

Alberta Weightlifting Association (“AWA”)

Privacy Policy

General

1. Background – Privacy of personal information is governed by Alberta’s *Personal Information Protection Act* (“*PIPA*”). This policy describes the way that AWA collects, uses, safeguards, discloses and disposes of personal information, and states AWA’s commitment to collecting, using and disclosing personal information responsibly. This policy is based on the standards required by *PIPA* and AWA’s interpretation of these responsibilities.
2. 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, ethnic background, family status, health history, and health conditions
 - d) “*Representatives*” – Members, directors, officers, committee members, employees, athletes, coaches, officials, sport assistants, managers, trainers, volunteers, administrators, contractors and participants within AWA
3. Purpose – The purpose of this policy is to govern the collection, use and disclosure of personal information during commercial activities in a manner that recognizes the right to privacy of individuals with respect to their personal information and the need of AWA to collect, use or disclose personal information.

4. Reasonableness – AWA will only collect personal information for reasonable purposes and to the extent reasonably necessary for said purpose.

Application of this Policy

5. Application – This Policy applies to Representatives in connection with personal information that is collected, used or disclosed during any commercial activity related to AWA.
6. Ruling on Policy – Except as provided in the *Act*, the Board of Directors of AWA will have the authority to interpret any provision of this Policy that is contradictory, ambiguous, or unclear.

Obligations

7. Statutory Obligations – AWA is governed by *PIPA* in matters involving the collection, use and disclosure of personal information.
8. Additional Obligations – In addition to fulfilling all requirements of the *Act*, AWA and its Representatives will also fulfill the additional requirements of this Policy. Representatives of AWA 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 AWA; 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.

Accountability

9. Privacy Officer – The Privacy Officer is responsible for the implementation of this policy and monitoring information collection and data security and for ensuring that all staff receives appropriate training on privacy issues and their responsibilities. The Privacy Officer also handles personal information access requests and complaints. The Privacy Officer may be contacted as follows:

AWA

Email: president@albertaweightlifting.com

10. Duties – The Privacy Officer will:

- a) Implement procedures to protect personal information;
- b) Establish procedures to receive and respond to complaints and inquiries;
- c) Record all persons having access to personal information;
- d) Ensure any third-party providers abide by this Policy; and
- e) Train and communicate to staff information about AWA's privacy policies and practices.

11. Employees – AWA shall be responsible to ensure that the employees, contractors, agents, or otherwise of AWA are compliant with the *Act* and this Policy.

Identifying Purposes

12. Purpose – Personal information may be collected from Representatives and prospective Representatives for purposes that include, but are not limited to, the following:

Communications:

- a) Sending communications in the form of e-news or a newsletter with content related to AWA programs, events, fundraising, activities, discipline, appeals, and other pertinent information

- b) Publishing articles, media relations and postings on AWA website, displays or posters
- c) Award nominations, biographies, and media relations
- d) Communication within and between Representatives
- e) Discipline results and long-term suspension list
- f) Checking residency status
- g) Posting images, likeness or other identifiable attributes to promote AWA

Registration, Database Entry and Monitoring:

- h) Registration of programs, events and activities
- i) Database entry at the Coaching Association of Canada and to determine level of coaching certification coaching qualifications and coach selection.
- j) Database entry to determine level of officiating certification and qualifications
- k) Determination of eligibility, age group and appropriate level of play/competition
- l) Athlete Registration, outfitting uniforms, and various components of athlete and team selection
- m) Technical monitoring, officials training, educational purposes, sport promotion, and media publications
- n) Selection
- o) Implementation of anti-doping policies and drug testing
- p) Implementation of classification
- q) Technical monitoring, coach/club review, officials training, educational purposes, media publications, and sport promotion

Sales, Promotions and Merchandising:

- r) Purchasing equipment, coaching manuals, resources and other products
- s) Promotion and sale of merchandise

General:

- t) Travel arrangement and administration
 - u) Implementation of AWA's screening program
 - v) Medical emergency, emergency contacts or reports relating to medical or emergency issues
 - w) Determination of membership demographics and program wants and needs
 - x) Managing insurance claims and insurance investigations
 - y) Video recording and photography for personal use, and not commercial gain, by spectators, parents and friends
 - z) Video recording and photography for promotional use, marketing and advertising by AWA
 - aa) Payroll, honorariums, company insurance and health plans
13. Purposes not Identified – AWA 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

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

AWA shall give notice that it intends to collect, use and/or disclose the personal information for the specific purposes outlined in the notice. Contained in the notice will also be the contact information of AWA's Privacy Officer, for whom the individual can contact should they have questions or concerns regarding the notice.

15. Agreement to Consent – Individuals may consent to the collection, use and/or disclosure of information verbally or in writing, including via electronic communications. Consent may be transmitted electronically as described in above, if AWA produces or is able at any time to produce a printed copy or image or a reproduction of the consent in paper form.
16. Deemed Consent – By providing personal information to AWA, individuals are consenting to the use of the information for the purposes identified in this policy. If AWA provides the individual with an opportunity to opt out from consenting to the collection, use, and/or disclosure of information and the individual does not opt out within a reasonable time upon receiving clear notification of said opportunity to opt out, then the individual is deemed to consent to the collection, use and/or disclosure of personal information for the specified purpose.
17. Collection, Usage and Disclosure of Information upon Receiving Consent – Should AWA receive consent from the individual, AWA will only collect, use and/or disclose the information for the purposes provided to the individual within the notice of the consent and to the extent reasonable for the defined purpose.
18. Withdrawal or Variation – An individual may declare to the Privacy Officer in writing, with proper notice, to withdraw or vary their consent to the collection, use or disclosure of personal information at any time, subject to legal or contractual restrictions. AWA will inform the individual of the implications of such withdrawal. Where the individual validly withdraws their consent, AWA shall stop collecting, using, or disclosing the information upon receiving such notice. Where the individual validly varies their consent, AWA shall abide by the consent as varied upon receiving such notice.
19. 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.

20. Exceptions for Collection – AWA is not required to obtain consent for the collection of personal information of individuals if:

- a) a reasonable person would consider that the collection of the information is clearly in the interests of the individual and consent of the individual cannot be obtained in a timely way or the individual would not reasonably be expected to withhold consent;
- b) the collection of the information is authorized or required by
 - i. a statute of Alberta or of Canada,
 - ii. a regulation of Alberta or a regulation of Canada,
 - iii. a bylaw of a local government body, or
 - iv. a legislative instrument of a professional regulatory organization;
- b.1) the collection of the information is pursuant to a form that is approved or otherwise provided for under a statute of Alberta or a regulation of Alberta;
- c) the collection of the information is from a public body and that public body is authorized or required by an enactment of Alberta or Canada to disclose the information to the organization;
- c.1) the collection of the information is necessary to comply with a collective agreement that is binding on the organization under section 128 of the Alberta Labour Relations Code;
- c.2) the collection of the information is necessary to comply with an audit or inspection of or by the organization where the audit or inspection is authorized or required by
 - i. a statute of Alberta or of Canada, or
 - ii. a regulation of Alberta or a regulation of Canada;

- c.3) the collection of the information is by an organization for the purposes of conducting an audit
- of another organization, other than an audit referred to in clause (c.2), and it is not practicable
- to collect non-identifying information for the purposes of the audit;
- d) the collection of the information is reasonable for the purposes of an investigation or a legal proceeding;
- e) the information is publicly available as prescribed or otherwise determined by the regulations;
- f) the collection of the information is necessary to determine the individual's suitability to receive an honour, award or similar benefit, including an honorary degree, scholarship or bursary;
- g) the information is collected by a credit reporting organization to create a credit report where the individual consented to the disclosure to the credit reporting organization by the organization that originally collected the information;
- h) the information may be disclosed to the organization without the consent of the individual under section 20 of *PIPA*.
- i) the collection of the information is necessary in order to collect a debt owed to the organization or for the organization to repay to the individual money owed by the organization;
- j) the organization collecting the information is an archival institution and the collection of the information is reasonable for archival purposes or research;
- k) the collection of the information meets the requirements respecting archival purposes or research set out in the regulations and it is not reasonable to obtain the consent of the individual whom the information is about;

l) the collection of the information is in accordance with section 14.1, 15 or 22 of *PIPA*.

21. Exceptions for Use – AWA may use personal information without the individual's knowledge or consent:

- a) in accordance with any of the enumerated sections above; and/or
- b) The use of the information is necessary to respond to an emergency that threatens the life, health, or security of an individual or the public.

22. Exceptions for Disclosure – AWA may disclose personal information without the individual's knowledge or consent only if:

- a) A reasonable person would consider that the disclosure of the information is clearly in the interests of the individual and consent of the individual cannot be obtained in a timely way or the individual would not reasonably be expected to withhold consent;
- b) the disclosure of the information is authorized or required by
 - i. A statute of Alberta or Canada;
 - ii. A regulation of Alberta or a regulation of Canada;
 - iii. A bylaw of a local government body; or
 - iv. A legislative instrument of a professional regulatory organization
- b.1) the disclosure of the information is for a purpose for which the information was collected pursuant to a form that is approved or otherwise provided for under a statute of Alberta or a regulation of Alberta
- c) the disclosure of the information is to a public body and that public body is authorized or required by an enactment of Alberta or Canada to collect the information from the organization;

- c.1) the disclosure of the information is necessary to comply with a collective agreement that is binding on the organization under [section 128](#) of the Alberta [Labour Relations Code](#);
- c.2) the collection of the information is necessary to comply with an audit or inspection of or by the organization where the audit or inspection is authorized or required by
 - i. a statute of Alberta or of Canada, or
 - ii. a regulation of Alberta or a regulation of Canada;
- c.3) the disclosure of the information is
 - i. to an organization conducting an audit, other than an audit referred to in clause c.2), by the organization being audited; or
 - ii. by an organization conducting an audit, other than an audit referred to in clause c.2), to the organization being audited for the purpose relating to the audit and it is not practicable to disclose non-identifying information for the purposes of the audit
- d) the disclosure of information is in accordance with a provision of a treaty that
 - i. authorizes or requires its disclosure; and
 - ii. is made under an enactment of Alberta or Canada;
- e) the disclosure of the information is for the purpose of complying with a subpoena, warrant or order issued or made by a court, person or body having jurisdiction to compel the production of information or with a rule of court that relates to the production of information;
- f) the disclosure of the information is to a public body or a law enforcement agency in Canada to assist in an investigation
 - i. undertaken with a view to a law enforcement proceeding, or

- ii. from which a law enforcement proceeding is likely to result
- g) the disclosure of the information is necessary to respond to an emergency that threatens the life, health or security of an individual or the public;
- h) the disclosure of the information is for the purposes of contacting the next of kin or a friend of an injured, ill or deceased individual;
- i) the disclosure of the information is necessary in order to collect a debt owed to the organization or for the organization to repay to the individual money owed by the organization;
- j) the information is publicly available as prescribed or otherwise determined by the regulations;
- k) the disclosure of the information is to the surviving spouse or adult interdependent partner or to a relative of a deceased individual if, in the opinion of the organization, the disclosure is reasonable;
- l) the disclosure of the information is necessary to determine the individual's suitability to receive an honour, award or similar benefit, including an honorary degree, scholarship or bursary;
- m) the disclosure of the information is reasonable for the purposes of an investigation or a legal proceeding;
- n) the disclosure of the information is for the purposes of protecting against, or for the prevention, detection or suppression of, fraud, and the information is disclosed to or by
 - i. an organization that is permitted or otherwise empowered or recognized to carry out any of those purposes under
 1. a statute of Alberta or of Canada or of another province of Canada,
 2. a regulation of Alberta, a regulation of Canada or similar subordinate legislation of another province of Canada that, if

enacted in Alberta, would constitute a regulation of Alberta,
or

3. an order made by a [Minister](#) under a statute or regulation referred to in paragraph (1) or (2),
 - ii. Équité Association, or
 - iii. the Canadian Bankers Association, Bank Crime Prevention and Investigation Office;
- o) the organization is a credit reporting organization and is permitted to disclose the information under Part 5 of Alberta's [Consumer Protection Act](#);
- p) the organization disclosing the information is an archival institution and the disclosure of the information is reasonable for archival purposes or research;
- q) the disclosure of the information meets the requirements respecting archival purposes or research set out in the regulations and it is not reasonable to obtain the consent of the individual whom the information is about;
- r) the disclosure is in accordance with [sections 20.1, 21 or 22](#) of *PIPA*.

Limiting Collection, Use, Disclosure and Retention

23. Limiting Collection, Use and Disclosure – AWA 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.
24. Retention Periods – Personal information shall be retained by AWA if reasonably necessary for AWA to enable participation in AWA, to maintain accurate historical records and or as may be required for business or legal purposes.

25. Destruction of Information – AWA shall, within a reasonable time after they no longer requires the personal information for legal or business purposes, shall
- a) Destroy the records containing the personal information, or
 - b) Render the personal information non-identifying so that it can no longer be used to identify an individual with AWA.
26. Documents shall be destroyed by way of shredding and electronic files will be deleted in their entirety.
27. Section 30 applies notwithstanding any withdrawal or variation of the consent made by the individual as detailed above.

Safeguards

28. 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.

Breaches

29. Breaches – AWA is required to report breaches of its security safeguards and any unauthorized disclosure of, or access to, personal information to the Office of the Privacy Commissioner if the breach, disclosure, or access may pose a “real risk of significant harm” to an individual. A “real risk of significant harm” is defined as: *“Bodily harm, humiliation, damage to reputation or relationships, loss of employment, business or professional opportunities, financial loss, identity theft, negative effects on the credit record and damage to or loss of property”*.
30. Reporting – AWA will report the breach or unauthorized access or disclosure to the Office of the Privacy Commissioner in the form and format specified by the Office of the Privacy Commissioner as well as within a time period

specified by the Office of the Privacy Commissioner or will be subject to financial penalties.

31. Records and Notification – In addition to reporting the breach or unauthorized access or disclosure, AWA will keep records of the breach and inform affected individuals.
32. Process – AWA will abide by any process established by the Office of the Privacy Commissioner as outlined in *PIPA* to adequately address and resolve any breach or unauthorized access or disclosure flowing from a report.

Individual Access

33. Access – Upon written request, and with assistance from AWA, 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. Access will be provided in the following manner:
 - a) if the individual has asked for a copy of the individual’s personal information and the information can reasonably be reproduced,
 - i. provide with the response a copy of the record or the part of the record containing the information, or
 - ii. give the individual reasons for the delay in providing the information or record,
 - b) if the individual has asked to examine the record containing the individual’s personal information or if the record cannot reasonably be reproduced,
 - i. permit the individual to examine the record or part of the record, or
 - ii. give the individual access in accordance with the regulations.
34. Response – Requested information (including corrections, as outlined below) shall be disclosed to the individual within 45 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. The contents of the response will comply with the requirements of Section 29 of PIPA.

35. Denial – An individual may be denied access to his or her personal information, as permitted by section 24(2) of PIPA, if the information:

- a) Cannot be disclosed for legal, security, or commercial proprietary purposes; or
- b) Is subject to any legal privilege.

36. AWA will not provide access to personal information if:

- a) the disclosure of the information could reasonably be expected to threaten the life or security of another individual;
- b) the information would reveal personal information about another individual;
- c) the information would reveal the identity of an individual who has in confidence provided an opinion about another individual and the individual providing the opinion does not consent to disclosure of his or her identity.

37. Reasons – Upon refusal, AWA shall inform the individual the reasons for the refusal and the associated provisions of the *Act*.

38. 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.

Requesting Corrections

39. An individual may, in accordance with [section 26](#), request AWA to correct an error or omission in the personal information about the individual that is under the control of the AWA.

40. If there is an error or omission in personal information in respect of which a request for a correction is received by an organization under subsection (1), the organization must, subject to subsection (3),
 - a) correct the information as soon as reasonably possible, and
 - b) where the organization has disclosed the incorrect information to other organizations, send a notification containing the corrected information to each organization to which the incorrect information has been disclosed, if it is reasonable to do so.
41. If AWA determines not to make the correction under subsection (45)(a), AWA shall annotate the personal information under its control with the correction that was requested but not made.
42. On receiving a notification under subsection (45)(b) containing corrected personal information, AWA shall correct the personal information in its custody or under its control.
43. Notwithstanding anything in this subsection, AWA shall not correct or otherwise alter an opinion, including a professional or expert opinion.

How to make a request

44. A request to access information in accordance with section 38 or a request to correct information in accordance with section 44 must:
 - a) be in writing, and
 - b) include sufficient detail to enable the organization, with a reasonable effort, to identify any record in the custody or under the control of the organization containing the personal information in respect of which the request is made.
45. An individual who is requesting access to personal information under section 38 may ask for a copy of the record containing the personal information or to examine the record.

Challenging Compliance

46. Challenges – An individual shall be able to challenge compliance with this Policy and *PIPA* to the designated individual accountable for compliance.

47. Procedures – Upon receipt of a complaint AWA 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 written communication 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 AWA; 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.

48. Whistleblowing – AWA shall not dismiss, suspend, demote, discipline, harass or otherwise disadvantage any director, officer, employee, committee member volunteer, trainer, contractor, and other decision-maker within AWA 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 AWA has contravened or is about to contravene the *Act*;
- b) Has done or stated an intention of doing anything that is required to be done to avoid having any person contravene the *Act*; or

- c) Has refused to do or stated an intention of refusing to do anything that is in contravention of the Act.

IP Address

- 49. IP Address – AWA does not collect, use or disclose personal information such as IP Addresses.

Applicable Law

- 50. Applicable Law – AWA website is created and controlled by AWA in the province of Alberta. As such, the laws of the province of Alberta shall govern these disclaimers, terms, and conditions.