



The Toronto Scuba Club ("TSC") recognizes the importance of an individual's right to privacy as well as an individual's right to keep personally identifiable information private. This Privacy Policy outlines how we manage your personal information and safeguard the privacy of individuals.

From January 1, 2004, all organizations engaged in commercial activities in Canada, except organizations which are subject to substantially similar provincial legislation, must comply with the *Personal Information Protection and Electronic Documents Act* (the "Act"). The Act regulates the collection, use and disclosure of "personal information" as that term is defined in the Act. The Act incorporates the Canadian Standards Association Model Code for the protection of personal information.

What is Personal Information?

"Personal information" is information that identifies a specific individual or information which would enable an individual's identity to be deduced. Personal information under the Act includes such information as a home address or telephone number. Personal information does not include the name, position, title, business address or business telephone number of an employee of an organization. Also excluded from the definition of personal information is certain information which is publicly available, such as information included in a public directory.

TSC is obligated to maintain the confidentiality of all information which it receives pursuant to you approaching TSC to utilize its services. However, the Act provides certain additional protection to ensure that the privacy of your personal information is maintained. In order to maintain the privacy of your personal information and to ensure compliance with both the Act and this Privacy Policy, TSC has instituted the necessary policies and practices and appointed a Privacy Officer to ensure those requirements are met.

Collection of Personal Information

We collect personal information to provide you with course materials; to provide further information and materials relating to other TSC services; and, occasionally, to advise you of new services, courses, unique offers or events offered by TSC. Certain personal information is also collected as part of the registration process for Professional Association of Diving Instructors ("PADI") courses as taught by TSC and in the completion of the standard liability releases and waivers required for any diving course ("standard waivers"). Since we only collect personal information which you would reasonably expect us to require in connection with our services, we only ask for written consent to use your personal information in unusual circumstances, for example, if the personal information is required for a purpose other than that needed to provide you our services or as required by PADI or to advise you of new courses, offers or events offered by TSC. We may collect personal information directly from you at the commencement of our relationship and during the course of our representation of you. We may also obtain personal information about you from other sources, such as from PADI or other diving organizations.

Consent for the collection, use and/or disclosure of personal information may be obtained in writing or orally and may be given expressly or implied. Your consent to the collection and use of personal information will be implied when we obtain information which is necessary to the provision of our services or in completion of the standard waivers. The collection, use and disclosure of your personal information will be subject to the terms of this Privacy Policy. You must specifically advise us in writing if you do not agree to be bound by the terms of this Privacy Policy, in which case we request that you do not provide any personal information to TSC. However, this may result in TSC being unable to provide its services to you if the personal



information required is necessary for the reasons outlined above.

Use of Personal Information

We only collect and use personal information from individuals or organizations for the purpose of providing our services to them and to provide further information to our clients. We will usually retain personal information about you even after the completion of your course in the event that you decide to use our services again and as part of our obligation to retain a record of your training and certification as required by PADI. If you do not wish to receive any information or mailings from us not specifically related to the course you have retained us to teach you, upon such written request we will remove you from our mailing list. We do not sell, exchange or otherwise disclose personal information to third parties to enable them to market their products and services without first obtaining express consent from you. However, in certain circumstances, we may be required to disclose your personal information.

We may disclose your personal information without your express consent in the following circumstances:

- If we are required or authorized by law to do so;
- If you have specifically consented to the disclosure;
- If the services you have retained us to provide require us to provide your information to a third party (such as the registration process and standard waivers required by PADI);
- If we retain a third party to provide services such as storage or website/computer maintenance and development which then has access to those records we keep that may include your personal information. In such case, such information will only be disclosed if that third party agrees to be bound by this Privacy Policy and to protect your personal information in the manner required herein in the course of providing such third party service.
- If we retain agents, such as diving and travel-related entities in other jurisdictions, in connection with the services we are providing to you.

Protecting your Personal Information

We take all reasonable precautions to ensure that your personal information is kept safe from loss or theft, unauthorized access, copying, modification or disclosure. Among the steps taken are:

- premises security;
- restricting access to personal information;
- technological safeguards such as firewalls to prevent unauthorized access to our computer data base;
- restricting entry to our computer data base through restricted use passwords;
- internal password and security policies;
- requiring strict adherence to this policy by all TSC members and personnel and requiring all third parties with access to personal information collected by TSC to comply with the terms of this Privacy Policy.

Although we take all reasonable precautions necessary to protect the privacy of your personal information, personal information which is communicated or transferred physically by mail, courier or other forms of delivery or via electronic communication such as facsimile, email or telephone may be subject to interception, reproduction or unauthorized use. We do not encrypt any form of electronic communication including, but not limited to, e-mail. Although, as noted above, we take



all reasonable steps necessary to ensure the privacy of your personal information in accordance with this Privacy Policy, we are unable to prevent, and assume no liability for, any damages suffered by you in the event your personal information is intercepted, copied, or otherwise made public while being transferred or exchanged in any form of physical delivery or electronic communication.

Obtaining access to your Personal Information

If you wish to obtain access to personal information we may have about you, please contact our Privacy Officer in the manner provided for below. We will provide you with access to your personal information in accordance with the Act. However, we may deny you access to your personal information in certain circumstances such as the following:

- If providing access to you would result in the disclosure of personal information regarding another person or persons in contravention of this Privacy Policy;
- If such information is related to existing or possible legal proceedings against you;
- If we are authorized or empowered to deny access to such personal information to you by any applicable law or Order of a Court;
- If the request is frivolous or vexatious.

If your request for access to your personal information is denied, we shall explain why. If any of your personal information is incorrect, we will correct such information to ensure that same is accurate. However, personal information which is stored for historical or archival reasons will not be updated.

If you wish to make a request for access to your personal information, or if you have any questions with regard to this Privacy Policy, please contact our Privacy Officer as follows:

Chris Williams
Scuba Club Inc.
Email: chris@torontoscubaclub.com

In circumstances in which it is legal and practical to do so, we may consider dealing with inquiries regarding personal information on an anonymous basis and without the need for disclosure of any personal information.