

VLP Partner Melissa Krasnow Quoted in Law360 Article “Canadian Privacy Chief Offers Guidance on New Breach Rule”

VLP Partner Melissa Krasnow was interviewed for the *Law360* article “Canadian Privacy Chief Offers Guidance on New Breach Rule.”

The article reported on a long-awaited guidance released by Canada’s Privacy Commissioner to help companies meet their reporting and record-keeping obligations under a new federal breach-notification regime set to take effect on November 1.

Under the regime, the article noted, businesses that experience a data breach that impacts any Canadian resident will have the new obligations to notify the country’s privacy commissioner and affected individuals “as soon as feasible” about incidents that pose “a real risk of significant harm” and to maintain records of both reported and unreported personal data breaches for two years.

Ms. Krasnow told *Law360* that companies that have already prepared an incident response plan that encompasses their new requirements under the Canadian regime would be wise to review that strategy before November 1 to make sure it is consistent with the commissioner’s final guidance, which contains new content from previous guidance.

Ms. Krasnow also noted that while the EU requirement has grabbed the majority of the headlines, multinationals that do business in Canada should not ignore the new requirements, which carry the potential for fines of up to CA\$100,000 per offense.

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