



1.06 Privacy and Protection of Personal Information

Approved: 2017-11-21

Latest Revision Date: yyyy-mm-dd

Review Required: 2022

Intent

To describe the status of privacy legislation as it applies to SBOA.

Policy and Procedures

SBOA is not bound by Saskatchewan's The Freedom of Information and Protection of Privacy Act nor The Local Authority Freedom of Information and Protection of Privacy Act, nor by the federal Privacy Act. However, the federal Personal Information Protection and Electronic Documents Act(PIPEDA) applies to in respect of personal information that SBOA collects, uses or discloses in the course of commercial activities. (Saskatchewan has not enacted legislation similar to the PIPEDA.)

SBOA has adopted a policy to address confidentiality of the membership register and lists (see [3.03 Membership Register and Lists](#)). Member information is not released to other organizations for promotional purposes.

SBOA uses opt-out consent on membership applications and renewals ([form 10.07](#)), and uses an unsubscribe feature on emails to members, to allow members to decline further promotional or informational communications from SBOA. See [7.02 Communication Methods](#) and [9.06 Standards for Correspondence](#) for details.

The Secretary acts as SBOA's Privacy Officer for questions or concerns.

Application

SBOA members.

Notes

Based on information from the federal Office of the Privacy Commissioner. The federal Office of the Privacy Commissioner advises, "Most non-profits are not subject to the Act [PIPEDA] because they do not engage in commercial activities. This is typically the case with most charities, minor hockey associations, clubs, community groups and advocacy organizations. Collecting membership fees, organizing club activities, compiling a list of members' names and addresses, and mailing out newsletters are not considered commercial activities. Similarly, fundraising is not a commercial activity. However, some clubs, for example many golf clubs and athletic clubs, may be engaged in commercial activities which are subject to the Act. As the definition of commercial activity makes clear, selling, bartering or leasing a membership list or a list of donors would be considered a commercial activity. As a result, consent is required for the disclosure of this information. Assuming the information would not be considered sensitive, an organization could use a clear, simple and easy-to-execute opt-out process as a

means of obtaining consent. Although the Act does not generally apply to charities, associations and other similar organizations, we recommend that such organizations provide their members, donors or supporters with an opportunity to decline to receive further communications."

https://www.priv.gc.ca/en/privacytopics/privacylawsincanada/thepersonalinformationprotectionandelectronicdocumentsact/peda/02_05_d_19/

Based in part on 2007-05-28 SBOA Certification Policy 2B - Confidentiality of Association Information

(recommended for compliance with CAN-P-9 that was reissued as ISO/IEC 17024:2012). Required for compliance with ISO/IEC 17024:2012 "Conformity Assessment - General requirements for bodies operating certification of persons, 9.7.2."