



To Canadian Curling Clubs:

As of January 1, 2004, organizations are required to comply with the *Personal Information Protection and Electronic Documents Act* (Canada) (PIPEDA), or its provincial and/or territorial equivalent. The Canadian Curling Association (CCA) has since received many requests from curling facilities in Canada in relation to such privacy legislation.

The stated purpose of PIPEDA, and undoubtedly its provincial and/or territorial equivalent, is “to extend the present laws of Canada that protect the privacy of individuals with respect to personal information about themselves held by (your curling club) and that provide (your members) with a right of access to that information.” (Canada Gazette, Part II; Volume 135, Number 1; Ottawa, Wednesday, January 3, 2001)

The CCA hired the law firm of Perley-Robertson, Hill & McDougall LLP and Mr. Dean R. Roy to create a template for Canadian curling clubs allowing them to create their own privacy policies for their respective members.

While clubs may have the urge to simply fill in the blanks in the template to complete their respective policies, we highly recommend following this simple procedure as suggested by Mr. Roy:

*“Please read and understand the template and what you are agreeing to do by making public this policy and ensure compliance with the said policy after enactment”.*

*“Assign someone to be the privacy officer for the club. In general, the privacy officer’s role is to ensure compliance with the protection of privacy/personal information and to act as a contact person with regard to any privacy-related issues that may arise from time to time.”*

*“As a matter of practice, obtain consents from your members (including new and existing members) with regard to the content of your privacy policy and keep records of such consents (see **Member’s Consent** on page 4). It is recommended that you also post your policy somewhere prominent within the club and on your web site. In the event that the member is a minor (i.e. under 18 years of age), the consent should be sought from the parent or guardian.”*

*“Ensure that the proper security measures are in place for the protection of personal information and revisit such measures periodically to ensure that they are being adhered to and that they remain adequate.”*

A final note from Mr. Roy: *“This form of policy was modeled to comply with the federal privacy legislation (PIPEDA). It should be noted that the said federal legislation does not apply where provinces/territories have enacted substantially similar legislation. As such, although the different legislation (i.e. federal, provincial and territorial) are similar, the use of this form should not automatically be regarded as resulting in full compliance with all statutes affecting the collection, use and/or disclosure of personal information throughout Canada.”*

**[insert name of club]**  
**PRIVACY POLICY**

At [insert name of club], we are committed to collecting, using, and disclosing your personal information responsibly and to maintaining the accuracy, confidentiality, and security of such personal information.

Personal information includes information that tells us specifically who you are, such as your address, telephone number and e-mail address. However, publicly available information, such as a public directory listing of your name, address and telephone number is not considered personal information.

We have adopted the following privacy policy that guides how we collect, use and disclose personal information about our members and prospective members. Our intent is to balance our legitimate business interests in collecting, using, and disclosing your personal information against your reasonable expectations of privacy.

### **1. Definitions**

In this policy:

- a) "Business" means the business of operating the [insert name of club], which includes the Web site;
- b) "Membership" means a membership in the [insert name of club];
- c) "we", "us", "our" and the "Club" refer to the [insert name of club], located at [insert address] and/or [insert Web site address – *if applicable*];
- d) "Web site" refers to the web site found at [insert Web site address – *if applicable*];

### **2. Collection of Personal Information**

Our primary purpose in collecting personal information from you and about you is to ensure the provision of high quality products and/or services. We only collect personal information from and about you that we consider necessary for achieving this purpose and to permit us to conduct the Business diligently.

### **3. Use of Your Personal Information**

We may use the personal information we collect from and about you to:

- a) ensure the provision of high quality products and/or services;
- b) inform you about online and offline offers, products, services, updates and events (including expiry and renewal of your Membership);
- c) enable us to contact you;
- d) establish and maintain communication with you;
- e) assist us in complying with legal and regulatory requirements;
- f) invoice you for products and/or services;
- g) collect unpaid accounts; or
- h) enable a corporate re-organization, a merger, or acquisition with another entity or a sale of the Business.
- i) [insert additional uses – *if any*]

We may also use your personal information as may be described to you at the time of collection. We may compare and review your personal information for errors and omissions and for accuracy. If you choose to provide us with your financial information, we may use your address and financial information to bill you and to provide associated support. We may use personal information about you, in a non-personally identifiable manner, to improve our marketing and promotional efforts, to analyse Memberships, to improve our content and product offerings, and to customize our Web site's content, layout, and services. These uses are to enable us to improve the Business and to

better tailor the Business to meet your needs.

#### **4. Disclosure of Personal Information**

As a matter of policy, we do not sell, rent, or lease any of your personal information to third parties without your explicit consent. However, there are a variety of circumstances where we may need to disclose some of your personal information, including the following:

- a) We may disclose your personal information to an individual who, in our reasonable judgement, is seeking the information as your agent. For example, we may provide your personal information to your legal representative if we are satisfied that the individual is requesting the information on your behalf.
- b) We may disclose your personal information as may be required by law.
- c) We may aggregate personal information and disclose such information in a non-personally identifiable manner to advertisers and other third parties for marketing and promotional purposes.

#### **5. Control of Your Password [delete this paragraph if not applicable to your club]**

You are responsible for all actions taken with any user ID and/or password used to access the Web site. Therefore, we recommend that you not disclose your password to any third parties. If you choose to share your user ID, your password or your personal information with a third party, you are responsible for all actions resulting therefrom. If you lose control of your password, you may lose substantial control over certain personal information. Therefore, if your password has been compromised for any reason, you should immediately change your password.

#### **6. Access, Review, Change and Destruction of Your Personal Information**

You may access, review and/or change the personal information we have in our files by submitting a written request to do so to our Privacy Information Officer at the address below. We ask that you promptly advise us of any changes to your information.

Upon your written request, we will destroy, as soon as reasonably possible and in accordance with our internal policies and applicable law, any and all personal information that we have in our files about you. Notwithstanding the foregoing, we will retain in our files some personal information in order to enable us to collect any unpaid accounts and/or as may be required by law.

#### **7. Other Information Collectors**

Except as otherwise expressly included in this Privacy Policy, this document only addresses the collection, use and disclosure of personal information WE collect from and about you. To the extent that you disclose your personal information to other parties, different rules may apply to their collection, use or disclosure of such personal information. Since we do not control the privacy policies of third parties, you are subject to the privacy policies of such third parties.

#### **8. Protecting Your Privacy**

The personal information that is retained by us is kept in a secure environment and we use reasonable procedural and technical safeguards to protect your personal information against loss, theft and unauthorized access or disclosure. While we employ many different security techniques to protect such data from unauthorized access by users inside and outside the company, we cannot ensure perfect security, particularly in relation to the Web site.

## **9. Amendments to This Policy**

We may amend this Privacy Policy at any time by mailing (including regular mail and email) any amended terms to you or by posting the amended terms on the Web site or at [insert location of club]. All amended terms shall automatically be effective five days (5) days after mailing or on the date of posting.

## **10. Privacy Information Officer, Access, Questions, or Concerns**

The Privacy Information Officer for the Club is [insert name of individual].

If you wish to access, review and/or change your personal information contained in our files or if you have any questions or concerns about our privacy principles outlined above or about our practices, please contact us at:

[insert club's name]

[address]

[city, province, postal code]

[telephone]

[facsimile]

[e-mail address]

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### **Member's Consent**

I have read and understood the above Privacy Policy and I hereby consent to the collection, use and disclosure of my personal information by [insert name of club] in accordance with the above Privacy Policy.

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Date

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Signature

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Name (please print)

**NOTE:** There are no guarantees that this form of Privacy Policy automatically lends itself to the needs and requirements of every individual club within the membership of the Canadian Curling Association. The use of this form should not automatically be regarded as resulting in full compliance with all statutes affecting the collection, use, and/or disclosure of personal information throughout Canada.