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Montréal

Calgary

Ottawa

Gregory Smolynec
Deputy Commissioner
Office of the Privacy Commissioner of Canada
30 Victoria Street
Gatineau, Quebec K1A 1H3

Vancouver

New York

Dear Deputy Commissioner Smolynec,

Re: Draft Guidance for Processing Biometrics – For Organizations

We are pleased to provide comments as part of the consultation on the [Draft Guidance for Processing Biometrics – For Organizations](#) released by the Office of the Privacy Commissioner of Canada (OPC).

This submission is made on behalf of [AccessPrivacy](#), a thought leadership platform established by the national Privacy and Data Management Team at Osler, Hoskin & Harcourt LLP. As you may be aware, AccessPrivacy hosted an interactive online workshop on February 8, designed to help organizations and trade associations understand the scope, meaning, and impact of the proposed guidance, and to help them prepare their own submissions for the OPC's consultation.

The [recording of the full session is available here](#) for your consideration as part of the OPC's consultation process.

Over 70 Chief Privacy Officers, Senior Counsel and privacy professionals across a breadth of industry sectors, including representatives from retail, health, banking, telecommunications, trade associations, and other public and private sector organizations attended the workshop. AccessPrivacy also extended an invitation to the OPC to join the workshop in an observational capacity, and a representative was in attendance as an observer during the discussion.

The workshop consisted of a discussion moderated by Adam Kardash (Chair of Osler's Privacy and Data Management team and National Lead of AccessPrivacy) and included comments and insights from Joanna Fine (Partner in Osler's Privacy and Data Management team) and Laila Abdelaziz (Privacy and Data Policy Manager at the Centre for Information Policy Leadership).

The workshop focused on the themes of the numerous queries and comments Osler has received from its Canadian and foreign-based clients about the OPC's draft biometric guidance, specifically:

- **Initial comments** about the draft guidance and AccessPrivacy's workshop (02:07 in the recording);
- **Scope, terminology, sensitivity and context** (3:05 in the recording, discussing the [Biometric Technology](#) section of the draft guidance and the draft guidance more broadly);
- **Appropriate purposes** (23:45 in the recording, discussing the [Identifying an Appropriate Purpose](#) section of the draft guidance);
- **Lawful authority for processing** (43:16 in the recording, discussing the [Consent](#) section of the draft guidance);
- **Openness** and other requirements (52:10 in the recording, discussing the [Openness](#) section of the draft guidance);
- **Questions and comments from session attendees** (60:35 in the recording).

Thank you for your thoughtful consideration of the comments and proposals raised in this workshop session.

Sincerely,



Adam Kardash

Chair: Privacy and Data Management
National Lead, AccessPrivacy