

INTRODUCTION

Hollywood Alliance Canada Inc. operating as “Look Beauty” (“Hollywood”) is committed to controlling the collection, use and disclosure of Personal Information.

Hollywood has demonstrated that commitment by developing this privacy policy (the “Privacy Policy”) in accordance with the standards set out in the *Personal Information Protection and Electronic Documents Act* (Canada) (the “Act”).

Hollywood intends to use this Privacy Policy as a set of recommended best practices to guide the development of its privacy procedures and as a guide to better inform its employees and the public of its initiatives to protect the privacy of Personal Information.

DEFINITIONS

Collection

- means gathering, acquiring or obtaining Personal Information from any source, including third parties, by any means.

Consent

- means voluntary agreement with what is being done or proposed. Consent can be either express or implied. Express consent is given explicitly, either orally or in writing. Express consent is unequivocal and does not require any inference on the part of Hollywood. Implied consent arises where consent may reasonably be inferred from the action or inaction of the individual.

Disclosure

- means making Personal Information available to other Hollywood personnel or others outside of Hollywood.

Personal Information

- means information about an identifiable individual recorded in any form and might include, but will not be limited to, such things as race, ethnic origin, colour, age, marital status, religion, education, medical, criminal, employment or financial history, address and telephone number, numerical identifiers such as a Social Insurance Number, and views and personal opinions.

- does not include the name, title or business address or business telephone number of an employee of Hollywood.

Privacy Commissioner

- means the Federal Privacy Commissioner as set out under section 2 of the Act.

Privacy Officer

- means Hollywood's Privacy Officer as required by Schedule 1 of the Act.

Use

- means the treatment and handling of Personal Information within Hollywood.

APPLICATION

The Privacy Policy applies to:

- any Personal Information that Hollywood collects, uses or discloses in the course of commercial activities or any Personal Information about an employee of Hollywood.

The Privacy Policy does not apply to:

- exceptions set out under section 7 of the Act.

THE TEN PRIVACY PRINCIPLES

**PRINCIPLE 1.
ACCOUNTABILITY**

Hollywood is responsible for Personal Information under its control and shall designate an individual (the "Privacy Officer") who is accountable for compliance with the procedures and principles in this Privacy Policy.

The Privacy Officer for Hollywood is ALLAN W. LEVER

1.1 Accountability for compliance by Hollywood with these policies and procedures rests with the Privacy Officer, even though other individuals within Hollywood may be responsible for the day-to-day collection and processing of Personal Information. In addition, the Privacy Officer may, from time to time, designate one or more other individuals within the company to act on his or her behalf.

1.2 Hollywood shall make the name of and contact information of the Privacy Officer known upon request and shall provide information in this Privacy Policy.

1.3 Hollywood is responsible for Personal Information in its possession or custody, including Personal Information that has been transferred to a third party for processing. {Company} shall use contractual or other means to provide a comparable level of protection while the Personal Information is being processed by a third party.

1.4 Hollywood has implemented policies and practices that give effect to the principles and procedures in this Privacy Policy including:

- (a) implementing procedures to protect Personal Information;
- (b) establishing procedures to receive and respond to complaints and inquiries;
- (c) training staff and communicating to staff information about Hollywood's policies and practices; and
- (d) developing information to explain Hollywood's policies and procedures.

1.5 The designation of the Privacy Officer does not relieve Hollywood from accountability for compliance with these principles.

**PRINCIPLE 2.
IDENTIFYING PURPOSES**

Hollywood shall identify the purposes for which Personal Information is collected at or before the time the Personal Information is collected. The purposes for which Personal Information is collected, used or disclosed by Hollywood must be those that a reasonable person would consider are appropriate in the circumstances.

2.1 Hollywood shall document the purposes for which Personal Information is collected in order to comply with the Openness principle (Principle 8 of Schedule 1 to the Act) and the Individual Access principle (Principle 9 of Schedule 1 to the Act).

2.2 Identifying the purposes for which Personal Information is collected at or before the time of collection allows Hollywood to determine the Personal Information it needs to collect to fulfil these purposes. The Limiting Collection principle (Principle 4 of Schedule 1 to the Act) requires Hollywood to collect only that Personal Information necessary for the purposes that have been identified.

2.3 The identified purposes shall be specified at or before the time of collection to the individual from whom the Personal Information is collected. Depending upon the way in which the Personal Information is collected, this can be done orally or in writing.

2.4 When Hollywood personnel intends to use Personal Information that has been collected for a purpose not previously identified, it shall identify the new purpose prior to use. Unless the new purpose is required by law

or consent is otherwise not required under the Act, the consent of the individual is required before the Personal Information can be used for that purpose.

2.5 Persons collecting Personal Information shall explain to individuals the purposes for which the Personal Information is being collected.

PRINCIPLE 3. CONSENT

The knowledge and consent of the individual are required for the collection, use or disclosure of Personal Information, except where consent is not required by law or section 7 of the Act.

3.1 Consent is required for the collection of Personal Information and the subsequent use or disclosure of this Personal Information. Generally, Hollywood personnel shall seek consent for the use or disclosure of the Personal Information at the time of collection. In certain circumstances, consent with respect to use or disclosure may be sought after the Personal Information has been collected but before use (for example, when Hollywood wants to use Personal Information for a purpose not previously identified).

3.2 The principle requires “knowledge and consent”. Hollywood shall make a reasonable effort to ensure that the individual is advised of the purposes for which the Personal Information will be used. To make the consent meaningful, Hollywood shall state the purpose in such a manner that the individual can reasonably understand how the Personal Information will be used or disclosed.

3.3 Hollywood may collect, use or disclose Personal Information without consent only in those circumstances permitted by section 7 of the Act. Hollywood shall consult the Act to determine whether an exception to the obligation to obtain consent applies. Legal, medical, or security reasons may make it impossible or impractical to seek consent. For example, when Personal Information is being collected for the detection and prevention of fraud or for law enforcement, seeking the consent of the individual might defeat the purpose of collection the Personal Information. Seeking consent may be impossible or inappropriate when the individual is a minor, seriously ill or mentally incapacitated, in which case consent must be obtained from parents, guardians or legal representatives of such individuals.

3.4 Hollywood shall not, as a condition of the supply of a product or service, require an individual to consent to the collection, use or disclosure of Personal Information beyond that required to fulfil the explicitly specified and legitimate purposes.

3.5 The form of the consent sought by Hollywood may vary depending upon the circumstances and the type of Personal Information. In determining the form of consent to use, Hollywood shall take into account the sensitivity of the Personal Information. Although some Personal Information (for example, medical records and income records) is almost always considered to be sensitive, any Personal Information can be sensitive, depending on the context. For example, the names and addresses of subscribers to a news magazine would generally not be considered sensitive Personal Information. However, the names and addresses of donors to Hollywood most likely is sensitive.

3.6 In obtaining consent, Hollywood shall also consider the reasonable expectations of the individual. Hollywood shall not obtain consent through deception. For example:

- An employee filing an application for an insurance coverage plan would reasonably expect that the Personal Information (employee identification number, name, date of birth) would be collected, used and communicated to third parties in accordance with the insurance coverage, and for as long as the coverage was in effect.

- When filing an application for employment, an individual may implicitly be consenting to the collection of Personal Information he or she discloses on the form. Hollywood can bring to the applicant's attention the use that will be made of the Personal Information on the form. Consent in such case is indicated by the applicant's completing and signing the form.

3.7 The way in which Hollywood seeks consent may vary, depending on circumstances and the type of Personal Information collected. Hollywood shall generally seek express consent when the Personal

Information is likely to be considered sensitive. It shall rely on implied consent only where collection and use of the Personal Information is directly related to a transaction or exchange of Personal Information in which the individual is directly participating. Consent can also be given by an authorized representative (such as a legal guardian or a person having power of attorney).

3.8 Individuals can give consent in many ways. For example:

(a) an application form may be used to seek consent, collect Personal Information and inform the individual of the use that shall be made of the Personal Information. By completing and signing the form or sending the form via email, the individual is giving consent to the collection and the specified uses;

(b) a checkoff box may be used to allow individuals to request that their names and addresses not be given to other organizations. Individuals who do not check the box are assumed to consent to the transfer of this Personal Information to third parties;

(c) consent may be given orally when Personal Information is collected over the telephone; or

(d) consent may be given at the time that individuals use a product or service.

3.9 An individual may withdraw consent at any time, subject to legal or contractual restrictions and reasonable notice. Hollywood shall inform the individual of the implications of withdrawing consent.

PRINCIPLE 4. LIMITING COLLECTION

The collection of Personal Information shall be limited to that which is necessary for the purposes identified by Hollywood. Personal Information shall be collected by fair and lawful means.

4.1 Hollywood shall not collect Personal Information indiscriminately. Hollywood shall limit the amount and type of Personal Information it collects to that which is necessary to fulfil the purposes identified. Hollywood shall specify the type of Personal Information collected as part of its information-handling policies and practices, in accordance with the Openness principle (Principle 8 of Schedule 1 to the Act).

4.2 The requirement that Personal Information be collected by fair and lawful means is intended to prevent Hollywood from collecting Personal Information by misleading or deceiving individuals about the purpose for which Personal Information is being collected. This requirement implies that consent with respect to collection must not be obtained through deception.

PRINCIPLE 5. LIMITING USE, DISCLOSURE AND RETENTION

Personal Information shall not be used or disclosed for purposes other than those for which it was collected, except with the consent of the individual, as required by law or as exempted by the Act. Personal Information shall be retained only as long as necessary for the fulfilment of those purposes.

5.1 Where Hollywood uses Personal Information for a new purpose it shall document this purpose (see Clause 2.1 of this Privacy Policy). It shall obtain consent of the individual prior to use of the Personal Information for a new purpose.

5.2 Hollywood has guidelines and procedures with respect to the retention of Personal Information. These guidelines have minimum and maximum retention periods. Hollywood shall retain Personal Information that has been used to make a decision about an individual long enough to allow the individual access to the Personal Information after the decision has been made. Hollywood may be subject to legislative requirements with respect to retention periods.

5.3 Hollywood shall destroy, erase or make anonymous Personal Information that is no longer required to fulfil the identified purposes. Hollywood shall develop guidelines and implement procedures to govern the destruction of Personal Information.

**PRINCIPLE 6.
ACCURACY**

Personal Information shall be accurate, complete and up-to-date as is necessary for purposes for which it is to be used.

6.1 Hollywood shall ensure that Personal Information is sufficiently accurate, complete and up-to-date to minimize the possibility that inappropriate Personal Information may be used to make a decision about the individual. The extent to which Personal Information will be accurate, complete and up-to-date will depend upon the use of the Personal Information, taking into account the interests of the individual.

6.2 Hollywood shall not routinely update Personal Information, unless this is necessary to fulfil the purposes for which the Personal Information was collected.

6.3 Hollywood shall ensure that Personal Information that is used on an ongoing basis, including Personal Information that is disclosed to third parties, is generally accurate and up-to-date, unless limits to the requirement for accuracy are clearly set out.

**PRINCIPLE 7.
SAFEGUARDS**

Personal Information shall be protected by security safeguards appropriate to the sensitivity of the Personal Information.

7.1 Hollywood shall implement security safeguards to protect Personal Information against loss or theft, as well as unauthorized access, disclosure, copying, use or modification, regardless of the format in which the Personal Information is held.

7.2 The nature of the safeguard shall vary depending on the sensitivity of the Personal Information that has been collected; the amount, distribution and format of the Personal Information; and the method of storage. More sensitive Personal Information shall be safeguarded by a higher level of protection.

7.3 The methods of protection shall include, where applicable, and depending on the sensitivity of the Personal Information:

- (a) physical measures (e.g., locked filing cabinets and restricted access to offices);
- (b) organizational measures (e.g., security clearances and limiting access on a need-to-know basis); and
- (c) technological measures (e.g. the use of passwords and encryption).

7.4 Hollywood shall make its employees aware of the importance of maintaining the confidentiality of Personal Information.

7.5 Hollywood shall use care in the disposal or destruction of Personal Information to prevent unauthorized parties from gaining access to the Personal Information (see Clause 5.3 of this Privacy Policy).

**PRINCIPLE 8.
OPENNESS**

Hollywood shall make specific information about its policies and practices relating to the management of Personal Information readily available to individuals.

8.1 Hollywood shall be open about its policies and practices with respect to the management of Personal Information. Individuals shall be able to acquire information about Hollywood's policies and practices easily. Hollywood shall make this information available in a form that is generally understandable. It shall also make copies of this Privacy Policy available upon request.

8.2 The information made available shall include:

- (a) the name or title, and the address, of the Privacy Officer;
- (b) the means of gaining access to one's Personal Information held by Hollywood;
- (c) a description of the type of Personal Information held by Hollywood including a general account of its use;
- (d) copies of any brochures or other information that explains Hollywood's policies, standards and codes as the case may be; and
- (e) a description of what Personal Information is made available to related organizations.

8.3 Hollywood intends to make information on its policies and practices available in a variety of ways. For example, Hollywood may choose to make brochures available in its place of business, mail information to customers upon request, and provide on-line or telephone means to register complaints or inquiries relating to the privacy framework.

PRINCIPLE 9. INDIVIDUAL ACCESS

Upon request, an individual shall be informed of the existence, use and disclosure of his or her Personal Information and shall be given access to that Personal Information except where Hollywood is permitted by law or under the Act not to disclose Personal Information to the individual. An individual shall be able to challenge the accuracy and completeness of the Personal Information disclosed to him or her and have it amended as appropriate.

9.1 Upon request, Hollywood shall inform an individual whether or not it holds Personal Information about such individual except where permitted by law not to disclose Personal Information to such individual. Hollywood is encouraged to indicate the source of this Personal Information. Hollywood shall allow the individual access to this Personal Information about him or her. In addition, Hollywood shall provide an account of the use that has been made or is being made of this Personal Information and an account of the third parties to which it has been disclosed.

9.2 An individual may be required to provide sufficient Personal Information to permit Hollywood to provide an account of the existence, use and disclosure of the Personal Information. Hollywood shall use the Personal Information provided only for this purpose.

9.3 In certain situations, Hollywood may not be able to provide access to all the Personal Information it holds about an individual. Hollywood may refuse access to Personal Information it holds about an individual only in those circumstances permitted or required by law or by sections 8 or 9 of the Act. Hollywood shall consult the Act to determine whether an exception to the obligation to provide access applies. It shall make only limited and specific exceptions to the access requirements and, upon request, shall provide the reasons for denying access to the individual. Exceptions may include Personal Information that contains references to other individuals, Personal Information that cannot be disclosed for legal, security or commercial proprietary reasons, and Personal Information that is subject to solicitor-client, medical or litigation privilege.

9.4 In providing an account of third parties to which it has disclosed Personal Information about an individual, Hollywood shall attempt to be as specific as possible. When it is not possible to provide a list of the third parties to which Hollywood has actually disclosed information about an individual, Hollywood shall provide a list of third parties to which it may have disclosed Personal Information about the individual.

9.5 Hollywood shall respond to an individual's request within a reasonable time and, in any event, within thirty (30) days of the request. Hollywood may extend the time for responding for up to an additional thirty (30) days if meeting the time would unreasonably interfere with the activities of Hollywood; or if the time required to undertake any consultations necessary to respond to the request would make the time limit impracticable to meet. Hollywood may also extend the time for responding for such period of time as is necessary to be able to

convert the Personal Information into an alternative format. Hollywood shall provide notice to the individual of any extension taken within thirty (30) days of the individual's request and shall advise the individual of the right to make a complaint to the Privacy Commissioner about the extension. They shall provide the requested Personal Information or make it available in a form that is generally understandable. For example, if Hollywood uses abbreviations or codes to record Personal Information, it shall provide a corresponding explanation.

9.6 Upon request by an individual with sensory disabilities, Hollywood shall give access to Personal Information about the individual in an alternative format if a version of the Personal Information already exists in that format or if its conversion to an alternative format is necessary to allow the individual to exercise rights to request correction, challenge compliance of Hollywood under Principle 10 of Schedule 1 to the Act or complain to the Privacy Commissioner.

9.7 Hollywood shall respond to an individual's request for access to his or her Personal Information at minimal or no cost. Hollywood may respond to an individual's request at a cost to the individual if Hollywood has informed the individual of the approximate cost and the individual advises Hollywood that the request is not being withdrawn.

9.8 When an individual successfully challenges the accuracy or completeness of Personal Information, Hollywood shall amend the Personal Information as required. Depending upon the nature of the Personal Information challenged, amendment may involve the correction, deletion or addition of Personal Information. Where appropriate, Hollywood shall transmit the amended Personal Information to third parties having access to the Personal Information in question.

9.9 Hollywood shall record the substance of any challenge that is not resolved to the satisfaction of the individual. When appropriate, Hollywood shall transmit the existence of the unresolved challenge to third parties having access to the Personal Information in question.

PRINCIPLE 10. CHALLENGING COMPLIANCE

An individual shall be able to address a challenge concerning compliance with the principles in this Privacy Policy to the Privacy Officer.

10.1 The Privacy Officer is discussed in Clause 1.1.

10.2 Hollywood shall put procedures in place to receive and respond to complaints or inquire about its policies and practices relating to the handling of Personal Information. The complaint procedures should be easily accessible and simple to use.

10.3 Hollywood shall inform individuals who make inquiries or lodge complaints about its complaint procedures.

10.4 Hollywood shall investigate all complaints. If a complaint is found to be justified, Hollywood shall take appropriate measures, including, if necessary, amending its policies and practices.

10.5 If an individual is not satisfied with the response from the Privacy Officer, he or she may have recourse to the Office of the Privacy Commissioner at:

Federal Privacy Commissioner
112 Kent Street
Ottawa, ON K1A 1H3
Phone:(613) 995-8210
Toll-Free:(800) 282-1376
Fax:(613) 947-6850
Internet:www.privcom.gc.ca