

PIPEDA

The Personal Information and Protection of Electronic Documents Act sets out rules for how the private sector may collect use or disclose personal information in the course of commercial activity. January 1, 2004, PIPEDA came into effect for all commercial activities within all provinces.

As a provincial sport organization, what should we be doing to ensure that we meet the requirements of PIPEDA?

1. Determine if the business you are conducting is a “Commercial Activity”
 - A Commercial Activity is defined as: “any particular transaction, act or conduct or any regular course of conduct that is of a commercial character, including selling, bartering or leasing of donor, membership or other fundraising lists”.
 - This definition is intended to capture as broad a range of transactions involving the collection, use or disclosure of information as possible.
2. Select a privacy officer for your Association
 - The role of this individual includes:
 - Implement procedures to protect personal information
 - Establish procedures to receive and respond to queries and complaints
 - Train staff and communicate to staff information about your privacy policy
 - Develop information to explain policies to your members.
 - The privacy officer should ideally hold a senior position within your organization and be familiar with how information is collected, stored, and disposed of within your organization.
3. Determine what personal information your association collects, and how this information is used.
 - Personal information is defined, as “information about an identifiable individual, but does not include the name, title or business address or telephone number of an employee of an organization”.
 - Conduct an information inventory, including what information is collected, what is this information intended use, how is this information stored and for how long is the information kept.
4. Develop a privacy policy
 - Request a sample Privacy Policy template from your Sport Consultant.
 - Educate your staff and Board about your associations Privacy Policy.
 - Develop an information document to be provided to all of your members to explain your privacy policies and procedures to your members.
 - Your privacy policy should also be posted on your website.
 - Follow your policy in terms of the collection, storage and disposal of personal information.

The Coaching Association of Canada has posted a document on their website to provide guidance to P/TSOs with regards to NCCP privacy compliance. Check out the link below to see their recommendations. <http://www.coach.ca/e/nccp/policies.htm>

Visit the website of the **Office of the Privacy Commissioner of Canada** for more information about PIPEDA. Included on the website are:

- * Privacy Legislation
- * Key Issues
- * Fact Sheets
- *Resource Centre
- *Privacy Impact Assessment
- *Privacy Quiz

This information can be found at <http://www.privcom.gc.ca>

Are you looking for sample statements that may be attached to web sites, application forms, membership registrations, etc? Listed below, please find numerous samples.

An organization may collect, use and disclose any personal information if the purpose of the collection, use and disclosure is reasonable and the individual supplying the information has consented to such purpose. If an organization wishes to disclose personal information to a third party for solicitation, marketing or advertising, expressed consent is necessary.

The following statements can be used to obtain consent:

1. I, [enter name], consent to the collection, use and disclosure of my personal information for the following purposes [identify the purposes] ... *followed by signature.*
2. I, [enter name], consent to the collection, use and disclosure of my personal information for the following purposes [identify the purposes]. I further consent to the disclosure of my personal information to the following parties [identify the third parties] ... *followed by signature.*
3. I grant ABC permission to collect, use and disclose my personal information for the following purposes. Such permission is indicated by my placing a check mark in the box below:
 - Receiving solicitations from ABC sponsors such as XYZ;
 - Receiving advertisements from ABC's sponsors about their products or services that may be of interest to the members of ABC;
 - Receiving direct solicitations from ABC for fundraising or other commercial activities.
4. By providing ABC with your personal information on this [type of form], you are giving consent to ABC to collect and use your personal information for the following purposes [identify the purposes] and to disclose your information to the following parties [identify the parties].
5. By entering personal information on this web site, you are consenting to the collection, use and disclosure of your personal information for the following purposes... [identify purposes].
6. By entering personal information on this on-line registration system, you are consenting to ABC collecting, using and disclosing personal information for the purposes identified in ABC's Privacy Policy [provide link to policy].

Source: Centre for Sport and Law

Developing a privacy policy does not need to be a complicated process. Keep your policy simple and concise and make sure to inform your members how you use their personal information. Should you have any questions, please feel free to contact your Sport Consultant.

Publication of the PSO Unit

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For further information, please contact a member of the PSO Unit.