

Lamoureux v. Organisme canadien de réglementation du commerce des valeurs mobilières (OCRCVM)

April 24, 2019

Read the decision: <https://www.canlii.org/fr/qc/qcca/doc/2022/2022qcca685/2022qcca685.html>

The Court of Appeal recently rendered a landmark decision which sets a key precedent for privacy class actions in Québec and Canada: the Court of Appeal confirmed the dismissal of the first privacy class action on the merits in Canada. This decision provides increased clarity on how the civil liability framework applies in matters involving a loss of personal information. It also serves as an example of appropriate corporate response following a loss of personal information.

Key takeaway

Institutions could take inspiration from the measures taken by the defendants to avoid punitive damages (e.g. taking the time to identify what information was breached, purchasing credit protection for affected individuals, engaging external experts, following incident response guidelines).

[BLG case comment \(May 2022\).](#)

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