PIPA REFORM AND PROPOSED CPPA PROVISIONS

The proposed federal Consumer Privacy Protection Act (CPPA) is a welcome step forward in protecting Canadians' privacy.

Here are 10 major areas covered by CPPA, how they align with OIPC recommendations for PIPA reform, and where we can do even better to protect British Columbians' privacy rights.

1 MANDATORY BREACH NOTIFICATION

Essential, long overdue – CPPA's proposed rules about notifying people in the wake of privacy breaches align with OIPC recommendations.

2 PROTECTING PERSONAL INFORMATION TRANSFERRED TO SERVICE PROVIDERS

CPPA reflects OIPC's view that organizations should be responsible for customer or client personal information after it's been sent to a service provider.

3 MODERNIZING CONSENT REQUIREMENTS

Informed consent and people's right to control their information must be guiding principles. CPPA's consent exceptions are overly broad.

4 AUTOMATED DECISION MAKING

Organizations using automated decision making should notify people of that fact. CPPA's provisions fall short of that requirement.

5 RIGHT TO BE FORGOTTEN

We agree with CPPA's proposal to give people the right to require organizations to dispose of their personal information.

6 RIGHT TO DATA PORTABILITY

The CPPA framework is consistent with OIPC call to give people the right to obtain their own electronic personal information in an accessible manner.

7 ADMINISTRATIVE MONETARY PENALTIES

The CPPA model of imposing fines is long overdue. However, BC should adopt its own model for administering monetary penalties.

8 COMPLIANCE AGREEMENTS WITH ORGANIZATIONS

These agreements are an effective compliance tool for Commissioners. The CPPA will recognize this and PIPA should do the same.

9 IMPROVING REGULATORY INFORMATION SHARING AND COOPERATION

Data knows no borders. PIPA needs reforms similar to CPPA to allow BC's Privacy Commissioner to share information with foreign regulators.

10 ENHANCING/CLARIFYING OVERSIGHT POWERS

CPPA strengthens regulatory oversight. PIPA's oversight framework must also be strenghtened.

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