

## PRIVACY POLICY

### General

1. **Background** – Privacy of personal information is governed by the federal *Personal Information Protection and Electronics Documents Act* ("PIPEDA"). This policy describes the way that SIRC collects, uses, safeguards, discloses and disposes of personal information, and states SIRC's commitment to collecting, using and disclosing personal information responsibly. This policy is based on the standards required by PIPEDA and SIRC's interpretation of these responsibilities.
2. **Purpose** – The purpose of this policy is to govern the collection, use and disclosure of personal information in the course of commercial activities in a manner that recognizes the right to privacy of individuals with respect to their personal information and the need of SIRC to collect, use or disclose personal information.
3. **Definitions** – The following terms have these meanings in this Policy:
  - a) *"Commercial Activity"* – Any particular transaction, act or conduct that is of a commercial character.
  - b) *"IP Address"* – A numerical label that is assigned to electronic devices participating in a computer network that uses internet protocol for communication between devices.
  - c) *"Personal Information"* – any information about an individual that relates to the person's personal characteristics including, but not limited to: gender, age, income, home address or phone number, private email address, ethnic background, family status, health history, and health conditions
  - d) *"Representatives"* – Members, directors, officers, committee members, employees, administrators, and contractors within SIRC

### Application of this Policy

4. **Application** – This Policy applies to Representatives in connection with personal information that is collected, used or disclosed during any commercial activity related to SIRC.
5. **Websites** – This Policy applies to all websites owned by SIRC including:
  - canadiansport.com
  - canadiansport.ca
  - sirc.ca
  - sircexpress.com
  - sircexpress.ca
  - sircdetective.com
  - sircdetective.ca
  - sircretriever.com
  - sircretriever.ca
  - sircuit.com
  - sircuit.ca
  - sportdiscus.com
  - sportdiscus.ca
  - sportexpress.com
  - sportext.com
  - sportquest.com
  - sportquest.ca
  - sportsquest.com

- sportupdate.com

6. Ruling on Policy – Except as provided in PIPEDA, the Board of Directors of SIRC will have the authority to interpret any provision of this Policy that is contradictory, ambiguous, or unclear.

### **Obligations**

7. Statutory Obligations – SIRC is governed by PIPEDA in matters involving the collection, use and disclosure of personal information.

8. Additional Obligations – In addition to fulfilling all requirements of PIPEDA, SIRC and its Representatives will also fulfill the additional requirements of this Policy. Representatives of SIRC will not:

- a) Disclose personal information to a third party during any business or transaction unless such business, transaction or other interest is properly consented to in accordance with this Policy;
- b) Knowingly place themselves in a position where they are under obligation to any organization to disclose personal information;
- c) In the performance of their official duties, disclose personal information to family members, friends or colleagues, or to organizations in which their family members, friends or colleagues have an interest;
- d) Derive personal benefit from personal information that they have acquired during the course of fulfilling their duties with SIRC; or
- e) Accept any gift or favour that could be construed as being given in anticipation of, or in recognition for, the disclosure of Personal Information.

9. Employees – SIRC shall be responsible to ensure that the employees, contractors, agents, or otherwise of SIRC are compliant with PIPEDA and this Policy.

### **Identifying Purposes**

10. Purpose – Personal information may be collected from individuals for purposes that include, but are not limited to, the following:

- a) Receiving communications from SIRC related to e-news, emails, bulletins, donation requests, invoices, notifications, merchandise sales, newsletters, programs, events and activities;
- b) Promotion and sale of merchandise;
- c) Purchasing equipment, manuals, resources and other products;
- d) Publishing articles, media relations and posting on SIRC website, displays or posters;
- e) Determination of membership demographics and program wants and needs;
- f) Determination of which of SIRC's webpages the individual visited;
- g) Managing payroll, health benefits, insurance claims and insurance investigations; and
- h) Posting images, likeness or other identifiable attributes to promote SIRC on its website, displays or posters.

11. Purposes not Identified – SIRC shall seek consent from individuals when personal information is used for Commercial Activity not previously identified. This consent will be documented as to when and how it was received.

### **Consent**

12. Consent – SIRC shall obtain consent by lawful means from individuals at the time of collection and prior to the use or disclosure of this information. SIRC may collect personal information without consent where reasonable to do so and where permitted by law.

13. Implied Consent – By providing personal information to SIRC, individuals are consenting to the use of the information for the purposes identified in this policy.
14. Withdrawal – An individual may declare to the Privacy Officer in writing to withdraw consent to the collection, use or disclosure of personal information at any time, subject to legal or contractual restrictions. SIRC will inform the individual of the implications of such withdrawal.
15. Legal Guardians – Consent shall not be obtained from individuals who are minors, seriously ill, or mentally incapacitated and therefore shall be obtained from a parent, legal guardian or person having power of attorney of such an individual.
16. Exceptions for Collection – SIRC is not required to obtain consent for the collection of personal information if:
  - a) It is clearly in the individual's interests and consent is not available in a timely way;
  - b) Knowledge and consent would compromise the availability or accuracy of the information and collection is required to investigate a breach of an agreement or contravention of a federal or provincial law;
  - c) The information is for journalistic, artistic or literary purposes; or
  - d) The information is publicly available as specified in PIPEDA.
17. Exceptions for Use – SIRC may use personal information without the individual's knowledge or consent only:
  - a) If SIRC has reasonable grounds to believe the information could be useful when investigating a contravention of a federal, provincial or foreign law and the information is used for that investigation;
  - b) For an emergency that threatens an individual's life, health or security;
  - c) For statistical or scholarly study or research;
  - d) If it is publicly available as specified in PIPEDA;
  - e) If the use is clearly in the individual's interest and consent is not available in a timely way; or
  - f) If knowledge and consent would compromise the availability or accuracy of the information and collection was required to investigate a breach of an agreement or contravention of a federal or provincial law.
18. Exceptions for Disclosure – SIRC may disclose personal information without the individual's knowledge or consent only:
  - a) To a lawyer representing SIRC;
  - b) To collect a debt the individual owes to SIRC;
  - c) To comply with a subpoena, a warrant or an order made by a court or other body with appropriate jurisdiction;
  - d) To a government institution that has requested the information, identified its lawful authority, and indicated that disclosure is for the purpose of enforcing, carrying out an investigation, or gathering intelligence relating to any federal, provincial or foreign law; or that suspects that the information relates to national security or the conduct of international affairs; or is for the purpose of administering any federal or provincial law;
  - e) To an investigative body named in PIPEDA or government institution on SIRC's initiative when SIRC believes the information concerns a breach of an agreement, or a contravention of a federal, provincial, or foreign law, or suspects the information relates to national security or the conduct of international affairs;
  - f) To an investigative body for the purposes related to the investigation of a breach of an agreement or a contravention of a federal or provincial law;
  - g) In an emergency threatening an individual's life, health, or security (SIRC must inform the individual of the disclosure);
  - h) For statistical, scholarly study or research;

- i) To an archival institution;
- j) 20 years after the individual's death or 100 years after the record was created;
- k) If it is publicly available as specified in the regulations; or
- l) If otherwise required by law.

### **Limiting Collection, Use, Disclosure and Retention**

- 19. Limiting Collection, Use and Disclosure – SIRC shall not collect, use or disclose personal information indiscriminately. Information collected will be for the purposes specified in this Policy, except with the consent of the individual or as required by law.
- 20. Retention Periods – Personal information shall be retained as long as reasonably necessary to enable participation in SIRC, to maintain accurate historical records and or as may be required by law.
- 21. Destruction of Information – Documents shall be destroyed by way of shredding and electronic files will be deleted in their entirety.

### **Safeguards**

- 22. Safeguards – Personal information shall be protected by security safeguards appropriate to the sensitivity of the information against loss or theft, unauthorized access, disclosure, copying, use or modification.

### **Individual Access**

- 23. Access – Upon written request, and with assistance from SIRC, an individual may be informed of the existence, use and disclosure of his or her personal information and shall be given access to that information. Further, an individual is entitled to be informed of the source of the personal information along with an account of third parties to whom the information has been disclosed.
- 24. Response – Requested information shall be disclosed to the individual within 30 days of receipt of the written request at no cost to the individual, or at nominal costs relating to photocopying expenses, unless there are reasonable grounds to extend the time limit.
- 25. Denial – An individual may be denied access to his or her personal information if the information:
  - a) Is prohibitively costly to provide;
  - b) Contains references to other individuals;
  - c) Cannot be disclosed for legal, security, or commercial proprietary purposes; or
  - d) Is subject to solicitor-client privilege or litigation privilege.
- 26. Reasons – Upon refusal, SIRC shall inform the individual the reasons for the refusal and the associated provisions of PIPEDA.
- 27. Identity – Sufficient information shall be required to confirm an individual's identity prior to providing that individual an account of the existence, use, and disclosure of personal information.

### **Challenging Compliance**

- 28. Challenges – An individual shall be able to challenge compliance with this Policy and PIPEDA to the designated individual accountable for compliance.
- 29. Procedures – Upon receipt of a complaint SIRC shall:

- a) Record the date the complaint is received;
  - b) Notify the Privacy Officer who will serve in a neutral, unbiased capacity to resolve the complaint;
  - c) Acknowledge receipt of the complaint by way of telephone conversation and clarify the nature of the complaint within three (3) days of receipt of the complaint;
  - d) Appoint an investigator using Organization personnel or an independent investigator, who shall have the skills necessary to conduct a fair and impartial investigation and shall have unfettered access to all relevant file and personnel, within ten (10) days of receipt of the complaint;
  - e) Upon completion of the investigation and within twenty-five (25) days of receipt of the complaint, the investigator will submit a written report to SIRC; and
  - f) Notify the complainant to the outcome of the investigation and any relevant steps taken to rectify the complaint, including any amendments to policies and procedures within thirty (30) days of receipt of the complaint.
30. **Whistleblowing** – SIRC shall not dismiss, suspend, demote, discipline, harass or otherwise disadvantage any director, officer, employee, committee member volunteer, trainer, contractor, and other decision-maker within SIRC or deny that person a benefit because the individual, acting in good faith and on the basis of reasonable belief:
- a) Disclosed to the commissioner that SIRC has contravened or is about to contravene PIPEDA;
  - b) Has done or stated an intention of doing anything that is required to be done in order to avoid having any person contravene PIPEDA; or
  - c) Has refused to do or stated an intention of refusing to do anything that is in contravention of PIPEDA.

#### **Electronic Information**

31. **IP Address** – SIRC does not collect, use or disclose IP Addresses.
32. **Domain Name** – SIRC's web server automatically recognizes the visitor's domain name and this information is considered Personal Information under the terms of this Policy.

#### **Applicable Law**

33. **Applicable Law** – SIRC website is created and controlled by SIRC in the province of Ontario. As such, the laws of the province of Ontario shall govern these disclaimers, terms and conditions.

## Appendix A – Email Disclaimer

SIRC regularly sends emails, updates and e-news to individuals. The following information will be provided to individuals in response to any questions regarding the distribution of that material:

### Why did you receive this email?

If you received a mailing from us, (a) your email address is either listed with us as someone who has expressly shared this address for the purpose of receiving information in the future ("opt-in"), or (b) you have registered or purchased or otherwise have an existing relationship with us. We respect your time and attention by controlling the frequency of our mailings.

### How we protect your privacy?

We use security measures to protect against the loss, misuse and alteration of data used by our system. We have a Privacy Policy that governs the protection of the personal information that we collect from you.

### Sharing and Usage

We will never share, sell, or rent individual personal information with anyone without your advance permission or unless ordered by a court of law. Information submitted to us is only available to employees managing this information for purposes of contacting you or sending you emails based on your request for information and to contracted service providers for purposes of providing services relating to our communications with you.

### Copyright

The material used in this email has been copied under license from the Publisher. Any resale for profit or further copying is strictly prohibited.

### How can I stop receiving this email?

If you wish to stop receiving this email please reply to the email with the word unsubscribe in the subject line. Or simply modify your profile to unsubscribe.

## Appendix B – Website Disclaimer

SIRC will include the copyright and legal disclaimer (or a variation) in the applicable section(s) of SIRC's website(s):

Website – This website is a product of SIRC. The information on the website is provided as a resource to those interested in SIRC. SIRC disclaims any representation or warranty, express or implied, concerning the accuracy, completeness or fitness for a particular purpose of the information. Persons accessing this information assume full responsibility for the use of the information and understand and agree that SIRC is not responsible or liable for any claim, loss or damage arising from the use of this information. Reference to specific products, processes or services does not constitute or imply recommendation or endorsement by SIRC. SIRC also reserves the right to make changes at any time without notice.

Outside Links – Links made available through the website may allow you to leave SIRC site. Please be aware that the internet sites available through these links are not under the control of SIRC. Therefore, SIRC does not make any representation to you about these sites or the materials available there. SIRC is providing these links only as a



convenience to you, and in no way guarantees these links and the material available there. SIRC is not responsible for privacy practices employed by other companies or websites.