

As the election seasons start in Ontario and eventually at the federal level, businesses and organizations are facing important questions about how they can collect, use, and share personal information – especially in the context of mass email campaigns and political messaging. A major area of interest, particularly for campaigns in Quebec, is complying with the rules and regulations as established in Quebec’s Law 25.

The core principle of Law 25 is **consent**. Organizations must obtain clear and informed consent from individuals before sending mass emails, collecting email addresses, or using personal data in any way. You need that consent not just for sending emails but also for the collection, use, and sharing of any personal information. In addition, you need to be transparent about why you’re collecting this information and how it will be used. We’ve included some helpful information below. Please note that for the most accurate information you should consult your legal team and/or a legal professional as this does not substitute for legal advice.

Key takeaways for the digital advertising and political marketing sectors include:

- **Consent:** Always obtain explicit consent before sending mass emails or collecting personal data (including email addresses). Consent must be informed, specific, and verifiable.
- **Increased transparency:** You must be clear about your privacy policies on data collection, use, and sharing practices.
- **Data Minimization and Data Security:** Only collect the information necessary for the specific purpose of the marketing campaign and implement robust security measures to protect personal data.
- **Breach Notifications:** In the case of a data breach, you need to notify the Commission d'accès à l'information du Québec and any other affected individuals if the breach could cause serious harm.
- **Privacy Impact Assessments (PIAs):** Digital advertising projects must undergo PIAs to mitigate privacy risks before collecting and sharing personal data.

In light of Law 25, mass email campaigns need to be carefully managed to ensure compliance. By making sure your organization has explicit consent before sending marketing communications and is following best practices in data protection, you can avoid legal risks while building trust with your audience. At the forefront is the right for people to control their own data and strategies for email campaigns must evolve to prioritize privacy and respect. This will allow you to effectively communicate your clients’ messages in compliance with the Law 25.

If you have any questions or would like to discuss this topic further, please email us at policy@iabcanada.com.

Further Reading:

- <https://iabcanada.com/iab-standards-and-guidelines/law25-resource-centre/>
- <https://www.onetrust.com/blog/quebecs-law-25-what-is-it-and-what-do-you-need-to-know/>
- <https://www.cookieyes.com/blog/quebec-law-25/>
- <https://www.fasken.com/en/knowledge/law-25/le-consentement-en-droit-quebecois-selon-la-cai>