



**MANITOBA BAND ASSOCIATION INC.
("MBA")**

PRIVACY POLICY

Dated: October 26, 2019

MBA is a not-for-profit entity helping to provide musicians, young and old, with the necessary foundation of skills, knowledge and attitudes to foster excellence in music. We make every reasonable effort to inform you of the way we collect, use, retain, disclose and dispose of your personal information. This Privacy Policy is based on the standards of the *Personal Information Protection and Electronic Documents Act* (Canada) (hereinafter "PIPEDA") and applicable privacy laws.

OUR PRIVACY POLICY

Our Privacy Policy applies to: all participants of MBA events and programs, including participants of our Honour Bands, band camps and festivals; their parents or guardians; our members; our directors; our volunteers; applicants who apply for positions with us but whom are not retained by us; and other identifiable individuals whose personal information we collect, use, retain and disclose in the course of our activities.

When we use the words "personal information" or "information" in our Privacy Policy, we mean information about an identifiable individual, with the exceptions set out in PIPEDA, including the name, title, business address or telephone number of an employee of an organization and information that does not identify particular individuals, like aggregate statistics or anonymous data.

**PURPOSES FOR THE COLLECTION, USE, RETENTION AND DISCLOSURE OF
INFORMATION ABOUT YOU**

Our purposes for collecting, using, retaining and disclosing your personal information depends upon your relationship with us. The following outlines our purposes.

With respect to all Individuals:

In all circumstances, we collect, use, retain and disclose your personal information for the following purposes:



- to maintain adequate records, to assess the quality and quantity of our events and programs, and to have information in such form as reasonably required by us to organize, deliver, develop, and evaluate our events and programs;
- to promote our events and programs in various ways, including through printed material, our website, social and digital media, and news media, and through various means such as live streaming, any online collaboration, sharing or publishing platforms, or any existing or emerging communication platforms;
- to fundraise, to solicit and accept donations, and to promote and process memberships and sponsorships;
- to meet any legal, governmental or regulatory requirements, to detect and prevent fraud, and to protect your and our interests; and
- for any other purpose to which you consent.

With respect to our Participants:

We collect, retain, use and disclose your personal information for the following additional purposes:

- to establish and register you as a participant in one of our events or programs; and
- to enable us to contact and liaison with you, your parents or guardians, teachers, schools, and other necessary third parties to assess your abilities, needs or requirements, and to complete and handle registration and administration requirements, including billing and processing payments, to coordinate travel and accommodation (if applicable), and to distribute relevant information about events and programs.

With Respect to a Participant's Parent or Guardian:

We collect, use, retain and disclose your personal information for the following additional purposes:

- to communicate with you, as reasonably required, regarding the participant with whom you are associated ("your participant"), to obtain payment for the events or programs we provide to your participant, and to assist us in planning, arranging, and providing events and programs in which your participant is involved; and
- to determine your interest, experience and availability with respect to our various volunteer positions and membership opportunities, and to provide you with information and invite you to contribute or participate in our events and programs.



With Respect to our Directors, Volunteers and Applicants:

We collect, use, retain and disclose your personal information for the following additional purposes:

- to determine your interest, experience and availability with respect to our various positions, which may including contacting those who have information about you, your experience and your practices;
- to establish you as a director, volunteer, or potential director or volunteer, to enable us to contact and liaison with you, to complete and handle registration and administration requirements, including processing payments to you, and to distribute relevant information about our events and programs; and
- to assess any special qualifications, needs or requirements you may have and to assess your interest in extra training or responsibility related to one of our positions.

With Respect to our Members:

We collect, use, retain and disclose your personal information for the following additional purposes:

- to establish you as our member and to enable us to contact and liaison with you, to complete and handle registration and administration requirements, including billing and processing payments, and to distribute relevant information about our events and programs; and
- to publish information regarding our members for our membership group.

KEY PRINCIPLES

Our Privacy Policy consists of the following key principles, which apply to all aspects of our handling of an individual's personal information, including the collection, use, retention and disclosure of such information.

A. Collecting and Using Information

We collect, use, retain and disclose information about you with your consent, except as outlined in this Privacy Policy.

In obtaining your consent, whether express or implied, our purposes for which we collect your information are outlined above. If our purposes differ than those outlined above, we will advise you of our purposes at the time of collection of your information.



We may depart from this consent principle in accordance with the exceptions described in this Privacy Policy, where the information is publicly available or accessible, or where required or permitted by applicable laws (for instance, we may collect and disclose personal information in an emergency to protect human life or safety).

We gather and use personal information about you in connection with your relationship with us. We obtain information about you to help us provide our participants with the necessary foundation of skills, knowledge and attitudes to foster excellence in music. The type of information we gather and collect and the extent of information we obtain depends upon the nature of our relationship with you.

For example, for our participants we require the name of your parent or guardian if you are a minor, your music-related information, financial payment information, and where necessary health information. For every director and volunteer, we require information regarding your training and experience, availability and special requirements to ensure that you are engaged in the appropriate position.

We collect audio, audiovisual, and visual recordings (analog and/or digital) at our events and programs, which recordings may include your personal information (e.g. your image, your voice, the sound of you playing your instrument, your conducting, your teaching, etc.).

We collect the information we believe is reasonably necessary and use it for the purposes outlined in this Privacy Policy or if applicable, outlined to you at the time of collection of your information. If we wish in the future to use the information collected for purposes not previously identified, we will ask you for your consent at that time.

B. Disclosing Information

Our disclosure of your personal information depends upon your relationship with us.

We disclose your personal information to third parties in the following circumstances:

- when we have your consent, whether express or implied;
- to agents and third parties whom we use or retain to assist us in our events or programs;
- when we are required or permitted by law or regulation to do so;
- when we wish or are required to disclose to fulfill a public duty, such as reporting abuse or preventing fraud, or when we are protecting our interests; and
- when we are operating under an exception to the requirement for consent set out in any applicable laws.



We will make disclosure to the extent that is necessary to accomplish our purposes or discharge our regulatory, legal or public duty. Whenever reasonably required, we will request that the party receiving the information provides reasonable assurances that he or she will also respect the privacy of your information in accordance with applicable laws.

The following list provides some examples of situations where we disclose the personal information of our participants, members, directors, and, at times, other individuals:

- We maintain registration information about our participants which is available to our event or program director(s) and, to the extent necessary, our volunteers for the applicable event or program.
- We may maintain directory information about our members that we make available to our membership group. This information includes your name and contact information.
- We disclose the names of our participants and directors on printed material about our events and programs.
- We may disclose your information in order to advise you about programs, to provide you with rehearsal, event or program reminders, and to inform you about various other events and programs that may be of interest to you.
- As applicable, we may disclose your information in order to obtain payment from you as a participant or member or to make payment to you as a director.
- We may disclose your information in order to obtain care and treatment for you in the event of an emergency and will share and exchange information with others involved in your care and treatment.
- We may disclose information in response to a subpoena, a request during a lawful process, or as required or permitted by law.

We do not sell or barter your information.

Important Notice regarding disclosing information through recordings.

Printed material, social and digital media, and the news media provide an ideal way to showcase and promote our activities and share participant and director involvement and success in events and programs with our community at large.

Information about you in the form of audio, audiovisual, or visual (analog and/or digital) recordings may be obtained by us during a rehearsal, performance or celebration connected with an event or program.



We may disclose audio, audiovisual or visual (analog and/or digital) recordings (of any nature or kind) through our website, social media, live streaming, or any other online collaboration, sharing or publishing platform, whether accessed through the internet, a mobile device, text messaging, email or any other existing or emerging communications platform, and/or printed material, for promotional, fundraising or educational purposes.

In the interest of the safety of our participants, we limit identifying information contained in our printed material for our events and programs. By attending or participating in rehearsals, performances or celebrations connected with one of our events or programs, you grant us the absolute right and unrestricted permission in respect of our recordings to use, reuse, publish, and republish such recordings in whole or in part, in any and all media, contemporaneously at the time of the recording and for a period of 10 years from the date of the recording for promotional, fundraising or educational purposes, without restriction as to alteration. In connection with any such recording, you also release and discharge us (including our officers and directors) from any and all claims for compensation, damages, breach of privacy, or libel.

C. Protecting Information

We will protect your information with appropriate safeguards and security measures.

We take reasonable security measures to protect your information against unauthorized access and use.

The length of time we retain information varies depending on your relationship with us and the nature of the information. Our retention period may extend beyond the end of your relationship with us but only for so long as required by law or as is reasonably required by us.

For unsuccessful applicants for director positions, any information we collect about you during the application process will be destroyed within two years of your application. We may consider your application for other positions that become available in that time period and will contact you if appropriate.

When your information is no longer needed by us, we will destroy, delete, erase or convert it to an anonymous form.

D. Providing Information Access and Accuracy

We will give you access to the information we have about you.

Please contact our Executive Director if you wish to have access to any information we may have about you. You will need to document your request in writing and provide us with identification at the time of access. We will advise you in advance if a charge is required for us to conduct a search of our records for information about you, and will do our utmost to respond to your request within 30 days.



Please note that we may not be able to provide information from our records if it contains references to other persons, contains information proprietary to us, is too costly to retrieve, or cannot be disclosed for legal reasons.

It is important that your personal information is accurate and complete and we will make reasonable efforts to keep your information up-to-date. If you find any errors in our information about you, let us know and we will make the appropriate corrections. In order to make a change to the personal information we hold about you, please send us the correction in writing by email or mail. If we do not correct your information as you request, we will nevertheless make record of your request and your opinion as to the accuracy of the information in our files.

E. Respecting and Responding To Your Privacy Concerns

We will explain your options of refusing or withdrawing consent to the collection, use or disclosure of your personal information, and we will record and respect your choices subject to any legal or contractual restrictions and reasonable notice.

Please contact our Executive Director if you have any questions related to your options for refusing or withdrawing consent. For example, for participants, we may decline your registration where you refuse your consent for audio, audiovisual or visual (analog and/or digital) recordings, and after recording has occurred, you will not be able to withdraw your consent for use of such material. For applicants for director positions, we may decline to accept your application where you refuse or withdraw consent for us to contact your references.

In each circumstance, our Executive Director will be pleased to explain your options and any consequences of refusing or withdrawing your consent, and to record your options.

If you have any concerns or questions about any aspect of our handling your personal information, and privacy and confidentiality please contact our Executive Director at:

John Balsillie, Executive Director
Manitoba Band Association
131 Rouge Road
Winnipeg, MB R3K 1J5
(204) 663-1226
mbband@shaw.ca
www.mbband.org

Our Executive Director has the decision-making authority to resolve most concerns.



INFORMATION REGARDING WEBSITE PRACTICES

We collect and store your e-mail addresses from any communications that you may send to us by clicking on any of our e-mail links.

If we receive an inquiry from you where it is reasonable to infer that we may respond by e-mail, we may communicate by e-mail. We are not responsible for any liability or loss caused by the fact that e-mail transmission cannot be guaranteed to be secure of error or that it could be intercepted, corrupted, lost, destroyed, arrive late or incomplete or contain viruses.

We use various service providers (e.g. JotForm, Mailchimp, PayPal and Wix) for our online registration and administration processes and may provide links to various internet sites.

We select service providers which we feel are trustworthy and appropriate; however, MBA does not make any representations to you about the information handling practices of any third party. Links to external sites are provided for your convenience only and we assume no responsibility or liability for such linked sites or the privacy practices of any third party.

APPLICABLE LAW

This site is created and controlled by MBA in the Province of Manitoba. As such, the laws of the Province of Manitoba, and the federal laws applicable therein, shall govern the terms, conditions, and disclaimers herein, without giving effect to any principles regarding the conflict of laws.

UPDATING THIS PRIVACY POLICY

Any changes to our Privacy Policy or our information handling practices will be recorded in a timely manner.

We may add, modify or remove portions of this privacy policy when we feel it is appropriate to do so. However, we will not use any information collected prior to such changes for any new purposes without first obtaining your consent.

Dated: Effective as of October 26th, 2019.