



Reminder: As of January 1, OPC has been Applying Consent Guidelines

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In May 2018, the Office of the Privacy Commissioner of Canada (the “**OPC**”), in connection with the Offices of the Privacy Commissioner of Alberta and British Columbia released the [Guidelines for obtaining meaningful consent](#) (the “**Consent Guidelines**”). The OPC began applying these Consent Guidelines on January 1, 2019. You can read our full article [here](#) but, in brief, the Consent Guidelines set out seven guiding principles:

1. **Emphasize key elements.** In particular: (i) what personal information is being collected; (ii) with which parties personal information is being shared; (iii) for what purposes personal information is collected, used or disclosed, and (iv) the risk of harm and other potential consequences.
2. **Allow individuals to control the level of detail they get and when.**
3. **Provide individuals with clear options to say ‘yes’ or ‘no’.**
4. **Be innovative and creative.** Consider a variety of communication strategies, like just-in-time notices, interactive tools and customized mobile interfaces to highlight privacy issues.
5. **Consider the consumer’s perspective.** Use clear explanations and a level of language that is suitable to a diverse audience.
6. **Make consent a dynamic and ongoing process.**
7. **Be accountable: Stand ready to demonstrate compliance.**

The Consent Guidelines also contain a checklist to help guide organizations in their compliance efforts. Organizations should pay particular attention to the “must do” list. For more information, please contact our [Privacy, Cybersecurity and Data Protection Group](#).

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