

Green Party of Canada - The Neuroprivacy and Biodata Framework Act

(All Pending approval) LOGO

Policy Number: *To be assigned when submitted.*

Initiative Subject: *The Neuroprivacy and Biodata Framework Act.*

Policy Area

Medical Information Privacy and Security, Privacy, Neuroscience

Existing Policy

7. Everyone has the right to life, liberty and security of the person and the right not to be deprived thereof except in accordance with the principles of fundamental justice

8. Everyone has the right to be secure against unreasonable search and seizure.

Discussion

Advances in neurobiology, machine learning and surveillance technology allow for the large-scale collection of biorhythm information in previously unrecorded modalities. These innovations allow for the collection of entirely new types of private information that are not protected under our current privacy laws. These include everything from biorhythms to neurological activity. This information could be collected by government organizations and private individuals for surveillance, business or other purposes. Addressing these shortfalls in our privacy laws requires both the protection of individuals against actions taken by the government and the criminalization of the unlawful collection of neurological or biorhythmic data without consent, especially for purposes of espionage, blackmail or political manipulation.

Motion Text

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Section 3 of The Privacy Act (R.S.C., 1985, c. P-21) shall be amended under the definition of "personal information." Section 3(n) shall be added which reads: "Information related to biorhythms or neurological patterns."

The Criminal Code will be updated to include a law against the collection of neurological patterns or biorhythmic data without the consent of the individual, with a special focus on espionage, blackmail or political manipulation.

The Criminal Code will be updated with reference to s. 7 and s. 8 of the Charter of Rights to Freedoms to protect citizens from unreasonable search by law enforcement using techniques to collect biorhythms or neurological patterns, especially when they have an expectation of privacy.

A committee will be convened to create a comprehensive framework for NeuroPrivacy Rights, as well as a plan for regulating technologies that can breach NeuroPrivacy Rights

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