



PROCEDURE FOR REQUESTING ACCESS TO AND CORRECTION OF PERSONAL INFORMATION

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1. PREAMBLE

The PQDS recognizes the importance of respecting privacy and of protecting the Personal Information in its possession, as described in its *Policy on the Protection of Personal Information*.

To that end, the PQDS takes reasonable steps to ensure that the Personal Information in its possession is sufficiently up to date, accurate and complete for the purposes for which it was collected or used.

The PQDS recognizes that any Person Concerned whose Personal Information is retained by the PQDS has the following rights:

- To receive confirmation that the PQDS possesses their Personal Information;
- To access their own Personal Information held by the PQDS and to receive a copy thereof;
- To require the correction of their own Personal Information held by the PQDS in case of inaccuracy, incompleteness or ambiguity;
- To require the deletion of their own Personal Information that is outdated or no longer needed for the purposes for which it was originally collected and retained;
- To provide written notes that the PQDS must store with their own Personal Information discussed in these notes;
- To require that the PQDS cease disclosure of a piece of Personal Information when the disclosure violates the law or causes serious harm to the right to respect for the reputation or privacy of the Person Concerned.

All requests of this nature are handled in compliance with the present procedure.

2. APPLICABLE LAWS

The present procedure is governed by the provisions of the:

- *Act Respecting the Protection of Personal Information in the Private Sector*, RLRQ c P-39.1;
- *Civil Code of Quebec*, RLRQ c CCQ-1991

3. DEFINITIONS

Capitalized terms that are not defined in the present procedure are used as defined in the PQDS' *Policy on the Protection of Personal Information*.

In addition, the following definition applies to the present procedure:



Claimant: Any person who submits a request to the PQDS for Personal Information access or correction.

4. APPLICABILITY

The present procedure applies to Personal Information retained by the PQDS, of any nature and on any storage medium, whether held directly by the PQDS or by a third party.

5. GUIDING PRINCIPLES

5.1 Request for access or correction

a. How to make a request

A request for access or correction can only be considered if submitted in writing by a Claimant with a sufficient interest as defined in article 5.1b of the present procedure. Oral requests for access or correction will not be considered.

The request must be sent to the PQDS employee responsible for the protection of Personal Information, by email only: vieprivée@quartierdesspectacles.com.

The request must be accompanied by a copy of a valid and official piece of identification that includes the name, date of birth, signature and photograph of the Person Concerned in order to confirm their identity (for example, driver's licence, passport, health insurance card).

b. Sufficient interest

The Claimant must demonstrate that they are making the request as a member of one of the following categories:

- Person Concerned;
- Representative, heir or successor of the Person Concerned;
- The estate liquidator, life insurance (death benefit) beneficiary or guardian (even if the minor child is deceased) of the Person Concerned; or
- Spouse or close relative of the deceased Person Concerned, if knowledge of the Personal Information subject to the access request could help the Claimant in their grieving process and if the deceased Person Concerned did not record, in writing, their objection to granting such access.

c. Reasonable accommodations

When the Claimant is a disabled person, upon making their request reasonable accommodations must be made to allow them to exercise their rights as defined in the present procedure. The Claimant must specify the reasonable accommodations they require.



5.2 Response to a request for access or correction

a. Confirmation of receipt

The PQDS employee responsible for the protection of Personal Information must send the Person Concerned written notice of the date of receipt of their complaint and indicate the estimated amount of time required to investigate and respond to the complaint.

b. Timetable

The PQDS employee responsible for the protection of Personal Information must respond in writing to the request for access or correction no more than 30 days after receiving the request. In the absence of a response within 30 days, the PQDS shall be assumed to have denied the request.

c. Request for further information

When the request for access or correction is insufficiently detailed, the PQDS employee responsible for the protection of Personal Information may request further information from the Claimant in order to locate the Personal Information in question.

d. Fees

Access to and/or correction of Personal Information is free. The PQDS may however charge a fee for transcription, reproduction or transmission of the information, provided the Claimant is notified in advance of the approximate cost.

e. Approval

When the PQDS employee responsible for the protection of Personal Information approves a request for access or correction, they must provide the Claimant:

- A transcription or reproduction of the Personal Information in question;
- A transcription or reproduction of all Personal Information within the scope of the correction request that has been added to or changed; or
- Confirmation of the deletion of all Personal Information covered by the request for correction.

In addition, the PQDS employee responsible for the protection of Personal Information must immediately notify any person who has received the Personal Information covered by the request for correction of any additions, changes or deletions affecting the information in question during the six months preceding their decision.

If a document within the scope of the request for access or correction contains the Personal Information of any person other than the Person Concerned, this information must be redacted in order to protect its confidentiality.

f. Denial of request

The PQDS employee responsible for the protection of Personal Information will advise the Claimant of a denial in writing. The denial must indicate:

- The reasons for the denial and the provisions of all laws justifying the denial;
- The opportunity for the Claimant to send, within 30 days following receipt of the denial or of the expiry of the response window, a written request for review to the Commission d'accès à l'information, as provided in Article 43 of the *Act Respecting the Protection of Personal Information in the Private Sector*, RLRQ c P- 39.1.

On request, the PQDS employee responsible for the protection of Personal Information must provide assistance to help the Claimant understand the reasons for the denial.

The PQDS must retain the Personal Information covered by the request for access or correction for the duration of the time needed for the Claimant to exhaust their recourses as provided by the *Act Respecting the Protection of Personal Information in the Private Sector*, RLRQ c P-39.1.

5.3 Right to portability

a. Communications with the Claimant

At the request of the Claimant, a digital piece of Personal Information covered by a request for access that has been granted by the PQDS employee responsible for the protection of Personal Information must be sent to the Claimant:

- In the form of a written and legible transcription; and

Effective September 22, 2024:

- *In a structured and commonly used technological format, but only when the Personal Information was collected from the Claimant, except if this presents serious practical difficulties.*

A technological format is considered "structured and commonly used" when widely used software can easily recognize and extract the data, such as open formats like CSV, XML or JSON. Image formats (e.g. JPEG or PNG) and PDF are not considered "structured and commonly used" formats.

b. Disclosure to a third party

At the request of the Claimant, and only if it does not present serious practical difficulties, a piece of Personal Information covered by a request for access granted by the PQDS employee responsible for the protection of Personal Information, stored in digital form and collected from the Claimant, may be transmitted by the PQDS to any person or organization authorized by law to receive such information.



6. PUBLICATION AND UPDATES

The present procedure is published on the website of the PQDS. The PQDS may update it from time to time in order to ensure compliance with laws related to the protection of Personal Information, or to improve procedures and practices in this area.

7. COMMUNICATIONS

All questions concerning the present procedure must be submitted by email to the person responsible for the protection of Personal Information:

vieprivee@quartierdesspectacles.com.