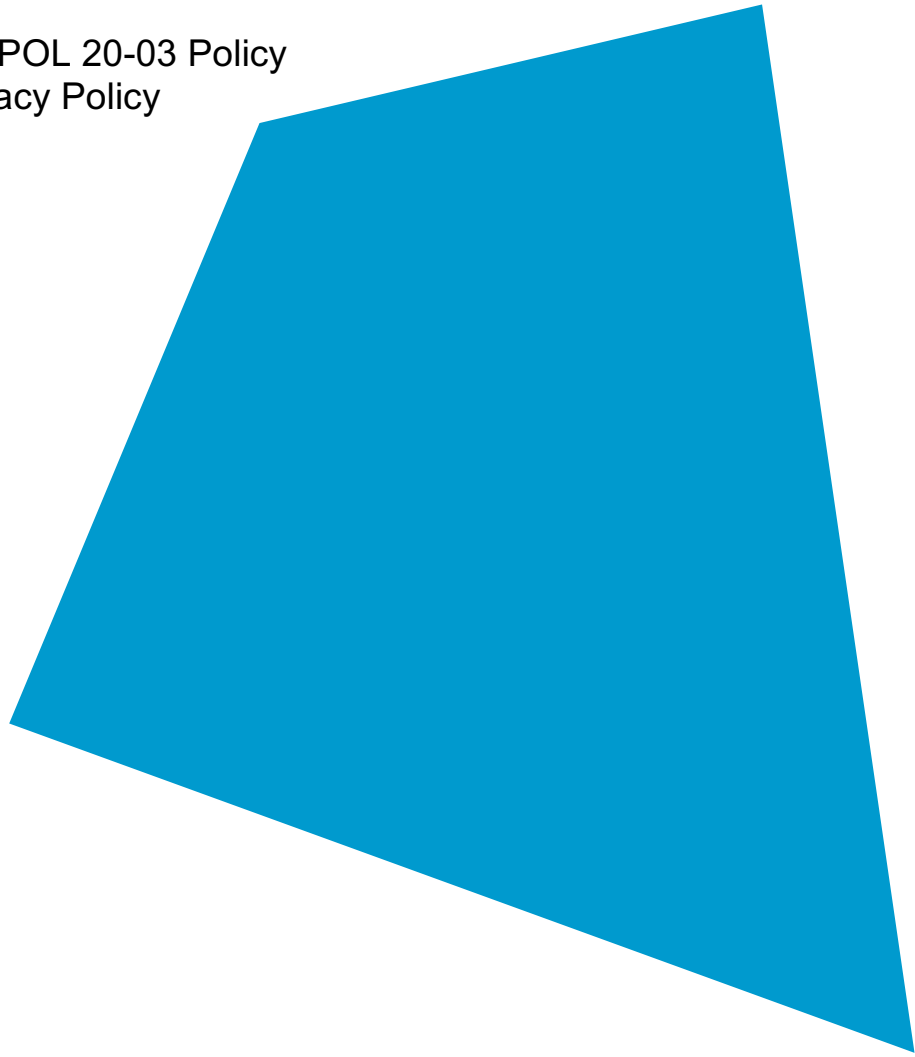


DIR 20-03.01

Directive on the Handling of Complaints and  
Personal Information Requests  
Directorate-General

\* Directive related to the POL 20-03 Policy  
Data Protection and Privacy Policy



Effective date: April 30, 2024	Approval: ACCESS TO INFORMATION AND PRIVACY COMMITTEE
Reviewed on:	

## Table of Contents

<b>1.</b>	<b>Objectives</b> .....	<b>3</b>
<b>2.</b>	<b>Scope of Application</b> .....	<b>3</b>
<b>3.</b>	<b>Definitions</b> .....	<b>3</b>
<b>4.</b>	<b>Procedure for Processing Requests</b> .....	<b>4</b>
4.1	Confidential Processing of the Request .....	4
4.2	Receipt of the Request .....	4
4.3	Admissibility of a Request .....	4
4.4	Processing Time for a Request .....	5
4.5	Processing of Requests .....	6
4.5.1	<i>Restriction on Requests</i> .....	6
4.5.2	<i>Restriction on Requests for Correction</i> .....	8
4.6	Register of Requests .....	8
<b>5.</b>	<b>Update, Approval and Coming into Force</b> .....	<b>8</b>
<b>6.</b>	<b>Legal, Regulatory and Administrative Framework</b> .....	<b>8</b>
	<b>Appendix 1: PERSONAL INFORMATION REQUEST OR COMPLAINT FORM</b> ....	<b>10</b>
	<b>APPENDIX 2: REGISTER OF REQUESTS FOR PERSONAL INFORMATION</b> .....	<b>11</b>



## 1. Objectives

This Directive on the Handling of Complaints and Personal Information Requests (hereinafter the “**Directive**”) specifies how the Société du Palais des congrès de Montréal (hereinafter the “**Société**”) shall handle complaints and the exercise of individuals’ rights regarding personal information held by the Société about them. This Directive also defines the roles and responsibilities of the Société’s employees in this respect.

## 2. Scope of Application

The Directive is adopted pursuant to the *Act respecting access to documents held by public bodies and the protection of personal information* (hereinafter the “**Access Act**”) and applies to personal information held by the Société. Société employees are required to comply with this Directive.

## 3. Definitions

For the purposes of this Directive:

**Personal Information:** means information concerning a natural person which directly or indirectly allows the person to be identified.


**Sensitive Personal Information:** means personal information that due to its nature, in particular its medical, biometric or otherwise intimate nature, or the context of its use or release, it entails a high level of expectation of privacy.

**Exercise of a Right:** means the exercise of a right under the Access Act by a person concerned, including:

- A request for access to personal information;
- A request for correction of personal information;
- A request for withdrawal of consent to the communication or use of the information collected;
- A request for communication of personal information in a structured and commonly used format;
- Requests for personal information used to make a decision based exclusively on an automated process.

**Applicant:** means a natural person concerned by the exercise of a right with respect to the Société’s processing of his/her personal information.

**Request:** means a request served in writing on the Société by an applicant in connection with the Exercise of a Right, complaint or dissatisfaction relating to



a practice, action or inaction of the Société regarding the processing or protection of the Applicant's personal information.

## 4. Procedure for Processing Requests

### 4.1 Confidential Processing of the Request

Requests are treated confidentially. Only the information required to process the Request can be shared with Société's personnel who must know it in the performance of their duties.

### 4.2 Receipt of the Request


All Requests must be in writing and addressed to the person responsible for access and protection of personal information (hereinafter the "**Access Officer**") and sent either by email to: [renseignementspersonnels@congresmtl.com](mailto:renseignementspersonnels@congresmtl.com) or by mail to: 159 Saint-Antoine Street West, 9th floor, Montreal, QC H2Z 1H2 Société personnel will inform the applicant of this requirement if the Request does not comply with this requirement.

Any member of the personnel of the Société who receives a request must, upon receipt, forward it to the Access Officer. The Access Officer, or a person designated by him/her, must acknowledge receipt of the request within five (5) business days following its receipt.

### 4.3 Admissibility of a Request

A Request is admissible if:

- It is made by a natural person whose identity has been verified in one of the following ways:
  - Following receipt of the Request, the applicant will receive an invitation by videoconference to confirm his/her identity;
  - If the applicant is unable to proceed by videoconference, the verification will be made by any other reasonable means determined by the access officer;
- It is made by a person as a person concerned, representative, heir, successor, liquidator of the succession, beneficiary of life insurance or death benefit, holder of parental authority even if the minor child is deceased, or spouse or close relative of a deceased person;
- It concerns a Request;

- 
- It contains the following:
    - Full name and contact information of the applicant;
    - A sufficiently precise description of the Request;
    - The desired corrective action or actions, if any.

The Société, at its reasonable discretion may, if for example, the Request is illegible or incomprehensible, require the applicant to complete the optional Request form appended as **Appendix 1**.

A Request is not admissible if it:

- Is anonymous;
- Is abusive, frivolous or manifestly made in bad faith;
- Contains hateful or defamatory statements;
- Does not contain the information and details necessary for its processing;
- Concerns a dissatisfaction on a subject other than privacy.

A Request made pursuant to this Directive **does not entitle** the applicant to any compensation.


The Access Officer or a person designated by the Access Officer informs the Applicant, in writing, when their Request is inadmissible and give reasons for that decision.

Where the Request is admissible, the Access Officer or a person designated by them processes the Request and responds to the Applicant. He/she shall determine if corrective measures or other interventions are required, as applicable.

#### 4.4 Processing Time for a Request

Processing of the Request must be done in writing within 20 days of receiving all the information required for processing it if the Request concerns the exercise of a right of access or correction of the Applicant's personal information.

If processing of the Request does not appear possible without affecting the normal conduct of the Société's business, the Access Officer may, before the expiry of the 20 days, extend the period by a period not exceeding ten



days. The Access Officer shall then give notice thereof to the Applicant, in writing.

Failure to respond within 20 days is equivalent to a refusal. An applicant may contest a refusal or a response regarded as unsatisfactory by exercising their right of recourse before the Commission d'accès à l'information.

All other Requests are processed within 45 days.


#### 4.5 Processing of Requests

Once the Request has been processed, the Access Officer or a person designated by him or her shall send in writing the information requested by the Applicant or, in the case of a complaint, their conclusions and, if any, the corrective measures.

Each decision communicated to the Applicant must mention the possibility of contesting that decision with the Commission d'accès à l'information.

##### *4.5.1 Restriction on Requests*

The Access Officer shall assess the Requests in light of the following:

- 
- The Société may refuse to disclose to an individual personal information concerning them where such information is contained in a recommendation or opinion made by one of its members or a member of its personnel, a member of another public body or a member of its personnel, in the performance of their duties, or given at the request of the body by a consultant or advisor on a matter within his or her competence and where the body has not rendered its final decision on the matter that is the subject of such recommendation or opinion;
  - The Société may refuse to confirm the existence of or to give access to personal information concerning an applicant, to the extent that the disclosure of the information would reveal information whose disclosure must or may be refused under Division II of Chapter II or under sections 108.3 and 108.4 of the Professional Code (chapter C-26).
  - Except in the case provided for in paragraph 4 of section 59 of the Access Act, where the disclosure of personal information would likely reveal personal information concerning another natural person or the existence of such information and such disclosure and could seriously harm that other person, unless that other person gives written consent.
  - The Société may disclose to the spouse or a close relative of a deceased person any personal information it holds concerning that person, if the knowledge of that information could assist the applicant in their grieving process and the deceased person has not recorded in writing their refusal to grant the right of access.
  - The Société must refuse to release personal information to the liquidator of the succession, to the beneficiary of life insurance or of a death benefit, to the heir or successor of the applicant by such information, unless such disclosure involves the interests and rights of the person who requests it as liquidator, beneficiary, heir or successor.



#### 4.5.2 *Restriction on Requests for Correction*

The Société shall refuse to grant a request for the correction of personal information made by the liquidator of the succession, the beneficiary of life insurance or of a death benefit or the heir or successor of the person concerned by such information, unless such correction involves their interests and rights as liquidator, beneficiary, heir or successor.

#### 4.6 Register of Requests

The Access Officer or a person designated by the Access Officer must enter any Request in the register provided for in **Appendix 2**. The register must contain the following information:

- File number(s);
- Full name and contact information of applicant;
- Date of receipt of the Request by the Access Officer;
- Conclusion as to its admissibility or not;
- Description of the Request and personal information referred to;
- Steps taken;
- Date of response to applicant;
- Conclusion on the merits of the Request;
- Recommendations or other corrective measures, if any;
- Comments.


### **5. Update, Approval and Coming into Force**

This Directive is updated at least every five (5) years. It may be reviewed before this deadline, particularly when changes to the Access Act need to be considered or when additional clarifications are deemed necessary. Any amendment to its content must receive the necessary approvals.

### **6. Legal, Regulatory and Administrative Framework**

This Directive takes into account obligations arising from:



- 
- *An Act respecting access to documents held by public bodies and the protection of personal information;*
  - *Data Protection and Privacy Policy (POL-20--03);*
  - The Société's privacy incident management procedure.



**Appendix 1: PERSONAL INFORMATION REQUEST OR COMPLAINT FORM**

Given name:

Surname:

Email or telephone:

If the Applicant is not the person concerned by the personal information, indicate the relationship with the person concerned by the request (please tick a box):

- Their representative
- Heir
- Liquidator
- Life insurance or death benefit beneficiary
- Holder of parental authority
- Spouse or close relative of deceased
- Other, please specify:

**DESCRIPTION OF REQUEST**

---

---

---

---

---

Please return this completed form to [renseignementspersonnels@congresmtl.com](mailto:renseignementspersonnels@congresmtl.com) or by mail to: 159 Saint-Antoine Street West, 9th floor, Montreal, QC H2Z 1H2, ATT: Access Officer. In the event of a refusal, we will convey to you in writing the reasons. In that event, you may appeal to the Commission d'accès à l'information.

The Access Officer will contact you to indicate the corrective measures taken in accordance with your request.

\_\_\_\_\_  
Signature of Applicant

\_\_\_\_\_  
Date of Request



## APPENDIX 2: REGISTER OF REQUESTS FOR PERSONAL INFORMATION

### Register of Requests relating to Personal Information

File number(s)	Name and contact information of applicant	Date of receipt of the Request by the Access Officer	Conclusion as to its admissibility or inadmissibility	Description of the request and personal information concerned	Steps taken	Date of response to applicant	Conclusion on the merits of the Request	Notes and recommendations or other corrective measures taken