

*Preamble*

The following is a by-law governing the safekeeping and confidentiality of personal information collected by and in the possession of the Accounting and Finance Students Association (herein AFSA).

*Interpretation*

1. In this by-law:

- (a) “AFSA” means the Accounting and Finance Students Association, comprised of its Board of Directors and Executive, any and all committee members appointed thereby, and any organization over which the Accounting and Finance Students Association holds jurisdiction, exclusive or otherwise.
- (b) “SAF” means the University of Waterloo School of Accounting and Finance, including but not limited to any of its faculty, administration, and agents.
- (c) “personal information” means information about an identifiable individual, organization, group or corporation that is recorded in any form including, without restricting the generality of the foregoing,
  - (i) information relating to the education or the criminal history of the individual or information relating to financial transactions in which the individual has been involved,
  - (ii) any identifying number, symbol or other particular assigned to the individual,
  - (iii) the personal opinions or views of the individual except where they are about another individual or about a proposal for funding,
  - (iv) correspondence sent to AFSA by an individual that is implicitly or explicitly of a private or confidential nature
  - (v) any information regarding the affairs, negotiations, or relationships, either internal or external, of or by-and-between AFSA or SAF, which could be considered to be of a sensitive nature and may cause either disrepute or harm to relationships or negotiations of AFSA or SAF if made public.

2. Collection of Information

- (a) No personal information shall be collected by AFSA unless it directly relates to an AFSA operating program or activity.
- (b) Personal information shall be directly collected from the individual to whom it relates except where the individual authorizes otherwise.
- (c) AFSA shall inform the individual from whom it collects personal information about the purpose and use of such information

(d) All reasonable steps shall be taken to insure personal information used by AFSA is accurate, complete, and up-to-date.

### 3. Retention of Personal Information

(a) Personal information collected by AFSA, except where modified by a resolution of the Board of Directors under this bylaw and notwithstanding that described in 1(b)(iv), shall be retained for the lesser of:

- (i) Ten (10) years; or,
- (ii) For such a period of time as to be used for the purpose to which it was obtained in accordance with this by-law

### 4. Use of Personal Information

(a) Personal information shall not be used, without the consent of the individual to whom the information pertains, for any purpose other than the general intent and objectives for which it was obtained in accordance with this by-law.

(b) Personal information shall not, without the consent of the individual to whom the information relates, be disclosed outside of AFSA, except:

- (i) in accordance with any by-law or resolution passed by AFSA; or,
- (ii) for the purpose of complying with an order of a court of competent jurisdiction to compel production of personal information
- (iii) where required by federal or provincial law

### 5. Confidentiality

(a) Any individual who has been given access to personal information collected under this by-law for a *bona fide* AFSA administrative use shall use all due diligence to protect and maintain inviolate such personal information.

### 6. Right of Access

(a) AFSA must disclose and provide access to view, examine, and copy individual information upon reasonable request of the person to whom it relates.

### 7. Action to Alleged Breach

#### *Trial*

(a) The question of whether an individual has breached any provision of this by-law is to be tried by a judicial committee of the Board of Directors struck for that purpose and comprised of three (3) members thereof, drawn at random, who are not subject to trial in the question.

*Power of Judicial Committee*

(b) The committee referred to in (7)(a) may, upon hearing the evidence and offering the opportunity to present a full and fair defence to the accused prescribe any such measure as they consider just in remedying the breach.

*Appeal*

(c) The decision rendered in (7)(a) may be appealed to the University Of Waterloo Federation Of Students upon a grant of leave.