

Privacy Policy – Students
Revised April 2009

BC Notaries is committed to protecting your privacy. This notice concerning the collection, use and disclosure of personal information is directed to all of our applicants. “Applicant” shall mean and include, without limitation, individuals who:

- Apply to BC Notaries to become notary students;
- Make application to Simon Fraser University for admission to their Master of Arts in Applied Legal Studies program;
- Take the Notary Practical Training Course; or
- Write the statutory examinations.

This notice only applies to personal information about individuals; it does not apply to information about corporate or commercial entities.

PURPOSES

We collect, use and disclose personal information about you (including information such as your home contact information, academic transcripts of professional courses and designations, criminal and credit checks, character references, etc) for purposes authorized or required by law and for the following purposes:

1. to process your application for enrollment in our student program;
2. to assess your creditworthiness to become a member of The Society;
3. to assess your moral fitness to become of member of The Society;
4. to assess your educational background, business acumen and other credentials;
5. to discuss your academic worthiness with Simon Fraser University admissions;
6. to monitor, document, assess and address your performance and your adherence to our applicant policies;
7. to verify any information you have provided to us;
8. to allow us to communicate with you;
9. to process and administer payments in compliance with relevant regulatory and legal requirements (for example: tuition fees; examiners’ fees; legal fees);
10. to determine, administer and document training and educational requirements;
11. to manage your relationship with us.

We may also use the information you provide to us to generate statistics and aggregate reports for internal use. These statistics and aggregate reports will not contain any personally identifiable information. The Society, however, is subject to the *Freedom of Information and Protection of Privacy Act*. As a result, information gathered by The Society may be disclosed, on request, to other persons whose interests are affected by it.

If we want to use or disclose your personal information for a different purpose, we will identify the new purpose and obtain your consent unless the use or disclosure is authorized or required by law.

When you are commissioned as notaries by the court and admitted to The Society membership, all information in your student file will become part of your permanent membership file, subject to the privacy policy set out for members.

CONSENT

We will obtain your consent to collect, use, or disclose your personal information except where we are authorized or required by law to do so without consent. For example, we may collect, use or disclose personal information without your knowledge or consent where:

- the information is publicly available, as defined by statute or regulation;
- we are obtaining legal advice; or
- we reasonably expect that obtaining your consent would compromise an investigation or proceeding.

Other exceptions may apply.

Your consent can be express, implicit or given through an authorized representative. It can also be given verbally, in writing, electronically, through inaction (e.g., if we notify you that we want to collect, use or disclose your personal information for various purposes and you do not object) or otherwise.

You may withdraw consent at any time (subject to legal, contractual and other restrictions) if you give reasonable notice to us. After we have received such notice, we will inform you of the likely consequences of withdrawing consent, which may include our inability to provide certain services to you or to continue our relationship with you.

Notwithstanding the consent conditions above, The Society of Notaries Public of British Columbia is subject to the *Freedom of Information and Protection of Privacy Act*. As a result, information gathered by The Society may be disclosed, on request, to other persons whose interests are affected by it.

LIMITS ON COLLECTION OF PERSONAL INFORMATION

We will not collect personal information indiscriminately. We will only collect your personal information for purposes to which you have consented, unless otherwise authorized or required by law.

LIMITS FOR USING, DISCLOSING AND RETAINING PERSONAL INFORMATION

We will only use and disclose your personal information for the purposes to which you have consented, unless otherwise authorized or required by law.

We will destroy, erase, or make anonymous documents or other records containing personal information as soon as it is reasonable to assume that: (a) the original purpose is no longer being served by retention of the information, and (b) retention is no longer necessary for legal or regulatory purposes.

We will take due care when destroying personal information to prevent unauthorized access to the information.

ACCURACY

We will make a reasonable effort to ensure that personal information we are using or disclosing is accurate and complete.

If you demonstrate the inaccuracy or incompleteness of personal information, we will amend the information as required. If appropriate, we will send the amended information to third parties to whom the information has been disclosed.

When a challenge regarding the accuracy of personal information is not resolved to your satisfaction, we will annotate the personal information under our control with a note that the correction was requested but not made.

SAFEGUARDING PERSONAL INFORMATION

We protect the personal information in our custody and control by making reasonable security arrangements to prevent unauthorized access, collection, use, disclosure, copying, modification, disposal or similar risks.

PROVIDING ACCESS

You have a right to access your personal information held by us.

Upon your written request we will provide you with your personal information under our control. We will also give you information about the ways in which that information is being used, and a description of the individuals and organizations to whom that information has been disclosed.

We will make the information available within 30 days or provide written notice where additional time is required to fulfill the request.

In some situations we may not be able to provide access to certain personal information (e.g. if disclosure would reveal personal information about another individual, the personal information is protected by solicitor/client privilege, the information was collected for the purposes of an investigation, or where disclosure of the information would reveal confidential regulatory information that could harm the membership at large). We may also be prevented by law from providing access to certain personal information.

Where an access request is refused, we will notify you in writing. We will also document the reasons for refusal and outline further steps that are available to you.

Please note that many of the above collections, uses and disclosures are a necessary part of your relationship with us and are not optional unless you wish to terminate our relationship. Our privacy officer would be pleased to discuss this with you. If you have any questions about our use and disclosure of your personal information, please contact our privacy officer, Executive Director Wayne Braid, by email at society@notaries.bc.ca.

If we do not hear from you, we will assume you understand and consent to us collecting, using and disclosing your personal information as described above.

Policies and rules relating to privacy and the internet are evolving quickly. If we change our privacy policy we will post those changes on this page so that you are always aware of what information we collect and how we use it.

Our privacy officer would be pleased to discuss any aspect of this policy with you. If you have any questions about our use and disclosure of your personal information, please contact our privacy officer, Executive Director Wayne Braid, by email at society@notaires.bc.ca.

CONSENT

By submitting your application for enrollment, you are hereby deemed to have accepted this policy and expressly consented to allowing the Director of the School of Criminology at Simon Fraser University provide BC Notaries with your marks, progress reports, and other academic information with respect to your enrollment in the Master of Arts in Applied Legal Studies program at Simon Fraser University upon our request, such information to be held by us in accordance with this policy.