



Delay in Federal Privacy Law Reform

Bill C-29, a bill to reform Canada's private sector privacy law (*Personal Information Protection Electronic Documents Act*, or "PIPEDA") died on the order paper when Parliament was dissolved in March, 2011. The Bill was originally introduced in Parliament in May, 2010 to make a number of substantive and housekeeping changes, as recommended by review processes which have taken place over the last few years.

With this development, the long-awaited reform process for PIPEDA encounters even further delays. One can only speculate about legislative priorities in the next Parliament and whether this Bill will be reintroduced in substantially the same form.

Some content of the Bill, such as the new "business transactions" exemption [which already forms part of substantially similar provincial laws] would be considered non-controversial, welcome and overdue. Other aspects of the Bill, such as increased police powers under lawful access provisions, and compulsory rules for breach notification, have been the subject of more vigorous policy debate.

With the delay in implementing PIPEDA reform, the next period of required statutory review of PIPEDA (to be done every five years) is fast approaching

without much headway having been made on implementing reform as recommended by the last round of review.

ABOUT PIPEDA

PIPEDA regulates the personal information handling practices of private sector organizations which are:

- (a) federal works, undertakings or businesses; or
- (b) other organizations conducting commercial activity in a province which does not have its own accredited private sector privacy legislation.

Currently, Alberta, B.C. and Quebec have accredited provincial private sector privacy legislation in place. Ontario also has legislation covering health information.

END NOTES

A full copy of Bill C-29 can be found online at:

<http://www2.parl.gc.ca/HousePublications/Publication.aspx?Docid=4547739>

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