

CSCS PRIVACY POLICY

Last Updated: [March 15, 2021]

The Canadian Screenwriters Collection Society (the “CSCS”, “we” or “our”) is committed to protecting your personal information (as defined below). This Privacy Policy (“Policy”) sets out the CSCS’s policy with respect to the collection, use and disclosure of such personal information via the website located at www.wgc.ca (the “Website”) and via other communications we have with you.

For the purposes of this Policy, the term “**personal information**” means information that can be used to personally identify you or any information which is directly associated with any such information.

The CSCS limits the collection, use and disclosure of personal information to what is necessary to conduct our business of claiming, collecting, processing and distributing authors’ levy payments received for members that arise from secondary uses made in Europe and other jurisdictions. If you do not consent to the terms of the Policy, please do not provide us with your personal information.

The CSCS will not sell, trade or rent your personal information to any party. We will not disclose any of your personal information to any third party except (i) to other international collection societies as described in this Policy; (ii) where you have provided us with written permission to do so; (iii) as may be required by law; or (v) as may be required during any prospective or completed business transaction in accordance with applicable law.

All of the personal information below may be shared with select third party organizations with which CSCS does business, as specified later in this Policy.

What information do we collect?

I. Member Personal Information

Upon becoming a member of the CSCS, we collect the following information via our membership application forms:

- Name (name on your contracts and legal name)
- Date of birth
- Gender
- Citizenship
- Address
- Phone numbers
- Email address
- Corporate name
- Agent name and contact information
- Membership with other collection societies and industry organizations including the Writers Guild of Canada and other writer guilds.

II. Payment Information

We collect payment information for two different reasons as outlined below:

- a) Non-Writers Guild of Canada (“WGC”) members who wish to become CSCS members must pay a \$25 fee, which may be paid using VISA. If the VISA payment is processed at our office, paper slips produced with the writer’s name and partial credit card information are retained for audit purposes. If the writer pays online, payments are made through a third party payment processor and dealt with in accordance with the payment processor’s privacy policy. No credit card information is stored on the Website. The Website does make a record of the payment with the name of the payee and the amount and date.
- b) For the purposes of issuing wire transfers to writers, the writer’s banking information is collected over the phone or by email and then is entered directly into our banking software; it is not stored permanently by CSCS. This information is used only to process your payment and is securely discarded after the transaction is completed.

III. Personal Information of Minors

We do not knowingly collect personal information of minors, without the consent of a parent or legal guardian. However, if a minor (as defined by applicable law) provides us with his/her personal information without parental or legal guardian consent, we encourage the parent or legal guardian to contact us to have this information removed from our records.

IV. Technical Information

CSCS uses Google Analytics to provide statistics about the visitors to our Website. Google Analytics uses cookies and other identifiers to collect certain information such as your IP address, your device or browser type, geolocation information and your activity on our Website such as click rates and bounce rates, in order to measure and report statistics about user interactions on our Website. Google Analytics collects and analyzes non-personally identifiable information in order to create reports and identify Website trends, without identifying individual visitors. We do not share any personal information with Google Analytics. We use the reports provided by Google Analytics for internal statistical purposes and to help us improve our Website, track the usage of our Website and improve our search engine optimization.

You can find more information about Google Analytics at the following Google page:

<https://policies.google.com/technologies/partner-sites>. You can opt out of Google Analytics without affecting how you visit our Website. For more information on opting-out of Google Analytics across all websites you use, visit this Google page:

https://support.google.com/analytics/answer/181881?hl=en&ref_topic=2919631

How do we collect personal information?

We collect personal information you voluntarily provide to us -- in person, by phone or electronically, including via the Website – when you:

- submit a membership application;
- update your membership information, including your contact information; and
- provide your payment information.

How is personal information used?

We collect personal information for the following reasons:

- To establish and manage CSCS membership.
- To verify membership status with other collection societies.
- To make payments and provide distribution reports to our members.
- To collect and store necessary financial records required for accounting and audit purposes.
- To verify writer credits.
- To conduct our business in accordance with our Rightsholder Agreement. Under that agreement, CSCS members grant CSCS the power and authority, but not the obligation, at CSCS's sole and absolute discretion, to take any necessary action to collect any amounts which may be payable to the member, and to release, compromise or settle any disputes, differences or conflicting claims in relation to audiovisual rights.

Who has access to or uses your personal information?

Access to personal information is restricted on a "need to know" basis to only those persons who need the information in order to facilitate the use of the information to which you have consented.

- **Authorized Personnel:** Personal information collected by the CSCS is available to only CSCS staff or select third parties with which we do business with, including staff from the WGC. All of these parties are required to abide by this Privacy Policy and our internal confidentiality and security policies which restrict their use of the personal information.
- **Authorized Service Providers:** Third parties who provide services to us ("**Third Party Service Providers**") may have access to or use personal information, including, but not limited to, our Website host/developer, database developers, IT service provider and email providers. We will limit this to only the personal information that is necessary for the purpose or service for which the Third Party Service Provider is engaged. We use contractual and other means to provide a comparable level of protection while the information is being processed by these Third Party Service Providers, including limiting such providers to using your personal information solely to provide the CSCS with the specific service for which they were engaged, and for no other purpose.

To whom is your personal information disclosed?

The CSCS does not trade or sell personal information to others. As described in greater detail below, we may disclose personal information upon your request, in order to collect payments on your behalf, to respond to legal requirements, to enforce our policies or respond to claims that content violates the rights of others, or protect anyone's rights, property, or safety. Such information will be disclosed in accordance with applicable law. If we seek to disclose your personal information for any purpose not described in this Policy, we will only do so with your consent, which will be obtained prior to such disclosure.

- **Third Parties Requested by You:** Members may inquire or receive reports about their own information and give us written permission to share this information with their agents, business managers or another third party assigned by them.
- **Legal Counsel:** We may also share personal information relating to specific members with legal counsel retained by the CSCS when considering and taking necessary action to collect any amounts which may be payable to you and in order to defend our members' interests through legal or quasi-legal proceedings.
- **International Collection Societies & IPI System:** In order to claim and collect payments on your behalf arising from secondary uses made in Europe and other jurisdictions, the CSCS discloses specific information about members in our jurisdiction to other international collection societies to confirm membership status, discuss details regarding payments received or in relation to inter-society agreements, or writer credit. In addition, we enter select personal information of all members (full name, birth date and gender if known) into the Interested Party Information System (the "IPI System") managed by the Cooperative Society of Music Authors and Publishers in Switzerland ("SUISA"). The input of data into the IPI System grants a worldwide, non-exclusive license to SUISA and other collective societies to use this information for their rights management activity, including calculation, administration and distribution of royalties, and verification and validation of claims. The CSCS, SUISA and other international collection societies have agreed to an IPI User Agreement in which they agree to comply with data protection laws, respect the fundamental rights of members whose personal data will be processed, and ensure adequate safeguards are in place to protect such personal data.
- **Law Enforcement:** We may share your personal information with law enforcement, national security agencies or other governmental officials, as required or permitted by law, such as in response to a court order or a verified request relating to a criminal investigation or alleged illegal activity.
- **Sale or Business Transaction:** Subject to applicable law, we may share or transfer your personal information where reasonably required in the context of a prospective or completed sale, merger, amalgamation or other business transaction involving all or part of our business. In any such case, the recipient parties will be contractually required to keep the information confidential and use it only for the purposes of the transaction, or proposed transaction, in question. In the event a business transaction is concluded, assignees or successors of the CSCS or our business or assets may use and disclose personal information only for the purposes as set out this Policy, unless further consent is obtained from you.

How is personal information stored/secured?

Your personal information is stored by us at the CSCS office or at our paper file storage facility in Canada or on our web server located in Canada. The CSCS uses reasonable commercial efforts to protect your personal information from unlawful or unauthorized use, access, disclosure, theft or alteration. We use physical, technical and organizational safeguards to protect your personal information, including by:

- controlling physical access to computer data;
- restricting access to electronic data through the use of login IDs and passwords;

- implementing technical security measures such as firewall technology, anti-malware screening and data encryption technology; and
- entering into contractual arrangements with our Third Party Service Providers.

While the CSCS employs advanced data encryption technology when interfacing with our members, Third Party Service Providers and other partners, you should be aware that there is a residual risk in transmitting any data electronically. Despite our efforts, no security measures are perfect or impenetrable and no method of data transmission can be guaranteed against any interception or other type of misuse. This risk is inherent in all Internet dealings.

Will my data be transferred to other jurisdictions?

The use of SUIA's IPI System requires the transfer of personal information to Switzerland and the countries of other international collection societies. In addition, some of our Third Party Service Providers may be located outside your jurisdiction of residence. When your personal information is transferred to other jurisdictions, it is subject to the laws of those jurisdictions and may be accessible by the courts, law enforcement and national security authorities of those jurisdictions.

Collection societies must adhere to the data protection laws of the jurisdiction in which they are located, including the GDPR for those collection societies located in the European Economic Area. Where collection societies are established or use the IPI System outside Switzerland or outside the European Economic Area in countries for which no GDPR adequacy decision of the respective authorities exists, SUIA and the collection societies execute standard contractual clauses for the transfer of personal information to those countries.

You can request a copy of the Data Protection Addendum entered into between SUIA and international collection societies, including the CSCS, by contacting our Director of Operations in writing at m.king@wgc.ca.

You can obtain more information about our policies and practices with respect to the use of Third Party Service Providers outside of Canada by contacting us as described below, under "Contact Us".

How long is personal information retained?

We will retain your personal information for only so long as is necessary to fulfil the purposes for which it was collected, and for such periods of time as may be required to comply with applicable law.

If you terminate your CBSC membership, we will no longer retain your personal information except to the extent necessary:

- to send you any outstanding payments;
- to send you marketing communications in accordance with your marketing preferences (which you can change at any time by clicking on the "unsubscribe" option in any electronic marketing communication (e.g. email) you receive or by contacting us as set out below under the "Contact Us" heading. Please note that if you unsubscribe from marketing communications, we may still send you transactional emails; and
- for our legal or regulatory compliance, to exercise, establish or defend legal claims, and to protect against fraudulent or abusive activity on the Website or in connection with our services.

When your personal information is no longer required, we will make all reasonable efforts to ensure all electronic and hard copies of such information are securely destroyed or de-identified. However, where your information has been disclosed to third parties (as described above), such parties may retain the information according to their own retention and privacy policies.

What about links to third party sites?

The Website contains links to independently owned, controlled and/or managed third party websites to which the Policy does not apply. Please note that we do not monitor or control the content that appears on these sites and such content may be constantly changing. While we try to link only to sites that share our high standards and respect for privacy, please understand that we are not responsible for the content of, or the privacy practices employed by other platforms. We recommend and encourage you to read the terms of use and privacy policies of all linked sites before navigating through them.

How do I withdraw my consent and exercise other privacy rights?

CSCS members have certain rights under Canadian privacy laws -- such as to access and correct their personal information, and to withdraw consent for the collection, use or disclosure of personal information. To exercise any of your privacy rights, please contact us as set out below under the "Contact Us" heading.

- **Access or Correction:** You may request access to, or correction of, your personal information. We will take all reasonable steps to ensure that all personal information we collect, use or disclose is accurate, complete and up-to-date. Please contact us if your personal information changes or if you believe the information we have about you is not accurate or complete. All such requests must be received in writing. We will make the personal information available within a 30-day time frame, or provide written notice of extension, where additional time is required to fulfill the request. Your right to access personal information may be limited by applicable privacy laws. We may request that you provide certain personal information in order to verify your identity.
- **Withdraw Consent:** Except as required by law, we will not use or disclose your personal information for any purpose for which you refuse us consent or later withdraw your consent. You may withdraw your consent to our collection, use and disclosure of your personal information at any time, subject to contractual and legal restrictions and reasonable notice. If you withdraw consent, you agree that notwithstanding such withdrawal, we may continue to use any personal information previously provided to us to the extent required to enforce any contractual obligations that you may still have to the CSCS. You also understand that, although you can use the Website for certain purposes without providing us with any personal information, the CSCS will require personal information about you for some services, including those that require payment or involve an ongoing relationship with the CSCS or our partners. If you refuse to provide us with the personal information that we so require or later withdraw your consent to use and disclose such information, we may no longer be able to provide you with these services.

To withdraw your consent please contact our Director of Operations in writing at m.king@wgc.ca.

Requests regarding personal information stored by SUIA may be directed to the CSCS but will be handled directly by SUIA.

The CSCS and SUIA will cooperate with each other in the fulfilment of their respective obligations related to requests for access, rectification, erasure, restriction, or other requests under data protection laws. Each request for deletion of data will therefore be considered on a case-by-case basis and will be dealt with according to the following principles: respect the obligations imposed on the parties by data protection laws; and not to jeopardize the proper functioning of collective rights management.

- **File a Complaint:** You have the right to file a complaint with the applicable privacy commissioner for your jurisdiction of residence about our collection, use, disclosure and processing of your personal information.

Changes to this Privacy Policy

We may amend this Policy from time to time as our business evolves, in response to legal developments, as new technologies become available, or as we introduce new features, products or services.

When we make changes to this Policy we will revise the “Last Updated” date at the top of the policy. You should check back here periodically to find out if any changes have been made to this Policy. If we make material changes we will, as appropriate, prominently post these changes to our Website and notify members.

If you disagree with any change to the Policy, please refrain from using our Site or otherwise providing us with your personal information. By continuing to use our Site or by providing us with personal information after we post or communicate a change to the Policy, you signify your consent to the revised terms of the Policy.

Contact Us

If you would like to exercise your privacy rights or if you have any questions or complaints about this Policy, or the manner in which your personal information has been collected or handled by the CSCS, please contact our Director of Operations in writing at m.king@wgc.ca.