



# Privacy Policy

## 1. OBJECTIVE & SCOPE OF POLICY

CMBA is committed to respecting your privacy and has prepared this Policy to inform you of our policy and practices concerning the collection, use and disclosure of Personal Information.

This Policy governs Personal Information collected from and about:

- i. individuals who are or may become Members of CMBA; and,
- ii. individuals or organizations with whom CMBA works with.

Using contractual or other arrangements, CMBA shall ensure that Members or Third Party Service Providers, who may receive Personal Information in the course of providing services to CMBA, protect that Personal Information in a manner consistent with the principles articulated in this Policy.

This Policy does not cover aggregated data from which the identity of an individual cannot be determined. CMBA retains the right to use aggregated data in any way it determines appropriate.

In the event of questions about: (i) access to your Personal Information; (ii) CMBA's collection, use, management or disclosure of Personal Information; or (iii) this Policy; please contact us at [info-on@cmba-achc.ca](mailto:info-on@cmba-achc.ca)

## 2. THE COLLECTION, USE & DISCLOSURE OF PERSONAL INFORMATION

For the purposes of this Policy:

"Member" means an individual who may or has purchased CMBA membership and has received approval from the Association to do so.

"Personal Information" means any information, recorded in any form, about an identified individual, or an individual whose identity may be inferred or determined from such information.

Your provision of Personal Information to CMBA means that you agree and consent that we may collect, use and disclose your Personal Information in accordance with this Privacy Policy. If you do not agree with these terms, you are requested not to provide any Personal Information to CMBA. Unfortunately, certain services can only be offered if you provide Personal Information and consequently, if you choose not to provide us with any required Personal Information, CMBA may not be able to offer you those services.

This Association only collects personal information necessary to effectively register you as a Member; make available your contact information on our website; communicate with you via telephone, mail or email; inform you of CMBA events; register you for said events; and to periodically email you bulletins or other information pertinent and relevant to the Mortgage Industry.

CMBA's use of Personal Information is limited to these purposes. CMBA does not sell, trade, barter or exchange for consideration any Personal Information it has obtained. Unless permitted by law, no Personal Information is collected about an individual without first obtaining the consent of the individual to the collection, use and dissemination of that information.

Personal Information will be collected, to the extent possible, directly from the individual concerned.

CMBA does not knowingly collect Personal Information from anyone under the age of 18, especially children under 13, and does not use such information if CMBA discovers that it has been provided by a minor.

Personal Information may also be transferred to another company in the event of a change of ownership of all or part of CMBA.

CMBA may disclose Personal Information of Members to organizations that perform services on its behalf. This will only be done if such organizations agree to use such information solely for the purposes of providing services to CMBA and, with respect to that information, to act in a manner consistent with this Policy.

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

- Where required by law or by order or requirement of court, administrative agency or other governmental tribunal;
- Where CMBA 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 CMBA;
- Where it is necessary to permit CMBA to pursue available remedies or limit any damages that CMBA may sustain; or
- Where the information is public.

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

### **3. ACCURACY**

CMBA endeavours to ensure that any Personal Information provided by Members and in its possession is as accurate, current and complete as necessary for the purposes for which CMBA uses that data. Information contained in files that have been closed is not actively updated or maintained.

### **4. RETENTION**

CMBA retains Personal Information as long as CMBA believes it is necessary to fulfill the purpose for which it was collected and Firm legal or business requirements.

### **5. SECURITY**

CMBA endeavours to maintain adequate physical, procedural and technical security with respect to its offices and information storage facilities so as to prevent any loss, misuse, unauthorized access, disclosure, or modification of Personal Information.

CMBA further protects Personal Information by restricting access to it to those Employees and Third Service Providers that the management of CMBA has determined need to know that information in order that CMBA may provide services to Members.

### **6. ACCESS TO PERSONAL INFORMATION**

CMBA permits access to and review of Personal Information held by CMBA about an individual by the individual concerned.

If any individual believes any Personal Information concerning that individual is not correct, that person may request an amendment of that information by sending a request to the person indicated in Section 1 of this Policy. CMBA reserves the right not to change and Personal Information but will append any alternative text the individual concerned believes appropriate. Where not required to be retained by the Association, an individual may also request that CMBA delete and individual's Personal Information from CMBA's system and records. However, due to constraints of computer technology and the fact that CMBA backs up its systems, Personal

Information may continue to reside in CMBA's systems after deletion. Individuals, therefore, should not expect that their Personal Information would be completely removed from CMBA's systems in response to an accepted request for deletion.

CMBA reserves the right to decline access to Personal Information where the information requested:

- Would disclose the Personal Information of another individual or of a deceased individual;
- Would disclose business confidential information that may harm CMBA or the competitive position of a third party;
- Is subject to solicitor-client or litigation privilege;
- Could reasonably result in: (i) serious harm to the treatment or recovery of the individual concerned; (ii) serious emotional harm to the individual or another individual; or (iii) serious bodily harm to another individual;
- May harm, or interfere with, law enforcement activities and other investigative or regulatory functions of a body authorized by statute to perform such functions;
- Is not readily retrievable and the burden or cost of providing would be disproportionate to the nature or value of the information; or
- Does not exist, is not held, or cannot be found by CMBA

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

Where information will be disclosed, CMBA will endeavour to provide the information in question within a reasonable time and no later than 30 days following the request.

CMBA will not respond to repetitious or vexatious requests for access. In determining whether a request is repetitious or vexatious, it will consider such factors as the frequency with which information is amended, the purpose for which the information is used, and the nature of the information.

To guard against fraudulent requests for access, CMBA will require sufficient information to allow it to confirm the identity of the person making the request before granting access or making corrections.

## **7. AMENDMENT OF PRACTICES AND THIS POLICY**

This statement is in effect as of April 1, 2004. CMBA will from time to time review and revise its privacy practices and this Policy. In the event of any amendment, an appropriate notice will be communicated to Members and others in an appropriate manner.