

Joint Business Association Statement on the Importance of a Coherent Privacy Framework

Businesses and organizations need their customers to have confidence that the products and services provided to them are safe, secure, reliable, and will not infringe on their privacy. Additionally, cybersecurity risks are at an all time high and consumers have become more cognizant of data breaches and the threats to their information. As such, customers expect organizations to take active measures to protect their data.

Privacy and data protection are critical in our modern economy – often referred to as the digital economy – where Canadians are constantly accessing digital services to support their work, connect with friends and family, engage in e-commerce, utilize financial services, embrace virtual healthcare and online learning, or undertake leisure activities. Companies of all sizes, and across all sectors, also rely on digital technologies to reach customers in new markets and efficiently manage operations, including the significantly increased prevalence of remote working.

Continued collaboration between industry and governments at the federal, provincial and territorial level on privacy frameworks is critical to ensure that we have robust privacy protections in place and are supporting innovation and competitiveness. Failure to do so risks placing unnecessary burdens on businesses, especially SMEs, and deprives consumers of the latest innovative new technologies and services, both of which would inhibit Canada's economic growth and prosperity.

Our members welcome an ongoing dialogue to ensure Canada rises to the occasion by providing a coherent framework to safeguard consumers' privacy and choice, while also enabling companies to have agile business models. We have seen the historical negative impacts of interprovincial trade barriers and we should not allow our digital rules to be subject to the patchwork approach seen in other sectors of the economy. This is imperative given recent developments in various jurisdictions at home and abroad.

The imperative is not only about risk management but remaining competitive. Striking this balance between consumers' expectations and innovation will position Canada to exploit the opportunities presented by the digital economy. This includes the full scope of industries ranging from the intangibles economy through to the critical role of data in supporting sectors involved in production and distribution of goods.

As the federal government builds on its work under the Digital Charter and future PIPEDA reforms, three key principles are crucial to guide Canada's approach at the national and provincial levels:

Alignment

Privacy framework initiatives underway across our country must be consistent to ensure that businesses can operate seamlessly across international and provincial/territorial borders, in addition to enabling Canada to remain an attractive foreign direct investment destination. Governments need to ensure their respective approaches are aligned in order to achieve positive outcomes and experiences for consumers as well as provide interoperability for businesses.

Ultimately, unaligned rules will create burdens for companies that cause them to struggle, exit a particular market, and potentially decrease foreign investment. This creates disruptions for consumers and reduces resiliency for companies. Additionally, limits or differentials in rules on cross-border data transfers risks violating our trade obligations. Greater coherence will also provide more opportunities for Canadian businesses to take advantage of opportunities in areas outside their home jurisdiction.

Focus on principles

Privacy rules need to be principles-based and focused on outcomes. This will enable our privacy framework to remain adaptive to a changing business environment and function within operational realities and context-specific risks. It will also benefit evolving consumer habits and preferences without the need to repeatedly introduce legislative amendments as circumstances dictate.

Technology neutral

Focusing on outcomes also means privacy rules remaining technology and sector neutral. This will support businesses in a range of sectors with varying business models. This is particularly critical given the rapid technology evolution in terms of the services that companies provide their customers, and meet Canadians' demand for interconnectivity.

Our associations look forward to collaborating with government and placing the development of our privacy framework and protection of consumers' data at the heart of Canada's economic recovery to ensure our country remains competitive. A united Canada is an economically stronger nation.

Signatory Associations

Alberta Chamber of Commerce	Association of Home Appliance Manufacturers	Atlantic Chamber of Commerce	BC Chamber of Commerce
Canadian Automotive Dealers Association	Canadian Chamber of Commerce	Canadian Electricity Association	Canadian Federation of Independent Business
Canadian International Freight Forwarders Association	Canadian Life and Health Insurance Association	Canadian Manufacturers and Exporters	Canadian Produce Marketing Association
Canadian Society of Customs Brokers	Canadian Vehicle Manufacturers' Association	Entertainment Software Association of Canada	Fédération des chambres de commerce du Québec
Freight Management Association of Canada	IE Canada	Innovative Medicines Canada	Investment Industry Association of Canada
NWT Chamber of Commerce	Ontario Chamber of Commerce	Prospectors & Developers Association of Canada	Responsible Distribution Canada
Retail Council of Canada	Saskatchewan Chamber of Commerce	Supply Chain Canada	Toronto Finance International