

COUNTERING CRITIQUES OF NOTICE-CONSENT PROTECTIONS TO SUPPORT CANADIAN AI POLICY

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Office of the
Privacy Commissioner
of Canada

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“[C]onsent does not always work in the increasingly **complex** digital environment [...]

OPC (2020). *A regulatory framework for AI: Recommendations for PIPEDA reform.*



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such as where consumers do not have a relationship with the organization using their data,

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such as where consumers do not have a relationship with the organization using their data,

where uses of (PI) are not known at the time of collection,

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“[C]onsent does not always work in the increasingly complex digital environment [...]

such as where consumers do not have a relationship with the organization using their data,

where uses of (PI) are not known at the time of collection,

or are too **complex** to explain.”

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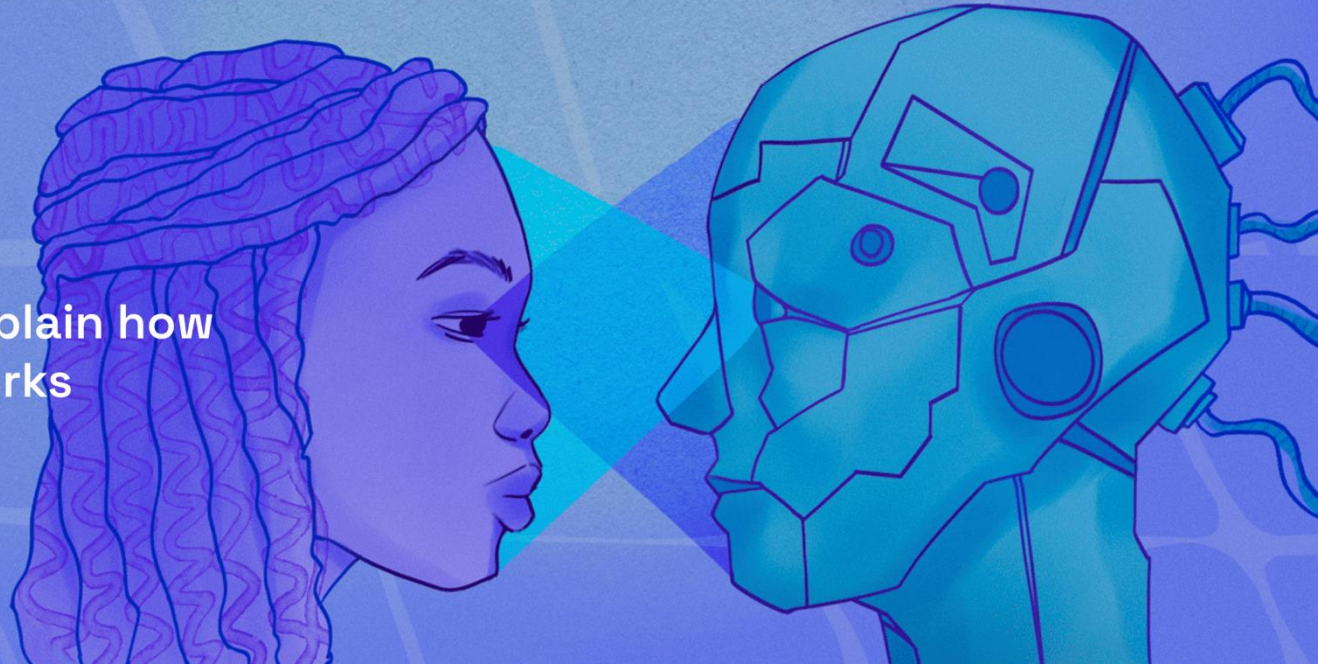
“A person who makes available for use (an AI) must [...] publish on a publicly available website a plain-language description of the system.”

- Bill C-27 (Artificial Intelligence and Data Act, Section 11.1)



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“Tech companies have successfully promoted the **neoliberal** idea that it is the users [...] who are responsible for protecting their privacy. [...]

(p. 29)

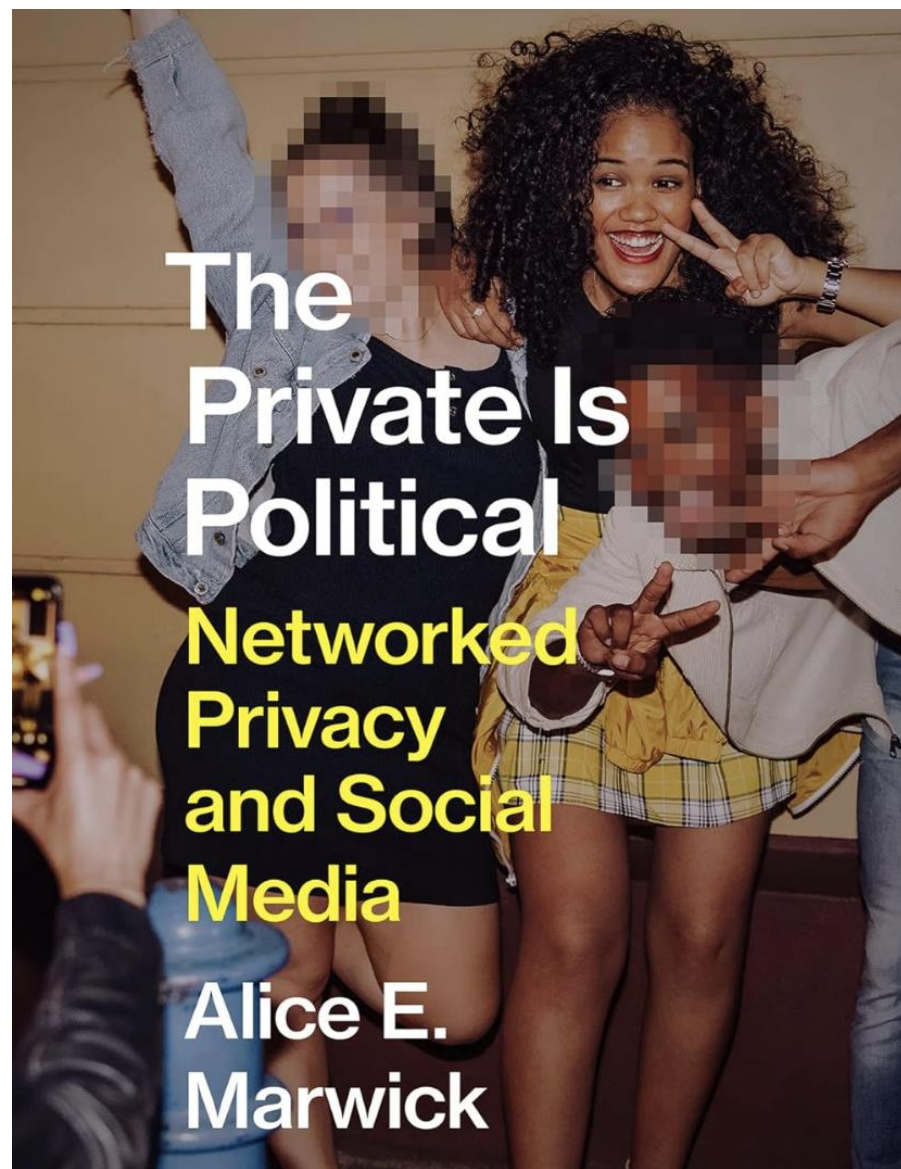


“Tech companies have successfully promoted the **neoliberal** idea that it is the users [...] who are responsible for protecting their privacy. [...]

The existence of privacy policies suggests that it is an **individual’s responsibility** to determine whether to use a service [...]

[T]hese policies are privacy theater.”

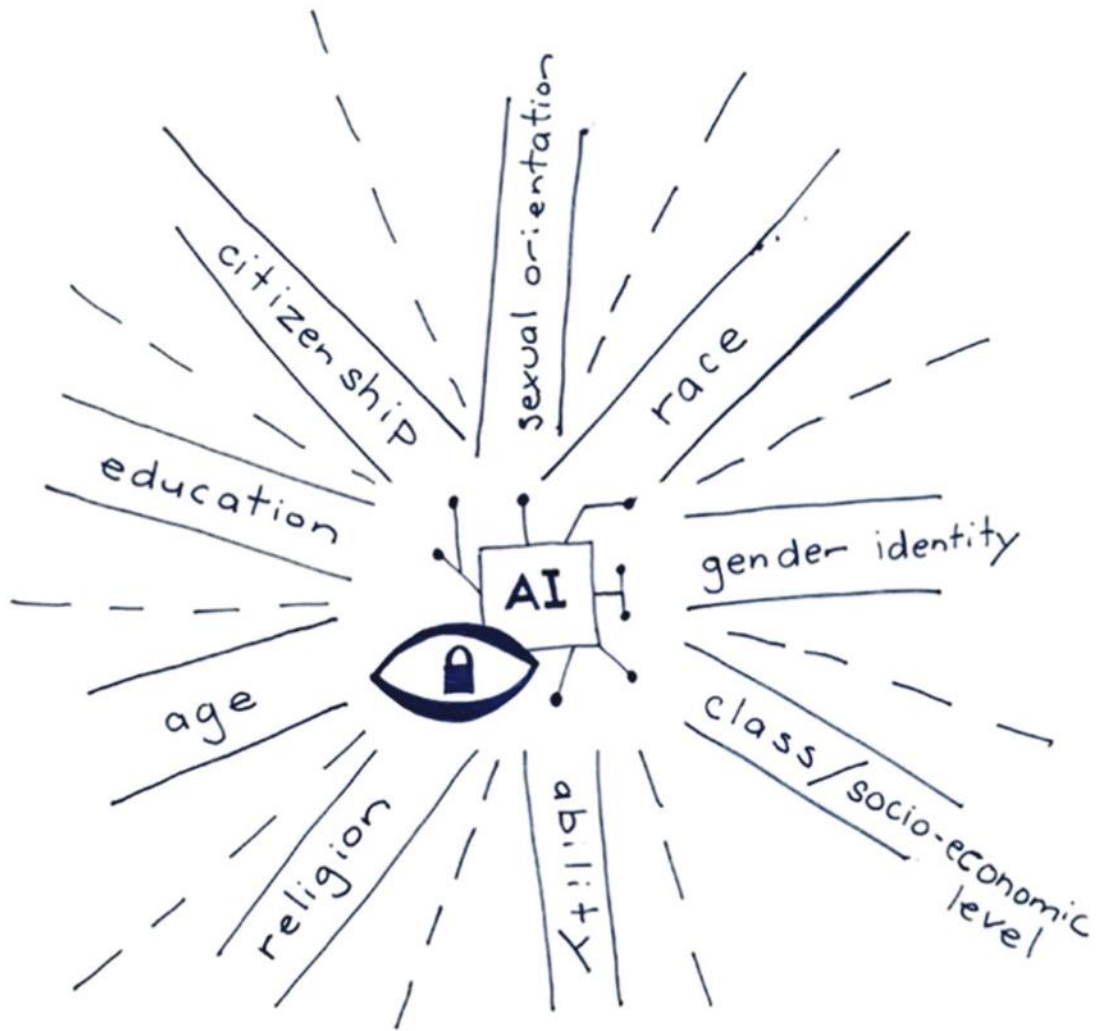
(p. 29)



The
Private Is
Political
Networked
Privacy
and Social
Media

Alice E.
Marwick

Figure 1: Intersection of identities, privacy, and AI regulation



From: Smith, K.L. et al. (2025). Crafting an intersectional response to Bill C-27 for the standing committee on industry and technology. *Canadian Journal of Communication*.

“Democratise data power”

(Kennedy & Moss, 2015, p. 2)

Sources

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Thank you!

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