

TABLE OF CONTENTS

Preface	ix
Introduction	1
1. A for Application	3
a) Definition of “Enterprise” and Territorial Scope	3
b) Definition of “Personal Information” and Material Scope	8
c) Distinction Between the Private Sector and the Public Sector	14
2. C for Consent	15
a) Consent and Alternatives to Consent	15
b) Manifest, Explicit and Implicit Consent	19
c) Exceptions to Consent in Matters of Employment and Business Transactions	23
3. T for Transparency	26
a) Privacy Officer	26
b) Communication of Personal Information Outside Québec	31
c) Communicating Personal Information Without Consent	37
d) Security Incidents Involving Personal Information	41
4. I for Individuals	45
a) The “Reasonableness” Test	45
b) Individual Rights	49
c) Restrictions on Individual Rights	52
5. O for Openness	52
a) To Research	52

b) To Political Parties	55
c) To the Rest of Canada and the World	57
6. N for Novelty	59
a) Advertising and Nominative Lists.	59
b) Health and Genetic Data	61
Conclusion	63
Bibliography	65
Table of legislation	73
Table of cases.	81
Index	85