

## What and when to report to the CAI (Law 25)

The Act respecting the protection of personal information in the private sector (Law 25) in Quebec requires organizations to immediately report certain types of incidents related to the security of personal information. Here are some examples of incidents that must be reported by law:

- Theft or loss of data: If personal data is stolen or lost, whether due to burglary, theft of computer equipment, loss of documents containing sensitive information, or other similar circumstances, this must be reported.
- Unauthorized access: If unauthorized persons have had access to personal information, whether due to a security breach, a data breach, mismanagement of access rights or any other reason, this must be declared.
- Unauthorized Disclosure: If personal information has been disclosed to third parties without the appropriate consent of the individuals involved, this also constitutes a reportable incident.
- Computer hacking: Any attempted or successful computer hacking aimed at illegally accessing personal data must be reported. This includes brute force attacks, SQL injection attacks, phishing attacks, etc.
- Data Alteration: If personal data has been altered in an unauthorized manner, whether intentionally or accidentally, this must also be declared.
- Loss of control over data: If an organization loses control of its personal data in a way that could compromise its security, this must be reported.
- Human error: Human errors, such as sending personal data to the wrong person or accidentally posting such data, must also be reported.

It is essential to note that Law 25 requires organizations to report these incidents to the “Commission d'accès à l'information du Québec” (CAIQ) and, in certain cases, to the individuals concerned. Organizations are required to take steps to mitigate risks and prevent future data breaches. It is recommended to consult a lawyer specializing in privacy law in Quebec to obtain advice specific to your situation if you are faced with such an incident.