



Sail / Voile NB Privacy Policy

Purpose of this Policy

This policy describes the way in which SAIL/VOILE NB collects, uses, retains, safeguards, discloses, and disposes of the personal information of prospective members, members, and others including athletes, coaches, referees, and volunteers. This policy describes the way in which SAIL/VOILE NB will, subject to applicable legal requirements, adhere to the relevant federal and provincial (New Brunswick) legislative privacy requirements. The Policy follows the 10 Canadian Standards Association (CSA) principles identified in the federal Personal Information Protection and Electronic Documents Act (PIPEDA). The policy describes each principle and procedure. SAIL/VOILE NB will strive to meet or exceed all legislative requirements and will ensure that it remains current with changing technologies and laws. Any and all changes will immediately be posted to the SAIL/VOILE NB website. Nothing in the SAIL/VOILE NB Privacy policy shall be construed so as to prevent the SAIL/VOILE NB from collecting and maintaining information for the purpose of maintaining the historical records of the organization. Such information shall include but not be limited to names and achievements of New Brunswick Provincial Sailing Team Members, Club and Individual Members, names and positions held by volunteers, Board Members, and Executive Members, etc. In addition to historically significant information, nothing in this privacy policy shall be construed so as to prevent the SAIL/VOILE NB from collecting and maintaining personal information for the purpose of collecting and maintaining statistical data in order to satisfy government requests for sport participation information connected with decisions related to government funding levels. Such information to include but not be limited to Learn to Sail participant data collected by the Province or otherwise, SAIL/VOILE NB Registered Sailor information, etc. This last clarification acknowledges the need of SAIL/VOILE NB to collect and maintain certain information in order to maintain and increase its government funding.

Definitions

- (a) *Act* - Personal Information Protection and Electronic Documents Act
- (b) *Commercial Activity* - Any particular transaction, act, or conduct that is of a commercial character
- (c) *Organization* - Includes an association, a partnership, a person, an unincorporated association, a trust, a not-for-profit organisation, a trade union, and a corporation
- (d) *Personal Information* - Any information about an identifiable individual, but does not include an employee's name, title, business address, or business telephone number
- (e) *Personal Health Information* - Any health information about an identifiable individual
- (f) *Representatives* - Directors, officers, employees, committees, members, volunteers, coaches, contractors, and other decision-makers associated with SAIL/VOILE NB

Statutory Obligations

SAIL/VOILE NB is governed by the PIPEDA in matters involving the collection, use, and disclosure of personal information, although not all personal information collected by the SAIL/VOILE NB is governed by the Act as sometimes this information is not part of any commercial activity as defined in the Act.

Additional Obligations

In addition to fulfilling all requirements of the Act, SAIL/VOILE NB and its representatives will also fulfill the additional requirements of this Policy. Representatives of SAIL/VOILE NB will not:

- (a) Disclose personal information to a third party during any business or commercial transaction unless it is properly consented to in accordance with this policy;
- (b) Knowingly place themselves in a position where they are under obligation to any person to disclose personal information, that would be improper to disclose;
- (c) Disclose personal information to anyone without a valid reason;
- (d) Derive personal benefit from personal information that they have acquired from the SAIL/VOILE NB; and
- (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.

Ruling on Policy

Except as provided in the Act, the Board of Directors of SAIL/VOILE NB shall have the authority to interpret any provision of this Policy that is contradictory, ambiguous, or unclear.

1. Accountability

1.1 SAIL/VOILE NB will appoint a staff person (the "Privacy Officer") whose responsibilities will include those of the implementation and monitoring of the SAIL/VOILE NB Privacy Policy. This person will also be responsible for responding to access requests in accordance with this Policy. The Privacy Officer will report to the President and the ultimate responsibility for Privacy issues will rest with the SAIL/VOILE NB Board of Directors. The Privacy Officer may enlist assistance from others within the organization. This will not mitigate his/her responsibility for Privacy issues.

1.2 SAIL/VOILE NB's Privacy Officer is **the Executive Director** as designated by the Board of Directors. In the event that there is no Executive Director the President shall appoint an interim Privacy Officer.

1.3 A contract made with a third party having access to personal information held by SAIL/VOILE NB shall include a clause that ensures the third party does not breach SAIL/VOILE NB's privacy policies.

2. Identifying the Purpose for the Collection of Personal Information

2.1 SAIL/VOILE NB shall only collect the information reasonably necessary to conduct programming.

2.2 SAIL/VOILE NB collects personal information from prospective members, members, coaches, sailors, officials, judges, athletes, managers, and volunteers for the purposes of conducting programming.

2.3 SAIL/VOILE NB will specify the purposes for collecting data at or before the time of collection to the individual. The purposes may be given orally or in writing.

2.4 SAIL/VOILE NB will endeavour to ensure that all collectors of personal information are familiar with the potential use of the personal data. All data collected shall be maintained in its office, or under control of its representatives or agents.

2.5 SAIL/VOILE NB will request individual permission for the use of any personal data collected which is extraneous to the purposes that have been identified unless authorized by law.

2.6 Information collected during the use of our website may include information listed in 2.2. All information will be treated within the same parameters as other information collected by SAIL/VOILE NB. It is always optional to provide information in certain fields, although that may inhibit full access to the website. Our website also collects non-identifiable information about users such as IP address, the sections of the website visited, and information downloaded. SAIL/VOILE NB may use this non-identifiable information and disclose it to service providers, for system administration purposes and to improve the website.

3. Consent

3.1 SAIL/VOILE NB will use the personal information for the uses as specified when collected as above in Section 2 and more generally for the purposes set out in the *Purpose* section above. By consenting to provide your information to SAIL/VOILE NB, you are deemed to consent to our use of the information.

3.2 If at any time you wish to withdraw your consent to the use of your information, you may do so by contacting the SAIL/VOILE NB. We will do our best to accommodate your request in a timely manner. We will explain to you the impact of your withdrawal on any services we provide to you.

3.3 Consent shall not be obtained from individuals who are minors or mentally incapacitated and therefore will be obtained from a parent, legal guardian, or persons having power of attorney.

4. Limiting Collection

4.1 All information shall be collected fairly and lawfully within the criteria as set forth in our Privacy Policy.

4.2 SAIL/VOILE NB shall not indiscriminately collect information. The amount and type of information collected shall be limited to that which is required to fulfill our identified purposes.

4.3 SAIL/VOILE NB will not use any form of deception in gaining personal information from its members.

5. Limiting Use, Disclosure and Retention

5.1 Subject to applicable legislation, SAIL/VOILE NB shall limit use of personal information it collects to purposes that we have disclosed on collection and more generally for the purposes set out in the *Purpose* section above.

5.2 SAIL/VOILE NB shall maintain documents and information for certain periods of time dependant upon necessity.

5.3 Certain documents may be subject to legislated retention periods either federally or provincially and these will be respected by SAIL/VOILE NB.

6. Accuracy

6.1 SAIL/VOILE NB shall strive to ensure that information entrusted to us is maintained in an accurate manner. We shall try to ensure that decisions are not made for or about an individual based on inaccurate information.

6.2 SAIL/VOILE NB shall update information in the event of a renewal or registration and/or an update request.

6.3 SAIL/VOILE NB shall strive to ensure that personal information that is used on an ongoing basis is accurate and up-to-date, unless limits to the requirement for accuracy are clearly stated.

7. Safeguards

7.1 Security safeguards have been implemented to ensure personal information is protected from theft as well as unauthorized access, disclosure, copying, use, or modification thereof.

7.2 The level of safeguards shall be directly related to the level of sensitivity of the information collected. The more sensitive the information, the higher the level of security.

7.3 Methods of protection and safeguards shall include but not limited to locked files, offices, and storage areas, need-to-know access, as well as technological measures such as passwords and encryption.

8. Openness

8.1 SAIL/VOILE NB publicly discloses the methods by which we handle your personal information through our Privacy Policy, on our website, or upon request by contacting SAIL/VOILE NB.

9. Individual Access

9.1 Subject to legislation, upon request by the individual, SAIL/VOILE NB shall disclose whether or not it holds personal information on an individual. We shall disclose the source of this information when requested and provide an account of third parties to whom the information may have been disclosed.

9.2 SAIL/VOILE NB may request information to confirm your identity before releasing your personal information to you.

9.3 An individual may be denied access to his or her personal information and upon refusal; SAIL/VOILE NB will inform the individual the reasons and the associated provisions of PIPEDA.

10. Challenging Compliance

10.1 An individual may challenge SAIL/VOILE NB's compliance with this policy and with PIPEDA by submitting a challenge in writing.

10.2 SAIL/VOILE NB has in place procedures for the resolution of grievances in the administration of its Privacy Policy.

10.3 Upon receipt of a complaint SAIL/VOILE NB shall make available the complaint procedures, which will be simple and easy to access.

10.4 SAIL/VOILE NB shall investigate all complaints. If the complaint is deemed justified SAIL/VOILE NB shall take the appropriate steps to ensure that compliance is achieved and will make changes to its policies to allow for compliance in the future.

10.5 All complaints shall be addressed to the SAIL/VOILE NB Privacy Officer

Internal Privacy Policy

11. SAIL/VOILE NB shall maintain a more detailed internal privacy policy for the purpose of providing staff with specific guidelines relating to internal procedures for management of any information protected by statute.

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### **Website**

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### **Policies for Individuals**

With the permission of a user, information submitted may be used for marketing and promotional purposes and may be shared with pre-screened affiliates, companies or new corporate partners. If a guest wishes to withdraw such use, he/she may withdraw that use by e-mail request.

### **IP Address**

SAIL/VOILE NB collects IP addresses for the purposes of system administration and to report aggregate information to our advertisers. An IP address is a number that is automatically assigned to your computer when you connect to the Internet. Web servers automatically identify your computer by its IP address. When guests request pages from SAIL/VOILE NB web sites, our Internet Service Provider will log the guests' IP addresses. We do not link IP addresses to anything personally identifiable. This means that a user's session will be logged, but the user remains anonymous.

### **Links to Other Sites**

Users should be aware that when you are on SAIL/VOILE NB web site, you could be directed to other sites.

These include links from advertisers, sponsors, and partners. Their policies may not be the same as ours. While SAIL/VOILE NB strives to protect our users' personal information and privacy, we cannot guarantee the security of any information you disclose online on other sites and you do so at your own risk.

**Security Policy**

Any employee who violates our privacy and/or security policy is subject to disciplinary action, including possible termination or civil and/or criminal prosecution.

**DISCLAIMER**

THIS SITE IS PROVIDED BY SAIL/VOILE NB ON AN "AS IS" BASIS. SAIL/VOILE NB MAKES NO REPRESENTATIONS OR WARRANTIES OF ANY KIND, EXPRESS OR IMPLIED, AS TO THE OPERATION OF THE SITE, THE INFORMATION, CONTENT, MATERIALS OR PRODUCTS, INCLUDED ON THIS SITE. TO THE FULL EXTENT PERMISSIBLE BY APPLICABLE LAW, SAIL/VOILE NB DISCLAIMS ALL WARRANTIES, EXPRESS OR IMPLIED, INCLUDING BUT NOT LIMITED TO, IMPLIED WARRANTIES OF MERCHANTABILITY AND FITNESS FOR A PARTICULAR PURPOSE. SAIL/VOILE NB WILL NOT BE LIABLE FOR ANY DAMAGES OF ANY KIND ARISING FROM THE USE OF THIS WEB SITE, INCLUDING BUT NOT LIMITED TO DIRECT, INDIRECT, INCIDENTAL, PUNITIVE, AND CONSEQUENTIAL DAMAGES.

**Applicable Law**

This site is created by SAIL/VOILE NB in the province of New Brunswick, Canada. As such, the law of the province of New Brunswick will govern these disclaimers, terms, and conditions, without giving effect to any principles of conflicts of laws. We reserve the right to make changes to our site and to these disclaimers, terms, and conditions at any time.

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