization determines that the breach has occurred.</p> <p><b>Definition of <i>significant harm</i></b></p> <p>(7) For the purposes of this section, <b><i>significant harm</i></b> includes bodily harm, humiliation, damage to reputation or relationships, loss of employment, business or professional opportunities, financial loss, identity theft, negative effects on the credit record and damage to or loss of property.</p> <p><b>Real risk of significant harm — factors</b></p> <p>(8) The factors that are relevant to determining whether a breach of security safeguards creates a real risk of significant harm to the individual include</p> <ul style="list-style-type: none"> <li>• (a) the sensitivity of the personal information involved in the breach;</li> </ul>	<p>harm. It must also contain any other prescribed information.</p> <p><b>Form and manner</b></p> <p>(5) The notification must be conspicuous and must be given directly to the individual in the prescribed form and manner, except in prescribed circumstances, in which case it must be given indirectly in the prescribed form and manner.</p> <p><b>Time to give notification</b></p> <p>(6) The notification must be given as soon as feasible after the organization determines that the breach has occurred.</p> <p><b>Definition of <i>significant harm</i></b></p> <p>(7) For the purpose of this section, <b><i>significant harm</i></b> includes bodily harm, humiliation, damage to reputation or relationships, loss of employment, business or professional opportunities, financial loss, identity theft, negative effects on the credit record and damage to or loss of property.</p> <p><b>Real risk of significant harm — factors</b></p> <p>(8) The factors that are relevant to determining whether a breach of security safeguards creates a real risk of significant harm to the individual include</p> <ul style="list-style-type: none"> <li>• (a) the sensitivity of the personal information involved in the breach;</li> </ul>	<p>from it or to mitigate that harm. It shall also contain any other prescribed information.</p> <p><b>Form and manner</b></p> <p>(5) The notification shall be conspicuous and shall be given directly to the individual in the prescribed form and manner, except in prescribed circumstances, in which case it shall be given indirectly in the prescribed form and manner.</p> <p><b>Time to give notification</b></p> <p>(6) The notification shall be given as soon as feasible after the organization determines that the breach has occurred.</p> <p><b>Definition of <i>significant harm</i></b></p> <p>(7) For the purpose of this section, <b><i>significant harm</i></b> includes bodily harm, humiliation, damage to reputation or relationships, loss of employment, business or professional opportunities, financial loss, identity theft, negative effects on the credit record and damage to or loss of property.</p> <p><b>Real risk of significant harm — factors</b></p> <p>(8) The factors that are relevant to determining whether a breach of security safeguards creates a real risk of significant harm to the individual include</p> <ul style="list-style-type: none"> <li>○ (a) the sensitivity of the personal information involved in the breach;</li> <li>○ (b) the probability that the personal information has been, is being or will be misused; and</li> </ul>

<b>PPCDA (BILL C-36)</b> <i>Protecting Privacy and Consumer Data Act</i>	<b>CPPA (BILL C-27)</b> <i>Consumer Privacy Protection Act</i>	<b>PIPEDA</b> <i>Personal Information Protection and Electronic Documents Act</i>
<ul style="list-style-type: none"> <li>• <b>(b)</b> the probability that the personal information has been, is being or will be misused; and</li> <li>• <b>(c)</b> any other prescribed factor.</li> </ul>	<ul style="list-style-type: none"> <li>• <b>(b)</b> the probability that the personal information has been, is being or will be misused; and</li> <li>• <b>(c)</b> any other prescribed factor.</li> </ul>	<ul style="list-style-type: none"> <li>○ <b>(c)</b> any other prescribed factor.</li> </ul>
<p><b>Notification to organizations</b></p> <p><b>59 (1)</b> An organization that notifies an individual of a breach of security safeguards under subsection 58(3) must notify any other organization, a government institution or a part of a government institution of the breach if the notifying organization believes that the other organization or the government institution or part concerned may be able to reduce the risk of harm that could result from it or mitigate that harm, or if any of the prescribed conditions are satisfied.</p> <p><b>Time to give notification</b></p> <p><b>(2)</b> The notification must be given as soon as feasible after the organization determines that the breach has occurred.</p>	<p><b>Notification to organizations</b></p> <p><b>59 (1)</b> An organization that notifies an individual of a breach of security safeguards under subsection 58(3) must notify any other organization, a government institution or a part of a government institution of the breach if the notifying organization believes that the other organization or the government institution or part concerned may be able to reduce the risk of harm that could result from it or mitigate that harm, or if any of the prescribed conditions are satisfied.</p> <p><b>Time to give notification</b></p> <p><b>(2)</b> The notification must be given as soon as feasible after the organization determines that the breach has occurred.</p>	<p><b>Notification to organizations</b></p> <p><b>10.2 (1)</b> An organization that notifies an individual of a breach of security safeguards under <u>subsection 10.1(3)</u> shall notify any other organization, a government institution or a part of a government institution of the breach if the notifying organization believes that the other organization or the government institution or part concerned may be able to reduce the risk of harm that could result from it or mitigate that harm, or if any of the prescribed conditions are satisfied.</p> <p><b>Time to give notification</b></p> <p><b>(2)</b> The notification shall be given as soon as feasible after the organization determines that the breach has occurred.</p> <p><b>Disclosure of personal information</b></p> <p><b>(3)</b> In addition to the circumstances set out in <u>subsection 7(3)</u>, for the purpose of clause 4.3 of Schedule 1, and despite the note that accompanies that clause, an organization may disclose personal information without the knowledge or consent of the individual if</p> <ul style="list-style-type: none"> <li>○ <b>(a)</b> the disclosure is made to the other organization, the government institution or the part of a government</li> </ul>

<b>PPCDA (BILL C-36)</b> <i>Protecting Privacy and Consumer Data Act</i>	<b>CPPA (BILL C-27)</b> <i>Consumer Privacy Protection Act</i>	<b>PIPEDA</b> <i>Personal Information Protection and Electronic Documents Act</i>
		<p>institution that was notified of the breach under subsection (1); and</p> <ul style="list-style-type: none"> <li>○ <b>(b)</b> the disclosure is made solely for the purposes of reducing the risk of harm to the individual that could result from the breach or mitigating that harm.</li> </ul> <p><b>Disclosure without consent</b></p> <p><b>(4)</b> Despite clause 4.5 of Schedule 1, an organization may disclose personal information for purposes other than those for which it was collected in the circumstance set out in subsection (3).</p>
<p><b>Records</b></p> <p><b>60 (1)</b> An organization must, in accordance with any prescribed requirements, keep and maintain a record of every breach of security safeguards involving personal information under its control.</p> <p><b>Provision to Commission</b></p> <p><b>(2)</b> An organization must, on request, provide the Commission with access to, or a copy of, the record.</p>	<p><b>Records</b></p> <p><b>60 (1)</b> An organization must, in accordance with any prescribed requirements, keep and maintain a record of every breach of security safeguards involving personal information under its control.</p> <p><b>Provision to Commissioner</b></p> <p><b>(2)</b> An organization must, on request, provide the Commissioner with access to, or a copy of, the record.</p>	<p><b>Records</b></p> <p><b>10.3 (1)</b> An organization shall, in accordance with any prescribed requirements, keep and maintain a record of every breach of security safeguards involving personal information under its control.</p> <p><b>Provision to Commissioner</b></p> <p><b>(2)</b> An organization shall, on request, provide the Commissioner with access to, or a copy of, a record.</p>
<p><b>Service providers</b></p> <p><b>61</b> If a service provider determines that any breach of security safeguards has occurred that involves personal information, it must as soon as feasible notify the organization that controls the personal information.</p>	<p><b>Service providers</b></p> <p><b>61</b> If a service provider determines that any breach of security safeguards has occurred that involves personal information, it must as soon as feasible notify the organization that controls the personal information.</p>	<p>[No equivalent provision]</p>
<p>Openness and Transparency</p>	<p>Openness and Transparency</p>	<p>SCHEDULE 1</p>

<b>PPCDA (BILL C-36)</b> <i>Protecting Privacy and Consumer Data Act</i>	<b>CPPA (BILL C-27)</b> <i>Consumer Privacy Protection Act</i>	<b>PIPEDA</b> <i>Personal Information Protection and Electronic Documents Act</i>
<p><b>Policies and practices</b></p> <p><b>62 (1)</b> An organization must make readily available, in plain language, information that explains the organization’s policies and practices put in place to fulfill its obligations under this Act.</p> <p><b>Required information</b></p> <p><b>(2)</b> In fulfilling its obligation under subsection (1), an organization must make the following information available:</p> <ul style="list-style-type: none"> <li>• <b>(a)</b> a description of the type of personal information under the organization’s control;</li> <li>• <b>(b)</b> a general account of how the organization uses the personal information and of how it applies the exceptions to the requirement to obtain an individual’s consent under this Act, including a description of any activities referred to in subsection 18(3) in which it has a legitimate interest;</li> <li>• <b>(c)</b> a general account of the organization’s use of any automated decision system to make predictions, recommendations or decisions about individuals that could have a legal or similarly significant effect on them;</li> <li>• <b>(d)</b> whether or not the organization transfers or discloses personal information interprovincially or outside of Canada that may have reasonably foreseeable privacy implications;</li> </ul>	<p><b>Policies and practices</b></p> <p><b>62 (1)</b> An organization must make readily available, in plain language, information that explains the organization’s policies and practices put in place to fulfill its obligations under this Act.</p> <p><b>Additional information</b></p> <p><b>(2)</b> In fulfilling its obligation under subsection (1), an organization must make the following information available:</p> <ul style="list-style-type: none"> <li>• <b>(a)</b> a description of the type of personal information under the organization’s control;</li> <li>• <b>(b)</b> a general account of how the organization uses the personal information and of how it applies the exceptions to the requirement to obtain an individual’s consent under this Act, including a description of any activities referred to in subsection 18(3) in which it has a legitimate interest;</li> <li>• <b>(c)</b> a general account of the organization’s use of any automated decision system to make predictions, recommendations or decisions about individuals that could have a significant impact on them;</li> <li>• <b>(d)</b> whether or not the organization carries out any international or interprovincial transfer or disclosure of personal information that may have reasonably foreseeable privacy implications;</li> </ul>	<p><b>4.1.4</b></p> <p>Organizations shall implement policies and practices to give effect to the principles, including</p> <ul style="list-style-type: none"> <li>• <b>(a)</b> implementing procedures to protect personal information;</li> <li>• <b>(b)</b> establishing procedures to receive and respond to complaints and inquiries;</li> <li>• <b>(c)</b> training staff and communicating to staff information about the organization’s policies and practices; and</li> <li>• <b>(d)</b> developing information to explain the organization’s policies and procedures.</li> </ul> <p>[...]</p> <p><b>4.8 Principle 8 — Openness</b></p> <p>An organization shall make readily available to individuals specific information about its policies and practices relating to the management of personal information.</p> <p><b>4.8.1</b></p> <p>Organizations shall be open about their policies and practices with respect to the management of personal information. Individuals shall be able to acquire information about an organization’s policies and practices without unreasonable effort. This information shall be made available in a form that is generally understandable.</p> <p><b>4.8.2</b></p>

<b>PPCDA (BILL C-36)</b> <i>Protecting Privacy and Consumer Data Act</i>	<b>CPPA (BILL C-27)</b> <i>Consumer Privacy Protection Act</i>	<b>PIPEDA</b> <i>Personal Information Protection and Electronic Documents Act</i>
<ul style="list-style-type: none"> <li>• <b>(e)</b> the retention periods applicable to sensitive personal information;</li> <li>• <b>(f)</b> how an individual may make a request for disposal under section 54 or access under section 63; and</li> <li>• <b>(g)</b> the business contact information of the individual to whom complaints or requests for information may be made.</li> </ul>	<ul style="list-style-type: none"> <li>• <b>(e)</b> the retention periods applicable to sensitive personal information;</li> <li>• <b>(f)</b> how an individual may make a request for disposal under section 55 or access under section 63; and</li> <li>• <b>(g)</b> the business contact information of the individual to whom complaints or requests for information may be made.</li> </ul>	<p>The information made available shall include</p> <ul style="list-style-type: none"> <li>• <b>(a)</b> the name or title, and the address, of the person who is accountable for the organization's policies and practices and to whom complaints or inquiries can be forwarded;</li> <li>• <b>(b)</b> the means of gaining access to personal information held by the organization;</li> <li>• <b>(c)</b> a description of the type of personal information held by the organization, including a general account of its use;</li> <li>• <b>(d)</b> a copy of any brochures or other information that explain the organization's policies, standards, or codes; and</li> <li>• <b>(e)</b> what personal information is made available to related organizations (e.g., subsidiaries).</li> </ul> <p><b>4.8.3</b></p> <p>An organization may make information on its policies and practices available in a variety of ways. The method chosen depends on the nature of its business and other considerations. For example, an organization may choose to make brochures available in its place of business, mail information to its customers, provide online access, or establish a toll-free telephone number.</p>
		<p>[No equivalent provision]</p>

<b>PPCDA (BILL C-36)</b> <i>Protecting Privacy and Consumer Data Act</i>	<b>CPPA (BILL C-27)</b> <i>Consumer Privacy Protection Act</i>	<b>PIPEDA</b> <i>Personal Information Protection and Electronic Documents Act</i>
<p>Access to and Amendment of Personal Information</p> <p><b>Information and access</b></p> <p><b>63 (1)</b> On request by an individual, an organization must inform them of whether it has any personal information about them, how it uses the information and whether it has disclosed the information. It must also give the individual access to the information.</p> <p><b>Exception</b></p> <p><b>(2)</b> An organization is not required to act on a request in respect of de-identified personal information.</p> <p><b>Names or types of third parties</b></p> <p><b>(3)</b> If the organization has disclosed the information, the organization must also provide to the individual the names of the third parties or types of third parties to which the disclosure was made, including in cases where the disclosure was made without the consent of the individual.</p> <p><b>Automated decision system</b></p> <p><b>(4)</b> If the organization has used an automated decision system to make a prediction, recommendation or decision about the individual that could have a <b>legal or similarly significant effect</b> on them, the organization must, on request by the individual, provide them with an explanation of the prediction, recommendation or decision.</p> <p><b>Explanation</b></p>	<p>Access to and Amendment of Personal Information</p> <p><b>Information and access</b></p> <p><b>63 (1)</b> On request by an individual, an organization must inform them of whether it has any personal information about them, how it uses the information and whether it has disclosed the information. It must also give the individual access to the information.</p> <p><b>Names or types of third parties</b></p> <p><b>(2)</b> If the organization has disclosed the information, the organization must also provide to the individual the names of the third parties or types of third parties to which the disclosure was made, including in cases where the disclosure was made without the consent of the individual.</p> <p><b>Automated decision system</b></p> <p><b>(3)</b> If the organization has used an automated decision system to make a prediction, recommendation or decision about the individual that could have a <b>significant impact</b> on them, the organization must, on request by the individual, provide them with an explanation of the prediction, recommendation or decision.</p> <p><b>Explanation</b></p> <p><b>(4)</b> The explanation must indicate the type of personal information that was used to make the prediction, recommendation or decision, the source of the information and the reasons or principal factors that led to the prediction, recommendation or decision.</p>	

<b>PPCDA (BILL C-36)</b> <i>Protecting Privacy and Consumer Data Act</i>	<b>CPPA (BILL C-27)</b> <i>Consumer Privacy Protection Act</i>	<b>PIPEDA</b> <i>Personal Information Protection and Electronic Documents Act</i>
<p><b>(5)</b> The explanation must indicate the type of personal information that was used to make the prediction, recommendation or decision, the source of the information and the reasons or principal factors that led to the prediction, recommendation or decision.</p> <p><b>Representations</b></p> <p><b>(6)</b> The organization must provide an individual with an opportunity to make written representations to an employee of the organization who is able to review the prediction, recommendation or decision that was made about them.</p>		
<p><b>Request in writing</b></p> <p><b>64 (1)</b> A request made under section 63 must be made in writing.</p> <p><b>Assistance</b></p> <p><b>(2)</b> An organization must assist any individual who informs the organization that they need assistance in preparing a request to the organization.</p>	<p><b>Request in writing</b></p> <p><b>64 (1)</b> A request under section 63 must be made in writing.</p> <p><b>Assistance</b></p> <p><b>(2)</b> An organization must assist any individual who informs the organization that they need assistance in preparing a request to the organization.</p>	<p><b>Written request</b></p> <p><b>8 (1)</b> <u>A request under clause 4.9 of Schedule 1 must be made in writing.</u></p> <p><b>Assistance</b></p> <p><b>(2)</b> <u>An organization shall assist any individual who informs the organization that they need assistance in preparing a request to the organization.</u></p> <p><b>Time limit</b></p> <p><b>(3)</b> An organization shall respond to a request with due diligence and in any case not later than thirty days after receipt of the request.</p> <p><b>Extension of time limit</b></p> <p><b>(4)</b> An organization may extend the time limit</p> <p style="padding-left: 40px;"><b>(a)</b> for a maximum of thirty days if</p>

<b>PPCDA (BILL C-36)</b> <i>Protecting Privacy and Consumer Data Act</i>	<b>CPPA (BILL C-27)</b> <i>Consumer Privacy Protection Act</i>	<b>PIPEDA</b> <i>Personal Information Protection and Electronic Documents Act</i>
		<ul style="list-style-type: none"> <li>▪ <b>(i)</b> meeting the time limit would unreasonably interfere with the activities of the organization, or</li> <li>▪ <b>(ii)</b> the time required to undertake any consultations necessary to respond to the request would make the time limit impracticable to meet; or</li> </ul> <p><b>(b)</b> for the period that is necessary in order to be able to convert the personal information into an alternative format.</p> <p>In either case, the organization shall, no later than thirty days after the date of the request, send a notice of extension to the individual, advising them of the new time limit, the reasons for extending the time limit and of their right to make a complaint to the Commissioner in respect of the extension.</p> <p><b><u>Deemed refusal</u></b></p> <p><b>(5)</b> If the organization fails to respond within the time limit, the organization is deemed to have refused the request.</p> <p><b>Costs for responding</b></p> <p><b>(6)</b> An organization may respond to an individual's request at a cost to the individual only if</p> <ul style="list-style-type: none"> <li>○ <b>(a)</b> the organization has informed the individual of the approximate cost; and</li> </ul>

<b>PPCDA (BILL C-36)</b> <i>Protecting Privacy and Consumer Data Act</i>	<b>CPPA (BILL C-27)</b> <i>Consumer Privacy Protection Act</i>	<b>PIPEDA</b> <i>Personal Information Protection and Electronic Documents Act</i>
		<ul style="list-style-type: none"> <li>○ <b>(b)</b> the individual has advised the organization that the request is not being withdrawn.</li> </ul> <p><b>Reasons</b></p> <p><b>(7)</b> An organization that responds within the time limit and refuses a request shall inform the individual in writing of the refusal, setting out the reasons and any recourse that they may have under this Part.</p> <p><b>Retention of information</b></p> <p><b>(8)</b> Despite clause 4.5 of Schedule 1, an organization that has personal information that is the subject of a request shall retain the information for as long as is necessary to allow the individual to exhaust any recourse under this Part that they may have.</p>
<p><b>Information to be provided</b></p> <p><b>65</b> An organization may require the individual to provide it with sufficient information to allow the organization to fulfill its obligations under section 63.</p>	<p><b>Information to be provided</b></p> <p><b>65</b> An organization may require the individual to provide it with sufficient information to allow the organization to fulfill its obligations under section 63.</p>	<p><b>SCHEDULE 1</b></p> <p><b>4.9 Principle 9 — Individual Access</b></p> <p>Upon request, an individual shall be informed of the existence, use, and disclosure of his or her personal information and shall be given access to that information. An individual shall be able to challenge the accuracy and completeness of the information and have it amended as appropriate.</p> <p>Note: In certain situations, an organization may not be able to provide access to all the personal information it holds about an individual. Exceptions to the access requirement should be limited and specific. The reasons for denying access should be provided to the individual upon request. Exceptions may include information that is prohibitively costly to provide, information that contains references to other</p>

<b>PPCDA (BILL C-36)</b> <i>Protecting Privacy and Consumer Data Act</i>	<b>CPPA (BILL C-27)</b> <i>Consumer Privacy Protection Act</i>	<b>PIPEDA</b> <i>Personal Information Protection and Electronic Documents Act</i>
		<p>individuals, information that cannot be disclosed for legal, security, or commercial proprietary reasons, and information that is subject to solicitor-client or litigation privilege.</p> <p><b>4.9.1</b></p> <p>Upon request, an organization shall inform an individual whether or not the organization holds personal information about the individual. Organizations are encouraged to indicate the source of this information. The organization shall allow the individual access to this information. However, the organization may choose to make sensitive medical information available through a medical practitioner. In addition, the organization shall provide an account of the use that has been made or is being made of this information and an account of the third parties to which it has been disclosed.</p> <p><b>4.9.2</b></p> <p><u>An individual may be required to provide sufficient information to permit an organization to provide an account of the existence, use, and disclosure of personal information. The information provided shall only be used for this purpose.</u></p>
<p><b>Plain language</b></p> <p><b>66 (1)</b> The information referred to in section 63 must be provided to the individual in plain language.</p> <p><b>Sensory disability</b></p> <p><b>(2)</b> For the purposes of section 63, an organization must give access to personal information in an alternative format to an individual</p>	<p><b>Plain language</b></p> <p><b>66 (1)</b> The information referred to in section 63 must be provided to the individual in plain language.</p> <p><b>Sensory disability</b></p> <p><b>(2)</b> For the purpose of section 63, an organization must give access to personal information in an alternative format to an individual with a sensory</p>	<p><b>Sensory disability</b></p> <p><b>10</b> An organization shall give access to personal information in an alternative format to an individual with a sensory disability who has a right of access to personal information under this Part and who</p>

<b>PPCDA (BILL C-36)</b> <i>Protecting Privacy and Consumer Data Act</i>	<b>CPPA (BILL C-27)</b> <i>Consumer Privacy Protection Act</i>	<b>PIPEDA</b> <i>Personal Information Protection and Electronic Documents Act</i>
<p>with a sensory disability who requests that it be transmitted in that format if</p> <ul style="list-style-type: none"> <li>• <b>(a)</b> a version of the information already exists in that format; or</li> <li>• <b>(b)</b> its conversion into that format is reasonable and necessary in order for the individual to be able to exercise their rights under this Act.</li> </ul> <p><b>Sensitive medical information</b></p> <p><b>(3)</b> An organization may choose to give an individual access to sensitive medical information through a medical practitioner.</p>	<p>disability who requests that it be transmitted in that format if</p> <ul style="list-style-type: none"> <li>• <b>(a)</b> a version of the information already exists in that format; or</li> <li>• <b>(b)</b> its conversion into that format is reasonable and necessary in order for the individual to be able to exercise rights under this Act.</li> </ul> <p><b>Sensitive medical information</b></p> <p><b>(3)</b> An organization may choose to give an individual access to sensitive medical information through a medical practitioner.</p>	<p>requests that it be transmitted in the alternative format if</p> <ul style="list-style-type: none"> <li>• <b>(a)</b> a version of the information already exists in that format; or</li> <li>• <b>(b)</b> its conversion into that format is reasonable and necessary in order for the individual to be able to exercise rights under this Part.</li> </ul> <p>[...]</p> <p>SCHEDULE 1</p> <p><b>4.9.1</b></p> <p>Upon request, an organization shall inform an individual whether or not the organization holds personal information about the individual. Organizations are encouraged to indicate the source of this information. The organization shall allow the individual access to this information. However, the organization may choose to make sensitive medical information available through a medical practitioner. In addition, the organization shall provide an account of the use that has been made or is being made of this information and an account of the third parties to which it has been disclosed.</p>
<p><b>Time limit</b></p> <p><b>67 (1)</b> An organization must respond to a request made under section 63 with due diligence and no later than 30 days after the day on which the request is received.</p>	<p><b>Time limit</b></p> <p><b>67 (1)</b> An organization must respond to a request made under section 63 with due diligence and in any case no later than 30 days after the day on which the request was received.</p>	<p><b>Written request</b></p> <p><b>8 (1)</b> A request under clause 4.9 of Schedule 1 must be made in writing.</p> <p><b>Assistance</b></p> <p><b>(2)</b> An organization shall assist any individual who informs the organization that they need assistance in preparing a request to the organization.</p>

<b>PPDA (BILL C-36)</b> <i>Protecting Privacy and Consumer Data Act</i>	<b>CPA (BILL C-27)</b> <i>Consumer Privacy Protection Act</i>	<b>PIPEDA</b> <i>Personal Information Protection and Electronic Documents Act</i>
<p><b>Extension of time limit</b></p> <p><b>(2)</b> An organization may extend the time limit referred to in subsection (1)</p> <ul style="list-style-type: none"> <li>• <b>(a)</b> for a maximum of 30 days if           <ul style="list-style-type: none"> <li>○ <b>(i)</b> meeting the time limit would unreasonably interfere with the activities of the organization, or</li> <li>○ <b>(ii)</b> the time required to undertake any consultations necessary to respond to the request would make the time limit impracticable to meet; or</li> </ul> </li> <li>• <b>(b)</b> for the period that is necessary in order to be able to convert the personal information into an alternative format.</li> </ul> <p>In either case, the organization must, no later than 30 days after the day on which the request was received, send a notice of extension to the individual, advising them of the new time limit, the reasons for extending the time limit and their right to make a complaint to the Commissioner in respect of the extension.</p> <p><b>Reasons</b></p> <p><b>(3)</b> An organization that responds within the time limit and refuses a request must inform the individual in writing of the refusal, setting out the reasons and any recourse that they may have under section 73 or subsection 97(1).</p>	<p><b>Extension of time limit</b></p> <p><b>(2)</b> An organization may extend the time limit</p> <ul style="list-style-type: none"> <li>• <b>(a)</b> for a maximum of 30 days if           <ul style="list-style-type: none"> <li>○ <b>(i)</b> meeting the time limit would unreasonably interfere with the activities of the organization, or</li> <li>○ <b>(ii)</b> the time required to undertake any consultations necessary to respond to the request would make the time limit impracticable to meet; or</li> </ul> </li> <li>• <b>(b)</b> for the period that is necessary in order to be able to convert the personal information into an alternative format.</li> </ul> <p>In either case, the organization must, no later than 30 days after the day on which the request was received, send a notice of extension to the individual, advising them of the new time limit, the reasons for extending the time limit and their right to make a complaint to the Commissioner in respect of the extension.</p> <p><b>Reasons</b></p> <p><b>(3)</b> An organization that responds within the time limit and refuses a request must inform the individual in writing of the refusal, setting out the reasons and any recourse that they may have under section 73 or subsection 82(1).</p>	<p><b>Time limit</b></p> <p><b>(3)</b> An organization shall respond to a request with due diligence and in any case not later than thirty days after receipt of the request.</p> <p><b>Extension of time limit</b></p> <p><b>(4)</b> An organization may extend the time limit</p> <ul style="list-style-type: none"> <li><b>(a)</b> for a maximum of thirty days if           <ul style="list-style-type: none"> <li><b>(i)</b> meeting the time limit would unreasonably interfere with the activities of the organization, or</li> <li><b>(ii)</b> the time required to undertake any consultations necessary to respond to the request would make the time limit impracticable to meet;</li> </ul>           or         </li> <li><b>(b)</b> for the period that is necessary in order to be able to convert the personal information into an alternative format.</li> </ul> <p>In either case, the organization shall, no later than thirty days after the date of the request, send a notice of extension to the individual, advising them of the new time limit, the reasons for extending the time limit and of their right to make a complaint to the Commissioner in respect of the extension.</p> <p><b>Deemed refusal</b></p> <p><b>(5)</b> If the organization fails to respond within the time limit, the organization is deemed to have refused the request.</p> <p><b>Costs for responding</b></p> <p><b>(6)</b> An organization may respond to an individual's request at a cost to the individual only if</p> <ul style="list-style-type: none"> <li><b>(a)</b> the organization has informed the individual of the approximate cost; and</li> <li><b>(b)</b> the individual has advised the organization that the request is not being withdrawn.</li> </ul>

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<p><b>Deemed refusal</b></p> <p><b>(4)</b> If the organization fails to respond within the time limit, the organization is deemed to have refused the request.</p>	<p><b>Deemed refusal</b></p> <p><b>(4)</b> If the organization fails to respond within the time limit, the organization is deemed to have refused the request.</p>	<p><b>Reasons</b></p> <p><b>(7)</b> <u>An organization that responds within the time limit and refuses a request shall inform the individual in writing of the refusal, setting out the reasons and any recourse that they may have under this Part.</u></p> <p><b>Retention of information</b></p> <p><b>(8)</b> Despite clause 4.5 of Schedule 1, an organization that has personal information that is the subject of a request shall retain the information for as long as is necessary to allow the individual to exhaust any recourse under this Part that they may have.</p>
<p><b>Costs for responding</b></p> <p><b>68</b> An organization must not respond to an individual's request made under section 63 at a cost unless</p> <ul style="list-style-type: none"> <li>• <b>(a)</b> the organization has informed the individual of the approximate cost;</li> <li>• <b>(b)</b> the cost to the individual is minimal; and</li> <li>• <b>(c)</b> the individual has advised the organization that the request is not being withdrawn.</li> </ul>	<p><b>Costs for responding</b></p> <p><b>68</b> An organization must not respond to the individual's request made under section 63 at a cost unless</p> <ul style="list-style-type: none"> <li>• <b>(a)</b> the organization has informed the individual of the approximate cost;</li> <li>• <b>(b)</b> the cost to the individual is minimal; and</li> <li>• <b>(c)</b> the individual has advised the organization that the request is not being withdrawn.</li> </ul>	<p><b>Written request</b></p> <p><b>8 (1)</b> A request under clause 4.9 of Schedule 1 must be made in writing.</p> <p>[...]</p> <p><b>Costs for responding</b></p> <p><b>8(6)</b> An organization may respond to an individual's request at a cost to the individual only if</p> <ul style="list-style-type: none"> <li><b>(a)</b> the organization has informed the individual of the approximate cost; and</li> <li><b>(b)</b> the individual has advised the organization that the request is not being withdrawn.</li> </ul> <p>[...]</p>
<p><b>Retention of information</b></p> <p><b>69</b> An organization that has personal information that is the subject of a request made under section 63 must retain the information for as long</p>	<p><b>Retention of information</b></p> <p><b>69</b> An organization that has personal information that is the subject of a request made under section 63 must retain the information for as long</p>	<p><b>Written request</b></p> <p><b>8 (1)</b> A request under clause 4.9 of Schedule 1 must be made in writing.</p> <p>[...]</p>

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<p>as is necessary to allow the individual to exhaust any recourse that they may have under this Act.</p>	<p>as is necessary to allow the individual to exhaust any recourse that they may have under this Act.</p>	<p><b>Retention of information</b>  <b>8(8)</b> Despite clause 4.5 of Schedule 1, an organization that has personal information that is the subject of a request shall retain the information for as long as is necessary to allow the individual to exhaust any recourse under this Part that they may have.</p> <p>[...]</p>
<p><b>When access prohibited</b></p> <p><b>70 (1)</b> Despite section 63, an organization must not give an individual access to personal information under that section if doing so would likely reveal personal information about another individual. However, if the information about the other individual is severable from the information about the requester <b>without imposing an undue burden on the organization</b>, the organization must sever the information about the other individual before giving the requester access.</p> <p><b>Limit</b></p> <p><b>(2)</b> Subsection (1) does not apply if the other individual consents to the access or the requester needs the information because an individual's life, health or security is threatened.</p> <p><b>Information related to certain exceptions to consent</b></p> <p><b>(3)</b> An organization must comply with subsection (4) if an individual requests that the organization</p> <ul style="list-style-type: none"> <li>• <b>(a)</b> inform the individual about <ul style="list-style-type: none"> <li>○ <b>(i)</b> any disclosure to a government institution or a part of</li> </ul> </li> </ul>	<p><b>When access prohibited</b></p> <p><b>70 (1)</b> Despite section 63, an organization must not give an individual access to personal information under that section if doing so would likely reveal personal information about another individual. However, if the information about the other individual is severable from the information about the requester, the organization must sever the information about the other individual before giving the requester access.</p> <p><b>Limit</b></p> <p><b>(2)</b> Subsection (1) does not apply if the other individual consents to the access or the requester needs the information because an individual's life, health or security is threatened.</p> <p><b>Information related to certain exceptions to consent</b></p> <p><b>(3)</b> An organization must comply with subsection (4) if an individual requests that the organization</p> <ul style="list-style-type: none"> <li>• <b>(a)</b> inform the individual about <ul style="list-style-type: none"> <li>○ <b>(i)</b> any disclosure to a government institution or a part of</li> </ul> </li> </ul>	<p><b>When access prohibited</b></p> <p><b>(9)(1)</b> Despite clause 4.9 of Schedule 1, an organization shall not give an individual access to personal information if doing so would likely reveal personal information about a third party. However, if the information about the third party is severable from the record containing the information about the individual, the organization shall sever the information about the third party before giving the individual access.</p> <p><b>Limit</b></p> <p><b>(2)</b> Subsection (1) does not apply if the third party consents to the access or the individual needs the information because an individual's life, health or security is threatened.</p> <p><b>Information related to paragraphs 7(3)(c), (c.1) or (d)</b></p> <p><b>(2.1)</b> An organization shall comply with subsection (2.2) if an individual requests that the organization</p> <ul style="list-style-type: none"> <li><b>(a)</b> inform the individual about <ul style="list-style-type: none"> <li><b>(i)</b> any disclosure of information to a government institution or a part of a government institution under paragraph 7(3)(c), subparagraph 7(3)(c.1)(i) or (ii) or paragraph 7(3)(c.2) or (d), or</li> </ul> </li> </ul>

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<p>a government institution under section 43, 44 or 45, subsection 46(1) or 47(1) or section 49, or</p> <ul style="list-style-type: none"> <li>○ <b>(ii)</b> the existence of any information that the organization has relating to a disclosure referred to in subparagraph (i), to a subpoena, warrant or order referred to in section 49 or to a request made by a government institution or a part of a government institution under section 43 or subsection 46(1); or</li> </ul> <ul style="list-style-type: none"> <li>• <b>(b)</b> give the individual access to the information referred to in subparagraph (a)(ii).</li> </ul> <p><b>Notification and response</b></p> <p><b>(4)</b> An organization to which subsection (3) applies</p> <ul style="list-style-type: none"> <li>• <b>(a)</b> must, in writing and without delay, notify the government institution or the part of a government institution concerned of the request made by the individual; and</li> <li>• <b>(b)</b> must not respond to the request before the earlier of <ul style="list-style-type: none"> <li>○ <b>(i)</b> the day on which it is notified under subsection (5), and</li> <li>○ <b>(ii)</b> 30 days after the day on which the government institution</li> </ul> </li> </ul>	<p>a government institution under section 44, 45 or 46, subsection 47(1) or 48(1) or section 50, or</p> <ul style="list-style-type: none"> <li>○ <b>(ii)</b> the existence of any information that the organization has relating to a disclosure referred to in subparagraph (i), to a subpoena, warrant or order referred to in section 50 or to a request made by a government institution or a part of a government institution under section 44 or subsection 47(1); or</li> </ul> <ul style="list-style-type: none"> <li>• <b>(b)</b> give the individual access to the information referred to in subparagraph (a)(ii).</li> </ul> <p><b>Notification and response</b></p> <p><b>(4)</b> An organization to which subsection (3) applies</p> <ul style="list-style-type: none"> <li>• <b>(a)</b> must, in writing and without delay, notify the institution or part concerned of the request made by the individual; and</li> <li>• <b>(b)</b> must not respond to the request before the earlier of <ul style="list-style-type: none"> <li>○ <b>(i)</b> the day on which it is notified under subsection (5), and</li> <li>○ <b>(ii)</b> 30 days after the day on which the institution or part is notified.</li> </ul> </li> </ul>	<p><b>(ii)</b> the existence of any information that the organization has relating to a disclosure referred to in subparagraph (i), to a subpoena, warrant or order referred to in paragraph 7(3)(c) or to a request made by a government institution or a part of a government institution under subparagraph 7(3)(c.1)(i) or (ii); or</p> <p><b>(b)</b> give the individual access to the information referred to in subparagraph (a)(ii).</p> <p><b>Notification and response</b></p> <p><b>(2.2)</b> An organization to which subsection (2.1) applies</p> <p><b>(a)</b> shall, in writing and without delay, notify the institution or part concerned of the request made by the individual; and</p> <p><b>(b)</b> shall not respond to the request before the earlier of</p> <ul style="list-style-type: none"> <li><b>(i)</b> the day on which it is notified under subsection (2.3), and</li> <li><b>(ii)</b> thirty days after the day on which the institution or part was notified.</li> </ul> <p><b>Objection</b></p> <p><b>(2.3)</b> Within thirty days after the day on which it is notified under subsection (2.2), the institution or part shall notify the organization whether or not the institution or part objects to the organization complying with the request. The institution or part may object only if the institution or part is of the opinion that compliance with the request could reasonably be expected to be injurious to</p> <ul style="list-style-type: none"> <li><b>(a)</b> national security, the defence of Canada or the conduct of international affairs;</li> </ul>

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<p style="text-align: center;">or the part of a government institution is notified.</p> <p><b>Objection</b></p> <p>(5) Within 30 days after the day on which it is notified under subsection (4), the government institution or part of a government institution must notify the organization as to whether the institution or part objects to the organization complying with the request. The institution or part of an institution may object only if the institution or part is of the opinion that compliance with the request could reasonably be expected to be injurious to</p> <ul style="list-style-type: none"> <li>(a) national security, the defence of Canada or the conduct of international affairs;</li> <li>(b) the detection, prevention or deterrence of money laundering or the financing of terrorist activities; or</li> <li>(c) the enforcement of federal or provincial law or law of a foreign jurisdiction, an investigation relating to the enforcement of any such law or the gathering of intelligence for the purpose of enforcing any such law.</li> </ul> <p><b>Prohibition</b></p> <p>(6) Despite section 63, if an organization is notified under subsection (5) that the government institution or part of a government institution objects to the organization complying with the request, the organization</p>	<p><b>Objection</b></p> <p>(5) Within 30 days after the day on which it is notified under subsection (4), the institution or part must notify the organization of whether the institution or part objects to the organization complying with the request. The institution or part may object only if the institution or part is of the opinion that compliance with the request could reasonably be expected to be injurious to</p> <ul style="list-style-type: none"> <li>(a) national security, the defence of Canada or the conduct of international affairs;</li> <li>(b) the detection, prevention or deterrence of money laundering or the financing of terrorist activities; or</li> <li>(c) the enforcement of federal or provincial law or law of a foreign jurisdiction, an investigation relating to the enforcement of any such law or the gathering of intelligence for the purpose of enforcing any such law.</li> </ul> <p><b>Prohibition</b></p> <p>(6) Despite section 63, if an organization is notified under subsection (5) that the institution or part objects to the organization complying with the request, the organization</p> <ul style="list-style-type: none"> <li>(a) must refuse the request to the extent that it relates to paragraph (3)(a) or to subparagraph (3)(a)(ii);</li> </ul>	<p>(a.1) the detection, prevention or deterrence of money laundering or the financing of terrorist activities; or</p> <p>(b) the enforcement of any law of Canada, a province or a foreign jurisdiction, an investigation relating to the enforcement of any such law or the gathering of intelligence for the purpose of enforcing any such law.</p> <p><b>Prohibition</b></p> <p>(2.4) Despite clause 4.9 of Schedule 1, if an organization is notified under subsection (2.3) that the institution or part objects to the organization complying with the request, the organization</p> <p>(a) shall refuse the request to the extent that it relates to paragraph (2.1)(a) or to information referred to in subparagraph (2.1)(a)(ii);</p> <p>(b) shall notify the Commissioner, in writing and without delay, of the refusal; and</p> <p>(c) shall not disclose to the individual</p> <ul style="list-style-type: none"> <li>(i) any information that the organization has relating to a disclosure to a government institution or a part of a government institution under paragraph 7(3)(c), subparagraph 7(3)(c.1)(i) or (ii) or paragraph 7(3)(c.2) or (d) or to a request made by a government institution under either of those subparagraphs,</li> <li>(ii) that the organization notified an institution or part under paragraph (2.2)(a) or the Commissioner under paragraph (b), or</li> <li>(iii) that the institution or part objects.</li> </ul> <p><b>When access may be refused</b></p>

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<ul style="list-style-type: none"> <li>• <b>(a)</b> must refuse the request to the extent that it relates to paragraph (3)(a) or to information referred to in subparagraph (3)(a)(ii);</li> <li>• <b>(b)</b> must notify the <b>Commission</b>, in writing and without delay, of the refusal;</li> <li>• <b>(c)</b> must not give the individual access to any information that the organization has relating to a disclosure to a government institution or a part of a government institution under section 43, 44 or 45, subsection 46(1) or 47(1) or section 49 or to a request made by a government institution or part of a government institution under section 43 or subsection 46(1);</li> <li>• <b>(d)</b> must not provide to the individual the name of the government institution or part of a government institution to which the disclosure was made or its type; and</li> <li>• <b>(e)</b> must not disclose to the individual the fact that the organization notified an institution or part of an institution under paragraph (4)(a), that the institution or part of an institution objects or that the Commission was notified under paragraph (b).</li> </ul> <p><b>When access may be refused</b></p> <p><b>(7)</b> Despite section 63, an organization is not required to give access to personal information if</p> <ul style="list-style-type: none"> <li>• <b>(a)</b> the information is protected by solicitor-client privilege or the professional</li> </ul>	<ul style="list-style-type: none"> <li>• <b>(b)</b> must notify the <b>Commissioner</b>, in writing and without delay, of the refusal;</li> <li>• <b>(c)</b> must not give the individual access to any information that the organization has relating to a disclosure to a government institution or a part of a government institution under section 44, 45 or 46, subsection 47(1) or 48(1) or section 50 or to a request made by a government institution or part of a government institution under section 44 or subsection 47(1);</li> <li>• <b>(d)</b> must not provide to the individual the name of the government institution or part to which the disclosure was made or its type; and</li> <li>• <b>(e)</b> must not disclose to the individual the fact that the organization notified an institution or part under paragraph (4)(a), that the institution or part objects or that the Commissioner was notified under paragraph (b).</li> </ul> <p><b>When access may be refused</b></p> <p><b>(7)</b> Despite section 63, an organization is not required to give access to personal information if</p> <ul style="list-style-type: none"> <li>• <b>(a)</b> the information is protected by solicitor-client privilege or the professional secrecy of advocates and notaries or by litigation privilege;</li> <li>• <b>(b)</b> to do so would reveal confidential commercial information;</li> </ul>	<p><b>(3)</b> Despite the note that accompanies clause 4.9 of Schedule 1, an organization is not required to give access to personal information only if</p> <ul style="list-style-type: none"> <li><b>(a)</b> the information is protected by solicitor-client privilege or the professional secrecy of advocates and notaries or by litigation privilege;</li> <li><b>(b)</b> to do so would reveal confidential commercial information;</li> <li><b>(c)</b> to do so could reasonably be expected to threaten the life or security of another individual;</li> <li><b>(c.1)</b> the information was collected under paragraph 7(1)(b);</li> <li><b>(d)</b> the information was generated in the course of a formal dispute resolution process; or</li> <li><b>(e)</b> the information was created for the purpose of making a disclosure under the <i>Public Servants Disclosure Protection Act</i> or in the course of an investigation into a disclosure under that Act.</li> </ul> <p>However, in the circumstances described in paragraph (b) or (c), if giving access to the information would reveal confidential commercial information or could reasonably be expected to threaten the life or security of another individual, as the case may be, and that information is severable from the record containing any other information for which access is requested, the organization shall give the individual access after severing.</p> <p><b>Limit</b></p> <p><b>(4)</b> Subsection (3) does not apply if the individual needs the information because an individual's life, health or security is threatened.</p> <p><b>Notice</b></p>

<b>PPCDA (BILL C-36)</b> <i>Protecting Privacy and Consumer Data Act</i>	<b>CPPA (BILL C-27)</b> <i>Consumer Privacy Protection Act</i>	<b>PIPEDA</b> <i>Personal Information Protection and Electronic Documents Act</i>
<p>secrecy of advocates and notaries or by litigation privilege;</p> <ul style="list-style-type: none"> <li>• <b>(b)</b> to do so would reveal confidential commercial information;</li> <li>• <b>(c)</b> to do so could reasonably be expected to threaten the life or security of another individual;</li> <li>• <b>(d)</b> the information was collected under subsection 38(1);</li> <li>• <b>(e)</b> the information was generated in the course of a formal dispute resolution process; or</li> <li>• <b>(f)</b> the information was created for the purpose of making a disclosure under the <i>Public Servants Disclosure Protection Act</i> or in the course of an investigation into a disclosure under that Act.</li> </ul> <p>However, in the circumstances described in paragraph (b) or (c), if giving access to the information would reveal confidential commercial information or could reasonably be expected to threaten the life or security of another individual, as the case may be, and that information is severable from any other information for which access is requested <b>without imposing an undue burden on the organization</b>, the organization must give the individual access after severing.</p>	<ul style="list-style-type: none"> <li>• <b>(c)</b> to do so could reasonably be expected to threaten the life or security of another individual;</li> <li>• <b>(d)</b> the information was collected under subsection 40(1);</li> <li>• <b>(e)</b> the information was generated in the course of a formal dispute resolution process; or</li> <li>• <b>(f)</b> the information was created for the purpose of making a disclosure under the <i>Public Servants Disclosure Protection Act</i> or in the course of an investigation into a disclosure under that Act.</li> </ul> <p>However, in the circumstances described in paragraph (b) or (c), if giving access to the information would reveal confidential commercial information or could reasonably be expected to threaten the life or security of another individual, as the case may be, and that information is severable from any other information for which access is requested, the organization must give the individual access after severing.</p> <p><b>Limit</b></p> <p><b>(8)</b> Subsection (7) does not apply if the individual needs the information because an individual's life, health or security is threatened.</p> <p><b>Notice</b></p> <p><b>(9)</b> If an organization decides not to give access to personal information in the circumstances set out in paragraph (7)(d), the organization must, in writing, notify the <b>Commissioner</b>, and must provide</p>	<p><b>(5)</b> If an organization decides not to give access to personal information in the circumstances set out in paragraph (3)(c.1), the organization shall, in writing, so notify the Commissioner, and shall include in the notification any information that the Commissioner may specify.</p>

<b>PPCDA (BILL C-36)</b> <i>Protecting Privacy and Consumer Data Act</i>	<b>CPPA (BILL C-27)</b> <i>Consumer Privacy Protection Act</i>	<b>PIPEDA</b> <i>Personal Information Protection and Electronic Documents Act</i>
<p><b>Limit</b></p> <p>(8) Subsection (7) does not apply if the individual needs the information because an individual's life, health or security is threatened.</p> <p><b>Notice</b></p> <p>(9) If an organization decides not to give access to personal information in the circumstances set out in paragraph (7)(d), the organization must, in writing, notify the <b>Commission</b>, and must provide any information that the <b>Commission</b> may specify.</p>	<p>any information that the <b>Commissioner</b> may specify.</p>	
<p><b>Amendment of personal information</b></p> <p>71 (1) If an individual has been given access to their personal information and demonstrates that the information is not accurate, up to date or complete, the organization must amend the information as required.</p> <p><b>Exception</b></p> <p>(2) An organization is not required to amend de-identified personal information.</p> <p><b>Third party</b></p> <p>(3) The organization must, if it is appropriate to do so, transmit the amended information to any third party that has access to the information.</p> <p><b>Record of determination</b></p> <p>(4) If the organization and the individual do not agree on the amendments that are to be made to</p>	<p><b>Amendment of personal information</b></p> <p>71 (1) If an individual has been given access to their personal information and demonstrates that the information is not accurate, up-to-date or complete, the organization must amend the information as required.</p> <p><b>Third party</b></p> <p>(2) The organization must, if it is appropriate to do so, transmit the amended information to any third party that has access to the information.</p> <p><b>Record of determination</b></p> <p>(3) If the organization and the individual do not agree on the amendments that are to be made to the information, the organization must record the disagreement and, if it is appropriate to do so, inform third parties that have access to the information of the fact that there is a disagreement.</p>	<p>[No equivalent provision]</p>

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<p>the information, the organization must record the disagreement and, if it is appropriate to do so, inform third parties that have access to the information of the fact that there is a disagreement.</p>		
<p>Mobility of Personal Information</p> <p><b>Data mobility framework</b></p> <p><b>72 (1)</b> Subject to the regulations, on the request of an individual, an organization must as soon as feasible disclose the personal information that it has collected from the individual to an organization designated by the individual, if both organizations are subject to a data mobility framework.</p> <p><b>Exception</b></p> <p><b>(2)</b> An organization is not required to disclose de-identified personal information.</p>	<p>Mobility of Personal Information</p> <p><b>Disclosure under data mobility framework</b></p> <p><b>72</b> Subject to the regulations, on the request of an individual, an organization must as soon as feasible disclose the personal information that it has collected from the individual to an organization designated by the individual, if both organizations are subject to a data mobility framework.</p>	<p>[No equivalent provision]</p>
<p>Challenging Compliance</p> <p><b>Complaints and requests for information</b></p> <p><b>73 (1)</b> An individual may make a complaint, or a request for information, to an organization with respect to its compliance with this Part. The organization must respond to any complaint or request that it receives.</p> <p><b>Process for making complaint or request</b></p> <p><b>(2)</b> An organization must make readily available information about the process for making a complaint or request.</p>	<p>Challenging Compliance</p> <p><b>Complaints and requests for information</b></p> <p><b>73 (1)</b> An individual may make a complaint, or a request for information, to an organization with respect to its compliance with this Part. The organization must respond to any complaint or request that it receives.</p> <p><b>Process for making complaint or request</b></p> <p><b>(2)</b> An organization must make readily available information about the process for making a complaint or request.</p>	<p>SCHEDULE 1</p> <p><b>4.10 Principle 10 — Challenging Compliance</b></p> <p>An individual shall be able to address a challenge concerning compliance with the above principles to the designated individual or individuals accountable for the organization’s compliance.</p> <p><b>4.10.1</b></p> <p>The individual accountable for an organization’s compliance is discussed in Clause 4.1.1.</p> <p><b>4.10.2</b></p>

<b>PPCDA (BILL C-36)</b> <i>Protecting Privacy and Consumer Data Act</i>	<b>CPPA (BILL C-27)</b> <i>Consumer Privacy Protection Act</i>	<b>PIPEDA</b> <i>Personal Information Protection and Electronic Documents Act</i>
<p><b>Investigation of complaints</b></p> <p><b>(3)</b> An organization must investigate any complaint that it receives and make any necessary changes to its policies, practices and procedures as a result of the investigation.</p>	<p><b>Investigation of complaints</b></p> <p><b>(3)</b> An organization must investigate any complaint that it receives and make any necessary changes to its policies, practices and procedures as a result of the investigation.</p>	<p>Organizations shall put procedures in place to receive and respond to complaints or inquiries about their policies and practices relating to the handling of personal information. The complaint procedures should be easily accessible and simple to use.</p> <p><b>4.10.3</b></p> <p>Organizations shall inform individuals who make inquiries or lodge complaints of the existence of relevant complaint procedures. A range of these procedures may exist. For example, some regulatory bodies accept complaints about the personal-information handling practices of the companies they regulate.</p> <p><b>4.10.4</b></p> <p>An organization shall investigate all complaints. If a complaint is found to be justified, the organization shall take appropriate measures, including, if necessary, amending its policies and practices.</p>
<p>De-identification of Personal Information</p> <p><b>Proportionality of technical and administrative measures</b></p> <p><b>74</b> An organization that de-identifies personal information must</p> <ul style="list-style-type: none"> <li>• <b>(a)</b> consider, when applying technical and administrative measures to the information, the risk of an individual being identified; and</li> <li>• <b>(b)</b> ensure that those measures are proportionate to the purpose for which the information is de-identified</li> </ul>	<p>De-identification of Personal Information</p> <p><b>Proportionality of technical and administrative measures</b></p> <p><b>74</b> An organization that de-identifies personal information must ensure that any technical and administrative measures applied to the information are proportionate to the purpose for which the information is de-identified and the sensitivity of the personal information.</p>	<p>[No equivalent provision]</p>

<b>PPCDA (BILL C-36)</b> <i>Protecting Privacy and Consumer Data Act</i>	<b>CPPA (BILL C-27)</b> <i>Consumer Privacy Protection Act</i>	<b>PIPEDA</b> <i>Personal Information Protection and Electronic Documents Act</i>
<p>and the sensitivity of the personal information.</p>		
<p><b>Prohibition</b></p> <p><b>75</b> An organization must not use de-identified personal information, alone or in combination with other information, to identify an individual except</p> <ul style="list-style-type: none"> <li>• <b>(a)</b> to conduct testing of the effectiveness of security safeguards that it has put in place;</li> <li>• <b>(b)</b> in circumstances where the personal information was de-identified solely for the purpose of protecting the information;</li> <li>• <b>(c)</b> in circumstances where the organization obtains the individual's valid consent;</li> <li>• <b>(d)</b> in circumstances where an exception in respect of the use of an individual's personal information set out in section 18, 23, 24 or 26, subsection 27(2) or 29(2), section 30, subsection 38(2) or section 50 applies;</li> <li>• <b>(e)</b> in circumstances where the personal information is used solely for the purpose of anonymizing it under section 20;</li> <li>• <b>(f)</b> to comply with any requirements under this Act or under federal or provincial law;</li> <li>• <b>(g)</b> to conduct testing of the fairness and accuracy of models, processes and</li> </ul>	<p><b>Prohibition</b></p> <p><b>75</b> An organization must not use information that has been de-identified, alone or in combination with other information, to identify an individual except</p> <ul style="list-style-type: none"> <li>• <b>(a)</b> to conduct testing of the effectiveness of security safeguards that it has put in place;</li> <li>• <b>(b)</b> to comply with any requirements under this Act or under federal or provincial law;</li> <li>• <b>(c)</b> to conduct testing of the fairness and accuracy of models, processes and systems that were developed using information that has been de-identified;</li> <li>• <b>(d)</b> to conduct testing of the effectiveness of its de-identification processes;</li> <li>• <b>(e)</b> for a purpose or situation authorized by the Commissioner under section 116; and</li> <li>• <b>(f)</b> in any other prescribed circumstance.</li> </ul>	<p>[No equivalent provision]</p>

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<p>systems that were developed using de-identified personal information;</p> <ul style="list-style-type: none"> <li>• <b>(h)</b> to conduct testing of the effectiveness of its de-identification processes;</li> <li>• <b>(i)</b> for a purpose or situation authorized by the Division under section 138; and</li> <li>• <b>(j)</b> in any other prescribed circumstances.</li> </ul>		
<p><b>PART 2</b></p> <p>Commission, Commissioner and Division</p> <p>Commission</p> <p><b>Powers, duties and functions</b></p> <p><b>76</b> For the purposes of this Act, the Commission may</p> <ul style="list-style-type: none"> <li>• <b>(a)</b> disclose to the Commissioner of Competition, under an agreement or arrangement entered into under section 80, information that relates to an entity that operates an approved certification program or an organization that is certified under an approved certification program;</li> <li>• <b>(b)</b> consult with federal government institutions respecting codes of practice or certification programs; and</li> </ul>	<p><b>Promoting purposes of Act</b></p> <p><b>110 (1)</b> The Commissioner must, in the form and manner that the Commissioner considers appropriate,</p> <ul style="list-style-type: none"> <li>• <b>(a)</b> develop and conduct information programs to foster public understanding of this Act and recognition of its purposes;</li> <li>• <b>(b)</b> develop guidance materials and tools for organizations in relation to their compliance with this Act — including any guidance materials and tools that are requested by the Minister — in consultation with stakeholders, including any relevant federal government institutions;</li> <li>• <b>(c)</b> undertake and publish research that is related to the protection of personal information, including any research that is requested by the Minister;</li> <li>• <b>(d)</b> undertake and publish any research related to the operation or implementation</li> </ul>	<p><b>Promoting the purposes of the Part</b></p> <p><b>24</b> The Commissioner shall</p> <ul style="list-style-type: none"> <li><b>(a)</b> develop and conduct information programs to foster public understanding, and recognition of the purposes, of this Part;</li> <li><b>(b)</b> undertake and publish research that is related to the protection of personal information, including any such research that is requested by the Minister of Industry;</li> <li><b>(c)</b> encourage organizations to develop detailed policies and practices, including organizational codes of practice, to comply with Divisions 1 and 1.1; and</li> <li><b>(d)</b> promote, by any means that the Commissioner considers appropriate, the purposes of this Part.</li> </ul>

<b>PPCDA (BILL C-36)</b> <i>Protecting Privacy and Consumer Data Act</i>	<b>CPPA (BILL C-27)</b> <i>Consumer Privacy Protection Act</i>	<b>PIPEDA</b> <i>Personal Information Protection and Electronic Documents Act</i>
<ul style="list-style-type: none"> <li>• <b>(c)</b> in the form and manner that the Commission considers appropriate,</li> <li>• <b>(i)</b> develop and conduct information programs to foster public understanding of this Act and its purposes,</li> <li>• <b>(ii)</b> develop guidance materials and tools for organizations in relation to their compliance with this Act — including any guidance materials and tools that are requested by the Minister — in consultation with stakeholders, including any relevant federal government institutions,</li> <li>• <b>(iii)</b> undertake and publish research in relation to the protection of personal information, including any research that is requested by the Minister,</li> <li>• <b>(iv)</b> undertake and publish any research in relation to the operation or implementation of this Act that is requested by the Minister,</li> <li>• <b>(v)</b> on request by an organization, provide guidance on — and, if the Commission considers it appropriate, recommend corrective measures in relation to — its privacy management program, and</li> <li>• <b>(vi)</b> promote, by any other means that the Commission considers appropriate, the purpose of this Act.</li> </ul>	<p>of this Act that is requested by the Minister;</p> <ul style="list-style-type: none"> <li>• <b>(e)</b> on request by an organization, provide guidance on — and, if the Commissioner considers it appropriate, recommend corrective measures in relation to — its privacy management program; and</li> <li>• <b>(f)</b> promote, by any other means that the Commissioner considers appropriate, the purposes of this Act.</li> </ul> <p><b>For greater certainty</b></p> <p><b>(2)</b> For greater certainty, for the purpose of paragraph (1)(e), the Commissioner may prioritize the requests of organizations that the Commissioner considers to be in greatest need of guidance and is not required to act on a request that the Commissioner considers unreasonable.</p>	
<p><b>Factors to take into account</b></p>		

<b>PPCDA (BILL C-36)</b> <i>Protecting Privacy and Consumer Data Act</i>	<b>CPPA (BILL C-27)</b> <i>Consumer Privacy Protection Act</i>	<b>PIPEDA</b> <i>Personal Information Protection and Electronic Documents Act</i>
<p><b>77</b> In exercising any powers or performing any duties or functions under this Act, the Commission must take into account all relevant factors, including, if applicable,</p> <ul style="list-style-type: none"> <li>• <b>(a)</b> the purpose of this Act;</li> <li>• <b>(b)</b> the size and revenue of organizations;</li> <li>• <b>(c)</b> the volume of the personal information under the control of organizations and the sensitivity of that information;</li> <li>• <b>(d)</b> the best interests of children;</li> <li>• <b>(e)</b> the importance of respecting Canada's international trade obligations;</li> <li>• <b>(f)</b> the importance of supporting economic growth, competition and innovation in the Canadian marketplace; and</li> <li>• <b>(g)</b> any other matter of general public interest.</li> </ul>		
	<p><b>Response by Commissioner</b></p> <p><b>78</b> The Commissioner must respond in writing to an application under subsection 76(2) or 77(1) in the time specified in the regulations.</p>	<p>[No equivalent provision]</p>
<p><b>Information — powers, duties or functions</b></p> <p><b>78 (1)</b> The Commission must make readily available information on the manner in which it, the Commissioner and the Division exercise their</p>	<p><b>Information — powers, duties or functions</b></p> <p><b>112</b> The Commissioner must make readily available information on the manner in which the Commissioner exercises the Commissioner's</p>	<p>[No equivalent provision]</p>

<b>PPCDA (BILL C-36)</b> <i>Protecting Privacy and Consumer Data Act</i>	<b>CPPA (BILL C-27)</b> <i>Consumer Privacy Protection Act</i>	<b>PIPEDA</b> <i>Personal Information Protection and Electronic Documents Act</i>
<p>powers and perform their duties and functions under this Act.</p> <p><b>Guidance material</b></p> <p>(2) The Commission must develop, in consultation with the Minister and stakeholders, guidance material respecting the exercise or performance of the powers, duties and functions of the Commission, the Commissioner and the Division in relation to enforcement and dispute resolution under this Act, including in respect of</p> <ul style="list-style-type: none"> <li>• (a) the decision to initiate a complaint under subsection 97(2);</li> <li>• (b) the handling of complaints, including the decision as to whether to initiate or discontinue an investigation and the conduct of proceedings in respect of an application referred to in section 109 or an interim order referred to in subsection 123(4);</li> <li>• (c) the dispute resolution mechanisms referred to in section 101;</li> <li>• (d) the compliance agreements referred to in section 102 and 103;</li> <li>• (e) the proposed orders referred to in subsections 107(3) and 108(3) and compliance orders referred to in subsection 110(1);</li> <li>• (f) the administrative monetary penalty scheme; and</li> </ul>	<p>powers or performs the Commissioner’s duties or functions under this Act.</p>	

<b>PPCDA (BILL C-36)</b> <i>Protecting Privacy and Consumer Data Act</i>	<b>CPPA (BILL C-27)</b> <i>Consumer Privacy Protection Act</i>	<b>PIPEDA</b> <i>Personal Information Protection and Electronic Documents Act</i>
<ul style="list-style-type: none"> <li>• <b>(g)</b> the audits referred to in section 118.</li> </ul> <p><b>Availability of material</b></p> <p><b>(3)</b> The Commission must make the guidance material available in a form and manner that it considers appropriate.</p>		
<p><b>Agreements or arrangements — Minister</b></p> <p><b>79</b> The Commission may enter into an agreement or arrangement with the Minister that relates to the administration of this Act.</p>		<p>[No equivalent provision]</p>
<p><b>Agreements or arrangements — CRTC, Commissioner of Competition, etc.</b></p> <p><b>80 (1)</b> The Commission may enter into agreements or arrangements with the Canadian Radio-television and Telecommunications Commission, the Commissioner of Competition or any other prescribed entity in order to</p> <ul style="list-style-type: none"> <li>• <b>(a)</b> coordinate the activities of their respective offices, including providing for mechanisms for handling complaints of mutual interest;</li> <li>• <b>(b)</b> undertake and publish research on issues of mutual interest; and</li> <li>• <b>(c)</b> develop procedures for disclosing information referred to in subsection (2).</li> </ul> <p>The Commission must, if the Commission considers it appropriate to do so, carry out those objectives in a manner that promotes regulatory consistency.</p>	<p><b>Agreements or arrangements — CRTC and Commissioner of Competition</b></p> <p><b>118 (1)</b> The Commissioner may enter into agreements or arrangements with the Canadian Radio-television and Telecommunications Commission or the Commissioner of Competition in order to</p> <ul style="list-style-type: none"> <li>• <b>(a)</b> undertake and publish research on issues of mutual interest; and</li> <li>• <b>(b)</b> develop procedures for disclosing information referred to in subsection (2).</li> </ul> <p><b>Disclosure of information</b></p> <p><b>(2)</b> The Commissioner may, in accordance with any procedure established under paragraph (1)(b), disclose information, other than information the Commissioner has received under section 10 or paragraph 110(1)(e), to the Canadian Radio-television and Telecommunications Commission or</p>	<p>General</p> <p><b>Confidentiality</b></p> <p><b>20 (1)</b> Subject to subsections (2) to (7), 12(3), 12.2(3), 13(3), 19(1), 23(3) and 23.1(1) and section 25, the Commissioner or any person acting on behalf or under the direction of the Commissioner shall not disclose any information that comes to their knowledge as a result of the performance or exercise of any of the Commissioner's duties or powers under this Part other than those referred to in subsection 10.1(1) or 10.3(2).</p> <p><b>Confidentiality — reports and records</b></p> <p><b>(1.1)</b> Subject to subsections (2) to (7), 12(3), 12.2(3), 13(3), 19(1), 23(3) and 23.1(1) and section 25, the Commissioner or any person acting on behalf or under the direction of the Commissioner shall not disclose any information contained in a report made under subsection 10.1(1) or in a record obtained under subsection 10.3(2).</p> <p><b>Public interest</b></p>

<b>PPCDA (BILL C-36)</b> <i>Protecting Privacy and Consumer Data Act</i>	<b>CPPA (BILL C-27)</b> <i>Consumer Privacy Protection Act</i>	<b>PIPEDA</b> <i>Personal Information Protection and Electronic Documents Act</i>
<p><b>Disclosure of information</b></p> <p>(2) The Commission may, in accordance with any procedure developed under paragraph (1)(c), disclose information, other than information that it has received under subsection 10(1) or subparagraph 76(c)(v), to the Canadian Radio-television and Telecommunications Commission, the Commissioner of Competition or a prescribed entity referred to in subsection (1) if the information is relevant to their powers, duties or functions.</p> <p><b>Purpose and confidentiality</b></p> <p>(3) The procedures referred to in paragraph (1)(c) must</p> <ul style="list-style-type: none"> <li>(a) restrict the use of the information to the purpose for which it was originally disclosed; and</li> <li>(b) stipulate that the information be treated in a confidential manner and that it not be further disclosed without the express consent of the <b>Commission</b>.</li> </ul>	<p>the Commissioner of Competition if the information is relevant to their powers, duties or functions.</p> <p><b>Purpose and confidentiality</b></p> <p>(3) The procedures referred to in paragraph (1)(b) must</p> <ul style="list-style-type: none"> <li>(a) restrict the use of the information to the purpose for which it was originally disclosed; and</li> <li>(b) stipulate that the information be treated in a confidential manner and not be further disclosed without the express consent of the <b>Commissioner</b>.</li> </ul>	<p>(2) The Commissioner may, if the Commissioner considers that it is in the public interest to do so, make public any information that comes to his or her knowledge in the performance or exercise of any of his or her duties or powers under this Part.</p> <p><b>Disclosure of necessary information</b></p> <p>(3) The Commissioner may disclose, or may authorize any person acting on behalf or under the direction of the Commissioner to disclose, information that in the Commissioner's opinion is necessary to</p> <ul style="list-style-type: none"> <li>(a) conduct an investigation or audit under this Part; or</li> <li>(b) establish the grounds for findings and recommendations contained in any report under this Part.</li> </ul> <p><b>Disclosure in the course of proceedings</b></p> <p>(4) The Commissioner may disclose, or may authorize any person acting on behalf or under the direction of the Commissioner to disclose, information in the course of</p> <ul style="list-style-type: none"> <li>(a) a prosecution for an offence under section 28;</li> <li>(b) a prosecution for an offence under section 132 of the <i>Criminal Code</i> (perjury) in respect of a statement made under this Part;</li> <li>(c) a hearing before the Court under this Part;</li> <li>(d) an appeal from a decision of the Court; or</li> </ul>

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		<p><b>(e)</b> a judicial review in relation to the performance or exercise of any of the Commissioner’s duties or powers under this Part.</p> <p><b>Disclosure of offence authorized</b></p> <p><b>(5)</b> The Commissioner may disclose to the Attorney General of Canada or of a province, as the case may be, information relating to the commission of an offence against any law of Canada or a province on the part of an officer or employee of an organization if, in the Commissioner’s opinion, there is evidence of an offence.</p> <p><b>Disclosure of breach of security safeguards</b></p> <p><b>(6)</b> The Commissioner may disclose, or may authorize any person acting on behalf or under the direction of the Commissioner to disclose to a government institution or a part of a government institution, any information contained in a report made under subsection 10.1(1) or in a record obtained under subsection 10.3(2) if the Commissioner has reasonable grounds to believe that the information could be useful in the investigation of a contravention of the laws of Canada or a province that has been, is being or is about to be committed.</p> <p><b><u>Disclosure</u></b></p> <p><b>(7)</b> <u>The Commissioner may disclose information, or may authorize any person acting on behalf or under the direction of the Commissioner to disclose information, in the course of proceedings in which the Commissioner has intervened under paragraph 50(c) of <i>An Act to promote the efficiency and adaptability of the Canadian economy by regulating certain activities that discourage reliance on electronic means of carrying out commercial activities, and to amend the</i></u></p>

<b>PPCDA (BILL C-36)</b> <i>Protecting Privacy and Consumer Data Act</i>	<b>CPPA (BILL C-27)</b> <i>Consumer Privacy Protection Act</i>	<b>PIPEDA</b> <i>Personal Information Protection and Electronic Documents Act</i>
		<u>Canadian Radio-television and Telecommunications Commission Act, the Competition Act, the Personal Information Protection and Electronic Documents Act and the Telecommunications Act or in accordance with subsection 58(3) or 60(1) of that Act.</u>
<p><b>Consultations with provinces</b></p> <p><b>81 (1)</b> If the <b>Commission</b> considers it appropriate to do so, or on request by an interested person, the Commission may, in order to ensure that personal information is protected in as consistent a manner as possible, consult with any person who, under provincial legislation, has powers, duties and functions similar to its own, to those of the Commissioner or to those of the Division with respect to the protection of personal information.</p> <p><b>Agreements or arrangements with provinces</b></p> <p><b>(2)</b> The <b>Commission</b> may enter into agreements or arrangements with any person referred to in subsection (1) in order to</p> <ul style="list-style-type: none"> <li>• <b>(a)</b> coordinate the activities of their respective offices, including providing for mechanisms for handling complaints in which they are mutually interested;</li> <li>• <b>(b)</b> undertake and publish research, or develop and publish guidelines or other documents, related to the protection of personal information;</li> <li>• <b>(c)</b> develop model contracts or other documents related to the protection of personal information that is collected,</li> </ul>	<p><b>Consultations with provinces</b></p> <p><b>119 (1)</b> If the Commissioner considers it appropriate to do so, or on the request of an interested person, the Commissioner may, in order to ensure that personal information is protected in as consistent a manner as possible, consult with any person who, under provincial legislation, has powers, duties and functions similar to those of the Commissioner with respect to the protection of personal information.</p> <p><b>Agreements or arrangements with provinces</b></p> <p><b>(2)</b> The <b>Commissioner</b> may enter into agreements or arrangements with any person referred to in subsection (1) in order to</p> <ul style="list-style-type: none"> <li>• <b>(a)</b> coordinate the activities of their offices and the office of the Commissioner, including to provide for mechanisms for the handling of any complaint in which they are mutually interested;</li> <li>• <b>(b)</b> undertake and publish research or develop and publish guidelines or other documents related to the protection of personal information;</li> <li>• <b>(c)</b> develop model contracts or other documents related to the protection of personal information that is collected,</li> </ul>	<p><b>Consultations with provinces</b></p> <p><b>23 (1)</b> If the Commissioner considers it appropriate to do so, or on the request of an interested person, the Commissioner may, in order to ensure that personal information is protected in as consistent a manner as possible, consult with any person who, under provincial legislation, has functions and duties similar to those of the Commissioner with respect to the protection of such information.</p> <p><b>Agreements or arrangements with provinces</b></p> <p><b>(2)</b> The Commissioner may enter into agreements or arrangements with any person referred to in subsection (1) in order to</p> <ul style="list-style-type: none"> <li>• <b>(a)</b> coordinate the activities of their offices and the office of the Commissioner, including to provide for mechanisms for the handling of any complaint in which they are mutually interested;</li> <li>• <b>(b)</b> undertake and publish research or develop and publish guidelines or other instruments related to the protection of personal information;</li> <li>• <b>(c)</b> develop model contracts or other instruments for the protection of personal information that is collected, used or disclosed interprovincially or internationally; and</li> </ul>

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<p>used or disclosed interprovincially or internationally; and</p> <ul style="list-style-type: none"> <li>• <b>(d)</b> develop procedures for disclosing information referred to in subsection (3).</li> </ul> <p><b>Disclosure of information to provinces</b></p> <p><b>(3)</b> The <b>Commission</b> may, in accordance with any procedure developed under paragraph (2)(d), disclose information, other than information that it has received under subsection 10(1) or subparagraph 76(c)(v), to any person referred to in subsection (1) if the information</p> <ul style="list-style-type: none"> <li>• <b>(a)</b> could be relevant to the — ongoing or potential — investigation of a complaint, proceeding in respect of an application referred to in section 109, proceeding in respect of an interim order referred to in subsection 123(4) or audit carried out under this Act or provincial legislation that has objectives that are similar to this Act; or</li> <li>• <b>(b)</b> could assist that person, the <b>Commission</b>, the Commissioner or the Division in the exercise of their powers or the performance of their duties or functions with respect to the protection of personal information.</li> </ul> <p><b>Purpose and confidentiality</b></p> <p><b>(4)</b> The procedures referred to in paragraph (2)(d) must</p>	<p>used or disclosed interprovincially or internationally; and</p> <ul style="list-style-type: none"> <li>• <b>(d)</b> develop procedures for disclosing information referred to in subsection (3).</li> </ul> <p><b>Disclosure of information to provinces</b></p> <p><b>(3)</b> The <b>Commissioner</b> may, in accordance with any procedure established under paragraph (2)(d), disclose information, other than information the Commissioner has received under section 10 or paragraph 110(1)(e), to any person referred to in subsection (1), if the information</p> <ul style="list-style-type: none"> <li>• <b>(a)</b> could be relevant to an ongoing or potential investigation of a complaint, inquiry or audit under this Act or provincial legislation that has objectives that are similar to this Act; or</li> <li>• <b>(b)</b> could assist the <b>Commissioner</b> or that person in the exercise of their powers or the performance of their duties or functions with respect to the protection of personal information.</li> </ul> <p><b>Purpose and confidentiality</b></p> <p><b>(4)</b> The procedures referred to in paragraph (2)(d) must</p> <ul style="list-style-type: none"> <li>• <b>(a)</b> restrict the use of the information to the purpose for which it was originally disclosed; and</li> <li>• <b>(b)</b> stipulate that the information be treated in a confidential manner and not</li> </ul>	<ul style="list-style-type: none"> <li>• <b>(d)</b> develop procedures for sharing information referred to in subsection (3).</li> </ul> <p><b>Sharing of information with provinces</b></p> <p><b>(3)</b> The Commissioner may, in accordance with any procedure established under paragraph (2)(d), share information with any person referred to in subsection (1), if the information</p> <ul style="list-style-type: none"> <li>• <b>(a)</b> could be relevant to an ongoing or potential investigation of a complaint or audit under this Part or provincial legislation that has objectives that are similar to this Part; or</li> <li>• <b>(b)</b> could assist the Commissioner or that person in the exercise of their functions and duties with respect to the protection of personal information.</li> </ul> <p><b>Purpose and confidentiality</b></p> <p><b>(4)</b> The procedures referred to in paragraph (2)(d) shall</p> <ul style="list-style-type: none"> <li>• <b>(a)</b> restrict the use of the information to the purpose for which it was originally shared; and</li> <li>• <b>(b)</b> stipulate that the information be treated in a confidential manner and not be further disclosed without the express consent of the Commissioner.</li> </ul>

<b>PPCDA (BILL C-36)</b> <i>Protecting Privacy and Consumer Data Act</i>	<b>CPPA (BILL C-27)</b> <i>Consumer Privacy Protection Act</i>	<b>PIPEDA</b> <i>Personal Information Protection and Electronic Documents Act</i>
<ul style="list-style-type: none"> <li>• <b>(a)</b> restrict the use of the information to the purpose for which it was originally disclosed; and</li> <li>• <b>(b)</b> stipulate that the information be treated in a confidential manner and that it not be further disclosed without the express consent of the <b>Commission</b>.</li> </ul>	<p>be further disclosed without the express consent of the <b>Commissioner</b>.</p>	
<p><b>Disclosure of information to foreign state</b></p> <p><b>82 (1)</b> Subject to subsection (3), the Commission may, in accordance with any procedure developed under paragraph (4)(b), disclose information referred to in subsection (2), other than information that it has received under subsection 10(1) or subparagraph 76(c)(v), to any person or body that, under the legislation of a foreign state, has</p> <ul style="list-style-type: none"> <li>• <b>(a)</b> powers, duties and functions similar to those of the <b>Commission, Commissioner or Division</b> with respect to the protection of personal information; or</li> <li>• <b>(b)</b> responsibilities that relate to conduct that is substantially similar to conduct that would be in contravention of this Act.</li> </ul> <p><b>Information that can be disclosed</b></p> <p><b>(2)</b> The Commission is authorized to disclose information that it believes</p> <ul style="list-style-type: none"> <li>• <b>(a)</b> could be relevant to an — ongoing or potential — investigation or proceeding in respect of a contravention of the laws of a foreign state that address conduct that is</li> </ul>	<p><b>Disclosure of information to foreign state</b></p> <p><b>120 (1)</b> Subject to subsection (3), the Commissioner may, in accordance with any procedure established under paragraph (4)(b), disclose information referred to in subsection (2), other than information the Commissioner has received under section 10 or paragraph 110(1)(e), that has come to the Commissioner’s knowledge as a result of the exercise of any of the Commissioner’s powers or the performance of any of the Commissioner’s duties and functions under this Act to any person or body who, under the legislation of a foreign state, has</p> <ul style="list-style-type: none"> <li>• <b>(a)</b> powers, duties and functions similar to those of the <b>Commissioner</b> with respect to the protection of personal information; or</li> <li>• <b>(b)</b> responsibilities that relate to conduct that is substantially similar to conduct that would be in contravention of this Act.</li> </ul> <p><b>Information that can be disclosed</b></p> <p><b>(2)</b> The information that the Commissioner is authorized to disclose under subsection (1) is information that the Commissioner believes</p>	<p><b>Disclosure of information to foreign state</b></p> <p><b>23.1 (1)</b> Subject to subsection (3), the Commissioner may, in accordance with any procedure established under paragraph (4)(b), disclose information referred to in subsection (2) that has come to the Commissioner’s knowledge as a result of the performance or exercise of any of the Commissioner’s duties or powers under this Part to any person or body who, under the legislation of a foreign state, has</p> <ul style="list-style-type: none"> <li>• <b>(a)</b> functions and duties similar to those of the Commissioner with respect to the protection of personal information; or</li> <li>• <b>(b)</b> responsibilities that relate to conduct that is substantially similar to conduct that would be in contravention of this Part.</li> </ul> <p><b>Information that can be shared</b></p> <p><b>(2)</b> The information that the Commissioner is authorized to disclose under subsection (1) is information that the Commissioner believes</p> <ul style="list-style-type: none"> <li>• <b>(a)</b> would be relevant to an ongoing or potential investigation or proceeding in respect of a contravention of the laws of a foreign state that address conduct that is substantially similar to</li> </ul>

<b>PPCDA (BILL C-36)</b> <i>Protecting Privacy and Consumer Data Act</i>	<b>CPPA (BILL C-27)</b> <i>Consumer Privacy Protection Act</i>	<b>PIPEDA</b> <i>Personal Information Protection and Electronic Documents Act</i>
<p>substantially similar to conduct that would be in contravention of this Act; or</p> <ul style="list-style-type: none"> <li>(b) is necessary to disclose in order to obtain from the person or body information that could be relevant to an — ongoing or potential — investigation, proceeding in respect of an application referred to in section 109, proceeding in respect of an interim order referred to in subsection 123(4) or audit carried out under this Act.</li> </ul> <p><b>Written arrangements</b></p> <p>(3) The Commission may only disclose information to the person or body if the Commission has entered into a written arrangement with the person or body that</p> <ul style="list-style-type: none"> <li>(a) limits the disclosure of information to what is necessary for the purpose set out in paragraph (2)(a) or (b);</li> <li>(b) restricts the use of the information to the purpose for which it was originally disclosed; and</li> <li>(c) stipulates that the information be treated in a confidential manner and that it not be further disclosed without the express consent of the Commission.</li> </ul> <p><b>Arrangements</b></p> <p>(4) The Commission may enter into arrangements with one or more persons or bodies referred to in subsection (1) in order to</p>	<ul style="list-style-type: none"> <li>(a) would be relevant to an ongoing or potential investigation or proceeding in respect of a contravention of the laws of a foreign state that address conduct that is substantially similar to conduct that would be in contravention of this Act; or</li> <li>(b) is necessary to disclose in order to obtain from the person or body information that may be useful to an ongoing or potential investigation, inquiry or audit under this Act.</li> </ul> <p><b>Written arrangements</b></p> <p>(3) The Commissioner may only disclose information to the person or body referred to in subsection (1) if the Commissioner has entered into a written arrangement with that person or body that</p> <ul style="list-style-type: none"> <li>(a) limits the information to be disclosed to that which is necessary for the purpose set out in paragraph (2)(a) or (b);</li> <li>(b) restricts the use of the information to the purpose for which it was originally disclosed; and</li> <li>(c) stipulates that the information be treated in a confidential manner and not be further disclosed without the express consent of the Commissioner.</li> </ul>	<p>conduct that would be in contravention of this Part; or</p> <ul style="list-style-type: none"> <li>(b) is necessary to disclose in order to obtain from the person or body information that may be useful to an ongoing or potential investigation or audit under this Part.</li> </ul> <p><b>Written arrangements</b></p> <p>(3) The Commissioner may only disclose information to the person or body referred to in subsection (1) if the Commissioner has entered into a written arrangement with that person or body that</p> <ul style="list-style-type: none"> <li>(a) limits the information to be disclosed to that which is necessary for the purpose set out in paragraph (2)(a) or (b);</li> <li>(b) restricts the use of the information to the purpose for which it was originally shared; and</li> <li>(c) stipulates that the information be treated in a confidential manner and not be further disclosed without the express consent of the Commissioner.</li> </ul> <p><b>Arrangements</b></p> <p>(4) The Commissioner may enter into arrangements with one or more persons or bodies referred to in subsection (1) in order to</p> <ul style="list-style-type: none"> <li>(a) provide for cooperation with respect to the enforcement of laws protecting personal information, including the sharing of information referred to in subsection (2) and the provision of mechanisms for the handling of any complaint in which they are mutually interested;</li> </ul>

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<ul style="list-style-type: none"> <li>• <b>(a)</b> provide for cooperation with respect to the enforcement of laws protecting personal information, including the disclosure of information referred to in subsection (2) and the provision of mechanisms for handling complaints of <b>mutual interest</b>;</li> <li>• <b>(b)</b> develop procedures for disclosing information referred to in subsection (2);</li> <li>• <b>(c)</b> develop recommendations, resolutions, rules, standards or other documents with respect to the protection of personal information;</li> <li>• <b>(d)</b> undertake and publish research related to the protection of personal information;</li> <li>• <b>(e)</b> share knowledge and expertise by different means, including through staff exchanges; <b>and</b></li> <li>• <b>(f)</b> identify issues of mutual interest and determine priorities pertaining to the protection of personal information.</li> </ul>	<p><b>Arrangements</b></p> <p><b>(4)</b> The <b>Commissioner</b> may enter into arrangements with one or more persons or bodies referred to in subsection (1) in order to</p> <ul style="list-style-type: none"> <li>• <b>(a)</b> provide for cooperation with respect to the enforcement of laws protecting personal information, including the disclosure of information referred to in subsection (2) and the provision of mechanisms for the handling of any complaint in which they are <b>mutually interested</b>;</li> <li>• <b>(b)</b> establish procedures for disclosing information referred to in subsection (2);</li> <li>• <b>(c)</b> develop recommendations, resolutions, rules, standards or other documents with respect to the protection of personal information;</li> <li>• <b>(d)</b> undertake and publish research related to the protection of personal information;</li> <li>• <b>(e)</b> share knowledge and expertise by different means, including through staff exchanges; <b>or</b></li> <li>• <b>(f)</b> identify issues of mutual interest and determine priorities pertaining to the protection of personal information.</li> </ul>	<ul style="list-style-type: none"> <li>• <b>(b)</b> establish procedures for sharing information referred to in subsection (2);</li> <li>• <b>(c)</b> develop recommendations, resolutions, rules, standards or other instruments with respect to the protection of personal information;</li> <li>• <b>(d)</b> undertake and publish research related to the protection of personal information;</li> <li>• <b>(e)</b> share knowledge and expertise by different means, including through staff exchanges; <b>or</b></li> <li>• <b>(f)</b> identify issues of mutual interest and determine priorities pertaining to the protection of personal information.</li> </ul>
<p><b>Annual report</b></p> <p><b>83 (1)</b> The Commission must include in the report referred to in subsection 21(1) of the <i>Digital</i></p>	<p><b>Annual report</b></p> <p><b>121 (1)</b> The Commissioner must, within three months after the end of each financial year, cause</p>	<p><b>Annual report</b></p> <p><b>25 (1)</b> The Commissioner shall, within three months after the end of each financial year, submit to</p>

<b>PPCDA (BILL C-36)</b> <i>Protecting Privacy and Consumer Data Act</i>	<b>CPPA (BILL C-27)</b> <i>Consumer Privacy Protection Act</i>	<b>PIPEDA</b> <i>Personal Information Protection and Electronic Documents Act</i>
<p><i>Safety and Data Protection Commission of Canada Act</i> information in respect of:</p> <ul style="list-style-type: none"> <li>• <b>(a)</b> the exercise of the powers, and the performance of the duties and functions, of the Commission, the Commissioner and the Division under this Act, including in relation to paragraph 76(c), section 77, subsections 78(2) and 80(1) and sections 86 and 90;</li> <li>• <b>(b)</b> the application of this Act; and</li> <li>• <b>(c)</b> the extent to which the provinces have enacted legislation that is substantially similar to this Act and the application of any such legislation.</li> </ul> <p><b>Consultation</b></p> <p><b>(2)</b> The Commission must consult with persons in the provinces who it believes are in a position to assist it in making a report on personal information that is collected, used or disclosed interprovincially or internationally.</p>	<p>to be tabled in each House of Parliament a report concerning the application of this Act, the extent to which the provinces have enacted legislation that is substantially similar to this Act and the application of any such legislation.</p> <p><b>Consultation</b></p> <p><b>(2)</b> Before preparing the report, the Commissioner must consult with those persons in the provinces who, in the Commissioner's opinion, are in a position to assist the Commissioner in making a report respecting personal information that is collected, used or disclosed interprovincially or internationally.</p>	<p>Parliament a report concerning the application of this Part, the extent to which the provinces have enacted legislation that is substantially similar to this Part and the application of any such legislation.</p> <p><b>Consultation</b></p> <p><b>(2)</b> Before preparing the report, the Commissioner shall consult with those persons in the provinces who, in the Commissioner's opinion, are in a position to assist the Commissioner in making a report respecting personal information that is collected, used or disclosed interprovincially or internationally.</p>
	<p><b>Exception</b></p> <p><b>84</b> Despite subsection 83(1), the Commissioner is not required to carry out an investigation in respect of an act referred to in a complaint if the Commissioner is of the opinion that the act, if proved, would constitute a contravention of any of sections 6 to 9 of <i>An Act to promote the efficiency and adaptability of the Canadian economy by regulating certain activities that discourage reliance on electronic means of carrying out commercial activities, and to amend the Canadian Radio-television and Telecommunications Commission Act, the Competition Act, the</i></p>	<p><b>Investigations of Complaints</b></p> <p><b>Examination of complaint by Commissioner</b></p> <p><b>12 (1)</b> The Commissioner shall conduct an investigation in respect of a complaint, unless the Commissioner is of the opinion that</p> <ul style="list-style-type: none"> <li>• <b>(a)</b> the complainant ought first to exhaust grievance or review procedures otherwise reasonably available;</li> </ul>

<b>PPCDA (BILL C-36)</b> <i>Protecting Privacy and Consumer Data Act</i>	<b>CPPA (BILL C-27)</b> <i>Consumer Privacy Protection Act</i>	<b>PIPEDA</b> <i>Personal Information Protection and Electronic Documents Act</i>
	<p><i>Personal Information Protection and Electronic Documents Act and the Telecommunications Act or section 52.01 of the Competition Act or would constitute conduct that is reviewable under section 74.011 of that Act.</i></p>	<ul style="list-style-type: none"> <li>• <b>(b)</b> the complaint could more appropriately be dealt with, initially or completely, by means of a procedure provided for under the laws of Canada, other than this Part, or the laws of a province;</li> <li>• <b>(c)</b> the complaint was not filed within a reasonable period after the day on which the subject matter of the complaint arose.</li> </ul> <p><b>Exception</b></p> <p><u><b>(2)</b> Despite subsection (1), the Commissioner is not required to conduct an investigation in respect of an act alleged in a complaint if the Commissioner is of the opinion that the act, if proved, would constitute a contravention of any of sections 6 to 9 of <i>An Act to promote the efficiency and adaptability of the Canadian economy by regulating certain activities that discourage reliance on electronic means of carrying out commercial activities, and to amend the Canadian Radio-television and Telecommunications Commission Act, the Competition Act, the Personal Information Protection and Electronic Documents Act and the Telecommunications Act or section 52.01 of the Competition Act or would constitute conduct that is reviewable under section 74.011 of that Act.</i></u></p> <p><b>Notification</b></p> <p><b>(3)</b> The Commissioner shall notify the complainant and the organization that the Commissioner will not investigate the complaint or any act alleged in the complaint and give reasons.</p> <p><b>Compelling reasons</b></p> <p><b>(4)</b> The Commissioner may reconsider a decision not to investigate under subsection (1), if the Commissioner is satisfied that the complainant has</p>

<b>PPCDA (BILL C-36)</b> <i>Protecting Privacy and Consumer Data Act</i>	<b>CPA (BILL C-27)</b> <i>Consumer Privacy Protection Act</i>	<b>PIPEDA</b> <i>Personal Information Protection and Electronic Documents Act</i>
		established that there are compelling reasons to investigate.
<p><b>Delegation</b></p> <p><b>84 (1)</b> The Commission may delegate, subject to any terms and conditions that it may specify, to any of its members, the Division or a division of the Commission established under section 8 of the <i>Digital Safety and Data Protection Commission of Canada Act</i> any of the powers, duties and functions conferred on it under this Act or the <i>Digital Safety and Data Protection Commission of Canada Act</i>, to the extent that those powers are exercised and those duties and functions are performed in connection with powers, duties and functions under this Act.</p> <p><b>Limitation — procedures and practices</b></p> <p><b>(2)</b> The Commission must not delegate its power referred to in section 9 of the <i>Digital Safety and Data Protection Commission of Canada Act</i> to establish rules respecting its procedures and practices in connection with matters to which this Act applies, except to the Commissioner or to the Division.</p> <p><b>Limitation — decision</b></p> <p><b>(3)</b> The Commission must not delegate the powers, duties and functions referred to in subsection 110(1), 121(1) or 123(4), except to a division of the Commission established under section 8 of the <i>Digital Safety and Data Protection Commission of Canada Act</i> or one or more members of the Commission other than the Commissioner.</p>	<p><b>Delegation</b></p> <p><b>100 (1)</b> The Commissioner may delegate any of the powers, duties or functions set out in sections 83 to 97 and subsection 99(1).</p> <p><b>Certificate of delegation</b></p> <p><b>(2)</b> Any person to whom powers set out in subsection 99(1) are delegated must be given a certificate of the delegation and the delegate must produce the certificate, on request, to the person in charge of any premises to be entered under paragraph (f) of that subsection.</p>	<p><b>Powers of Commissioner</b></p> <p><b>12.1 (1)</b> In the conduct of an investigation of a complaint, the Commissioner may</p> <ul style="list-style-type: none"> <li>• <b>(a)</b> summon and enforce the appearance of persons before the Commissioner and compel them to give oral or written evidence on oath and to produce any records and things that the Commissioner considers necessary to investigate the complaint, in the same manner and to the same extent as a superior court of record;</li> <li>• <b>(b)</b> administer oaths;</li> <li>• <b>(c)</b> receive and accept any evidence and other information, whether on oath, by affidavit or otherwise, that the Commissioner sees fit, whether or not it is or would be admissible in a court of law;</li> <li>• <b>(d)</b> at any reasonable time, enter any premises, other than a dwelling-house, occupied by an organization on satisfying any security requirements of the organization relating to the premises;</li> <li>• <b>(e)</b> converse in private with any person in any premises entered under paragraph (d) and otherwise carry out in those premises any inquiries that the Commissioner sees fit; and</li> <li>• <b>(f)</b> examine or obtain copies of or extracts from records found in any premises entered</li> </ul>

<b>PPCDA (BILL C-36)</b> <i>Protecting Privacy and Consumer Data Act</i>	<b>CPPA (BILL C-27)</b> <i>Consumer Privacy Protection Act</i>	<b>PIPEDA</b> <i>Personal Information Protection and Electronic Documents Act</i>
<p><b>Certificate of delegation</b></p> <p>(4) Any person to whom powers, duties or functions are delegated must be given a certificate of the delegation and the delegate must produce the certificate, on request, to the person in charge of any premises to be entered under paragraph 121(2)(e).</p>		<p>under paragraph (d) that contain any matter relevant to the investigation.</p> <p><b>Dispute resolution mechanisms</b></p> <p>(2) The Commissioner may attempt to resolve complaints by means of dispute resolution mechanisms such as mediation and conciliation.</p> <p><b>Delegation</b></p> <p>(3) The Commissioner may delegate any of the powers set out in subsection (1) or (2).</p> <p><b>Return of records</b></p> <p>(4) The Commissioner or the delegate shall return to a person or an organization any record or thing that they produced under this section within 10 days after they make a request to the Commissioner or the delegate, but nothing precludes the Commissioner or the delegate from again requiring that the record or thing be produced.</p> <p><b>Certificate of delegation</b></p> <p>(5) Any person to whom powers set out in subsection (1) are delegated shall be given a certificate of the delegation and the delegate shall produce the certificate, on request, to the person in charge of any premises to be entered under paragraph (1)(d).</p>
<p>Commissioner</p> <p><b>Designation</b></p> <p>85 (1) The Governor in Council must designate one of the members of the Commission, other</p>	<p><b>Powers of Commissioner</b></p> <p>81 The Commissioner may</p> <ul style="list-style-type: none"> <li>(a) request that an entity that operates an approved certification program provide the</li> </ul>	<p><b>Powers of Commissioner</b></p> <p>12.1 (1) In the conduct of an investigation of a complaint, the Commissioner may</p> <ul style="list-style-type: none"> <li>(a) summon and enforce the appearance of persons before the Commissioner and</li> </ul>

<b>PPCDA (BILL C-36)</b> <i>Protecting Privacy and Consumer Data Act</i>	<b>CPPA (BILL C-27)</b> <i>Consumer Privacy Protection Act</i>	<b>PIPEDA</b> <i>Personal Information Protection and Electronic Documents Act</i>
<p>than the Chairperson, to be the Privacy and Consumer Data Commissioner.</p> <p><b>Powers, duties and functions</b></p> <p>(2) The Commissioner may</p> <ul style="list-style-type: none"> <li>• (a) request that an entity that operates an approved certification program provide the Commissioner with information that relates to the program;</li> <li>• (b) cooperate with an entity that operates an approved certification program for the purpose of the exercise of the Commissioner's powers, and the performance of their duties and functions, under this Act;</li> <li>• (c) in the circumstances and according to the criteria set out in the regulations, recommend, in accordance with the regulations, to an entity that operates an approved certification program that an organization's certification be withdrawn if the Commissioner is of the opinion that the organization is not in compliance with the requirements of the program; and</li> <li>• (d) in accordance with the regulations, revoke an approval of a certification program in the circumstances and according to the criteria set out in the regulations.</li> </ul> <p><b>Acting Commissioner</b></p> <p>(3) If the Commissioner is absent or incapacitated or if their office is vacant, the Chairperson may</p>	<p>Commissioner with information that relates to the program;</p> <ul style="list-style-type: none"> <li>• (b) cooperate with an entity that operates an approved certification program for the purpose of the exercise of the Commissioner's powers and the performance of the Commissioner's duties and functions under this Act;</li> <li>• (c) in accordance with the regulations, recommend to an entity that operates an approved certification program that an organization's certification be withdrawn, in the circumstances and according to the criteria set out in the regulations, if the Commissioner is of the opinion that the organization is not in compliance with the requirements of the program;</li> <li>• (d) disclose information to the Commissioner of Competition, under an agreement or arrangement entered into under section 118, that relates to an entity that operates an approved certification program or an organization that is certified under an approved certification program;</li> <li>• (e) in accordance with the regulations, revoke an approval of a certification program in the circumstances and according to the criteria set out in the regulations; or</li> <li>• (f) consult with federal government institutions respecting codes of practice or certification programs.</li> </ul>	<p>compel them to give oral or written evidence on oath and to produce any records and things that the Commissioner considers necessary to investigate the complaint, in the same manner and to the same extent as a superior court of record;</p> <ul style="list-style-type: none"> <li>• (b) administer oaths;</li> <li>• (c) receive and accept any evidence and other information, whether on oath, by affidavit or otherwise, that the Commissioner sees fit, whether or not it is or would be admissible in a court of law;</li> <li>• (d) at any reasonable time, enter any premises, other than a dwelling-house, occupied by an organization on satisfying any security requirements of the organization relating to the premises;</li> <li>• (e) converse in private with any person in any premises entered under paragraph (d) and otherwise carry out in those premises any inquiries that the Commissioner sees fit; and</li> <li>• (f) examine or obtain copies of or extracts from records found in any premises entered under paragraph (d) that contain any matter relevant to the investigation.</li> </ul> <p>[...]</p>

<b>PPCDA (BILL C-36)</b> <i>Protecting Privacy and Consumer Data Act</i>	<b>CPPA (BILL C-27)</b> <i>Consumer Privacy Protection Act</i>	<b>PIPEDA</b> <i>Personal Information Protection and Electronic Documents Act</i>
<p>authorize another member of the Commission to act as Commissioner. The member is not, however, authorized to act as Commissioner for a period of more than 90 days without the approval of the Governor in Council.</p>		
<p><b>Factors to take into account</b></p> <p><b>86</b> In exercising any powers or performing any duties or functions under this Act, the Commissioner must take into account all relevant factors, including, if applicable,</p> <ul style="list-style-type: none"> <li>• <b>(a)</b> the purpose of this Act;</li> <li>• <b>(b)</b> the size and revenue of organizations;</li> <li>• <b>(c)</b> the volume of the personal information under the control of organizations and the sensitivity of that information;</li> <li>• <b>(d)</b> the best interests of children;</li> <li>• <b>(e)</b> the importance of respecting Canada’s international trade obligations;</li> <li>• <b>(f)</b> the importance of supporting economic growth, competition and innovation in the Canadian marketplace; and</li> <li>• <b>(g)</b> any other matter of general public interest.</li> </ul>		<p>[No equivalent provision]</p>
<p><b>Prohibition — use for initiating complaint or audit</b></p>	<p><b>Prohibition — use for initiating complaint or audit</b></p>	<p>[No equivalent provision]</p>

<b>PPCDA (BILL C-36)</b> <i>Protecting Privacy and Consumer Data Act</i>	<b>CPPA (BILL C-27)</b> <i>Consumer Privacy Protection Act</i>	<b>PIPEDA</b> <i>Personal Information Protection and Electronic Documents Act</i>
<p><b>87</b> The Commissioner must not use the information that the Commission receives under subsection 10(1) or subparagraph 76(c)(v) as grounds to initiate a complaint under subsection 97(2) or to carry out an audit under section 118, unless the Commissioner considers that the organization has wilfully disregarded the corrective measures that were recommended in relation to its privacy management program.</p>	<p><b>111</b> The Commissioner must not use the information the Commissioner receives under section 10 or paragraph 110(1)(e) as grounds to initiate a complaint under subsection 82(2) or to carry out an audit under section 97 unless the Commissioner considers that the organization has wilfully disregarded the corrective measures that were recommended in relation to its privacy management program.</p>	
<p><b>Delegation</b></p> <p><b>88 (1)</b> The Commissioner may delegate, subject to any terms and conditions that they may specify, any of the powers, duties and functions conferred on them, other than those referred to in subsection 105(1), section 106 and paragraph 122(1)(d),</p> <ul style="list-style-type: none"> <li>• <b>(a)</b> to any employee of the Commission; and</li> <li>• <b>(b)</b> with the consent of the Chairperson, to the Division, a division of the Commission established under section 8 of the <i>Digital Safety and Data Protection Commission of Canada Act</i> or one or more other members of the Commission.</li> </ul> <p><b>Certificate of delegation</b></p> <p><b>(2)</b> Any person to whom powers, duties or functions set out in paragraphs 122(1)(a) to (c) and (e) to (h) are delegated must be given a certificate of the delegation and the delegate must produce the certificate, on request, to the person in charge of any premises to be entered under paragraph (f) of that subsection.</p>		<p>[No equivalent provision]</p>

<b>PPCDA (BILL C-36)</b> <i>Protecting Privacy and Consumer Data Act</i>	<b>CPPA (BILL C-27)</b> <i>Consumer Privacy Protection Act</i>	<b>PIPEDA</b> <i>Personal Information Protection and Electronic Documents Act</i>
<p>Division</p> <p><b>Division established</b></p> <p><b>89 (1)</b> The Privacy and Consumer Data Division is established and composed of the Commissioner and at least one other member of the Commission assigned by the Commission.</p> <p><b>Other powers, duties and functions</b></p> <p><b>(2)</b> The members who compose the Division, other than the Commissioner, may continue to exercise any power and perform any duty or function that they are authorized to exercise or perform under any other Act of Parliament.</p>		<p>[No equivalent provision]</p>
<p><b>Factors to take into account</b></p> <p><b>90</b> In exercising any powers or performing any duties or functions under this Act, the Division must take into account all relevant factors, including, if applicable,</p> <ul style="list-style-type: none"> <li>• <b>(a)</b> the purpose of this Act;</li> <li>• <b>(b)</b> the size and revenue of organizations;</li> <li>• <b>(c)</b> the volume and sensitivity of the personal information under the control of organizations;</li> <li>• <b>(d)</b> the best interests of children;</li> <li>• <b>(e)</b> the importance of respecting Canada's international trade obligations;</li> <li>• <b>(f)</b> the importance of supporting economic growth, competition and</li> </ul>		<p>[No equivalent provision]</p>

<b>PPCDA (BILL C-36)</b> <i>Protecting Privacy and Consumer Data Act</i>	<b>CPPA (BILL C-27)</b> <i>Consumer Privacy Protection Act</i>	<b>PIPEDA</b> <i>Personal Information Protection and Electronic Documents Act</i>
<p>innovation in the Canadian marketplace; and</p> <ul style="list-style-type: none"> <li>• <b>(g)</b> any other matter of general public interest.</li> </ul>		
<p><b>Delegation</b></p> <p><b>91 (1)</b> The Division may delegate to one or more members of the Commission, or to any of its employees, any of the powers, duties and functions conferred on the Division, subject to any terms and conditions that it may specify.</p> <p><b>Limitation</b></p> <p><b>(2)</b> The Division must not delegate, without the consent of the Chairperson, any of its powers, duties or functions to a member of the Commission who has not been assigned to the Division.</p>		<p>[No equivalent provision]</p>
	<p><b>Nature of inquiries</b></p> <p><b>91 (1)</b> Subject to subsection (2), the Commissioner is not bound by any legal or technical rules of evidence in conducting an inquiry and must deal with the matter as informally and expeditiously as the circumstances and considerations of fairness and natural justice permit.</p> <p><b>Restriction</b></p> <p><b>(2)</b> The Commissioner must not receive or accept as evidence anything that would be inadmissible in a court by reason of any privilege under the law of evidence.</p>	<p>[No equivalent provision]</p>

<b>PPCDA (BILL C-36)</b> <i>Protecting Privacy and Consumer Data Act</i>	<b>CPPA (BILL C-27)</b> <i>Consumer Privacy Protection Act</i>	<b>PIPEDA</b> <i>Personal Information Protection and Electronic Documents Act</i>
	<p><b>Opportunity to be heard</b></p> <p>(3) In conducting the inquiry, the Commissioner must give the organization and the complainant an opportunity to be heard and to be assisted or represented by counsel or by any person.</p> <p><b>Inquiry in private</b></p> <p>(4) The Commissioner may hold all or any part of the inquiry in private.</p>	
<p>Codes of Practice and Certification Programs</p> <p><b>Definition of <i>entity</i></b></p> <p>92 (1) In this section and sections 93 to 96, <b><i>entity</i></b> includes any organization, regardless of whether it is an organization to which this Act applies, or a government institution.</p> <p><b>Code of practice</b></p> <p>(2) An entity may, in accordance with the regulations, apply to the Division for approval of a code of practice that provides for substantially the same or greater protection of personal information as some or all of the protection provided under this Act.</p> <p><b>Approval by Division</b></p> <p>(3) The Division may approve the code of practice if the Division determines that the code meets the criteria set out in the regulations.</p>	<p><b>PART 2</b></p> <p>Commissioner’s Powers, Duties and Functions and General Provisions</p> <p>Codes of Practice and Certification Programs</p> <p><b>Definition of <i>entity</i></b></p> <p>76 (1) For the purpose of this section and sections 77 to 81, <b><i>entity</i></b> includes any organization, regardless of whether it is an organization to which this Act applies, or a government institution.</p> <p><b>Code of practice</b></p> <p>(2) An entity may, in accordance with the regulations, apply to the Commissioner for approval of a code of practice that provides for substantially the same or greater protection of personal information as some or all of the protection provided under this Act.</p> <p><b>Approval by Commissioner</b></p>	<p>[No equivalent provision]</p>

<b>PPCDA (BILL C-36)</b> <i>Protecting Privacy and Consumer Data Act</i>	<b>CPPA (BILL C-27)</b> <i>Consumer Privacy Protection Act</i>	<b>PIPEDA</b> <i>Personal Information Protection and Electronic Documents Act</i>
	<p><b>(3)</b> The Commissioner may approve the code of practice if the Commissioner determines that the code meets the criteria set out in the regulations.</p>	
<p><b>Certification program</b></p> <p><b>93 (1)</b> An entity may, in accordance with the regulations, apply to the Division for approval of a certification program that includes</p> <ul style="list-style-type: none"> <li>• <b>(a)</b> a code of practice that provides for substantially the same or greater protection of personal information as some or all of the protection provided under this Act;</li> <li>• <b>(b)</b> guidelines for interpreting and implementing the code of practice;</li> <li>• <b>(c)</b> a mechanism by which an entity that operates the program may certify that an organization is in compliance with the code of practice;</li> <li>• <b>(d)</b> a mechanism for the independent verification of an organization’s compliance with the code of practice;</li> <li>• <b>(e)</b> disciplinary measures for non-compliance with the code of practice by an organization, including the revocation of an organization’s certification; and</li> <li>• <b>(f)</b> anything else that is provided in the regulations.</li> </ul> <p><b>Approval by Division</b></p>	<p><b>Certification program</b></p> <p><b>77 (1)</b> An entity may, in accordance with the regulations, apply to the Commissioner for approval of a certification program that includes</p> <ul style="list-style-type: none"> <li>• <b>(a)</b> a code of practice that provides for substantially the same or greater protection of personal information as some or all of the protection provided under this Act;</li> <li>• <b>(b)</b> guidelines for interpreting and implementing the code of practice;</li> <li>• <b>(c)</b> a mechanism by which an entity that operates the program may certify that an organization is in compliance with the code of practice;</li> <li>• <b>(d)</b> a mechanism for the independent verification of an organization’s compliance with the code of practice;</li> <li>• <b>(e)</b> disciplinary measures for non-compliance with the code of practice by an organization, including the revocation of an organization’s certification; and</li> <li>• <b>(f)</b> anything else that is provided in the regulations.</li> </ul> <p><b>Approval by Commissioner</b></p>	<p>[No equivalent provision]</p>

<b>PPCDA (BILL C-36)</b> <i>Protecting Privacy and Consumer Data Act</i>	<b>CPPA (BILL C-27)</b> <i>Consumer Privacy Protection Act</i>	<b>PIPEDA</b> <i>Personal Information Protection and Electronic Documents Act</i>
<p>(2) The Division may approve the certification program if the Division determines that the program meets the criteria set out in the regulations.</p>	<p>(2) The Commissioner may approve the certification program if the Commissioner determines that the program meets the criteria set out in the regulations.</p>	
	<p><b>Decision</b></p> <p>93 (1) The Commissioner must complete an inquiry by rendering a decision that sets out</p> <ul style="list-style-type: none"> <li>• (a) the Commissioner’s findings on whether the organization has contravened this Act or has not complied with the terms of a compliance agreement;</li> <li>• (b) any order made under subsection (2);</li> <li>• (c) any decision made under subsection 94(1); and</li> <li>• (d) the Commissioner’s reasons for the findings, order or decision.</li> </ul> <p><b>Compliance order</b></p> <p>(2) The Commissioner may, to the extent that is reasonably necessary to ensure compliance with this Act, order the organization to</p> <ul style="list-style-type: none"> <li>• (a) take measures to comply with this Act;</li> <li>• (b) stop doing something that is in contravention of this Act;</li> <li>• (c) comply with the terms of a compliance agreement that has been entered into by the organization; or</li> <li>• (d) make public any measures taken or proposed to be taken to correct the policies, practices or procedures that the organization has put in place to fulfill its obligations under this Act.</li> </ul>	<p>[No equivalent provision]</p>

<b>PPCDA (BILL C-36)</b> <i>Protecting Privacy and Consumer Data Act</i>	<b>CPPA (BILL C-27)</b> <i>Consumer Privacy Protection Act</i>	<b>PIPEDA</b> <i>Personal Information Protection and Electronic Documents Act</i>
	<p><b>Communication of decision</b></p> <p><b>(3)</b> The decision must be sent to the complainant and the organization without delay.</p> <p><b>Extension of time</b></p> <p><b>(4)</b> An inquiry conducted under section 89 must be completed within one year after the day on which the complaint is filed or is initiated by the Commissioner. However, the Commissioner may extend the time limit, for a period not exceeding one year, by notifying the complainant and the organization of the anticipated date on which the decision is to be made.</p>	
<p><b>Response by Division</b></p> <p><b>94</b> The Division must respond in writing to an application under subsection 92(2) or 93(1) in the time specified in the regulations.</p>		<p>[No equivalent provision]</p>
<p><b>Approval made public</b></p> <p><b>95</b> The Division must make public a decision to approve a code of practice or certification program.</p>	<p><b>Approval made public</b></p> <p><b>79</b> The Commissioner must make public a decision to approve a code of practice or certification program.</p>	<p>[No equivalent provision]</p>
<p><b>For greater certainty</b></p> <p><b>96</b> For greater certainty, compliance with the requirements of a code of practice or a certification program does not relieve an organization of its obligations under this Act.</p>	<p><b>For greater certainty</b></p> <p><b>80</b> For greater certainty, compliance with the requirements of a code of practice or a certification program does not relieve an organization of its obligations under this Act.</p>	<p>[No equivalent provision]</p>
<p><b>Remedies</b></p> <p>Filing of Complaints</p>	<p><b>Recourses</b></p> <p>Filing of Complaints</p>	<p>Remedies</p> <p><b>Filing of Complaints</b></p>

<b>PPCDA (BILL C-36)</b> <i>Protecting Privacy and Consumer Data Act</i>	<b>CPPA (BILL C-27)</b> <i>Consumer Privacy Protection Act</i>	<b>PIPEDA</b> <i>Personal Information Protection and Electronic Documents Act</i>
<p><b>Contravention</b></p> <p><b>97 (1)</b> An individual may file with the Commissioner a written complaint against an organization for contravening Part 1.</p> <p><b>Commissioner may initiate complaint</b></p> <p><b>(2)</b> If the Commissioner is satisfied that there are reasonable grounds to investigate a matter under this Act, the Commissioner may initiate a complaint in respect of the matter.</p> <p><b>Time limit</b></p> <p><b>(3)</b> A complaint that results from the refusal to grant a request made under section 63 must be filed within six months, or any longer period that the Commissioner allows, after the refusal or after the expiry of the time limit for responding to the request, as the case may be.</p> <p><b>Notice</b></p> <p><b>(4)</b> The Commissioner must give notice of a complaint to the organization against which the complaint was made, unless the Commissioner decides under <b>section 99</b> not to carry out an investigation.</p>	<p><b>Contravention</b></p> <p><b>82 (1)</b> An individual may file with the Commissioner a written complaint against an organization for contravening Part 1.</p> <p><b>Commissioner may initiate complaint</b></p> <p><b>(2)</b> If the Commissioner is satisfied that there are reasonable grounds to investigate a matter under this Act, the Commissioner may initiate a complaint in respect of the matter.</p> <p><b>Time limit</b></p> <p><b>(3)</b> A complaint that results from the refusal to grant a request made under section 63 must be filed within six months, or any longer period that the Commissioner allows, after the refusal or after the expiry of the time limit for responding to the request, as the case may be.</p> <p><b>Notice</b></p> <p><b>(4)</b> The Commissioner must give notice of a complaint to the organization against which the complaint was made, unless the Commissioner decides under <b>section 84</b> not to carry out an investigation.</p>	<p><b>Contravention</b></p> <p><b>11 (1)</b> An individual may file with the Commissioner a written complaint against an organization for contravening a provision of Division 1 or 1.1 or for not following a recommendation set out in Schedule 1.</p> <p><b>Commissioner may initiate complaint</b></p> <p><b>(2)</b> If the Commissioner is satisfied that there are reasonable grounds to investigate a matter under this Part, the Commissioner may initiate a complaint in respect of the matter.</p> <p><b>Time limit</b></p> <p><b>(3)</b> A complaint that results from the refusal to grant a request under section 8 must be filed within six months, or any longer period that the Commissioner allows, after the refusal or after the expiry of the time limit for responding to the request, as the case may be.</p> <p><b>Notice</b></p> <p><b>(4)</b> The Commissioner shall give notice of a complaint to the organization against which the complaint was made.</p>
<p>Investigation of Complaints and Dispute Resolution</p> <p><b>Investigation of complaint by Commissioner</b></p> <p><b>98 (1)</b> The Commissioner must carry out an investigation in respect of a complaint, unless the Commissioner is of the opinion that</p>	<p>Investigation of Complaints and Dispute Resolution</p> <p><b>Investigation of complaint by Commissioner</b></p> <p><b>83 (1)</b> The Commissioner must carry out an investigation in respect of a complaint, unless the Commissioner is of the opinion that</p>	<p><b>Investigations of Complaints</b></p> <p><b>Examination of complaint by Commissioner</b></p> <p><b>12 (1)</b> The Commissioner shall conduct an investigation in respect of a complaint, unless the Commissioner is of the opinion that</p>

<b>PPCDA (BILL C-36)</b> <i>Protecting Privacy and Consumer Data Act</i>	<b>CPPA (BILL C-27)</b> <i>Consumer Privacy Protection Act</i>	<b>PIPEDA</b> <i>Personal Information Protection and Electronic Documents Act</i>
<ul style="list-style-type: none"> <li>• <b>(a)</b> the complainant should first exhaust grievance or review procedures otherwise reasonably available;</li> <li>• <b>(b)</b> the complaint could more appropriately be dealt with, initially or completely, by means of a procedure provided for under any federal law, other than this Act, or provincial law;</li> <li>• <b>(c)</b> the complaint was not filed within a reasonable period after the day on which the subject matter of the complaint arose;</li> <li>• <b>(d)</b> the complaint raises an issue in respect of which a certification program that was approved by the <b>Division</b> under <b>subsection 93(2)</b> applies and the organization is certified under that program;</li> <li>• <b>(e)</b> there is insufficient evidence to pursue the investigation;</li> <li>• <b>(f)</b> the complaint is trivial, frivolous or vexatious or is made in bad faith;</li> <li>• <b>(g)</b> the organization has provided a fair and reasonable response to the complaint;</li> <li>• <b>(h)</b> the matter is already the subject of an ongoing investigation under this Act or proceeding in respect of an application referred to in section 109 or interim order referred to in subsection 123(4);</li> <li>• <b>(i)</b> the matter has already been the subject of a report or decision by the</li> </ul>	<ul style="list-style-type: none"> <li>• <b>(a)</b> the complainant should first exhaust grievance or review procedures otherwise reasonably available;</li> <li>• <b>(b)</b> the complaint could more appropriately be dealt with, initially or completely, by means of a procedure provided for under any federal law, other than this Act, or provincial law;</li> <li>• <b>(c)</b> the complaint was not filed within a reasonable period after the day on which the subject matter of the complaint arose;</li> <li>• <b>(d)</b> the complaint raises an issue in respect of which a certification program that was approved by the <b>Commissioner</b> under <b>subsection 77(2)</b> applies and the organization is certified under that program;</li> <li>• <b>(e)</b> there is insufficient evidence to pursue the investigation;</li> <li>• <b>(f)</b> the complaint is trivial, frivolous or vexatious or is made in bad faith;</li> <li>• <b>(g)</b> the organization has provided a fair and reasonable response to the complaint;</li> <li>• <b>(h)</b> the matter is already the object of an ongoing investigation or inquiry under this Act;</li> <li>• <b>(i)</b> the matter has already been the subject of a report or decision by the Commissioner;</li> </ul>	<ul style="list-style-type: none"> <li>• <b>(a)</b> the complainant ought first to exhaust grievance or review procedures otherwise reasonably available;</li> <li>• <b>(b)</b> the complaint could more appropriately be dealt with, initially or completely, by means of a procedure provided for under the laws of Canada, other than this Part, or the laws of a province; or</li> <li>• <b>(c)</b> the complaint was not filed within a reasonable period after the day on which the subject matter of the complaint arose.</li> </ul> <p><b>Exception</b></p> <p><b>(2)</b> Despite subsection (1), the Commissioner is not required to conduct an investigation in respect of an act alleged in a complaint if the Commissioner is of the opinion that the act, if proved, would constitute a contravention of any of sections 6 to 9 of <i>An Act to promote the efficiency and adaptability of the Canadian economy by regulating certain activities that discourage reliance on electronic means of carrying out commercial activities, and to amend the Canadian Radio-television and Telecommunications Commission Act, the Competition Act, the Personal Information Protection and Electronic Documents Act and the Telecommunications Act</i> or section 52.01 of the <i>Competition Act</i> or would constitute conduct that is reviewable under section 74.011 of that Act.</p> <p><b>Notification</b></p> <p><b>(3)</b> The Commissioner shall notify the complainant and the organization that the Commissioner will not investigate the complaint or any act alleged in the complaint and give reasons.</p> <p><b>Compelling reasons</b></p>

<b>PPCDA (BILL C-36)</b> <i>Protecting Privacy and Consumer Data Act</i>	<b>CPPA (BILL C-27)</b> <i>Consumer Privacy Protection Act</i>	<b>PIPEDA</b> <i>Personal Information Protection and Electronic Documents Act</i>
<p>Commission or Commissioner, as the case may be;</p> <ul style="list-style-type: none"> <li>• <b>(j)</b> the matter is being or has already been addressed under a procedure referred to in paragraph (a) or (b);</li> <li>• <b>(k)</b> the matter is the <b>subject</b> of a compliance agreement referred to in subsection <b>102(1)</b> or <b>103(2)</b>;</li> <li>• <b>(l)</b> an investigation or any further investigation is unnecessary having regard to all the circumstances of the complaint; or</li> <li>• <b>(m)</b> a notice of contravention was served on the organization in relation to the matter or to any act referred to in the complaint.</li> </ul> <p><b>Notification</b></p> <p><b>(2)</b> The Commissioner must notify the complainant and the organization of the Commissioner’s decision not to investigate the complaint or any act referred to in the complaint and give reasons for the decision. However, if the decision is made for any of the reasons set out in section <b>99</b>, the Commissioner must not notify the organization.</p> <p><b>Compelling reasons</b></p> <p><b>(3)</b> The Commissioner may reconsider a decision not to investigate under subsection (1) if the Commissioner is satisfied that the complainant</p>	<ul style="list-style-type: none"> <li>• <b>(j)</b> the matter is being or has already been addressed under a procedure referred to in paragraph (a) or (b);</li> <li>• <b>(k)</b> the matter is the <b>object</b> of a compliance agreement entered into under subsection <b>87(1)</b>; or</li> <li>• <b>(l)</b> an investigation or any further investigation is unnecessary having regard to all the circumstances of the complaint.</li> </ul> <p><b>Notification</b></p> <p><b>(2)</b> The Commissioner must notify the complainant and the organization of the Commissioner’s decision not to investigate the complaint or any act referred to in the complaint and give reasons for the decision. However, if the decision is made for any of the reasons set out in section <b>84</b>, the Commissioner must not notify the organization.</p> <p><b>Compelling reasons</b></p> <p><b>(3)</b> The Commissioner may reconsider a decision not to investigate under subsection (1) if the Commissioner is satisfied that the complainant has established that there are compelling reasons to investigate.</p>	<p><b>(4)</b> The Commissioner may reconsider a decision not to investigate under subsection (1), if the Commissioner is satisfied that the complainant has established that there are compelling reasons to investigate.</p>

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<p>has established that there are compelling reasons to investigate.</p>		
<p><b>Exception</b></p> <p><b>99</b> Despite subsection 98(1), the Commissioner is not required to carry out an investigation in respect of an act referred to in a complaint if the Commissioner is of the opinion that the act, if proved, would constitute a contravention of any of sections 6 to 9 of <i>An Act to promote the efficiency and adaptability of the Canadian economy by regulating certain activities that discourage reliance on electronic means of carrying out commercial activities, and to amend the Canadian Radio-television and Telecommunications Commission Act, the Competition Act, the Personal Information Protection and Electronic Documents Act and the Telecommunications Act</i> or section 52.01 of the <i>Competition Act</i> or would constitute conduct that is reviewable under section 74.011 of that Act.</p>	<p><b>Exception</b></p> <p><b>84</b> Despite subsection 83(1), the Commissioner is not required to carry out an investigation in respect of an act referred to in a complaint if the Commissioner is of the opinion that the act, if proved, would constitute a contravention of any of sections 6 to 9 of <i>An Act to promote the efficiency and adaptability of the Canadian economy by regulating certain activities that discourage reliance on electronic means of carrying out commercial activities, and to amend the Canadian Radio-television and Telecommunications Commission Act, the Competition Act, the Personal Information Protection and Electronic Documents Act and the Telecommunications Act</i> or section 52.01 of the <i>Competition Act</i> or would constitute conduct that is reviewable under section 74.011 of that Act.</p>	<p><b>Investigations of Complaints</b></p> <p><b>Examination of complaint by Commissioner</b></p> <p>[...]</p> <p><b>Exception</b></p> <p><b>12(2)</b> Despite subsection (1), the Commissioner is not required to conduct an investigation in respect of an act alleged in a complaint if the Commissioner is of the opinion that the act, if proved, would constitute a contravention of any of sections 6 to 9 of <i>An Act to promote the efficiency and adaptability of the Canadian economy by regulating certain activities that discourage reliance on electronic means of carrying out commercial activities, and to amend the Canadian Radio-television and Telecommunications Commission Act, the Competition Act, the Personal Information Protection and Electronic Documents Act and the Telecommunications Act</i> or section 52.01 of the <i>Competition Act</i> or would constitute conduct that is reviewable under section 74.011 of that Act.</p> <p>[...]</p>
<p><b>Discontinuance</b></p> <p><b>100 (1)</b> The Commissioner may discontinue the investigation of a complaint if the Commissioner has formed an opinion referred to in subsection 98(1) or section 99. The Commissioner must notify the complainant and the organization of the discontinuance and give reasons for the decision.</p>	<p><b>Discontinuance</b></p> <p><b>85</b> The Commissioner may discontinue the investigation of a complaint if the Commissioner has formed an opinion referred to in subsection 83(1) or section 84. The Commissioner must notify the complainant and the organization of the discontinuance and give reasons for the decision.</p>	<p><b>Discontinuance of Investigation</b></p> <p><b>Reasons</b></p> <p><b>12.2 (1)</b> The Commissioner may discontinue the investigation of a complaint if the Commissioner is of the opinion that</p> <ul style="list-style-type: none"> <li>• <b>(a)</b> there is insufficient evidence to pursue the investigation;</li> </ul>

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<p><b>Exception</b></p> <p>(2) If the decision is made for any of the reasons set out in section 99, the Commissioner must not notify the organization.</p>		<ul style="list-style-type: none"> <li>• (b) the complaint is trivial, frivolous or vexatious or is made in bad faith;</li> <li>• (c) the organization has provided a fair and reasonable response to the complaint;</li> <li>• (c.1) the matter is the object of a compliance agreement entered into under subsection 17.1(1);</li> <li>• (d) the matter is already the object of an ongoing investigation under this Part;</li> <li>• (e) the matter has already been the subject of a report by the Commissioner;</li> <li>• (f) any of the circumstances mentioned in paragraph 12(1)(a), (b) or (c) apply; or</li> <li>• (g) the matter is being or has already been addressed under a procedure referred to in paragraph 12(1)(a) or (b).</li> </ul> <p><b>Other reason</b></p> <p>(2) The Commissioner may discontinue an investigation in respect of an act alleged in a complaint if the Commissioner is of the opinion that the act, if proved, would constitute a contravention of any of sections 6 to 9 of <i>An Act to promote the efficiency and adaptability of the Canadian economy by regulating certain activities that discourage reliance on electronic means of carrying out commercial activities, and to amend the Canadian Radio-television and Telecommunications Commission Act, the Competition Act, the Personal Information Protection and Electronic Documents Act and the Telecommunications Act</i> or section 52.01 of the <i>Competition Act</i> or would constitute conduct that is reviewable under section 74.011 of that Act.</p> <p><b>Notification</b></p> <p>(3) The Commissioner shall notify the complainant and the organization that the investigation has been discontinued and give reasons.</p>

<b>PPCDA (BILL C-36)</b> <i>Protecting Privacy and Consumer Data Act</i>	<b>CPPA (BILL C-27)</b> <i>Consumer Privacy Protection Act</i>	<b>PIPEDA</b> <i>Personal Information Protection and Electronic Documents Act</i>
<p><b>Dispute resolution mechanisms</b></p> <p><b>101</b> The Division may attempt to resolve a complaint by means of a dispute resolution mechanism such as mediation and conciliation, unless the complaint is the subject of proceedings in respect of an application referred to in section 109.</p>	<p><b>Dispute resolution mechanisms</b></p> <p><b>86</b> The Commissioner may attempt to resolve a complaint by means of a dispute resolution mechanism such as mediation and conciliation, unless an inquiry is being conducted in respect of the complaint.</p>	<p><b>Investigations of Complaints</b>  <b>Examination of complaint by Commissioner</b></p> <p>[...]</p> <p><b>Dispute resolution mechanisms</b></p> <p><b>12 (2)</b> The Commissioner may attempt to resolve complaints by means of dispute resolution mechanisms such as mediation and conciliation.</p> <p>[...]</p>
<p>Compliance Agreements</p> <p><b>Entering into compliance agreement</b></p> <p><b>102 (1)</b> If, at any time after an investigation has been commenced, the Commissioner believes on reasonable grounds that an organization has committed, is about to commit or is likely to commit an act or omission that could constitute a contravention of Part 1, the Commissioner may enter into, with that organization, a compliance agreement aimed at ensuring compliance with this Act.</p> <p><b>Terms</b></p> <p><b>(2)</b> A compliance agreement may contain any terms that the Commissioner considers necessary to ensure compliance with this Act.</p> <p><b>Effect of compliance agreement</b></p>	<p>Compliance Agreements</p> <p><b>Entering into compliance agreement</b></p> <p><b>87 (1)</b> If, in the course of an investigation, the Commissioner believes on reasonable grounds that an organization has committed, is about to commit or is likely to commit an act or omission that could constitute a contravention of Part 1, the Commissioner may enter into a compliance agreement with that organization, aimed at ensuring compliance with this Act.</p> <p><b>Terms</b></p> <p><b>(2)</b> A compliance agreement may contain any terms that the Commissioner considers necessary to ensure compliance with this Act.</p> <p><b>Effect of compliance agreement</b></p>	<p>Compliance Agreements</p> <p><b>Compliance agreement</b></p> <p><b>17.1 (1)</b> If the Commissioner believes on reasonable grounds that an organization has committed, is about to commit or is likely to commit an act or omission that could constitute a contravention of a provision of Division 1 or 1.1 or a failure to follow a recommendation set out in Schedule 1, the Commissioner may enter into a compliance agreement, aimed at ensuring compliance with this Part, with that organization.</p> <p><b>Terms</b></p> <p><b>(2)</b> A compliance agreement may contain any terms that the Commissioner considers necessary to ensure compliance with this Part.</p> <p><b>Effect of compliance agreement — no application</b></p> <p><b>(3)</b> When a compliance agreement is entered into, the Commissioner, in respect of any matter covered under the agreement,</p>

<b>PPCDA (BILL C-36)</b> <i>Protecting Privacy and Consumer Data Act</i>	<b>CPPA (BILL C-27)</b> <i>Consumer Privacy Protection Act</i>	<b>PIPEDA</b> <i>Personal Information Protection and Electronic Documents Act</i>
<p><b>(3)</b> The Commissioner must not issue a notice of contravention in respect of any matter covered under the agreement.</p> <p><b>For greater certainty</b></p> <p><b>(4)</b> For greater certainty, entering into a compliance agreement does not preclude the prosecution of an offence under this Act.</p>	<p><b>(3)</b> The Commissioner must not commence an inquiry under section 89 in respect of any matter covered under the agreement.</p> <p><b>For greater certainty</b></p> <p><b>(4)</b> For greater certainty, a compliance agreement does not preclude the prosecution of an offence under this Act.</p>	<ul style="list-style-type: none"> <li>• <b>(a)</b> shall not apply to the Court for a hearing under subsection 14(1) or paragraph 15(a); and</li> <li>• <b>(b)</b> shall apply to the court for the suspension of any pending applications that were made by the Commissioner under those provisions.</li> </ul> <p><b>For greater certainty</b></p> <p><b>(4)</b> For greater certainty, a compliance agreement does not preclude</p> <ul style="list-style-type: none"> <li>• <b>(a)</b> an individual from applying for a hearing under section 14; or</li> <li>• <b>(b)</b> the prosecution of an offence under the Act.</li> </ul>
<p><b>Effect of compliance agreement</b></p> <p><b>103 (1)</b> If, after a notice of contravention has been served under subsection 105(1), the Commissioner initiates negotiations to enter into a compliance agreement with the organization, the Commission must suspend proceedings in respect of the contravention in relation to the act or omission that is the subject of the negotiations and notify the complainant and the organization without delay.</p> <p><b>Termination of proceedings</b></p> <p><b>(2)</b> If a compliance agreement is entered into with the organization, the Commission must terminate the proceedings commenced in respect of the contravention in relation to the act or omission that is the subject of agreement and notify the complainant and the organization without delay.</p> <p><b>Resumption of proceedings</b></p>		<p>[No equivalent provision]</p>

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<p><b>(3)</b> If the Commissioner and the organization fail to enter into a compliance agreement, the Commission must resume the proceedings and notify the complainant and the organization without delay.</p>		
<p>Conclusion of Investigation, Penalties and Orders</p> <p><b>Notification and reasons</b></p> <p><b>104</b> The Commissioner must notify the complainant and the organization of their decision and the reasons for it if, after concluding their investigation, they decide not to issue a notice of contravention.</p>	<p>Notification</p> <p><b>Notification and reasons</b></p> <p><b>88</b> The Commissioner must notify the complainant and the organization and give reasons for the decision if an investigation has concluded and the Commissioner has decided not to conduct an inquiry.</p>	<p><b>Investigations of Complaints</b></p> <p><b>Examination of complaint by Commissioner</b> [...]</p> <p><b>Notification</b></p> <p><b>12 (3)</b> The Commissioner shall notify the complainant and the organization that the Commissioner will not investigate the complaint or any act alleged in the complaint and give reasons.</p> <p>[...]</p>
<p><b>Complaint</b></p> <p><b>105 (1)</b> After investigating a complaint, the Commissioner must cause to be served on the organization a notice of contravention if they have reasonable grounds to believe that the organization has contravened any provision of this Act, and the complaint is not the subject of dispute resolution under section 101 and has not been resolved or discontinued.</p> <p><b>Notice</b></p> <p><b>(2)</b> The Commissioner must notify the complainant of their decision.</p>	<p>Inquiry</p> <p><b>Inquiry — complaint</b></p> <p><b>89 (1)</b> After investigating a complaint, the Commissioner may conduct an inquiry in respect of the complaint if the matter is not</p> <ul style="list-style-type: none"> <li>• <b>(a)</b> the subject of dispute resolution under section 86;</li> <li>• <b>(b)</b> discontinued; or</li> <li>• <b>(c)</b> resolved.</li> </ul>	<p>[No equivalent provision]</p>

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	<p><b>Notice</b></p> <p><b>(2)</b> The Commissioner must give notice of the inquiry to the complainant and the organization</p>	
	<p><b>Tribunal orders</b></p> <p><b>105</b> If the Tribunal, on appeal, substitutes its own order for an order of the Commissioner made under subsection 93(2) or paragraph 99(1)(d), the Tribunal's order may, for the purposes of its enforcement, be made an order of the Federal Court and is enforceable in the same manner as an order of that Court.</p>	<p>[No equivalent provision]</p>
<p><b>Compliance agreement</b></p> <p><b>106</b> If the Commissioner has reasonable grounds to believe that an organization is not complying with the terms of a compliance agreement entered into under subsection 102(1), they must cause a notice of contravention to be served on the organization.</p>	<p><b>Inquiry — compliance agreement</b></p> <p><b>90 (1)</b> If the Commissioner believes on reasonable grounds that an organization is not complying with the terms of a compliance agreement entered into under subsection 87(1), the Commissioner may conduct an inquiry in respect of the non-compliance.</p> <p><b>Notice</b></p> <p><b>(2)</b> The Commissioner must give notice of the inquiry to the organization.</p>	<p><b>Compliance Agreements</b></p> <p><b>Compliance agreement</b></p> <p><b>17.1 (1)</b> If the Commissioner believes on reasonable grounds that an organization has committed, is about to commit or is likely to commit an act or omission that could constitute a contravention of a provision of Division 1 or 1.1 or a failure to follow a recommendation set out in Schedule 1, the Commissioner may enter into a compliance agreement, aimed at ensuring compliance with this Part, with that organization.</p> <p><b>Terms</b></p> <p><b>(2)</b> A compliance agreement may contain any terms that the Commissioner considers necessary to ensure compliance with this Part.</p> <p><b>Effect of compliance agreement — no application</b></p> <p><b>(3)</b> When a compliance agreement is entered into, the Commissioner, in respect of any matter covered under the agreement,</p>

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		<ul style="list-style-type: none"> <li>• <b>(a)</b> shall not apply to the Court for a hearing under subsection 14(1) or paragraph 15(a); and</li> <li>• <b>(b)</b> shall apply to the court for the suspension of any pending applications that were made by the Commissioner under those provisions.</li> </ul> <p><b>For greater certainty</b></p> <p><b>(4)</b> For greater certainty, a compliance agreement does not preclude</p> <ul style="list-style-type: none"> <li>• <b>(a)</b> an individual from applying for a hearing under section 14; or</li> <li>• <b>(b)</b> the prosecution of an offence under the Act.2015, c. 32, s. 15</li> </ul> <p><b>Agreement complied with</b></p> <p><b>17.2 (1)</b> If the Commissioner is of the opinion that a compliance agreement has been complied with, the Commissioner shall provide written notice to that effect to the organization and withdraw any applications that were made under subsection 14(1) or paragraph 15(a) in respect of any matter covered under the agreement.</p> <p><b><u>Agreement not complied with</u></b></p> <p><b><u>(2)</u></b> If the Commissioner is of the opinion that an organization is not complying with the terms of a compliance agreement, the Commissioner shall notify the organization and may apply to the Court for</p> <ul style="list-style-type: none"> <li>• <b><u>(a)</u></b> an order requiring the organization to comply with the terms of the agreement, in addition to any other remedies it may give; or</li> <li>• <b><u>(b)</u></b> a hearing under subsection 14(1) or paragraph 15(a) or to reinstate proceedings that have been suspended as a result of an application made under paragraph 17.1(3)(b).</li> </ul>

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		<b>Time for application</b>  <b>(3)</b> Despite subsection 14(2), the application shall be made within one year after notification is sent or within any longer period that the Court may, either before or after the expiry of that year, allow.
<b>Notice of contravention — investigation of a complaint</b>  <b>107 (1)</b> A notice of contravention referred to in section 105 must set out <ul style="list-style-type: none"> <li>• <b>(a)</b> the facts of the alleged contravention and the Commissioner’s reasons for believing there is a contravention;</li> <li>• <b>(b)</b> the provisions of this Act that have been contravened;</li> <li>• <b>(c)</b> the penalty, if any, that the organization is liable to pay and the time and manner in which the penalty must be paid;</li> <li>• <b>(d)</b> the proposed order, if any, that the Commissioner considers reasonably necessary to ensure compliance with this Act and the Commissioner’s reasons for it;</li> <li>• <b>(e)</b> a summary of the organization’s rights and obligations under this Act, including the right to apply for a review and to make representations to the Commission under section 109 within 30 days after the day on which the notice is served, or within</li> </ul>		[No equivalent provision]

<b>PPCDA (BILL C-36)</b> <i>Protecting Privacy and Consumer Data Act</i>	<b>CPPA (BILL C-27)</b> <i>Consumer Privacy Protection Act</i>	<b>PIPEDA</b> <i>Personal Information Protection and Electronic Documents Act</i>
<p>any further period set out in the notice, and the procedure for doing so;</p> <ul style="list-style-type: none"> <li>• <b>(f)</b> the fact that, if the organization does not pay the penalty, if any, in accordance with the notice or if neither the complainant nor the organization exercise the remedies referred to in section 109, the organization will be deemed to have contravened the provisions at issue; and</li> <li>• <b>(g)</b> the fact that if neither the complainant nor the organization exercise the remedies referred to in section 109 in relation to a proposed order, the organization will be deemed to have contravened the provisions at issue and the proposed order will be made by the Commission.</li> </ul> <p><b>Notice to complainant</b></p> <p><b>(2)</b> The Commissioner must notify the complainant that the notice of contravention was served and that they may apply for a review and make representations to the Commission under section 109 within the period set out in that notice.</p> <p><b>Proposed order to ensure compliance</b></p> <p><b>(3)</b> The Commissioner may, if they consider it reasonably necessary to ensure compliance with this Act, propose to order the organization to</p> <ul style="list-style-type: none"> <li>• <b>(a)</b> take any measure necessary in order to comply with this Act;</li> </ul>		

<b>PPCDA (BILL C-36)</b> <i>Protecting Privacy and Consumer Data Act</i>	<b>CPPA (BILL C-27)</b> <i>Consumer Privacy Protection Act</i>	<b>PIPEDA</b> <i>Personal Information Protection and Electronic Documents Act</i>
<ul style="list-style-type: none"> <li>• <b>(b)</b> cease any act that contravenes this Act; and</li> <li>• <b>(c)</b> make public anything done or planned to be done to correct policies, practices or procedures that it put in place to comply with its obligations under this Act.</li> </ul> <p><b>Payment of the penalty</b></p> <p><b>(4)</b> Subject to section 103, if the organization pays the penalty in accordance with the notice of contravention, the organization is deemed to have contravened the provisions of the Act at issue, the proposed order, if any, relating to the provisions in respect of which the penalty was paid is made, as proposed, by the Commission, proceedings in respect of those provisions are ended and the Commission must notify the complainant.</p> <p><b>Presumption</b></p> <p><b>(5)</b> Subject to section 103, if the organization does not pay the penalty, if any, in accordance with the notice of contravention or if neither the complainant nor the organization exercise the remedies referred to in section 109, the organization is deemed to have contravened the provisions at issue and liable to pay the penalty, if any, set out in the notice and the proposed order, if any, in respect of the contravention is made, as proposed, by the Commission. The Commission must notify the complainant of the deemed contravention.</p> <p><b>Presumption</b></p> <p><b>(6)</b> Subject to section 103, if neither the complainant nor the organization exercise the remedies referred to in section 109 in relation to a</p>		

<b>PPCDA (BILL C-36)</b> <i>Protecting Privacy and Consumer Data Act</i>	<b>CPPA (BILL C-27)</b> <i>Consumer Privacy Protection Act</i>	<b>PIPEDA</b> <i>Personal Information Protection and Electronic Documents Act</i>
<p>proposed order, the organization is deemed to have contravened the provisions at issue in the order and the proposed order is made, as proposed, by the Commission. The Commission must notify the complainant of the deemed contravention.</p>		
<p><b>Notice of contravention — compliance agreement</b></p> <p><b>108 (1)</b> A notice of contravention referred to in section 106 must set out</p> <ul style="list-style-type: none"> <li>• <b>(a)</b> the facts of the alleged non-compliance with the compliance agreement and the Commissioner’s reasons for believing there is non-compliance;</li> <li>• <b>(b)</b> the provisions of this Act that have been contravened;</li> <li>• <b>(c)</b> the penalty, if any, that the organization is liable to pay and the time and manner in which the penalty must be paid;</li> <li>• <b>(d)</b> the proposed order, if any, that the Commissioner considers reasonably necessary to ensure compliance with this Act and the Commissioner’s reasons for it;</li> <li>• <b>(e)</b> a summary of the organization’s rights and obligations under this Act, including the right to apply for a review and to make representations to the Commission under section 109 within 30 days after the day on which the notice is served, or within</li> </ul>		<p>[No equivalent provision]</p>

<b>PPCDA (BILL C-36)</b> <i>Protecting Privacy and Consumer Data Act</i>	<b>CPPA (BILL C-27)</b> <i>Consumer Privacy Protection Act</i>	<b>PIPEDA</b> <i>Personal Information Protection and Electronic Documents Act</i>
<p>any further period set out in the notice, and the procedure for doing so;</p> <ul style="list-style-type: none"> <li>• <b>(f)</b> the fact that, if the organization does not pay the penalty, if any, in accordance with the notice or if neither the complainant nor the organization exercise the remedies referred to in section 109, the organization will be deemed to have contravened the provisions at issue or to have not complied with the compliance agreement; and</li> <li>• <b>(g)</b> the fact that if neither the complainant nor the organization exercise the remedies referred to in section 109 in relation to a proposed order, the organization will be deemed to have contravened the provisions at issue or to have not complied with the compliance agreement and the proposed order will be made by the Commission.</li> </ul> <p><b>Notice to complainant</b></p> <p><b>(2)</b> The Commissioner must notify the complainant that the notice of contravention was served and that they may apply for a review and make representations to the Commission under section 109 within the period set out in that notice.</p> <p><b>Proposed order to ensure compliance</b></p> <p><b>(3)</b> The Commissioner may, if they consider it reasonably necessary to ensure compliance with this Act, propose to order the organization to</p> <ul style="list-style-type: none"> <li>• <b>(a)</b> take any measure necessary in order to comply with this Act;</li> </ul>		

<b>PPCDA (BILL C-36)</b> <i>Protecting Privacy and Consumer Data Act</i>	<b>CPPA (BILL C-27)</b> <i>Consumer Privacy Protection Act</i>	<b>PIPEDA</b> <i>Personal Information Protection and Electronic Documents Act</i>
<ul style="list-style-type: none"> <li>• <b>(b)</b> cease any act that contravenes this Act;</li> <li>• <b>(c)</b> comply with the compliance agreement that the organization entered into; and</li> <li>• <b>(d)</b> make public anything done or planned to be done to correct policies, practices or procedures that it put in place to comply with its obligations under this Act.</li> </ul> <p><b>Payment of the penalty</b></p> <p><b>(4)</b> If the organization pays the penalty in accordance with the notice of contravention, the organization is deemed to have contravened the provisions at issue, the proposed order, if any, relating to the provisions in respect of which the penalty was paid is made, as proposed, by the Commission, proceedings in respect of those provisions are ended and the Commission must notify the complainant.</p> <p><b>Presumption</b></p> <p><b>(5)</b> If the organization does not pay the penalty, if any, in accordance with the notice of contravention or if neither the complainant nor the organization exercise the remedies referred to in section 109, the organization is deemed to have contravened the provisions at issue and liable to pay the penalty, if any, set out in the notice and the proposed order, if any, in respect of the contravention is made, as proposed, by the Commission. The Commission must notify the complainant of the deemed contravention.</p>		

<b>PPDA (BILL C-36)</b> <i>Protecting Privacy and Consumer Data Act</i>	<b>CPA (BILL C-27)</b> <i>Consumer Privacy Protection Act</i>	<b>PIPEDA</b> <i>Personal Information Protection and Electronic Documents Act</i>
<p><b>Presumption</b></p> <p><b>(6)</b> If neither the complainant nor the organization exercise the remedies referred to in section 109 in relation to a proposed order, the organization is deemed to have contravened the provisions at issue and the proposed order is made, as proposed, by the Commission. The Commission must notify the complainant of the deemed contravention.</p>		
<p><b>Application for review</b></p> <p><b>109 (1)</b> Within the period set out in the notice of contravention, the complainant and the organization on which the notice was served may apply for a review of any determination in relation to the elements referred to in paragraphs 107(1)(a) to (d) or 108(1)(a) to (d), as the case may be, and may make representations to the Commission in accordance with the notice.</p> <p><b>Hearing</b></p> <p><b>(2)</b> The Commission may conduct a hearing for the purpose of determining an application and may hold all or any part of the hearing in private.</p> <p><b>Rules of evidence</b></p> <p><b>(3)</b> The Commission is not bound by any legal or technical rules of evidence in conducting proceedings under subsection (1) and must deal with the matters set out in the notice as informally and expeditiously as the circumstances and considerations of fairness and natural justice permit.</p>		

<b>PPCDA (BILL C-36)</b> <i>Protecting Privacy and Consumer Data Act</i>	<b>CPPA (BILL C-27)</b> <i>Consumer Privacy Protection Act</i>	<b>PIPEDA</b> <i>Personal Information Protection and Electronic Documents Act</i>
<p><b>Balance of probabilities</b></p> <p>(4) The Commission must determine, on a balance of probabilities, whether the organization committed the contravention.</p>		
	<p>Powers, Duties and Functions of Commissioner</p> <p><b>Factors to consider</b></p> <p>109 In exercising any powers and performing the any duties and functions under this Act, the Commissioner must take into account</p> <ul style="list-style-type: none"> <li>• (a) the purpose of this Act;</li> <li>• (b) the size and revenue of organizations;</li> <li>• (c) the volume and sensitivity of the personal information under their control; and</li> <li>• (d) matters of general public interest</li> </ul>	<p>[No equivalent provision]</p>
<p><b>Decision</b></p> <p>110 (1) After considering any representations, the Commission may confirm, cancel or vary any determination that is the subject of proceedings under subsection 109(1), may decide whether or not to make the proposed order, if any, and vary its content before making it and may, to the extent it is reasonably necessary to do so in order to ensure compliance with this Act, order the organization to</p> <ul style="list-style-type: none"> <li>• (a) take any measure necessary in order to comply with this Act;</li> <li>• (b) cease any act that contravenes this Act;</li> </ul>		<p>[No equivalent provision]</p>

<b>PPCDA (BILL C-36)</b> <i>Protecting Privacy and Consumer Data Act</i>	<b>CPPA (BILL C-27)</b> <i>Consumer Privacy Protection Act</i>	<b>PIPEDA</b> <i>Personal Information Protection and Electronic Documents Act</i>
<ul style="list-style-type: none"> <li>• <b>(c)</b> comply with a compliance agreement that the organization entered into; and</li> <li>• <b>(d)</b> make public anything done or planned to be done to correct policies, practices or procedures that it put in place to comply with its obligations under this Act.</li> </ul> <p><b>Contravention not committed — effect</b></p> <p><b>(2)</b> If the Commission decides under subsection (1) that the organization did not commit the contravention, the proceedings in respect of it are ended.</p> <p><b>Copy of decision</b></p> <p><b>(3)</b> The Commission must send a copy of the decision and the reasons for it to the complainant and the organization without delay.</p>		
	<p><b>Promoting purposes of Act</b></p> <p><b>110 (1)</b> The Commissioner must, in the form and manner that the Commissioner considers appropriate,</p> <ul style="list-style-type: none"> <li>• <b>(a)</b> develop and conduct information programs to foster public understanding of this Act and recognition of its purposes;</li> <li>• <b>(b)</b> develop guidance materials and tools for organizations in relation to their compliance with this Act — including any guidance materials and tools that are requested by the Minister — in consultation with stakeholders, including any relevant federal government institutions;</li> </ul>	<p><b>Promoting the purposes of the Part</b></p> <p><b>24</b> The Commissioner shall</p> <ul style="list-style-type: none"> <li>• <b>(a)</b> develop and conduct information programs to foster public understanding, and recognition of the purposes, of this Part;</li> <li>• <b>(b)</b> undertake and publish research that is related to the protection of personal information, including any such research that is requested by the Minister of Industry;</li> <li>• <b>(c)</b> encourage organizations to develop detailed policies and practices, including organizational codes of practice, to comply with Divisions 1 and 1.1; and</li> </ul>

<b>PPCDA (BILL C-36)</b> <i>Protecting Privacy and Consumer Data Act</i>	<b>CPPA (BILL C-27)</b> <i>Consumer Privacy Protection Act</i>	<b>PIPEDA</b> <i>Personal Information Protection and Electronic Documents Act</i>
	<ul style="list-style-type: none"> <li>• <b>(c)</b> undertake and publish research that is related to the protection of personal information, including any research that is requested by the Minister;</li> <li>• <b>(d)</b> undertake and publish any research related to the operation or implementation of this Act that is requested by the Minister;</li> <li>• <b>(e)</b> on request by an organization, provide guidance on — and, if the Commissioner considers it appropriate, recommend corrective measures in relation to — its privacy management program; and</li> <li>• <b>(f)</b> promote, by any other means that the Commissioner considers appropriate, the purposes of this Act.</li> </ul> <p><b>For greater certainty</b></p> <p><b>(2)</b> For greater certainty, for the purpose of paragraph (1)(e), the Commissioner may prioritize the requests of organizations that the Commissioner considers to be in greatest need of guidance and is not required to act on a request that the Commissioner considers unreasonable.</p>	<ul style="list-style-type: none"> <li>• <b>(d)</b> promote, by any means that the Commissioner considers appropriate, the purposes of this Part.</li> </ul>
<p><b>Inconsistent interests</b></p> <p><b>111 (1)</b> If a member of the Commission who is assigned to hear, or is hearing, an application referred to in section 109, either alone or as a member of a panel, holds any pecuniary or other interest that could be inconsistent with the proper performance of their duties and functions in relation to the application, the member must disclose the interest to the Chairperson without delay. The member must also disclose, without delay, any reason why their participation could result in a reasonable apprehension of bias.</p>		<p>[No equivalent provision]</p>

<b>PPCDA (BILL C-36)</b> <i>Protecting Privacy and Consumer Data Act</i>	<b>CPPA (BILL C-27)</b> <i>Consumer Privacy Protection Act</i>	<b>PIPEDA</b> <i>Personal Information Protection and Electronic Documents Act</i>
<p><b>Commissioner has no jurisdiction</b></p> <p>(2) The Commissioner does not have jurisdiction to hear an application referred to in section 109.</p> <p><b>For greater certainty</b></p> <p>(3) For greater certainty, a member of the Commission does not lack jurisdiction to hear an application referred to in section 109 by reason only that they participate in the work of the Division</p>		
<p><b>Rules</b></p> <p><b>112</b> The Commission must make rules respecting the conduct of proceedings in respect of an application referred to in section 109, including the rules of evidence to be followed, and must make those rules publicly available.</p>	<p><b>Rules</b></p> <p><b>92</b> The Commissioner must make rules respecting the conduct of an inquiry, including the procedure and rules of evidence to be followed, and must make those rules publicly available.</p>	<p>[No equivalent provision]</p>
<p><b>Penalty</b></p> <p><b>113 (1)</b> A penalty may only be imposed on an organization in relation to a contravention of one or more of the following provisions:</p> <ul style="list-style-type: none"> <li>• (a) subsection 9(1);</li> <li>• (b) subsection 11(1);</li> <li>• (c) subsections 12(1), (3) and (4);</li> <li>• (d) section 13;</li> <li>• (e) subsection 14(1);</li> </ul>	<p><b>Administrative Monetary Penalties</b></p> <p><b>Recommendation</b></p> <p><b>94 (1)</b> If, on completing an inquiry under section 89 or 90, the Commissioner finds that an organization has contravened one or more of the following provisions, the Commissioner must decide whether to recommend that a penalty be imposed on the organization by the Tribunal:</p> <ul style="list-style-type: none"> <li>• (a) subsection 9(1);</li> <li>• (b) subsection 11(1);</li> <li>• (c) subsections 12(3) and (4);</li> </ul>	<p>[No equivalent provision]</p>

<b>PPCDA (BILL C-36)</b> <i>Protecting Privacy and Consumer Data Act</i>	<b>CPPA (BILL C-27)</b> <i>Consumer Privacy Protection Act</i>	<b>PIPEDA</b> <i>Personal Information Protection and Electronic Documents Act</i>
<ul style="list-style-type: none"> <li>• <b>(f)</b> subsections 15(1) and (7);</li> <li>• <b>(g)</b> section 16;</li> <li>• <b>(h)</b> subsection 17(2);</li> <li>• <b>(i)</b> section 52;</li> <li>• <b>(j)</b> subsections 54(1) and (5);</li> <li>• <b>(k)</b> subsection 56(1);</li> <li>• <b>(l)</b> subsections 58(1) and (3);</li> <li>• <b>(m)</b> section 61; and</li> <li>• <b>(n)</b> subsection 62(1).</li> </ul> <p><b>Factors to take into account</b></p> <p><b>(2)</b> In determining the amount of a penalty, the following factors must be taken into account:</p> <ul style="list-style-type: none"> <li>• <b>(a)</b> the nature and scope of the contravention;</li> <li>• <b>(b)</b> any evidence that the organization exercised due diligence to avoid the contravention;</li> <li>• <b>(c)</b> whether the organization made reasonable efforts to mitigate or reverse the contravention's effects;</li> <li>• <b>(d)</b> the organization's history of compliance with this Act;</li> <li>• <b>(e)</b> the organization's ability to pay the penalty and the likely effect that paying it</li> </ul>	<ul style="list-style-type: none"> <li>• <b>(d)</b> section 13;</li> <li>• <b>(e)</b> subsection 14(1);</li> <li>• <b>(f)</b> subsections 15(1) and (7);</li> <li>• <b>(g)</b> section 16;</li> <li>• <b>(h)</b> subsection 17(2);</li> <li>• <b>(i)</b> section 53;</li> <li>• <b>(j)</b> subsections 55(1) and (4);</li> <li>• <b>(k)</b> subsection 57(1);</li> <li>• <b>(l)</b> subsections 58(1) and (3);</li> <li>• <b>(m)</b> section 61; and</li> <li>• <b>(n)</b> subsection 62(1).</li> </ul> <p><b>Factors to consider</b></p> <p><b>(2)</b> In making the decision, the Commissioner must take into account the following factors:</p> <ul style="list-style-type: none"> <li>• <b>(a)</b> the nature and scope of the contravention;</li> <li>• <b>(b)</b> any evidence that the organization exercised due diligence to avoid the contravention;</li> <li>• <b>(c)</b> whether the organization made reasonable efforts to mitigate or reverse the contravention's effects;</li> </ul>	

<b>PPCDA (BILL C-36)</b> <i>Protecting Privacy and Consumer Data Act</i>	<b>CPPA (BILL C-27)</b> <i>Consumer Privacy Protection Act</i>	<b>PIPEDA</b> <i>Personal Information Protection and Electronic Documents Act</i>
<p>would have on the organization's ability to carry on its business;</p> <ul style="list-style-type: none"> <li>• <b>(f)</b> any financial benefit that the organization obtained from the contravention;</li> <li>• <b>(g)</b> any prescribed factor; and</li> <li>• <b>(h)</b> any other relevant factor.</li> </ul> <p><b>Limitation</b></p> <p><b>(3)</b> A penalty must not be imposed if</p> <ul style="list-style-type: none"> <li>• <b>(a)</b> at the time of the contravention of the provision in question, the organization was in compliance with the requirements of a certification program that was in relation to that provision and was approved by the Division under subsection 93(2);</li> <li>• <b>(b)</b> a prosecution for the act or omission that constitutes the contravention has been instituted against the organization; or</li> <li>• <b>(c)</b> the organization establishes that it exercised due diligence to prevent the contravention.</li> </ul> <p><b>Receiver General</b></p> <p><b>(4)</b> A penalty paid or recovered in relation to a contravention is payable to the Receiver General.</p>	<ul style="list-style-type: none"> <li>• <b>(d)</b> the organization's history of compliance with this Act;</li> <li>• <b>(e)</b> any prescribed factor; and</li> <li>• <b>(f)</b> any other relevant factor.</li> </ul> <p><b>Limitation</b></p> <p><b>(3)</b> The Commissioner must not recommend that a penalty be imposed on an organization if the Commissioner is of the opinion that, at the time of the contravention of the provision in question, the organization was in compliance with the requirements of a certification program that was in relation to that provision and was approved by the Commissioner under subsection 77(2).</p> <p><b>Notice to Tribunal</b></p> <p><b>(4)</b> If the Commissioner decides to recommend that a penalty be imposed on an organization, the Commissioner must file with the Tribunal a copy of the decision rendered under subsection 93(1) that sets out the decision to recommend</p>	

<b>PPCDA (BILL C-36)</b> <i>Protecting Privacy and Consumer Data Act</i>	<b>CPPA (BILL C-27)</b> <i>Consumer Privacy Protection Act</i>	<b>PIPEDA</b> <i>Personal Information Protection and Electronic Documents Act</i>
	<p><b>Imposition of penalty</b></p> <p><b>95 (1)</b> The Tribunal may, by order, impose a penalty on an organization if</p> <ul style="list-style-type: none"> <li>• <b>(a)</b> the Commissioner files a copy of a decision in relation to the organization in accordance with subsection 94(4) or the Tribunal, on appeal, substitutes its own decision to recommend that a penalty be imposed on the organization for the Commissioner's decision not to recommend;</li> <li>• <b>(b)</b> the organization and the Commissioner are given the opportunity to make representations; and</li> <li>• <b>(c)</b> the Tribunal determines that imposing the penalty is appropriate.</li> </ul> <p><b>Findings</b></p> <p><b>(2)</b> In determining whether it is appropriate to impose a penalty on an organization, the Tribunal must rely on the findings set out in the decision that is rendered by the Commissioner under subsection 93(1) in relation to the organization or on the Tribunal's own findings if, on appeal, it substitutes its own findings for those of the Commissioner.</p> <p><b>Limitations</b></p> <p><b>(3)</b> The Tribunal must not impose a penalty on an organization in relation to a contravention if a prosecution for the act or omission that constitutes the contravention has been instituted against the organization or if the organization establishes that</p>	<p>[No equivalent provision]</p>

<b>PPCDA (BILL C-36)</b> <i>Protecting Privacy and Consumer Data Act</i>	<b>CPPA (BILL C-27)</b> <i>Consumer Privacy Protection Act</i>	<b>PIPEDA</b> <i>Personal Information Protection and Electronic Documents Act</i>
	<p>it exercised due diligence to prevent the contravention.</p> <p><b>Maximum penalty</b></p> <p><b>(4)</b> The maximum penalty for all the contraventions in a recommendation taken together is the higher of \$10,000,000 and 3% of the organization's gross global revenue in its financial year before the one in which the penalty is imposed.</p> <p><b>Factors to consider</b></p> <p><b>(5)</b> In determining whether it is appropriate to impose a penalty on an organization and in determining the amount of a penalty, the Tribunal must take the following factors into account:</p> <ul style="list-style-type: none"> <li>• <b>(a)</b> the factors set out in subsection 94(2);</li> <li>• <b>(b)</b> the organization's ability to pay the penalty and the likely effect of paying it on the organization's ability to carry on its business; and</li> <li>• <b>(c)</b> any financial benefit that the organization obtained from the contravention.</li> </ul> <p><b>Purpose of penalty</b></p> <p><b>(6)</b> The purpose of a penalty is to promote compliance with this Act and not to punish.</p>	
<p><b>Maximum penalty</b></p> <p><b>114</b> The maximum penalty for all of the contraventions found to have been committed by</p>		<p>[No equivalent provision]</p>

<b>PPCDA (BILL C-36)</b> <i>Protecting Privacy and Consumer Data Act</i>	<b>CPPA (BILL C-27)</b> <i>Consumer Privacy Protection Act</i>	<b>PIPEDA</b> <i>Personal Information Protection and Electronic Documents Act</i>
<p>an organization following the completion of proceedings in relation to any one investigation is the greater of \$10,000,000 and 3% of the organization's gross global revenue in its financial year before the one in which the penalty is imposed.</p>		
<p><b>Purpose of penalty</b></p> <p><b>115</b> The purpose of a penalty is to promote compliance with this Act and not to punish.</p>		<p>[No equivalent provision]</p>
<p><b>Debt due to His Majesty</b></p> <p><b>116 (1)</b> The following amounts are debts due to His Majesty in right of Canada that are payable and that may be recovered by the Minister in the Federal Court:</p> <ul style="list-style-type: none"> <li>• <b>(a)</b> the amount of any penalty set out in a notice of contravention, beginning on the day on which it is required to be paid in accordance with the notice, unless an application for a review is made under section 109 in the time and manner set out in the notice or a compliance agreement has been entered into under section 103;</li> <li>• <b>(b)</b> if an application referred to in paragraph (a) is made, <ul style="list-style-type: none"> <li>○ <b>(i)</b> the amount of any penalty set out in the Commission's decision, beginning on the day on which it is required to be paid in accordance with the decision, if the decision changes the amount</li> </ul> </li> </ul>	<p><b>Recovery as debt due to Her Majesty</b></p> <p><b>96</b> A penalty imposed under section 95 constitutes a debt due to Her Majesty and the debt is payable and may be recovered by the Minister as of the day on which it is imposed</p>	<p>[No equivalent provision]</p>

<b>PPCDA (BILL C-36)</b> <i>Protecting Privacy and Consumer Data Act</i>	<b>CPPA (BILL C-27)</b> <i>Consumer Privacy Protection Act</i>	<b>PIPEDA</b> <i>Personal Information Protection and Electronic Documents Act</i>
<p>of a penalty set out in the notice of contravention, or</p> <ul style="list-style-type: none"> <li>○ <b>(ii)</b> if the decision does not change any such amount, the amount of any penalty set out in the notice of contravention, beginning on the day specified in the Commission's decision;</li> </ul> <ul style="list-style-type: none"> <li>• <b>(c)</b> if the Commission's decision is appealed under section 126, <ul style="list-style-type: none"> <li>○ <b>(i)</b> the amount of any penalty set out in the decision of the Federal Court, beginning on the day on which it is required to be paid in accordance with that decision, if that decision changes the amount of a penalty set out in the Commission's decision, or</li> <li>○ <b>(ii)</b> if the decision of the Federal Court does not change any such amount, the amount of any penalty set out in the Commission's decision, beginning on the day specified in the Court's decision; and</li> </ul> </li> <li>• <b>(d)</b> if the decision of the Federal Court is appealed, the amount of the penalty, if any, set out in the final decision after all rights of appeal have been exhausted.</li> </ul> <p><b>Limitation period or prescription</b></p> <p><b>(2)</b> No proceedings to recover a debt referred to in subsection (1) may be commenced more than</p>		

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<p>five years after the day on which the debt becomes payable.</p>		
<p><b>Certificate of default</b></p> <p><b>117 (1)</b> The Commission may issue a certificate for the unpaid amount of any debt referred to in section 116.</p> <p><b>Registration in Federal Court</b></p> <p><b>(2)</b> Registration of a certificate in the Federal Court has the same effect as a judgment of that Court for a debt of the amount set out in the certificate and all related registration costs.</p>		<p>[No equivalent provision]</p>
<p>Audits</p> <p><b>Ensure compliance</b></p> <p><b>118</b> The Commissioner may, on reasonable notice and at any reasonable time, carry out an audit of the personal information management practices of an organization if the Commissioner has reasonable grounds to believe that the organization has contravened, is contravening or is likely to contravene Part 1.</p>	<p>Audits</p> <p><b>Ensure compliance</b></p> <p><b>97</b> The Commissioner may, on reasonable notice and at any reasonable time, audit the personal information management practices of an organization if the Commissioner has reasonable grounds to believe that the organization has contravened, is contravening or is likely to contravene Part 1.</p>	<p><b><u>DIVISION 3</u></b></p> <p><u>Audits</u></p> <p><b><u>To ensure compliance</u></b></p> <p><b><u>18 (1)</u></b> The Commissioner may, on reasonable notice and at any reasonable time, audit the personal information management practices of an organization if the Commissioner has reasonable grounds to believe that the organization has contravened a provision of Division 1 or 1.1 or is not following a recommendation set out in Schedule 1, and for that purpose may</p> <p><b>(a)</b> summon and enforce the appearance of persons before the Commissioner and compel them to give oral or written evidence on oath and to produce any records and things that the Commissioner considers necessary for the audit, in the same manner and to the same extent as a superior court of record;</p> <p><b>(b)</b> administer oaths;</p>

<b>PPCDA (BILL C-36)</b> <i>Protecting Privacy and Consumer Data Act</i>	<b>CPPA (BILL C-27)</b> <i>Consumer Privacy Protection Act</i>	<b>PIPEDA</b> <i>Personal Information Protection and Electronic Documents Act</i>
		<p>(c) receive and accept any evidence and other information, whether on oath, by affidavit or otherwise, that the Commissioner sees fit, whether or not it is or would be admissible in a court of law;</p> <p>(d) at any reasonable time, enter any premises, other than a dwelling-house, occupied by the organization on satisfying any security requirements of the organization relating to the premises;</p> <p>(e) converse in private with any person in any premises entered under paragraph (d) and otherwise carry out in those premises any inquiries that the Commissioner sees fit; and</p> <p>(f) examine or obtain copies of or extracts from records found in any premises entered under paragraph (d) that contain any matter relevant to the audit.</p> <p><b>Delegation</b></p> <p>(2) The Commissioner may delegate any of the powers set out in subsection (1).</p> <p><b>Return of records</b></p> <p>(3) The Commissioner or the delegate shall return to a person or an organization any record or thing they produced under this section within ten days after they make a request to the Commissioner or the delegate, but nothing precludes the Commissioner or the delegate from again requiring that the record or thing be produced.</p> <p><b>Certificate of delegation</b></p> <p>(4) Any person to whom powers set out in subsection (1) are delegated shall be given a certificate of the delegation and the delegate shall produce the</p>

<b>PPCDA (BILL C-36)</b> <i>Protecting Privacy and Consumer Data Act</i>	<b>CPPA (BILL C-27)</b> <i>Consumer Privacy Protection Act</i>	<b>PIPEDA</b> <i>Personal Information Protection and Electronic Documents Act</i>
		certificate, on request, to the person in charge of any premises to be entered under paragraph (1)(d).
<p><b>Report</b></p> <p><b>119 (1)</b> In the course of carrying out an audit, the Commissioner may require the audited organization to, subject to the conditions that the Commissioner may specify, cause to be prepared, and submit to the Commissioner, a report, by a third party that is approved by the Commissioner, on any matter that the Commissioner specifies relating to the organization's compliance with Part 1.</p> <p><b>Time limit</b></p> <p><b>(2)</b> The Commissioner must specify the time within which the report is to be submitted.</p> <p><b>Reasons for refusal</b></p> <p><b>(3)</b> If the Commissioner refuses to approve the third party designated by the organization, the Commissioner must inform the organization in writing of the refusal, setting out the reasons.</p> <p><b>Assistance and cost</b></p> <p><b>(4)</b> The organization must give all reasonable assistance to the third party and is responsible for the cost of the preparation of the report.</p>	<p><b>Report of findings and recommendations</b></p> <p><b>98 (1)</b> After an audit, the Commissioner must provide the audited organization with a report that contains the findings of the audit and any recommendations that the Commissioner considers appropriate.</p> <p><b>Reports may be included in annual reports</b></p> <p><b>(2)</b> The report may be included in a report made under section 121.</p>	<p><b>Report of findings and recommendations</b></p> <p><b>19 (1)</b> After an audit, the Commissioner shall provide the audited organization with a report that contains the findings of the audit and any recommendations that the Commissioner considers appropriate.</p> <p><b>Reports may be included in annual reports</b></p> <p><b>(2)</b> The report may be included in a report made under section 25.</p>
<p><b>Commissioner's report and recommendations</b></p> <p><b>120 (1)</b> After carrying out an audit, the Commissioner must provide the audited organization with a report that contains the</p>		<p>[No equivalent provision]</p>

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<p>findings of the audit and any recommendations that the Commissioner considers appropriate.</p> <p><b>Reports may be included in annual reports</b></p> <p>(2) The report may be included in a report made under section 83.</p>		
<p>Powers of the Commission and Commissioner — Investigations, Audits and Proceedings</p> <p><b>121 (1)</b> In the course of proceedings in respect of an application referred to in section 109, the Commission may, in exigent circumstances, make any interim order that the Commission considers appropriate.</p> <p><b>Powers of Commission</b></p> <p>(2) The Commission may, in the course of proceedings in respect of an application referred to in section 109 or an interim order referred to in subsection 123(4),</p> <ul style="list-style-type: none"> <li>• (a) summon and enforce the appearance of persons before the Commission and compel them to give oral or written evidence on oath and to produce any records and things that the Commission considers necessary for the purposes of the proceedings, in the same manner and to the same extent as a superior court of record;</li> <li>• (b) administer oaths;</li> <li>• (c) receive and accept any evidence and other information, whether on oath, by affidavit or otherwise, that the</li> </ul>		<p>[No equivalent provision]</p>

<b>PPCDA (BILL C-36)</b> <i>Protecting Privacy and Consumer Data Act</i>	<b>CPPA (BILL C-27)</b> <i>Consumer Privacy Protection Act</i>	<b>PIPEDA</b> <i>Personal Information Protection and Electronic Documents Act</i>
<p>Commission sees fit, whether or not it is or would be admissible in a court of law;</p> <ul style="list-style-type: none"> <li>• <b>(d)</b> order an organization that has information that is relevant to the proceedings to retain the information for as long as is necessary to allow the Commission to complete the proceedings;</li> <li>• <b>(e)</b> at any reasonable time, enter any premises, other than a dwelling-house, occupied by an organization on satisfying the organization's security requirements for the premises;</li> <li>• <b>(f)</b> converse in private with any person in any premises entered under paragraph (e) and otherwise make any inquiries in those premises that the Commission sees fit; and</li> <li>• <b>(g)</b> examine or obtain copies of, or extracts from, records that are found in any premises entered under paragraph (e) and that contain any matter relevant to the proceedings.</li> </ul> <p><b>Return of records</b></p> <p><b>(3)</b> The Commission or its delegate must, within a reasonable time, return to a person or an organization any record or thing produced by that person or organization under this section, but nothing precludes the Commission or delegate from again requiring that the record or thing be produced.</p>		

<b>PPCDA (BILL C-36)</b> <i>Protecting Privacy and Consumer Data Act</i>	<b>CPPA (BILL C-27)</b> <i>Consumer Privacy Protection Act</i>	<b>PIPEDA</b> <i>Personal Information Protection and Electronic Documents Act</i>
<p><b>Powers of Commissioner</b></p> <p><b>122 (1)</b> In carrying out an investigation of a complaint or an audit, the Commissioner may</p> <ul style="list-style-type: none"> <li>• <b>(a)</b> summon and enforce the appearance of persons before the Commissioner and compel them to give oral or written evidence on oath and to produce any records and things that the Commissioner considers necessary to carry out the investigation or audit, in the same manner and to the same extent as a superior court of record;</li> <li>• <b>(b)</b> administer oaths;</li> <li>• <b>(c)</b> receive and accept any evidence and other information, whether on oath, by affidavit or otherwise, that the Commissioner sees fit, whether or not it is or would be admissible in a court of law;</li> <li>• <b>(d)</b> in exigent circumstances, issue a notice of proposed interim order;</li> <li>• <b>(e)</b> order an organization that has information that is relevant to the investigation or audit to retain the information for as long as is necessary to allow the Commissioner to carry out the investigation or audit;</li> <li>• <b>(f)</b> at any reasonable time, enter any premises, other than a dwelling-house, occupied by an organization on satisfying any security requirements of the organization relating to the premises;</li> </ul>	<p><b>Commissioner's Powers — Investigations, Inquiries and Audits</b></p> <p><b>Powers of Commissioner</b></p> <p><b>99 (1)</b> In carrying out an investigation of a complaint, conducting an inquiry or carrying out an audit, the Commissioner may</p> <ul style="list-style-type: none"> <li>• <b>(a)</b> summon and enforce the appearance of persons before the Commissioner and compel them to give oral or written evidence on oath and to produce any records and things that the Commissioner considers necessary to carry out the investigation, conduct the inquiry or carry out the audit, in the same manner and to the same extent as a superior court of record;</li> <li>• <b>(b)</b> administer oaths;</li> <li>• <b>(c)</b> receive and accept any evidence and other information, whether on oath, by affidavit or otherwise, that the Commissioner sees fit, whether or not it is or would be admissible in a court of law;</li> <li>• <b>(d)</b> make any interim order that the Commissioner considers appropriate;</li> <li>• <b>(e)</b> order an organization that has information that is relevant to the investigation, inquiry or audit to retain the information for as long as is necessary to allow the Commissioner to carry out the investigation, conduct the inquiry or carry out the audit;</li> </ul>	<p><b>Powers of Commissioner</b></p> <p><b>12.1 (1)</b> In the conduct of an investigation of a complaint, the Commissioner may</p> <p><b>(a)</b> summon and enforce the appearance of persons before the Commissioner and compel them to give oral or written evidence on oath and to produce any records and things that the Commissioner considers necessary to investigate the complaint, in the same manner and to the same extent as a superior court of record;</p> <p><b>(b)</b> administer oaths;</p> <p><b>(c)</b> receive and accept any evidence and other information, whether on oath, by affidavit or otherwise, that the Commissioner sees fit, whether or not it is or would be admissible in a court of law;</p> <p><b>(d)</b> at any reasonable time, enter any premises, other than a dwelling-house, occupied by an organization on satisfying any security requirements of the organization relating to the premises;</p> <p><b>(e)</b> converse in private with any person in any premises entered under paragraph (d) and otherwise carry out in those premises any inquiries that the Commissioner sees fit; and</p> <p><b>(f)</b> examine or obtain copies of or extracts from records found in any premises entered under paragraph (d) that contain any matter relevant to the investigation.</p> <p><b>Dispute resolution mechanisms</b></p>

<b>PPCPA (BILL C-36)</b> <i>Protecting Privacy and Consumer Data Act</i>	<b>CPPA (BILL C-27)</b> <i>Consumer Privacy Protection Act</i>	<b>PIPEDA</b> <i>Personal Information Protection and Electronic Documents Act</i>
<ul style="list-style-type: none"> <li>• <b>(g)</b> converse in private with any person in any premises entered under paragraph (f) and otherwise make any inquiries in those premises that the Commissioner sees fit; and</li> <li>• <b>(h)</b> examine or obtain copies of or extracts from records found in any premises entered under paragraph (f) that contain any matter relevant to the investigation or audit.</li> </ul> <p><b>Return of records</b></p> <p><b>(2)</b> The Commissioner or the Commissioner's delegate must return to a person or an organization any record or thing that they produced under this section <b>within a reasonable time</b>, but nothing precludes the Commissioner or the delegate from again requiring that the record or thing be produced.</p> <p><b>Notice of proposed interim order</b></p> <p><b>(3)</b> The notice of proposed interim order referred to in paragraph (1)(d) must include</p> <ul style="list-style-type: none"> <li>• <b>(a)</b> the proposed interim order;</li> <li>• <b>(b)</b> the reasons for the proposed order;</li> <li>• <b>(c)</b> the right of the organization and of the complainant to make representations to the Commission within 10 days after the day on which the notice is served, or within any further period set out in the notice, and the procedure for doing so; and</li> <li>• <b>(d)</b> the fact that, if representations are not made in accordance with the notice, the proposed order will be imposed.</li> </ul>	<ul style="list-style-type: none"> <li>• <b>(f)</b> at any reasonable time, enter any premises, other than a dwelling-house, occupied by an organization on satisfying any security requirements of the organization relating to the premises;</li> <li>• <b>(g)</b> converse in private with any person in any premises entered under paragraph (f) and otherwise make any inquiries in those premises that the Commissioner sees fit; and</li> <li>• <b>(h)</b> examine or obtain copies of or extracts from records found in any premises entered under paragraph (f) that contain any matter relevant to the investigation, <b>inquiry</b> or audit.</li> </ul> <p><b>Return of records</b></p> <p><b>(2)</b> The Commissioner or the Commissioner's delegate must return to a person or an organization any record or thing that they produced under this section <b>within 10 days after the day on which they make a request to the Commissioner or the delegate</b>, but nothing precludes the Commissioner or the delegate from again requiring that the record or thing be produced.</p>	<p><b>(2)</b> The Commissioner may attempt to resolve complaints by means of dispute resolution mechanisms such as mediation and conciliation.</p> <p><b>Delegation</b></p> <p><b>(3)</b> The Commissioner may delegate any of the powers set out in subsection (1) or (2).</p> <p><b>Return of records</b></p> <p><b>(4)</b> The Commissioner or the delegate shall return to a person or an organization any record or thing that they produced under this section within 10 days after they make a request to the Commissioner or the delegate, but nothing precludes the Commissioner or the delegate from again requiring that the record or thing be produced.</p> <p><b>Certificate of delegation</b></p> <p><b>(5)</b> Any person to whom powers set out in subsection (1) are delegated shall be given a certificate of the delegation and the delegate shall produce the certificate, on request, to the person in charge of any premises to be entered under paragraph (1)(d).</p>

<p><b>Representations</b></p> <p><b>123 (1)</b> Within the period set out in the notice of proposed interim order, the complainant and the organization may make representations to the Commission in accordance with that notice.</p> <p><b>Hearing</b></p> <p><b>(2)</b> The Commission may conduct a hearing for the purpose of considering the proposed interim order and the reasons for it and may hold all or any part of the hearing in private.</p> <p><b>Rules of evidence</b></p> <p><b>(3)</b> The Commission is not bound by any legal or technical rules of evidence in conducting proceedings under subsection (1) and must deal with the matter as informally and expeditiously as the circumstances and considerations of fairness and natural justice permit.</p> <p><b>Decision — balance or probabilities</b></p> <p><b>(4)</b> After considering the representations, the Commission must decide, on a balance of probabilities, whether or not to make the interim order and may vary its content before making it.</p> <p><b>Copy of decision</b></p> <p><b>(5)</b> The Commission must send a copy of the decision and the reasons for it to the complainant and the organization without delay.</p> <p><b>Presumption</b></p> <p><b>(6)</b> If neither the complainant nor the organization exercise the remedies referred to in paragraph 122(3)(c), the proposed interim order as proposed is made by the Commission.</p>		<p>[No equivalent provision]</p>
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<b>PPDA (BILL C-36)</b> <i>Protecting Privacy and Consumer Data Act</i>	<b>CPPA (BILL C-27)</b> <i>Consumer Privacy Protection Act</i>	<b>PIPEDA</b> <i>Personal Information Protection and Electronic Documents Act</i>
<p><b>Inconsistent interests</b></p> <p><b>124 (1)</b> If a member of the Commission who is assigned to hear, or is hearing, proceedings referred to in subsection 123(1), either alone or as a member of a panel, holds any pecuniary or other interest that could be inconsistent with the proper performance of their duties and functions in relation to the proceedings, the member must disclose the interest to the Chairperson without delay. The member must also disclose, without delay, any reason why their participation could result in a reasonable apprehension of bias.</p> <p><b>Commissioner has no jurisdiction</b></p> <p><b>(2)</b> The Commissioner does not have jurisdiction to hear proceedings referred to in subsection 123(1).</p> <p><b>For greater certainty</b></p> <p><b>(3)</b> For greater certainty, a member of the Commission does not lack jurisdiction to hear proceedings referred to in subsection 123(1) by reason only that they participate in the work of the Division.</p>		<p>[No equivalent provision]</p>
<p><b>Rules</b></p> <p><b>125</b> The Commission must make rules respecting the conduct of proceedings referred to in subsection 123(1), including the rules of evidence to be followed, and must make those rules publicly available.</p>		<p>[No equivalent provision]</p>
<p>Appeals</p> <p><b>Right of appeal</b></p>	<p>Appeals</p> <p><b>Right of appeal</b></p>	<p>[No equivalent provision]</p>

<b>PPCDA (BILL C-36)</b> <i>Protecting Privacy and Consumer Data Act</i>	<b>CPPA (BILL C-27)</b> <i>Consumer Privacy Protection Act</i>	<b>PIPEDA</b> <i>Personal Information Protection and Electronic Documents Act</i>
<p><b>126 (1)</b> A complainant or organization that is affected by any of the following orders or decisions may appeal it to the Federal Court:</p> <ul style="list-style-type: none"> <li>• <b>(a)</b> a decision made under subsection 110(1);</li> <li>• <b>(b)</b> an order made under that subsection; or</li> <li>• <b>(c)</b> a decision made under that subsection to change the amount of the penalty.</li> </ul> <p><b>Time limit — appeal</b></p> <p><b>(2)</b> The time limit for making an appeal is 30 days after the day on which the Commission makes the decision under subsection 110(1).</p>	<p><b>101 (1)</b> A complainant or organization that is affected by any of the following findings, orders or decisions may appeal it to the Tribunal:</p> <ul style="list-style-type: none"> <li>• <b>(a)</b> a finding that is set out in a decision rendered under subsection 93(1);</li> <li>• <b>(b)</b> an order made under subsection 93(2); or</li> <li>• <b>(c)</b> a decision made under subsection 94(1) not to recommend that a penalty be imposed on the organization.</li> </ul> <p><b>Time limit — appeal</b></p> <p><b>(2)</b> The time limit for making an appeal is 30 days after the day on which the Commissioner renders the decision under subsection 93(1) that sets out the finding, order or decision.</p>	
<p><b>Appeal with leave</b></p> <p><b>127 (1)</b> A complainant or organization that is affected by an interim order made under section 121 or subsection 123(4) may, with leave of the Federal Court, appeal the order to the Federal Court.</p> <p><b>Time limit — leave to appeal</b></p> <p><b>(2)</b> The time limit for making an application for leave to appeal is 30 days after the day on which the order is made.</p>	<p><b>Appeal with leave</b></p> <p><b>102 (1)</b> A complainant or organization that is affected by an interim order made under paragraph 99(1)(d) may, with leave of the Tribunal, appeal the order to the Tribunal.</p> <p><b>Time limit — leave to appeal</b></p> <p><b>(2)</b> The time limit for making an application for leave to appeal is 30 days after the day on which the order is made.</p>	<p>[No equivalent provision]</p>
<p><b>Disposition of appeals</b></p> <p><b>128</b> The Federal Court may dispose of an appeal by dismissing it or by allowing it and, in allowing</p>	<p><b>Disposition of appeals</b></p> <p><b>103 (1)</b> The Tribunal may dispose of an appeal by dismissing it or by allowing it and, in allowing</p>	<p>[No equivalent provision]</p>

<b>PPCDA (BILL C-36)</b> <i>Protecting Privacy and Consumer Data Act</i>	<b>CPPA (BILL C-27)</b> <i>Consumer Privacy Protection Act</i>	<b>PIPEDA</b> <i>Personal Information Protection and Electronic Documents Act</i>
<p>the appeal, the Federal Court may substitute its own finding, order or decision for the one under appeal or may refer the matter back to the Commission for reconsideration.</p>	<p>the appeal, the Tribunal may substitute its own finding, order or decision for the one under appeal.</p> <p><b>Standard of review</b></p> <p>(2) The standard of review for an appeal is correctness for questions of law and palpable and overriding error for questions of fact or questions of mixed law and fact</p>	
<p>Enforcement of Orders</p> <p><b>Orders — notice of contravention</b></p> <p><b>129 (1)</b> An order made by the Commission under subsection 107(4), (5) or (6) or 108(4), (5) or (6) may, for the purpose of its enforcement, be made an order of the Federal Court and is enforceable in the same manner as an order of that Court.</p> <p><b>Compliance orders</b></p> <p>(2) If an order made by the Commission under subsection 110(1) is not appealed to the Federal Court or an appeal of the order is dismissed by the Federal Court, the order may, for the purpose of its enforcement, be made an order of the Federal Court and is enforceable in the same manner as an order of that Court.</p> <p><b>Interim orders</b></p> <p>(3) If an application for leave to appeal an interim order made under subsection 121(1) or 123(4) to the Federal Court is not made, a leave application in relation to the order is dismissed by the Federal Court or the application for leave in relation to the order is granted by the Federal Court but the appeal is dismissed, then the order may, for the purpose of its enforcement, be made an order of</p>	<p>Enforcement of Orders</p> <p><b>Compliance orders</b></p> <p><b>104 (1)</b> If an order made by the Commissioner under subsection 93(2) is not appealed to the Tribunal or an appeal of the order is dismissed by the Tribunal, the order may, for the purposes of its enforcement, be made an order of the Federal Court and is enforceable in the same manner as an order of that Court.</p> <p><b>Interim orders</b></p> <p>(2) If an application for leave to appeal to the Tribunal is not made in relation to an order made by the Commissioner under paragraph 99(1)(d), a leave application in relation to the order is dismissed by the Tribunal or a leave application in relation to the order is granted by the Tribunal but the appeal is dismissed, then the order may, for the purposes of its enforcement, be made an order of the Federal Court and is enforceable in the same manner as an order of that Court.</p>	<p>[No equivalent provision]</p>

<b>PPCDA (BILL C-36)</b> <i>Protecting Privacy and Consumer Data Act</i>	<b>CPPA (BILL C-27)</b> <i>Consumer Privacy Protection Act</i>	<b>PIPEDA</b> <i>Personal Information Protection and Electronic Documents Act</i>
<p>the Federal Court and is enforceable in the same manner as an order of that Court.</p>		
<p><b>Filing with Court</b></p> <p><b>130</b> An order referred to in section 129 is made an order of the Federal Court by filing a certified copy of it with the Registrar of that Court.</p>	<p><b>Filing with Court</b></p> <p><b>106</b> An order referred to in section 104 or 105 is made an order of the Federal Court by filing a certified copy of it with the Registrar of that Court</p>	<p>[No equivalent provision]</p>
<p><b>Costs</b></p> <p><b>131</b> The Federal Court may, in accordance with its rules, award costs. However, no costs may be awarded against the Commission unless the Federal Court is satisfied</p> <ul style="list-style-type: none"> <li>• <b>(a)</b> that an award is necessary to maintain the public's confidence in the administration of justice; or</li> <li>• <b>(b)</b> that the absence of an award would have a substantial adverse effect on the other party's ability to carry on business.</li> </ul>		<p>[No equivalent provision]</p>
<p>Private Right of Action</p> <p><b>Damages — contravention of Act</b></p> <p><b>132 (1)</b> An individual who is affected by an act or omission by an organization that constitutes a contravention of this Act has a cause of action against the organization for damages for loss or injury that the individual has suffered as a result of the contravention if</p> <ul style="list-style-type: none"> <li>• <b>(a)</b> the Commissioner has made a finding under subsection 105(1) or</li> </ul>	<p>Private Right of Action</p> <p><b>Damages — contravention of Act</b></p> <p><b>107 (1)</b> An individual who is affected by an act or omission by an organization that constitutes a contravention of this Act has a cause of action against the organization for damages for loss or injury that the individual has suffered as a result of the contravention if</p> <ul style="list-style-type: none"> <li>• <b>(a)</b> the Commissioner has made a finding under paragraph 93(1)(a) that the organization has contravened this Act and</li> </ul>	<p>[No equivalent provision]</p>

<b>PPCDA (BILL C-36)</b> <i>Protecting Privacy and Consumer Data Act</i>	<b>CPPA (BILL C-27)</b> <i>Consumer Privacy Protection Act</i>	<b>PIPEDA</b> <i>Personal Information Protection and Electronic Documents Act</i>
<p>section 106 that the organization has contravened this Act and</p> <ul style="list-style-type: none"> <li>○ (i) the organization has paid the penalty and subsection 107(4) or 108(4) apply, as the case may be,</li> <li>○ (ii) the finding is not the subject of an application for review under section 109 and the time limit for applying for a review set out in a notice of contravention has expired,</li> <li>○ (iii) the Commission has confirmed or varied the finding under subsection 110(1),</li> <li>○ (iv) the finding is not appealed and the time limit for making an appeal under subsection 126(2) has expired, or</li> <li>○ (v) the Federal Court has dismissed an appeal of the finding under section 128;</li> </ul> <ul style="list-style-type: none"> <li>• (b) the Federal Court has made a finding under section 128 that the organization has contravened this Act;</li> <li>• (c) a final decision dismissing any appeal of the finding, or confirming the finding that the organization has contravened this Act, has been made and all rights of appeal have been exhausted; or</li> <li>• (d) the Commissioner has entered into a compliance agreement with the</li> </ul>	<ul style="list-style-type: none"> <li>○ (i) the finding is not appealed and the time limit for making an appeal under subsection 101(2) has expired, or</li> <li>○ (ii) the Tribunal has dismissed an appeal of the finding under subsection 103(1); or</li> </ul> <ul style="list-style-type: none"> <li>• (b) the Tribunal has made a finding under subsection 103(1) that the organization has contravened this Act.</li> </ul> <p><b>Damages — offence</b></p> <p>(2) If an organization has been convicted of an offence under section 128, an individual affected by the act or omission that gave rise to the offence has a cause of action against the organization for damages for loss or injury that the individual has suffered as a result of the act or omission.</p> <p><b>Limitation period or prescription</b></p> <p>(3) An action must not be brought later than two years after the day on which the individual becomes aware of</p> <ul style="list-style-type: none"> <li>• (a) in the case of an action under subsection (1), the Commissioner's finding or, if there is an appeal, the Tribunal's decision; and</li> <li>• (b) in the case of an action under subsection (2), the conviction.</li> </ul> <p><b>Court of competent jurisdiction</b></p>	

<b>PPCDA (BILL C-36)</b> <i>Protecting Privacy and Consumer Data Act</i>	<b>CPPA (BILL C-27)</b> <i>Consumer Privacy Protection Act</i>	<b>PIPEDA</b> <i>Personal Information Protection and Electronic Documents Act</i>
<p>organization under section 103 and the agreement does not provide for the payment of damages for that loss or injury.</p> <p><b>Damages — offence</b></p> <p>(2) If an organization has been convicted of an offence under section 145, an individual affected by the act or omission that gave rise to the offence has a cause of action against the organization for damages for loss or injury that the individual has suffered as a result of the act or omission.</p> <p><b>For greater certainty</b></p> <p>(3) For greater certainty, subsections (1) and (2) do not limit or affect an individual’s right to avail themselves of a civil remedy under another Act of Parliament, under an Act of a legislature of a province or at common law.</p> <p><b>Limitation period or prescription</b></p> <p>(4) An action must not be brought later than two years after the day on which the individual becomes aware of</p> <ul style="list-style-type: none"> <li>• (a) in the case of an action under subsection (1), <ul style="list-style-type: none"> <li>○ (i) the Commissioner’s finding,</li> <li>○ (ii) if there is a review under section 109, the decision of the Commission, or</li> </ul> </li> </ul>	<p>(4) An action referred to in subsection (1) or (2) may be brought in the Federal Court or a superior court of a province.</p>	

<b>PPCDA (BILL C-36)</b> <i>Protecting Privacy and Consumer Data Act</i>	<b>CPPA (BILL C-27)</b> <i>Consumer Privacy Protection Act</i>	<b>PIPEDA</b> <i>Personal Information Protection and Electronic Documents Act</i>
<ul style="list-style-type: none"> <li>○ (iii) if there is an appeal, the final decision after all rights of appeal have been exhausted; and</li> <li>• (b) in the case of an action under subsection (2), the conviction.</li> </ul> <p><b>Court of competent jurisdiction</b></p> <p>(5) An action referred to in subsection (1) or (2) may be brought in the Federal Court or a superior court of a province.</p>		
<p>Certificate Under Canada Evidence Act</p> <p><b>Certificate under <i>Canada Evidence Act</i></b></p> <p><b>133 (1)</b> If a certificate under section 38.13 or 38.41 of the <i>Canada Evidence Act</i> prohibiting the disclosure of personal information of a specific individual is issued before a complaint is filed by that individual under this Act in respect of a request for access to that information, the provisions of this Act respecting that individual's right of access to their personal information do not apply to the information that is subject to the certificate.</p> <p><b>Certificate following filing of complaint</b></p> <p>(2) Despite any other provision of this Act, if a certificate under section 38.13 or 38.41 of the <i>Canada Evidence Act</i> prohibiting the disclosure of personal information of a specific individual is issued after the filing of a complaint under this Act in relation to a request for access to that information</p>	<p>Certificate Under Canada Evidence Act</p> <p><b>Certificate under <i>Canada Evidence Act</i></b></p> <p><b>108 (1)</b> If a certificate under section 38.13 of the <i>Canada Evidence Act</i> prohibiting the disclosure of personal information of a specific individual is issued before a complaint is filed by that individual under this Act in respect of a request for access to that information, the provisions of this Act respecting that individual's right of access to their personal information do not apply to the information that is subject to the certificate.</p> <p><b>Certificate following filing of complaint</b></p> <p>(2) Despite any other provision of this Act, if a certificate under section 38.13 of the <i>Canada Evidence Act</i> prohibiting the disclosure of personal information of a specific individual is issued after the filing of a complaint under this Act in relation to a request for access to that information,</p> <ul style="list-style-type: none"> <li>• (a) all proceedings under this Act in respect of that information, including an</li> </ul>	<p><b>Certificate under <i>Canada Evidence Act</i></b></p> <p><b>4.1 (1)</b> If a certificate under section 38.13 or 38.41 of the <i>Canada Evidence Act</i> prohibiting the disclosure of personal information of a specific individual is issued before a complaint is filed by that individual under this Part in respect of a request for access to that information, the provisions of this Part respecting that individual's right of access to their personal information do not apply to the information that is subject to the certificate.</p> <p><b>Certificate following filing of complaint</b></p> <p>(2) Despite any other provision of this Part, if a certificate under section 38.13 or 38.41 of the <i>Canada Evidence Act</i> prohibiting the disclosure of personal information of a specific individual is issued after the filing of a complaint under this Part in relation to a request for access to that information:</p> <p>(a) all proceedings under this Part in respect of that information, including an investigation, audit, appeal or judicial review, are discontinued;</p>

<b>PPCDA (BILL C-36)</b> <i>Protecting Privacy and Consumer Data Act</i>	<b>CPPA (BILL C-27)</b> <i>Consumer Privacy Protection Act</i>	<b>PIPEDA</b> <i>Personal Information Protection and Electronic Documents Act</i>
<ul style="list-style-type: none"> <li>• <b>(a)</b> all proceedings under this Act in respect of that information, including an investigation, proceeding in respect of an application referred to in section 109, proceeding in respect of an interim order referred to in subsection 123(4), audit, appeal or judicial review, are discontinued;</li> <li>• <b>(b)</b> the Commission, the Commissioner or the Division must not disclose the information and must take all necessary precautions to prevent its disclosure; and</li> <li>• <b>(c)</b> the Commission, the Commissioner and the Division must, within 10 days after the day on which the certificate is published in the <i>Canada Gazette</i>, return the information to the organization that provided the information.</li> </ul> <p><b>Information not to be disclosed</b></p> <p><b>(3)</b> The Commission, the Commissioner and the Division and every person acting on their behalf or under their direction, in exercising their powers and performing their duties and functions under this Act, must not disclose information subject to a certificate issued under section 38.13 or 38.41 of the <i>Canada Evidence Act</i> and must take every reasonable precaution to avoid the disclosure of that information.</p> <p><b>Power to delegate — Commissioner</b></p> <p><b>(4)</b> The Commissioner must not delegate the investigation in respect of any complaint relating to information subject to a certificate issued under section 38.13 or 38.41 of the <i>Canada Evidence Act</i> except to one of a maximum of four employees of the Commission specifically</p>	<p>investigation, inquiry, audit, appeal or judicial review, are discontinued;</p> <ul style="list-style-type: none"> <li>• <b>(b)</b> the Commissioner must not disclose the information and must take all necessary precautions to prevent its disclosure; and</li> <li>• <b>(c)</b> the Commissioner must, within 10 days after the day on which the certificate is published in the <i>Canada Gazette</i>, return the information to the organization that provided the information.</li> </ul> <p><b>Information not to be disclosed</b></p> <p><b>(3)</b> The Commissioner and every person acting on behalf or under the direction of the Commissioner, in exercising their powers and performing their duties and functions under this Act, must not disclose information subject to a certificate issued under section 38.13 of the <i>Canada Evidence Act</i> and must take every reasonable precaution to avoid the disclosure of that information.</p> <p><b>Power to delegate</b></p> <p><b>(4)</b> The Commissioner must not delegate the investigation or inquiry in respect of any complaint relating to information subject to a certificate issued under section 38.13 of the <i>Canada Evidence Act</i> except to one of a maximum of four officers or employees of the Commissioner specifically designated by the Commissioner for</p>	<p><b>(b)</b> the Commissioner shall not disclose the information and shall take all necessary precautions to prevent its disclosure; and</p> <p><b>(c)</b> the Commissioner shall, within 10 days after the certificate is published in the <i>Canada Gazette</i>, return the information to the organization that provided the information.</p> <p><b>Information not to be disclosed</b></p> <p><b>(3)</b> The Commissioner and every person acting on behalf or under the direction of the Commissioner, in carrying out their functions under this Part, shall not disclose information subject to a certificate issued under section 38.13 or 38.41 of the <i>Canada Evidence Act</i>, and shall take every reasonable precaution to avoid the disclosure of that information.</p> <p><b>Power to delegate</b></p> <p><b>(4)</b> The Commissioner may not delegate the investigation of any complaint relating to information subject to a certificate issued under section 38.13 or 38.41 of the <i>Canada Evidence Act</i> except to one of a maximum of four officers or employees of the Commissioner specifically designated by the Commissioner for the purpose of conducting that investigation.</p>

<b>PPCDA (BILL C-36)</b> <i>Protecting Privacy and Consumer Data Act</i>	<b>CPPA (BILL C-27)</b> <i>Consumer Privacy Protection Act</i>	<b>PIPEDA</b> <i>Personal Information Protection and Electronic Documents Act</i>
<p>designated by the Commissioner for the purpose of conducting that investigation.</p> <p><b>Power to delegate — Commission</b></p> <p>(5) The Commission must not delegate the consideration of an application for a review under section 109, or a proceeding in respect of an interim order referred to in subsection 123(4), that is in relation to information subject to a certificate issued under section 38.13 or 38.41 of the <i>Canada Evidence Act</i> except to one of a maximum of four employees of the Commission specifically designated by the Commission for the purpose of conducting that review or proceeding, as the case may be</p>	<p>the purpose of conducting that investigation or inquiry, as the case may be.</p>	
<p><b>Security requirements</b></p> <p>134 The Commission, the Commissioner, the Division and any person acting on their behalf or under their direction who receives or obtains information relating to any investigation under this Act must, with respect to access to and the use of that information, satisfy any security requirements applicable to, and take any oath of secrecy required to be taken by, persons who normally have access to and use of that information.</p>		<p>[No equivalent provision]</p>
<p><b>Confidentiality</b></p> <p>135 (1) Subject to subsections (3) to (8), 80(2), 81(3) and 82(1), section 83, paragraph 85(2)(c), section 95, subsections 97(4), 98(2) and 100(1), sections 103 to 106 and subsections 107(2) and (4) to (6), 108(2) and (4) to (6), 110(3), 120(1) and 123(5), the Commission, the Commissioner, the Division and any person acting on their behalf or under their direction must not disclose any</p>	<p><b>Confidentiality</b></p> <p>113 (1) Subject to subsections (3) to (8), section 79, paragraph 81(c), subsections 82(4) and 83(2), section 88, subsections 89(2) and 90(2), section 93, subsections 94(4), 98(1), 118(2), 119(3) and 120(1) and section 121, the Commissioner or any person acting on behalf or under the direction of the Commissioner must not disclose any information that comes to their knowledge as a</p>	<p><b>Confidentiality</b></p> <p>20 (1) Subject to subsections (2) to (7), 12(3), 12.2(3), 13(3), 19(1), 23(3) and 23.1(1) and section 25, the Commissioner or any person acting on behalf or under the direction of the Commissioner shall not disclose any information that comes to their knowledge as a result of the performance or exercise of any of the Commissioner's duties or powers under</p>

<b>PPCDA (BILL C-36)</b> <i>Protecting Privacy and Consumer Data Act</i>	<b>CPPA (BILL C-27)</b> <i>Consumer Privacy Protection Act</i>	<b>PIPEDA</b> <i>Personal Information Protection and Electronic Documents Act</i>
<p>information that comes to their knowledge as a result of the exercise of any of their powers or the performance of any of their duties or functions under this Act, other than those referred to in subsection 58(1) or 60(2).</p> <p><b>Confidentiality — reports and records</b></p> <p>(2) Subject to subsections (3) to (8), 80(2), 81(3) and 82(1), section 83, paragraph 85(2)(c), section 95, subsections 97(4), 98(2) and 100(1), sections 103 to 106 and subsections 107(2) and (4) to (6), 108(2) and (4) to (6), 110(3), 120(1) and 123(5), the Commission, the Commissioner, the Division and any person acting on their behalf or under their direction must not disclose any information contained in a report made under subsection 58(1) or in a record obtained under subsection 60(2).</p> <p><b>Public interest</b></p> <p>(3) The Commission, the Commissioner or the Division may, if they consider that it is in the public interest to do so, make public any information that comes to their knowledge in the exercise of any of their powers or the performance of any of their duties or functions under this Act.</p> <p><b>Disclosure of necessary information</b></p> <p>(4) The Commission, the Commissioner or the Division may disclose, or may authorize any person acting on their behalf or under their direction to disclose, information that in their opinion is necessary to</p> <ul style="list-style-type: none"> <li>(a) carry out an investigation or audit under this Act, consider an application</li> </ul>	<p>result of the exercise of any of the Commissioner's powers or the performance of any of the Commissioner's duties or functions under this Act other than those referred to in subsection 58(1) or 60(2).</p> <p><b>Confidentiality — reports and records</b></p> <p>(2) Subject to subsections (3) to (8), section 79, paragraph 81(c), subsections 82(4) and 83(2), section 88, subsections 89(2) and 90(2), section 93, subsections 94(4), 98(1), 118(2), 119(3) and 120(1) and section 121, the Commissioner or any person acting on behalf or under the direction of the Commissioner must not disclose any information contained in a report made under subsection 58(1) or in a record obtained under subsection 60(2).</p> <p><b>Public interest</b></p> <p>(3) The Commissioner may, if the Commissioner considers that it is in the public interest to do so, make public any information that comes to the Commissioner's knowledge in the exercise of any of the Commissioner's powers or the performance of any of the Commissioner's duties or functions under this Act.</p> <p><b>Disclosure of necessary information</b></p> <p>(4) The Commissioner may disclose, or may authorize any person acting on behalf or under the direction of the Commissioner to disclose, information that in the Commissioner's opinion is necessary to</p>	<p>this Part other than those referred to in subsection 10.1(1) or 10.3(2).</p> <p><b>Confidentiality — reports and records</b></p> <p>(1.1) Subject to subsections (2) to (7), 12(3), 12.2(3), 13(3), 19(1), 23(3) and 23.1(1) and section 25, the Commissioner or any person acting on behalf or under the direction of the Commissioner shall not disclose any information contained in a report made under subsection 10.1(1) or in a record obtained under subsection 10.3(2).</p> <p><b>Public interest</b></p> <p>(2) The Commissioner may, if the Commissioner considers that it is in the public interest to do so, make public any information that comes to his or her knowledge in the performance or exercise of any of his or her duties or powers under this Part.</p> <p><b>Disclosure of necessary information</b></p> <p>(3) The Commissioner may disclose, or may authorize any person acting on behalf or under the direction of the Commissioner to disclose, information that in the Commissioner's opinion is necessary to</p> <p>(a) conduct an investigation or audit under this Part; or</p> <p>(b) establish the grounds for findings and recommendations contained in any report under this Part.</p> <p><b>Disclosure in the course of proceedings</b></p> <p>(4) The Commissioner may disclose, or may authorize any person acting on behalf or under the</p>

<b>PPCDA (BILL C-36)</b> <i>Protecting Privacy and Consumer Data Act</i>	<b>CPPA (BILL C-27)</b> <i>Consumer Privacy Protection Act</i>	<b>PIPEDA</b> <i>Personal Information Protection and Electronic Documents Act</i>
<p>referred to in section 109 or hear a matter referred to in subsection 123(1); or</p> <ul style="list-style-type: none"> <li>(b) establish the grounds for findings and recommendations contained in any decision or report made under this Act.</li> </ul> <p><b>Disclosure in the course of proceedings</b></p> <p>(5) The Commission, the Commissioner or the Division may disclose, or may authorize any person acting on their behalf or under their direction to disclose, information in the course of</p> <ul style="list-style-type: none"> <li>(a) a prosecution for an offence under section 145;</li> <li>(b) a prosecution for an offence under section 132 of the <i>Criminal Code</i> (perjury) in respect of a statement made under this Act; or</li> <li>(c) a proceeding or an appeal before the Federal Court under this Act.</li> </ul> <p><b>Disclosure of offence authorized</b></p> <p>(6) The Commission, the Commissioner and the Division may disclose to the Attorney General of Canada or of a province, as the case may be, information relating to the commission of an offence under any federal or provincial law on the part of an officer or employee of an organization if, in their opinion, there is evidence of an offence.</p> <p><b>Disclosure of breach of security safeguards</b></p> <p>(7) The Commission, the Commissioner and the Division may disclose, or may authorize any</p>	<ul style="list-style-type: none"> <li>(a) carry out an investigation, conduct an inquiry or carry out an audit under this Act; or</li> <li>(b) establish the grounds for findings and recommendations contained in any decision or report made under this Act.</li> </ul> <p><b>Disclosure in the course of proceedings</b></p> <p>(5) The Commissioner may disclose, or may authorize any person acting on behalf or under the direction of the Commissioner to disclose, information in the course of</p> <ul style="list-style-type: none"> <li>(a) a prosecution for an offence under section 128;</li> <li>(b) a prosecution for an offence under section 132 of the <i>Criminal Code</i> (perjury) in respect of a statement made under this Act;</li> <li>(c) a proceeding or an appeal before the Tribunal under this Act; or</li> <li>(d) a judicial review in relation to the exercise of any of the Commissioner's powers or the performance of any of the Commissioner's duties or functions under this Act or in relation to a decision of the Tribunal.</li> </ul> <p><b>Disclosure of offence authorized</b></p> <p>(6) The Commissioner may disclose to the Attorney General of Canada or of a province, as the case may be, information relating to the commission of an offence under any federal or</p>	<p>direction of the Commissioner to disclose, information in the course of</p> <ul style="list-style-type: none"> <li>(a) a prosecution for an offence under section 28;</li> <li>(b) a prosecution for an offence under section 132 of the <i>Criminal Code</i> (perjury) in respect of a statement made under this Part;</li> <li>(c) a hearing before the Court under this Part;</li> <li>(d) an appeal from a decision of the Court; or</li> <li>(e) a judicial review in relation to the performance or exercise of any of the Commissioner's duties or powers under this Part.</li> </ul> <p><b>Disclosure of offence authorized</b></p> <p>(5) The Commissioner may disclose to the Attorney General of Canada or of a province, as the case may be, information relating to the commission of an offence against any law of Canada or a province on the part of an officer or employee of an organization if, in the Commissioner's opinion, there is evidence of an offence.</p> <p><b>Disclosure of breach of security safeguards</b></p> <p>(6) The Commissioner may disclose, or may authorize any person acting on behalf or under the direction of the Commissioner to disclose to a government institution or a part of a government institution, any information contained in a report made under subsection 10.1(1) or in a record obtained under subsection 10.3(2) if the Commissioner has reasonable grounds to believe that the information could be useful in the investigation of a contravention</p>

<b>PPCDA (BILL C-36)</b> <i>Protecting Privacy and Consumer Data Act</i>	<b>CPPA (BILL C-27)</b> <i>Consumer Privacy Protection Act</i>	<b>PIPEDA</b> <i>Personal Information Protection and Electronic Documents Act</i>
<p>person acting on their behalf or under their direction to disclose, to a government institution or a part of a government institution, any information contained in a report made under subsection 58(1) or in a record obtained under subsection 60(2) if they have reasonable grounds to believe that the information could be useful in the investigation of a contravention of any federal or provincial law that has been, is being or is about to be committed.</p> <p><b>Disclosure</b></p> <p><b>(8)</b> The Commission, the Commissioner and the Division disclose information, or may authorize any person acting on their behalf or under their direction to disclose information in accordance with subsection 58(3) or 60(1) of <i>An Act to promote the efficiency and adaptability of the Canadian economy by regulating certain activities that discourage reliance on electronic means of carrying out commercial activities, and to amend the Canadian Radio-television and Telecommunications Commission Act, the Competition Act, the Personal Information Protection and Electronic Documents Act and the Telecommunications Act</i>.</p>	<p>provincial law on the part of an officer or employee of an organization if, in the Commissioner's opinion, there is evidence of an offence.</p> <p><b>Disclosure of breach of security safeguards</b></p> <p><b>(7)</b> The Commissioner may disclose, or may authorize any person acting on behalf or under the direction of the Commissioner to disclose, to a government institution or a part of a government institution, any information contained in a report made under subsection 58(1) or in a record obtained under subsection 60(2) if the Commissioner has reasonable grounds to believe that the information could be useful in the investigation of a contravention of any federal or provincial law that has been, is being or is about to be committed.</p> <p><b>Disclosure</b></p> <p><b>(8)</b> The Commissioner may disclose information, or may authorize any person acting on behalf or under the direction of the Commissioner to disclose information, in the course of proceedings in which the Commissioner has intervened under paragraph 50(c) of <i>An Act to promote the efficiency and adaptability of the Canadian economy by regulating certain activities that discourage reliance on electronic means of carrying out commercial activities, and to amend the Canadian Radio-television and Telecommunications Commission Act, the Competition Act, the Personal Information Protection and Electronic Documents Act and the Telecommunications Act</i> or in accordance with subsection 58(3) or 60(1) of that Act.</p>	<p>of the laws of Canada or a province that has been, is being or is about to be committed.</p> <p><b>Disclosure</b></p> <p><b>(7)</b> The Commissioner may disclose information, or may authorize any person acting on behalf or under the direction of the Commissioner to disclose information, in the course of proceedings in which the Commissioner has intervened under paragraph 50(c) of <i>An Act to promote the efficiency and adaptability of the Canadian economy by regulating certain activities that discourage reliance on electronic means of carrying out commercial activities, and to amend the Canadian Radio-television and Telecommunications Commission Act, the Competition Act, the Personal Information Protection and Electronic Documents Act and the Telecommunications Act</i> or in accordance with subsection 58(3) or 60(1) of that Act.</p>
<p><b>Not competent witness</b></p>	<p><b>Not competent witness</b></p>	<p><b>Not competent witness</b></p>

<b>PPCA (BILL C-36)</b> <i>Protecting Privacy and Consumer Data Act</i>	<b>CPA (BILL C-27)</b> <i>Consumer Privacy Protection Act</i>	<b>PIPEDA</b> <i>Personal Information Protection and Electronic Documents Act</i>
<p><b>136</b> The Commission, the Commissioner or the Division or any person acting on their behalf or under their direction is not a competent witness in respect of any matter that comes to their knowledge as a result of the exercise of any of their powers or the performance of any of their duties or functions under this Act in any proceeding other than</p> <ul style="list-style-type: none"> <li>• (a) a prosecution for an offence under section 145;</li> <li>• (b) a prosecution for an offence under section 132 of the <i>Criminal Code</i> (perjury) in respect of a statement made under this Act; or</li> <li>• (c) a proceeding or an appeal before the Federal Court under this Act.</li> </ul>	<p><b>114</b> The Commissioner or any person acting on behalf or under the direction of the Commissioner is not a competent witness in respect of any matter that comes to their knowledge as a result of the exercise of any of the Commissioner's powers or the performance of any of the Commissioner's duties or functions under this Act in any proceeding other than</p> <ul style="list-style-type: none"> <li>• (a) a prosecution for an offence under section 128;</li> <li>• (b) a prosecution for an offence under section 132 of the <i>Criminal Code</i> (perjury) in respect of a statement made under this Act; or</li> <li>• (c) a proceeding or an appeal before the Tribunal under this Act.</li> </ul>	<p><b>21</b> The Commissioner or person acting on behalf or under the direction of the Commissioner is not a competent witness in respect of any matter that comes to their knowledge as a result of the performance or exercise of any of the Commissioner's duties or powers under this Part in any proceeding other than</p> <p>(a) a prosecution for an offence under section 28;</p> <p>(b) a prosecution for an offence under section 132 of the <i>Criminal Code</i> (perjury) in respect of a statement made under this Part;</p> <p>(c) a hearing before the Court under this Part; or</p> <p>(d) an appeal from a decision of the Court.</p>
<p><b>Protection of Commission, Commissioner and Division</b></p> <p><b>137 (1)</b> No criminal or civil proceedings lie against the Commission, the Commissioner or the Division, or against any person acting on their behalf or under their direction, for anything done, reported, decided or said in good faith as a result of the exercise or purported exercise of any of their powers or the performance or purported performance of any of their duties or functions under this Act.</p> <p><b>Defamation</b></p> <p><b>(2)</b> No action lies in defamation with respect to</p> <ul style="list-style-type: none"> <li>• (a) anything said, any information supplied or any record or thing produced</li> </ul>	<p><b>Protection of Commissioner</b></p> <p><b>115 (1)</b> No criminal or civil proceedings lie against the Commissioner, or against any person acting on behalf or under the direction of the Commissioner, for anything done, reported, decided or said in good faith as a result of the exercise or purported exercise of any power of the Commissioner or the performance or purported performance of any duty or function of the Commissioner under this Act.</p> <p><b>Defamation</b></p> <p><b>(2)</b> No action lies in defamation with respect to</p> <ul style="list-style-type: none"> <li>• (a) anything said, any information supplied or any record or thing produced in good faith in the course of an</li> </ul>	<p><b>Protection of Commissioner</b></p> <p><b>22 (1)</b> No criminal or civil proceedings lie against the Commissioner, or against any person acting on behalf or under the direction of the Commissioner, for anything done, reported or said in good faith as a result of the performance or exercise or purported performance or exercise of any duty or power of the Commissioner under this Part.</p> <p><b>Defamation</b></p> <p><b>(2)</b> No action lies in defamation with respect to</p> <p>(a) anything said, any information supplied or any record or thing produced in good faith in the course of an investigation or audit carried out by or on behalf of the Commissioner under this Part; and</p>

<b>PPCDA (BILL C-36)</b> <i>Protecting Privacy and Consumer Data Act</i>	<b>CPPA (BILL C-27)</b> <i>Consumer Privacy Protection Act</i>	<b>PIPEDA</b> <i>Personal Information Protection and Electronic Documents Act</i>
<p>in good faith in the course of an investigation or audit carried out, or proceedings in respect of an application referred to in section 109 or interim order referred to in subsection 123(4), conducted by or on behalf of the Commission, the Commissioner or the Division under this Act; and</p> <ul style="list-style-type: none"> <li>(b) any report or decision made in good faith by the Commission, the Commissioner or the Division under this Act and any fair and accurate account of the report or decision made in good faith for the purpose of news reporting.</li> </ul>	<p>investigation or audit carried out or an inquiry conducted by or on behalf of the Commissioner under this Act; and</p> <ul style="list-style-type: none"> <li>(b) any report or decision made in good faith by the Commissioner under this Act and any fair and accurate account of the report or decision made in good faith for the purpose of news reporting.</li> </ul>	<p>(b) any report made in good faith by the Commissioner under this Part and any fair and accurate account of the report made in good faith for the purpose of news reporting.</p>
<p><b>De-identified personal information</b></p> <p><b>138</b> For the purposes of paragraph 75(i), the Division may, on request by an organization, authorize a purpose or situation in which the organization may use de-identified personal information, alone or in combination with other information, to identify an individual if, in the Division's opinion, it is clearly in the interests of the individual.</p>	<p><b>De-identified information</b></p> <p><b>116</b> For the purpose of paragraph 75(e), the Commissioner may, on request by an organization, authorize a purpose or situation in which the organization may use information that has been de-identified, alone or in combination with other information, to identify an individual if, in the Commissioner's opinion, it is clearly in the interests of the individual.</p>	<p>[No equivalent provision]</p>
<p>General</p> <p><b>Regulations</b></p> <p><b>139 (1)</b> The Governor in Council may make regulations for carrying out the purposes and provisions of this Act, including regulations</p>	<p>General</p> <p><b>Regulations</b></p> <p><b>122 (1)</b> The Governor in Council may make regulations for carrying out the purposes and provisions of this Act, including regulations</p> <ul style="list-style-type: none"> <li>(a) respecting the scope of any of the activities set out in paragraphs 18(2)(a) to</li> </ul>	<p><b>Regulations</b></p> <p><b>26 (1)</b> The Governor in Council may make regulations for carrying out the purposes and provisions of this Part, including regulations</p> <p>(a) specifying, by name or by class, what is a government institution or part of a government institution for the purposes of any provision of this Part;</p>

<b>PPCDA (BILL C-36)</b> <i>Protecting Privacy and Consumer Data Act</i>	<b>CPA (BILL C-27)</b> <i>Consumer Privacy Protection Act</i>	<b>PIPEDA</b> <i>Personal Information Protection and Electronic Documents Act</i>
<ul style="list-style-type: none"> <li>• <b>(a)</b> respecting the anonymization of personal information;</li> <li>• <b>(b)</b> respecting the scope of any of the activities set out in paragraphs 18(2)(a) to (c), including specifying activities that are not business activities for the purposes of subsection 18(1);</li> <li>• <b>(c)</b> specifying what is a government institution or part of a government institution for the purposes of any provision of this Act;</li> <li>• <b>(d)</b> specifying information for the purposes of section 50;</li> <li>• <b>(e)</b> respecting the disposal of personal information for the purposes of section 54;</li> <li>• <b>(f)</b> respecting security safeguards for the purposes of section 56;</li> <li>• <b>(g)</b> specifying information to be kept and maintained under subsection 60(1);</li> <li>• <b>(h)</b> respecting an individual's right of access to their personal information; and</li> <li>• <b>(i)</b> prescribing anything that by this Act is to be prescribed.</li> </ul> <p><b>Orders</b></p> <p><b>(2)</b> The Governor in Council may, by order,</p>	<p><b>(c)</b>, including specifying activities that are excluded from the application of this Act;</p> <ul style="list-style-type: none"> <li>• <b>(b)</b> specifying what is a government institution or part of a government institution for the purposes of any provision of this Act;</li> <li>• <b>(c)</b> specifying information for the purpose of section 51;</li> <li>• <b>(d)</b> specifying information to be kept and maintained under subsection 60(1); and</li> <li>• <b>(e)</b> prescribing anything that by this Act is to be prescribed.</li> </ul> <p><b>Orders</b></p> <p><b>(2)</b> The Governor in Council may, by order,</p> <ul style="list-style-type: none"> <li>• <b>(a)</b> provide that this Act is binding on any agent of Her Majesty in right of Canada to which the <i>Privacy Act</i> does not apply;</li> <li>• <b>(b)</b> if satisfied that legislation of a province that is substantially similar to this Act applies to an organization, a class of organizations, an activity or a class of activities, exempt the organization, activity or class from the application of this Act in respect of the collection, use or disclosure of personal information that occurs within that province; and</li> <li>• <b>(c)</b> amend the schedule by adding or deleting, in column 1, a reference to an organization or by adding or deleting, in column 2, the description of personal</li> </ul>	<p><b>(a.01)</b> [Repealed, 2015, c. 32, s. 21]</p> <p><b>(a.1)</b> specifying information or classes of information for the purpose of paragraph 7(1)(d), (2)(c.1) or (3)(h.1);</p> <p><b>(b)</b> specifying information to be kept and maintained under subsection 10.3(1); and</p> <p><b>(c)</b> prescribing anything that by this Part is to be prescribed.</p> <p><b>Orders</b></p> <p><b>(2)</b> The Governor in Council may, by order,</p> <p><b>(a)</b> provide that this Part is binding on any agent of Her Majesty in right of Canada to which the <i>Privacy Act</i> does not apply;</p> <p><b>(b)</b> if satisfied that legislation of a province that is substantially similar to this Part applies to an organization, a class of organizations, an activity or a class of activities, exempt the organization, activity or class from the application of this Part in respect of the collection, use or disclosure of personal information that occurs within that province; and</p> <p><b>(c)</b> amend Schedule 4.</p>

<b>PPCDA (BILL C-36)</b> <i>Protecting Privacy and Consumer Data Act</i>	<b>CPPA (BILL C-27)</b> <i>Consumer Privacy Protection Act</i>	<b>PIPEDA</b> <i>Personal Information Protection and Electronic Documents Act</i>
<ul style="list-style-type: none"> <li>• <b>(a)</b> provide that this Act is binding on any agent of His Majesty in right of Canada to which the <i>Privacy Act</i> does not apply;</li> <li>• <b>(b)</b> if satisfied that legislation of a province that is substantially similar to this Act applies to an organization, a class of organizations, an activity or a class of activities, exempt the organization, activity or class from the application of this Act in respect of the collection, use or disclosure of personal information that occurs within that province; and</li> <li>• <b>(c)</b> amend the schedule by adding or deleting, in column 1, the name of an organization or by adding or deleting, in column 2, the description of personal information in relation to an organization in column 1.</li> </ul> <p><b>Regulations — substantially similar provincial legislation</b></p> <p><b>(3)</b> The Governor in Council may make regulations establishing</p> <ul style="list-style-type: none"> <li>• <b>(a)</b> criteria that are to be applied in making a determination under paragraph (2)(b) that provincial legislation is substantially similar to this Act, or in reconsidering that determination; and</li> <li>• <b>(b)</b> the process for making or reconsidering that determination.</li> </ul>	<p>information in relation to an organization in column 1.</p> <p><b>Regulations — substantially similar provincial legislation</b></p> <p><b>(3)</b> The Governor in Council may make regulations establishing</p> <ul style="list-style-type: none"> <li>• <b>(a)</b> criteria that are to be applied in making a determination under paragraph (2)(b) that provincial legislation is substantially similar to this Act, or in reconsidering that determination; and</li> <li>• <b>(b)</b> the process for making or reconsidering that determination.</li> </ul>	
<p><b>Data mobility frameworks</b></p>	<p><b>Data mobility frameworks</b></p>	<p>[No equivalent provision]</p>

<b>PPCDA (BILL C-36)</b> <i>Protecting Privacy and Consumer Data Act</i>	<b>CPPA (BILL C-27)</b> <i>Consumer Privacy Protection Act</i>	<b>PIPEDA</b> <i>Personal Information Protection and Electronic Documents Act</i>
<p><b>140</b> The Governor in Council may make regulations respecting the disclosure of personal information under section 72, including regulations</p> <ul style="list-style-type: none"> <li>• <b>(a)</b> respecting data mobility frameworks and prescribing               <ul style="list-style-type: none"> <li>○ <b>(i)</b> safeguards that must be put in place by organizations to enable the secure disclosure of personal information under section 72 and the secure collection of that information, and</li> <li>○ <b>(ii)</b> parameters for the technical means for ensuring interoperability in respect of the disclosure and collection of that information;</li> </ul> </li> <li>• <b>(b)</b> specifying organizations that are subject to a data mobility framework; and</li> <li>• <b>(c)</b> providing for exceptions to the requirement to disclose personal information, including exceptions related to the protection of proprietary or confidential commercial information.</li> </ul>	<p><b>123</b> The Governor in Council may make regulations respecting the disclosure of personal information under section 72, including regulations</p> <ul style="list-style-type: none"> <li>• <b>(a)</b> respecting data mobility frameworks and prescribing               <ul style="list-style-type: none"> <li>○ <b>(i)</b> safeguards that must be put in place by organizations to enable the secure disclosure of personal information under section 72 and the collection of that information, and</li> <li>○ <b>(ii)</b> parameters for the technical means for ensuring interoperability in respect of the disclosure and collection of that information;</li> </ul> </li> <li>• <b>(b)</b> specifying organizations that are subject to a data mobility framework; and</li> <li>• <b>(c)</b> providing for exceptions to the requirement to disclose personal information under that section, including exceptions related to the protection of proprietary or confidential commercial information.</li> </ul>	

<b>PPCDA (BILL C-36)</b> <i>Protecting Privacy and Consumer Data Act</i>	<b>CPPA (BILL C-27)</b> <i>Consumer Privacy Protection Act</i>	<b>PIPEDA</b> <i>Personal Information Protection and Electronic Documents Act</i>
<p><b>Distinguishing — classes</b></p> <p><b>141</b> Regulations made under subsection 139(1) or section 140 may distinguish among different classes of activities, government institutions or parts of government institutions, information, organizations or entities.</p>	<p><b>Distinguishing — classes</b></p> <p><b>124</b> Regulations made under subsection 122(1) or section 123 may distinguish among different classes of activities, government institutions or parts of government institutions, information, organizations or entities.</p>	<p>[No equivalent provision]</p>
<p><b>Regulations — codes of conduct and certification programs</b></p> <p><b>142</b> The Minister may make regulations</p> <ul style="list-style-type: none"> <li>• <b>(a)</b> respecting the criteria for and the manner and the circumstances in which a recommendation may be made under paragraph 85(2)(c);</li> <li>• <b>(b)</b> respecting the criteria for and the manner and the circumstances in which an approval may be revoked under paragraph 85(2)(d);</li> <li>• <b>(c)</b> respecting the making of an application under subsection 92(2);</li> <li>• <b>(d)</b> setting out criteria for the purposes of subsection 92(3);</li> <li>• <b>(e)</b> respecting the reconsideration of a determination made under subsection 92(3);</li> <li>• <b>(f)</b> respecting the making of an application under subsection 93(1);</li> </ul>	<p><b>Regulations — codes of conduct and certification programs</b></p> <p><b>125</b> The Minister may make regulations</p> <ul style="list-style-type: none"> <li>• <b>(a)</b> respecting the making of an application under subsection 76(2);</li> <li>• <b>(b)</b> setting out criteria for the purpose of subsection 76(3);</li> <li>• <b>(c)</b> respecting the reconsideration of a determination made under subsection 76(3);</li> <li>• <b>(d)</b> respecting the making of an application under subsection 77(1);</li> <li>• <b>(e)</b> providing for anything else that must be included in a certification program for the purpose of paragraph 77(1)(f);</li> <li>• <b>(f)</b> setting out criteria for the purpose of subsection 77(2);</li> <li>• <b>(g)</b> respecting the reconsideration of a determination made under subsection 77(2);</li> </ul>	<p>[No equivalent provision]</p>

<b>PPCDA (BILL C-36)</b> <i>Protecting Privacy and Consumer Data Act</i>	<b>CPPA (BILL C-27)</b> <i>Consumer Privacy Protection Act</i>	<b>PIPEDA</b> <i>Personal Information Protection and Electronic Documents Act</i>
<ul style="list-style-type: none"> <li>• <b>(g)</b> providing for anything else that must be included in a certification program for the purposes of paragraph 93(1)(f);</li> <li>• <b>(h)</b> setting out criteria for the purposes of subsection 93(2);</li> <li>• <b>(i)</b> respecting the reconsideration of a determination made under subsection 93(2);</li> <li>• <b>(j)</b> specifying, for the purposes of section 94, the time for responding to an application; and</li> <li>• <b>(k)</b> respecting record-keeping and reporting obligations of an entity that operates an approved certification program, including obligations to provide reports to the <b>Commission</b> in respect of an approved certification program.</li> </ul>	<ul style="list-style-type: none"> <li>• <b>(h)</b> specifying, for the purpose of section 78, the time for responding to an application;</li> <li>• <b>(i)</b> respecting the criteria for and the manner and the circumstances in which a recommendation may be made under paragraph 81(c);</li> <li>• <b>(j)</b> respecting the criteria for and the manner and the circumstances in which an approval may be revoked under paragraph 81(e); and</li> <li>• <b>(k)</b> respecting record-keeping and reporting obligations of an entity that operates an approved certification program, including obligations to provide reports to the <b>Commissioner</b> in respect of an approved certification program.</li> </ul>	
<p><b>Whistleblowing</b></p> <p><b>143 (1)</b> Any person who has reasonable grounds to believe that a person has contravened or intends to contravene Part 1 may notify the Commission of the particulars of the matter and may request that their identity be kept confidential with respect to the notification.</p> <p><b>Confidentiality</b></p> <p><b>(2)</b> The Commission must keep confidential the identity of a person who has notified the Commission under subsection (1) and to whom an assurance of confidentiality has been provided by the <b>Commission</b>.</p>	<p><b>Whistleblowing</b></p> <p><b>126 (1)</b> Any person who has reasonable grounds to believe that a person has contravened or intends to contravene Part 1 may notify the Commissioner of the particulars of the matter and may request that their identity be kept confidential with respect to the notification.</p> <p><b>Confidentiality</b></p> <p><b>(2)</b> The Commissioner must keep confidential the identity of a person who has notified the Commissioner under subsection (1) and to whom an assurance of confidentiality has been provided by the <b>Commissioner</b>.</p>	<p><b>Whistleblowing</b></p> <p><b>27 (1)</b> Any person who has reasonable grounds to believe that a person has contravened or intends to contravene a provision of Division 1 or 1.1 may notify the Commissioner of the particulars of the matter and may request that their identity be kept confidential with respect to the notification.</p> <p><b>Confidentiality</b></p> <p><b>(2)</b> The Commissioner shall keep confidential the identity of a person who has notified the Commissioner under subsection (1) and to whom an assurance of confidentiality has been provided by the Commissioner.</p>

<b>PPCDA (BILL C-36)</b> <i>Protecting Privacy and Consumer Data Act</i>	<b>CPPA (BILL C-27)</b> <i>Consumer Privacy Protection Act</i>	<b>PIPEDA</b> <i>Personal Information Protection and Electronic Documents Act</i>
<p><b>Prohibition</b></p> <p><b>144 (1)</b> An employer must not dismiss, suspend, demote, discipline, harass or otherwise disadvantage an employee, or deny an employee a benefit of employment, by reason that</p> <ul style="list-style-type: none"> <li>• <b>(a)</b> the employee, acting in good faith and on the basis of reasonable belief, has disclosed to the Commission that the employer or any other person has contravened or intends to contravene Part 1;</li> <li>• <b>(b)</b> the employee, acting in good faith and on the basis of reasonable belief, has refused or stated an intention of refusing to do anything that is a contravention of Part 1;</li> <li>• <b>(c)</b> the employee, acting in good faith and on the basis of reasonable belief, has done or stated an intention of doing anything that is required to be done in order that Part 1 not be contravened; or</li> <li>• <b>(d)</b> the employer believes that the employee will do anything referred to in paragraph (a), (b) or (c).</li> </ul> <p><b>Saving</b></p> <p><b>(2)</b> Nothing in this section impairs any right of an employee, either at law or under an employment contract or collective agreement.</p> <p><b>Definitions of <i>employee</i> and <i>employer</i></b></p>	<p><b>Prohibition</b></p> <p><b>127 (1)</b> An employer must not dismiss, suspend, demote, discipline, harass or otherwise disadvantage an employee, or deny an employee a benefit of employment, by reason that</p> <ul style="list-style-type: none"> <li>• <b>(a)</b> the employee, acting in good faith and on the basis of reasonable belief, has disclosed to the Commissioner that the employer or any other person has contravened or intends to contravene Part 1;</li> <li>• <b>(b)</b> the employee, acting in good faith and on the basis of reasonable belief, has refused or stated an intention of refusing to do anything that is a contravention of Part 1;</li> <li>• <b>(c)</b> the employee, acting in good faith and on the basis of reasonable belief, has done or stated an intention of doing anything that is required to be done in order that Part 1 not be contravened; or</li> <li>• <b>(d)</b> the employer believes that the employee will do anything referred to in paragraph (a), (b) or (c).</li> </ul> <p><b>Saving</b></p> <p><b>(2)</b> Nothing in this section impairs any right of an employee, either at law or under an employment contract or collective agreement.</p> <p><b>Definitions of <i>employee</i> and <i>employer</i></b></p>	<p><b>Prohibition</b></p> <p><b>27.1 (1)</b> No employer shall dismiss, suspend, demote, discipline, harass or otherwise disadvantage an employee, or deny an employee a benefit of employment, by reason that</p> <p><b>(a)</b> the employee, acting in good faith and on the basis of reasonable belief, has disclosed to the Commissioner that the employer or any other person has contravened or intends to contravene a provision of Division 1 or 1.1;</p> <p><b>(b)</b> the employee, acting in good faith and on the basis of reasonable belief, has refused or stated an intention of refusing to do anything that is a contravention of a provision of Division 1 or 1.1;</p> <p><b>(c)</b> the employee, acting in good faith and on the basis of reasonable belief, has done or stated an intention of doing anything that is required to be done in order that a provision of Division 1 or 1.1 not be contravened; or</p> <p><b>(d)</b> the employer believes that the employee will do anything referred to in paragraph (a), (b) or (c).</p> <p><b>Saving</b></p> <p><b>(2)</b> Nothing in this section impairs any right of an employee either at law or under an employment contract or collective agreement.</p>

<b>PPCDA (BILL C-36)</b> <i>Protecting Privacy and Consumer Data Act</i>	<b>CPPA (BILL C-27)</b> <i>Consumer Privacy Protection Act</i>	<b>PIPEDA</b> <i>Personal Information Protection and Electronic Documents Act</i>
<p><b>(3)</b> In this section, <b>employee</b> includes an independent contractor and <b>employer</b> has a corresponding meaning.</p>	<p><b>(3)</b> In this section, <b>employee</b> includes an independent contractor and <b>employer</b> has a corresponding meaning.</p>	
<p><b>Offence and punishment</b></p> <p><b>145</b> Every organization that knowingly contravenes section 58, subsection 60(1), section 69 or 75 or subsection 144(1) or an order made under subsection 110(1), that obstructs the Commissioner or the Commissioner’s delegate in the investigation of a complaint or in carrying out an audit or that obstructs the Commission or the Commission’s delegate in the course of proceedings in respect of an application referred to in section 109 or interim order referred to in subsection 123(4) is</p> <ul style="list-style-type: none"> <li>• <b>(a)</b> guilty of an indictable offence and liable to a fine not exceeding the greater of \$25,000,000 and 5% of the organization’s gross global revenue in its financial year before the one in which the organization is sentenced; or</li> <li>• <b>(b)</b> guilty of an offence punishable on summary conviction and liable to a fine not exceeding the greater of \$20,000,000 and 4% of the organization’s gross global revenue in its financial year before the one in which the organization is sentenced.</li> </ul>	<p><b>Offence and punishment</b></p> <p><b>128</b> Every organization that knowingly contravenes section 58, subsection 60(1), section 69 or 75 or subsection 127(1) or an order under subsection 93(2) or that obstructs the Commissioner or the Commissioner’s delegate in the investigation of a complaint, in conducting an inquiry or in carrying out an audit is</p> <ul style="list-style-type: none"> <li>• <b>(a)</b> guilty of an indictable offence and liable to a fine not exceeding the higher of \$25,000,000 and 5% of the organization’s gross global revenue in its financial year before the one in which the organization is sentenced; or</li> <li>• <b>(b)</b> guilty of an offence punishable on summary conviction and liable to a fine not exceeding the higher of \$20,000,000 and 4% of the organization’s gross global revenue in its financial year before the one in which the organization is sentenced.</li> </ul>	<p>Offence and punishment</p> <p>28 Every organization that knowingly contravenes sub-section 8(8), section 10.1 or subsection 10.3(1) or 27.1(1)</p> <p>or that obstructs the Commissioner or the Commissioner’s delegate in the investigation of a complaint or in conducting an audit is guilty of</p> <p>(a) an offence punishable on summary conviction and liable to a fine not exceeding \$10,000; or</p> <p>(b) an indictable offence and liable to a fine not exceeding \$100,000.</p>
<p><b>Review by parliamentary committee</b></p> <p><b>146 (1)</b> Five years after the day on which this section comes into force, and every five years after that, a comprehensive review of the provisions and operation of this Act is to be commenced by a committee of the Senate, of the</p>	<p><b>Review by parliamentary committee</b></p> <p><b>129 (1)</b> Five years after the day on which this section comes into force, and every five years after that, a comprehensive review of the provisions and operation of this Act is to be commenced by a committee of the Senate, of the</p>	<p>Review of Part by parliamentary committee</p> <p>29 (1) The administration of this Part shall, every five years after this Part comes into force, be reviewed by the committee of the House of Commons, or of both Houses of Parliament, that may be designated or established by Parliament for that purpose</p>

<b>PPCDA (BILL C-36)</b> <i>Protecting Privacy and Consumer Data Act</i>	<b>CPPA (BILL C-27)</b> <i>Consumer Privacy Protection Act</i>	<b>PIPEDA</b> <i>Personal Information Protection and Electronic Documents Act</i>
<p>House of Commons or of both Houses of Parliament that may be designated or established by the Senate, the House of Commons or both Houses of Parliament, as the case may be, for that purpose</p> <p><b>Report</b></p> <p>(2) Within one year, or any further time that is authorized by the Senate, the House of Commons or both Houses of Parliament, as the case may be, after the day on which the review is commenced, the committee must submit a report on that review to the Senate, the House of Commons or both Houses of Parliament, as the case may be, together with a statement of any changes recommended by the committee.</p>	<p>House of Commons or of both Houses of Parliament that may be designated or established by the Senate, the House of Commons or both Houses of Parliament, as the case may be, for that purpose.</p> <p><b>Report</b></p> <p>(2) Within one year, or any further time that is authorized by the Senate, the House of Commons or both Houses of Parliament, as the case may be, after the day on which the review is commenced, the committee must submit a report on that review to the Senate, the House of Commons or both Houses of Parliament, as the case may be, together with a statement of any changes recommended by the committee.</p>	<p>Review and report</p> <p>(2) The committee shall undertake a review of the provisions and operation of this Part and shall, within a year after the review is undertaken or within any further period that the House of Commons may authorize, submit a</p> <p>report to Parliament that includes a statement of any changes to this Part or its administration that the committee recommends</p>
<p><b>PART 3</b></p> <p>Coming into Force <b>Order in council</b></p> <p><b>147</b> The provisions of this Act come into force on a day or days to be fixed by order of the Governor in Council, but that day or those days must not be before the day on which Part 3 of <i>An Act to enact the Protecting Privacy and Consumer Data Act, to amend the Personal Information Protection and Electronic Documents Act and to make amendments to other Acts</i> comes into force.</p>	<p><b>PART 3</b></p> <p>Coming into Force <b>Order in council</b></p> <p><b>130 (1)</b> Subject to subsections (2) and (3), this Act comes into force on the day on which section 3 of the <i>Digital Charter Implementation Act, 2022</i> comes into force.</p> <p><b>Order in council</b></p> <p>(2) Sections 72 and 123 come into force on a day to be fixed by order of the Governor in Council.</p> <p><b>Order in council</b></p> <p>(3) Sections 76 to 81, paragraph 83(1)(d), subsection 94(3) and section 125 come into force on a day to be fixed by order of the Governor in Council.</p>	<p><b>PART 6</b></p> <p>Coming into Force</p> <p>* 72 Parts 1 to 5 or any provision of those Parts come into force on a day or days to be fixed by order of the Governor in Council made on the recommendation of</p> <p>(a) in the case of Parts 1 and 2 or any provision of those Parts, the Minister of Industry; and</p> <p>(b) in the case of Parts 3 to 5 or any provision of those Parts, the Minister of Justice.</p>

## Let us help you stay one step ahead in this evolving privacy landscape in Canada.

Feel free to reach out to the authors, or member of our [Cybersecurity & Data Protection Group](#)



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Special thanks to Amina Hadji and Samuel Feldman for their contributions to this guide.