

PRIVACY POLICY

THIS PRIVACY POLICY CONTAINS LEGAL OBLIGATIONS. PLEASE READ THIS PRIVACY POLICY BEFORE USING THE WEBSITE, THE SYSTEM AND ANY PRODUCTS AND SERVICES.

Last Update: August 2017

Actsafes Safety Association (“**Actsafes**”, “**we**” or “**us**”) delivers online courses, training materials and course completion and user database over the Internet through an online learning management system, online store and publicly searchable database (the “**Platform**”) and provides services in connection therewith. Our products and services may be accessible anywhere and on any device with an internet connection including your desktop, laptop, tablet or smart phone. Actsafes uses the Website and the Platform to provide you with access to our online products and services, including but not limited to, training materials, courses, surveys, tests and searchable database (the “**Products and Services**”). Actsafes also uses the Website and the Platform to provide you with information about the Products and Services and to provide online troubleshooting solutions.

For the purposes of this privacy policy (the “**Privacy Policy**”), the term “**Website**” means [<http://www.actsafes.ca>, <http://www.actsafestars.ca>] and all of its related webpages and websites (including without limitation any mobile optimized website), but does not include any third-party websites which are linked to or may link from the website whether or not such third-party websites are used in association with the Products and Services.

The Privacy Policy describes how Actsafes collects, protects, uses and discloses Personal Information that is collected by Actsafes or provided by you as you use the Website, the Platform and the Products and Services. We value your privacy and are committed to ensuring responsible practices in the collection, protection, use and disclosure of your Personal Information in accordance with applicable law.

To take advantage of some of the features of the Website, the Platform and the Products and Services you will have to provide us with your Personal Information. We may collect, use and disclose your Personal Information when you create an account with us, when you use the Platform and when you purchase the Products and Services.

Personal Information

For the purpose of the Privacy Policy, “**Personal Information**” means information about an identifiable individual (including any “Personal Information” as such term is defined in the *Personal Information Protection and Electronic Documents Act*, Canada or the *Personal Information Protection Act*, British Columbia, that is collected by us or supplied to us through the Website and the Platform in order to operate and use the Website and the Platform and provide the Products and Services. See “Collection of Information” below for a more detailed list of the various reasons why Actsafes collects Personal Information.

“Personal Information” may include, but is not limited to, a person’s name, email address, residential address, telephone number, payment card information, transaction history and other billing information.

Application of the Privacy Policy

The Privacy Policy applies to Personal Information collected by, or supplied to, Actsafe through the Website, the Platform and the Products and Services.

The Website, the Platform and the Products and Services may contain links to third party websites (the “**Links**”) that are not controlled or operated by Actsafe. The Links are maintained by the third parties who have their own website privacy policies and their own terms and conditions of use. This Privacy Policy does not apply to any of the Links and Actsafe is not responsible for any Personal Information disclosed by virtue of those Links or for the privacy practices of any operators or sponsors of the Links. To determine how Personal Information will be treated when accessing or using the Links, you must read the website privacy policy, if any, that applies to each of the Links.

We partner with third party service providers including to provide access to existing payment gateways. This Privacy Policy only applies to the Personal Information that Actsafe collects and uses, or is supplied, through the operation of the Website and the Platform and your use or access of any of the Products and Services. Any Personal Information disclosed to any third party service providers is dealt with in accordance with the privacy policies adopted by each of those service providers. Individuals are encouraged to review the website privacy policies maintained by each of those service providers to understand how their Personal Information will be used by those entities to process requests. For example, your credit card, banking and other billing information is kept with our payment processor [*Moneris*] and the Platform and Products and Services are maintained and hosted by Business Improvement Solutions Inc.. You can read more about their respective privacy policies at: [<https://www.moneris.com/en/Privacy-Policy>] and [<https://actsafestarc.ca/v1/index.cfm?action=home.TermsAndConditions>].

Acceptance of the Privacy Policy and any Revisions to the Privacy Policy

By accessing or using the Website, the Platform or any of the Products and Services you agree to accept the Privacy Policy. If you do not accept the Privacy Policy you must not access or use the Website, the Platform and any of the Products and Services.

Actsafestarc may, at any time without notice or liability, revise the Privacy Policy. You should periodically revisit this posting to review any revisions to the Privacy Policy. If you continue to access or use the Website, the Platform or any of the Products and Services after any revisions to the Privacy Policy are posted you will be deemed to have accepted those revisions.

Collection of Information

We collect and store information, which may include Personal Information, for the following purposes:

- (a) to process transactions for the Products and Services through the Website and the Platform;

- (b) to provide a user with the Products and Services;
- (c) to manage an individual's account with Actsafe;
- (d) to respond to inquiries about Actsafe and the Website or the Platform made through the Website or the Platform;
- (e) to troubleshoot problems with the Website, the Platform and the Products and Services and to improve the Website, the Platform and the Products and Services;
- (f) to enforce the Terms of Use;
- (g) to conduct marketing, including promotional activities such as sending newsletters;
- (h) to track and report your completion of courses, tests and assessments;
- (i) to conduct surveys; and
- (j) to take any other action required or permitted by law.

In collection with the foregoing collection of information, we may use “cookies” or similar technologies when you access or use the Website, the Platform or any of the Products and Services. Cookies are small amounts of data that are stored on your computer's hard drive or your device and may store information about you such as behavioural data. Should you choose to submit Personal Information to us, we may link cookie information to such Personal Information. If you do not wish to accept cookies, you have the option of blocking or disabling cookies. However, please be aware that certain parts of the Website and the Platform and some of our Products and Services will not function properly if you do so and you may lose access to Products and Services you purchased.

Choice and Opt-Out Options

Actsafe does not collect Personal Information through the Website, the Platform or the Products and Services unless users choose to provide it. If you do not wish to have Actsafe collect your Personal Information, you can choose not to provide it, including not doing the following:

- (a) provide your email through the Website or the Platform;
- (b) create an account through the Website or the Platform;
- (c) purchase any of the Products and Services through the Website or the Platform;
- (d) seek troubleshooting help through the Website or the Platform;
- (e) provide feedback to Actsafe through the Website or the Platform;
- (f) complete tests, courses or assessments through the Website or Platform; or
- (g) participate in surveys or promotions.

We may, however, collect non-Personal Information such as device IDs, IP addresses, persistent identifiers, usage data and other non-Personal Information, whenever you access or use our Website, the Platform or any of the Products and Services. Such non-Personal Information is not combined with Personal Information unless you choose to submit Personal Information to us.

Use of Information

We will use the Personal Information received through the Website, the Platform and the Products and Services for the various purposes outlined above under “Collection of Information”.

By providing information, including Personal Information, through your use or access of the Website, the Platform or any of our Products and Services, you acknowledge and agree that we may use the information, including the Personal Information, for the purposes set out herein.

Disclosure of Personal Information and Non-Personal Information

We will not transfer Personal Information to third parties, except for our business partners who have agreed to comply with legally required privacy standards and who will use the information only for the purposes disclosed at the time of collection or for a use consistent with that purpose.

In order to provide your current or prospective employers or others who have engaged your services or who may be looking to engage your services with the ability to confirm your completion of certain courses or certifications, you agree to allow your name, role or department, industry, union affiliations, city, and the results and records of your use of any of the Products and Services (including your scores and completion dates) to be made publicly available in a searchable course completion database through the Website and Platform (the “**Database**”). No other personally identifiable information of yours will be provided via the Database at any time without your knowledge or consent.

In the event that you are accessing or using any Products and Services for which you will receive a certificate or certification, you hereby grant Actsafe the right to forward the organization providing the certificate or certification with your first name, last name, contact information and the results and records of your use of any of the Products and Services (including your scores and completion dates).

We may also share aggregate or anonymous information, including Personal Information, about you with platform hosts, publishers, content providers, certifying organizations, unions or other organizations that pay for access to the Platform and Products and Services for their members or works, affiliations, business partners, and other third parties, to the extent permitted by applicable law.

Notwithstanding the foregoing, we reserve the right to disclose your information, including Personal Information, if we reasonably believe that we are required to do so by law or legal process or if we are otherwise requested by any law enforcement officer or agency acting under colour of law. In addition, we reserve the right to disclose your information, including Personal Information, in order to (a) enforce the Terms of Use; (b) protect and defend the rights or property of Actsafe; or (c) act in urgent circumstances to protect the safety or security of the

public or users of the Website, the Platform or any of the Products and Services. We may also disclose your Personal Information in connection with a corporate reorganization, a merger or amalgamation with another entity, or a sale of all or a substantial portion of our assets provided that the information disclosed continues to be used for the purposes permitted by this Privacy Policy by the entity acquiring the information.

Actsafes does not sell, rent or share its customer lists to third parties for marketing or commercial purposes.

Protection of Personal Information

Actsafes has implemented reasonable physical and technical measures to protect Personal Information obtained through the Website, the Platform and your access or use of the Products and Services against loss or theft, unauthorized access, use or disclosure. For further information on how we protect Personal Information, contact us using the information listed below under “Questions or Comments”.

Retention of Personal Information

We may keep Personal Information obtained through the Website, the Platform and your access or use of the Products and Services for so long as is necessary or appropriate to carry out the purpose(s) for which such information was collected or for such longer period as may be required or permitted by applicable laws and regulations and your consent to such purpose(s) remains valid after termination of our relationship with you.

Currently, Actsafes and its service providers retain all Personal Information collected by, or provided through the Website on Platform on secure servers in Canada. However, some of our third party service providers (and, in the future, Actsafes) may store information received from users (including Personal Information) outside of Canada, and under the laws of those other jurisdictions, in certain circumstances courts, law enforcement agencies, regulatory agencies or security authorities in those other provinces or foreign jurisdictions may be entitled to access users’ Personal Information.

Accuracy

We will try to ensure that the Personal Information obtained through the Website, the Platform and your access or use of the Products and Services is accurate and complete. You can help Actsafes maintain the accuracy of your Personal Information by notifying Actsafes of any changes to this information by updating your account.

You are responsible for ensuring that all information created through your access or use of the Website, the Platform and the Products and Services is accurate, reliable and complete. You should verify all such information before submitting or relying upon the information. We are not in the business of providing professional advice of any kind and the use of information created or accessed from the Website, the Platform and the Products and Services is at your own risk.

Minors

The Website, the Platform and the Products and Services are intended for general audiences but are not to be used by individuals under 18 years old (“**minors**”). We do not knowingly collect Personal Information from anyone under the age of 18. If you become aware that your child has provided us with Personal Information without your consent, please contact us at the email address below. If we become aware that a minor has provided us with Personal Information without parental consent, we take steps to remove such information and terminate their account.

Governing Law

Those who choose to access or use the Website, the Platform or the Products and Services from outside Canada do so on their own initiative and are responsible for compliance with local laws, if and to the extent local laws are applicable. Notwithstanding the foregoing, and recognizing the global nature of the Internet, each viewer and user shall comply with all local rules regarding online conduct and submission of acceptable materials. This Privacy Policy is governed and interpreted pursuant to the laws of the Province of British Columbia, Canada and the federal laws of Canada applicable therein, without regard to principles of conflicts of law that would impose the law of another jurisdiction, and you agree to submit to the exclusive jurisdiction of the courts located within the Province of British Columbia, Canada.

Questions or Comments

We welcome questions or comments about the Privacy Policy. Please direct any questions or comments to info@actsafe.ca.