



**Fitness New Brunswick**

# **Privacy Policy**



## Fitness NB's Commitment to Privacy

At Fitness NB, respecting privacy is an important part of our commitment to our members, volunteers and employees.

Our commitment to privacy is reflected in the Fitness NB Privacy Code, which has been developed to comply with the relevant portions of the *Personal Information and Electronic Documents Act* (Canada). In this respect, the Fitness NB Privacy Code governs our behaviour with respect to the collection, use and disclosure of our members', volunteers' and employees' personal information.

We have also developed the Fitness NB Privacy Policy to explain why we collect personal information, how we use personal information and how we keep such information protected. A copy of the Fitness NB Privacy Policy is being made available to all of our members. You can also review it at [www.fitnessnb.ca](http://www.fitnessnb.ca).

## The Fitness NB Privacy Policy

Fitness New Brunswick is a not-for-profit organization that develops and promotes certification in fitness while being an advocate for active living and physical activity."

In the course of providing our programs and services, Fitness NB may collect Personal Information and we have prepared this policy to inform you about the Fitness NB's ongoing commitment to ensuring that the Personal Information obtained during the course of our activities remains accurate and confidential.

The objective of the Fitness NB Privacy Code is to promote responsible and transparent personal information management practices in a manner consistent with the provisions of the *Personal Information Protection and Electronic Documents Act* (Canada).

Fitness NB will continue to review the code to make sure that it is relevant and remains current with changing industry standards, technologies and laws.

### What is Personal Information?

We consider "Personal Information" to mean any information, recorded in any form, about an identified individual or an individual whose identity may be inferred or determined from such information, other than business contact information (e.g. name, title, business address). This Policy does not cover aggregated data from which the identity of an individual cannot be determined. Fitness NB retains the right to use aggregated data in any way that it determines appropriate.

### Why Fitness NB May Collect Personal Information

Fitness NB may use the Personal Information provided verbally or in writing (including via electronic media) by participants, partner organizations, or other third parties in order to:

- Track membership certifications;
- Organize various conferences that provide professional development and networking;
- Manage our awards and recognition programs;
- Meet legal and regulatory requirements; and
- Such other purposes consistent with these purposes.

The personal information we ask for will depend upon which services you may obtain.

## **How Fitness NB Collects and Uses Personal Information**

Fitness NB only collects, uses and discloses Personal Information for purposes that would be considered reasonable in the circumstances and only such information as is required for the purposes of providing services or information to participants, partner organizations and others. We use only fair and lawful methods to collect Personal Information.

Our use of Personal Information is limited to the purposes described in this Policy and Fitness NB does not otherwise sell, trade, barter, exchange or disclose for consideration any Personal Information it has obtained.

## **When Fitness NB May Disclose Your Personal Information**

Fitness NB may disclose your Personal Information to:

- Governmental agency funders of Fitness NB;
- Print and electronic media in connection with awards and recognition programs;
- Individuals or organizations who assist Fitness NB in informing you about our products or services; and
- Individuals or organizations who are our advisers or service providers.

In the event sensitive Personal Information is provided to Fitness NB, we will not disclose such Personal Information unless it is required in order to provide a participant or partner organization with our services.

Where Fitness NB discloses Personal Information to organizations that perform services on its behalf, we will require those service providers to use such information solely for the purposes of providing services to Fitness NB, participants, partner organizations or the person concerned and to have appropriate safeguards for the protection of that Personal Information.

Where Personal Information may be subject to transfer to another organization in contemplation of a merger or reorganization of all or part of Fitness NB, we will do this only if the parties have entered into an agreement under which the collection, use and disclosure of the information (including any Personal Information) is restricted to those purposes that relate to the transaction, including a determination of whether or not to proceed with the transaction, and is to be used by the parties to carry out and complete the transaction.

Please note that there are circumstances where the use and/or disclosure of Personal Information may be justified or permitted or where Fitness NB is obliged to disclose information without consent. Such circumstances may include:

- Where required by law or by order or requirement of a court, administrative agency or governmental tribunal;
- Where Fitness NB believes, upon reasonable grounds, that it is necessary to protect the rights, privacy, safety or property of an identifiable person or group;
- Where it is necessary to establish or collect monies owing to Fitness NB;
- Where it is necessary to permit Fitness NB to pursue available remedies or limit any damages that we may sustain; or
- Where the information is public.

Where obliged or permitted to disclose information without consent, Fitness NB will not disclose more information than is required.

## **Consent**

Unless permitted by law, no Personal Information is collected, without first obtaining the consent of the individual concerned to the collection, use and dissemination of that information. However, we may seek consent to use and disclose Personal Information after it has been collected in those cases where Fitness NB wishes to use the information for a purpose not identified in this Policy or not previously identified or for which the individual concerned has not previously consented.

By providing Personal Information to Fitness NB you agree and consent that we may collect, use and disclose your Personal Information in accordance with this Policy. In addition, where appropriate, specific authorizations or consents may be obtained from time to time.

In most cases and subject to legal and contractual restrictions, you are free to refuse or withdraw your consent at any time upon reasonable, advance notice. It should be noted that in certain circumstances, certain services can only be offered if you provide Personal Information to Fitness NB. Consequently, if you choose not provide us with any required Personal Information, we may not be able to offer you the services requested. We will inform you of the consequences of the withdrawal of consent.



## **The Accuracy and Retention of Personal Information**

Fitness NB endeavors to ensure that any Personal Information provided and in its possession is as accurate, current and complete as necessary for the purposes for which we use that information. If we become aware that Personal Information is inaccurate, incomplete or out of date, Fitness NB will revise the Personal Information and, if necessary, use its best efforts to inform third parties which were provided with inaccurate information so that those third parties may also correct their records.

We keep your Personal Information only as long as it is required for the reasons it was collected. The length of time we retain information varies, depending on the service and the nature of the information. This period may extend beyond the end of a person's relationship with us but it will be only for so long as it is necessary for us to have sufficient information to respond to any issues that may arise at a later date.

When your Personal Information is no longer required for Fitness NB's purposes, we have procedures to destroy, delete, erase or convert it into an anonymous form.

Currently, the principal places in which Fitness NB holds Personal Information are in the city of Saint John.

## **Protection of Personal Information**

Fitness NB endeavours to maintain appropriate physical, procedural and technical security with respect to its offices as to prevent any loss, misuse, unauthorized access, disclosure, or modification of Personal Information. This also applies to our disposal or destruction of Personal Information.

If any employee of Fitness NB misuses Personal Information, this will be considered as a serious offence for which disciplinary action may be taken, up to and including termination of employment. If any individual or organization misuses Personal Information – provided for the purpose of providing services to or for Fitness NB – this will be considered a serious issue for which action may be taken, up to and including termination of any agreement between Fitness NB and that individual or organization.

## Access to Your Personal Information

Fitness NB permits the reasonable right of access and review of Personal Information held by us about an individual and will endeavor to provide the information in question within a reasonable time, generally no later than 30 days following the request. To guard against fraudulent requests for access, we may require sufficient information to allow us to confirm that the person making the request is authorized to do so before granting access or making corrections.

We will provide information from our records in a form that is easy to understand. Fitness NB reserves the right not to change any Personal Information but will append any alternative text the individual concerned believes to be appropriate.

Fitness NB reserves the right to decline to provide access to Personal Information where the information requested:

1. Would disclose (i) Personal Information, including opinions, about another individual or about a deceased individual; or (ii) trade secrets or other business confidential information that may harm Fitness NB or the competitive position of a third party;
2. Would interfere with contractual or other negotiations of Fitness NB or a third party;
3. Is subject to solicitor-client or litigation privilege;
4. Is not readily retrievable and the burden or cost of providing would be disproportionate to the nature or value of the information;
5. Does not exist, is not held, or cannot be found by Fitness NB;
6. Could reasonably result in (i) serious harm to the treatment or recovery of the individual concerned, (ii) serious emotional harm to the individual concerned or another individual, or (iii) serious bodily harm to another individual;
7. May harm or interfere with law enforcement activities and other investigative or regulatory functions of a body authorized by law to perform such functions; or
8. May be withheld or is requested to be withheld under applicable legislation.

Where information will not or cannot be disclosed, the individual making the request will be provided with the reasons for non-disclosure.

Fitness NB will not charge you for verifying or correcting your information, however, to the extent permitted by applicable law, there may be a minimal charge imposed if you need a copy of records.

## **Website**

Our web servers track general information about visitors such as their domain name, time of visit and which pages are being accessed. This information is used internally, only in aggregate form, to better serve visitors by helping us to:

- Manage our site;
- Diagnose any technical problems; and
- Improve the content of our website.

In browsing the web, you will encounter a technology known as “cookies”. “Cookies” are files or pieces of information that may be stored in a computer’s hard drive when an individual visits a website. Most Internet browsers are initially set to accept cookies. If you do not wish to accept cookies, you can set yours to refuse cookies or to alert you when cookies are being sent. “Session” cookies are temporary bits of information that are erased once a visitor exits its web browser window or otherwise turn its computer off. Session cookies are used to improve navigation on web sites and to collect aggregate statistical information. Fitness NB’s website does not use session cookies. “Persistent” cookies are more permanent bits of information that are placed on the hard drive of a visitor’s computer and stays there unless it is deleted. Persistent cookies store information on a visitor’s computer for a number of purposes, such as retrieving certain information previously provided (e.g., passwords), helping to determine what areas of the website visitors find most valuable, and customizing the website based on visitor preferences. Fitness NB’s website does not use persistent cookies.

We do not share Personal Information obtained through cookies with any third parties.

We have no control over the content of third party websites that individuals may access through hyperlinks at our website. We encourage everyone to read the privacy policy of every website they visit.

## Definitions

**collection:** The act of gathering, acquiring, recording, or obtaining personal information from any source, including third parties, by any means.

**consent:** Voluntary agreement for the collection, use and disclosure of personal information for defined purposes. Consent can be either express or implied and can be provided directly by the individual or by an authorized representative. Express consent can be given orally, electronically or in writing, but is always unequivocal and does not require any inference on the part of Fitness NB. Implied consent is consent that can reasonably be inferred from an individual's action or inaction.

**disclosure:** Making personal information available to a third party.

**employee:** An employee of or independent contractor to Fitness NB.

**personal information:** Information about an identifiable individual, but does not include the name, title, business address or telephone number of an employee of an organization.

**third party:** An individual or organization outside of Fitness NB.

For more information regarding The Fitness NB Privacy Code, please contact Fitness NB at (506) 672-1993 or via e-mail at [executivedirector@fitnessnb.ca](mailto:executivedirector@fitnessnb.ca)

Please visit the Privacy Commissioner of Canada's web site at [www.privcom.gc.ca](http://www.privcom.gc.ca)