GPA
Global Privacy Assembly

GPA Global Privacy and Data Protection Awards 2021

Entry Form

To submit an entry to the GPA Global Privacy and Data Protection Awards please complete and email this form to secretariat@globalprivacyassembly.org **no later than 14 June 2021.**

Note: GPA member authorities can submit as many entries as they wish, but a separate form should be used for each different entry, submitted by the deadline above.

Languages: The GPA documentation Rule 6.2[1] applies.

1. CONTACT DETAILS FOR THIS ENTRY

Privacy/Data Protection Authority: **Office of the Privacy Commissioner of Canada**

2. ELIGIBILITY

By submitting this entry, I confirm that (*please tick all boxes to confirm*):

☒   The Authority is a member of the Global Privacy Assembly

☒   The initiative described in this entry was undertaken since January 2020.

☒   I am aware that the information in the entry (other than the contact details in 1(a) above) will be publicised by the GPA Secretariat.

3. CATEGORIES

Please indicate which category you wish to enter.

*Please tick **one**; please use a separate form for each category you wish to enter:*

☐   Education and Public Awareness

☐   Accountability

☐   Dispute Resolution and Enforcement

☒   Innovation

☐   People's Choice

4. DESCRIPTION OF THE INITIATIVE

a. Please provide a brief summary of the initiative *(no more than 75 words)*

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[1] GPA Rules and Procedures, Rule 6.2 'Assembly documents':
Without prejudice to section 4.2, Assembly documents, including accreditation and observer applications may be submitted in English or in another language. In the latter case, the documents shall be accompanied by an English version. Members with the ability and the resources to do so are encouraged to translate proposed resolutions and other Assembly documents such as the Assembly Rules and Procedures.

The Office of the Privacy Commissioner of Canada (OPC) published recommendations on a regulatory approach for artificial intelligence (AI) to ensure the protection of privacy rights in light of new and disruptive forms of processing.

b. Please provide a full description of the initiative *(no more than 350 words)*

As part of our legislative reform policy analysis work, the OPC examined AI as it relates specifically to the Personal Information Protection and Electronic Documents Act (PIPEDA). In our view, AI presents fundamental challenges to all PIPEDA principles and we identified several areas where the Act could be enhanced.

In November 2020, the OPC published recommendations for the reform of PIPEDA, Canada's private-sector privacy law, to address the unique risks posed by AI. This represented the culmination of a multi-stakeholder public consultation, launched in January 2020, in which 86 written submissions were received from a range of organizations and experts across Canada. Feedback was also obtained from two in-person consultations with stakeholders in Montreal and Toronto. The OPC commissioned a separate report by an expert in AI and privacy, which accounted for stakeholder feedback and informed the recommendations for law reform.

c. Please explain why you think the initiative deserves to be recognised by an award *(no more than 200 words)*

The OPC's AI recommendations seek to fill a gap in how privacy rights are protected in light of the new risks and challenges presented by AI on traditional privacy principles. They reflect careful analysis of the various viewpoints we observed throughout our multi-stakeholder public consultation, as well as our own research into this developing area, drawing on our involvement in the GPA's AI working group. Our goal was to provide a realistic and workable framework, which both fosters responsible innovation and provides enhanced protection for individuals, and we believe we struck an appropriate balance to that end.

Since publication, our AI recommendations have formed part of our submissions to the Parliament of Canada and the Department of Justice on the privacy law reform initiatives currently underway in Canada, namely Bill C-11, the Consumer Privacy Protection Act. We also submitted our AI recommendations to the UN Office of the High Commissioner for Human Rights in response to their consultation on privacy in the digital age.

Our public consultation and final recommendations have ignited important discussions in Canada on how to regulate AI, both within and beyond the perimeters of privacy law. It has been raised in provinces across the country.

d. Please include a photograph or image, if you wish *(This will be published with your entry on the GPA website. The image can be pasted into the box below, be sent as an attachment or a link may be provided)*

e. **Please provide the most relevant link on the authority's website to the initiative, if applicable** *(The website content does not need to be in English)*

https://www.priv.gc.ca/en/about-the-opc/what-we-do/consultations/completed-consultations/consultation-ai/reg-fw_202011/

f. **Please provide any other relevant links that help explain the initiative or its impact or success** *(e.g. links to news reports or articles):*

https://www.lavery.ca/en/publications/our-publications/3251-artificial-intelligence-ai-soon-to-be-regulated-in-canada.html

https://www.canadianlawyermag.com/practice-areas/privacy-and-data/privacy-commissioner-suggests-amendments-to-pipeda-relating-to-artificial-intelligence/335672

https://www.assembly.nl.ca/HouseBusiness/OrderPapers/2019-2020/mar04_2020.htm