

CONSEQUENCES FOR QUÉBEC OF A EUROPEAN DIRECTIVE ON THE PROTECTION OF PERSONAL INFORMATION

Québec businesses will be able to exchange personal information with any of the 15 member states of the European Union legally and without difficulty.

The rights of Québec citizens with regard to personal information are assured by law on both sides of the Atlantic.

These two statements arise from an important decision taken in Brussels in July 1995, which went unnoticed in North America.

A European directive

From the mid-1970s, certain European countries began to adopt legislation to ensure the protection of personal information.

Specialized agencies were created under this legislation, such as the Commission nationale de l'informatique et des libertés (CNIL) in France and the Data Protection Registrar in the United Kingdom.

Since that time, most of the 15 member states of the European Union, formerly known as the European Economic Community, have joined this movement.

At the same time, in order to harmonize the national laws of the member countries, the European Union adopted a great many directives (laws) in numerous areas.

One of these directives has the specific objective of protecting personal information. After a process of close to five years, in July 1995 the European Union adopted the **Directive on the protection of natural persons in regard to the processing of personal information and the free dissemination of this information.**

Purpose of the directive

The declared purpose of this directive on the protection of personal information is to ensure a high level of protection for the people of the member states of the European Union and the free circulation of this information in these countries.

Like the others, this directive, which covers both the private and public sectors, is constraining. Within three years, all the members countries of the Union will have to incorporate it into their national legislation. Without going into detail, let us stress that it governs the collection, conservation, use and communication of data. It also recognizes citizens' rights of access to and correction of information concerning them.