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## PRIVACY NOTICE

Transatlantic Literary Agency Inc. (“Transatlantic Agency”) is committed to respecting the privacy of the individuals with whom we work and recognizes the need for the appropriate management and protection of personal information and data.

### [Definition of “personal information”](#)

[Fair Information Practice Principles \(FIPPs\)](#) are the basis for most privacy laws in the world including [General Data Protection Regulation \(GDPR\)](#). The [Personal Information Protection and Electronic Documents Act \(PIPEDA\)](#) incorporates these 10 principles:

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## **Definition of “personal information”**

Personal information means any information about an identifiable individual. Personal information includes home address, tax identification numbers, bank account details, biographical information, bibliographies, sales figures and other records. Personal information includes factual or subjective information, recorded or not.

## **Privacy Legislation**

The Personal Information Protection and Electronic Documents Act (PIPEDA), which includes the Digital Privacy Act, sets out rules for how private sector organizations in Canada, such as Transatlantic Agency, may collect, use or disclose personal information in the course of its commercial activities.

PIPEDA is based on framework of fair information practice principles (FIPPs). These principles originated in the USA, were developed internationally by the Organization of Economic Cooperation and Development (OECD), and are endorsed by the Federal Trade Commission in the USA.

**Fair Information Practice Principles (FIPPs) are the basis for most privacy laws in the world including General Data Protection Regulation (GDPR). The Personal Information Protection and Electronic Documents Act (PIPEDA) incorporates these 10 principles:**

### **1 - Accountability**

Everyone working for Transatlantic Agency is accountable for handling personal information and data in a legal and ethical way. Whether an owner, partner, agent, employee, assistant or intern, each of us have agreed in writing to maintain the information about the agency’s clients, customers, publishing agreements, personnel and business activities as proprietary and confidential.

In addition, the mandate of Transatlantic Agency’s administrative committee includes ensuring there are procedures in place to comply with laws about the information that is within the agency’s control. Information is under the control of Transatlantic Agency

when it is handled directly and when the agency has granted access to another individual or organization for any reason.

More information about this privacy notice and Transatlantic Agency's privacy measures can be obtained by contacting David Bennett. Phone: (416) 488 9214

e-mail: [david@transatlanticagency.com](mailto:david@transatlanticagency.com)

## **2 - Identifying Purposes**

Transatlantic Agency exists to help the intellectual endeavours of our clients to reach a wide audience, and for these creators, and the agents who represent them, to be rewarded for the work involved.

Transatlantic Agency collects personal information from clients, agents, and employees when entering into agreements with them, and obtains their consent. The agency explains the purpose when collecting this personal information. This information allows the agency to complete contractual obligations for our clients, such as

- To facilitate the payment of sums owing to the clients received for them from publishers and co-agents
- To comply with domestic and international tax legislation
- To pay agents, coagents, employees and other service providers

To market our clients' work, Transatlantic Agency gathers information from and about business contacts, such as publishers and co-agents in countries throughout the world. We will use the information we collect about business contacts for purposes such as:

- To maintain records about our clients' intellectual property
- To understand data in order for Transatlantic Agency to serve clients better
- To carry out due diligence
- To enable us to comply with our policies and procedures, enforce legal rights of clients and process any claims we receive
- To deter against fraudulent, unauthorised, or illegal activity

- To receive and pay for services, for example where a supplier is providing us with IT or other outsourced services

Information collected about business contacts may include:

- Name and contact details
- Job title and details about roles, and literary or artistic preferences

This information is obtained only through legal means, which may include:

- A record of correspondence with the business contact
- Internal correspondence
- Meetings at various locations including international trade fairs
- Information through Transatlantic Agency's website and social media
- The agency's email list

Direct marketing using commercial electronic messages will be done with the consent of the business contact. Queries to the contact will be made before sending submissions.

We may receive information about sales data from publicly available sources, from records such as royalty statements from the business contact, or from statistics prepared by third party suppliers.

The agency reviews this data to find ways to connect clients with creative opportunities, while keeping in view that there is a risk of harm if personal information is misused.

### **3 - Consent**

Transatlantic Agency commits that when information is collected the person sharing it with us will understand the nature, purpose and consequences of the collection, use or disclosure, to which they are consenting. If the information is collected from a minor, it is done with full consent and understanding of a parent, and/or guardian, and

understanding of the minor.

#### **4 - Limiting Collection**

Transatlantic Agency only collects personal information that is required for valid business purposes.

We do not intentionally collect or store personal data from our clients, employees, agents, business contacts that would fall under the definition of a special category in international privacy legislation. Examples of such data would be racial or ethnic origins, political opinions or affiliations, religious or philosophical beliefs, genetic or biometric data for the purpose of unique identification, data concerning health, gender or sexual orientation.

#### **5 - Limiting Use, Disclosure, and Retention**

##### **Disclosure**

Transatlantic Agency will disclose personal information to employees, agents or any third party only if the affected individual consents.

With the full knowledge of its clients, Transatlantic Agency shares personal information with organizations such as publishers to complete necessary work such as receive payments for the clients. Transatlantic Agency has a strong focus on marketing intellectual property rights internationally and negotiates agreements between individuals and companies that may be outside of Canada. When Transatlantic Agency transfers information across borders or handles information for individuals outside Canada, Transatlantic Agency will understand relevant data handling and tax requirements in those countries.

Transatlantic Agency keeps records whenever any personal information is disclosed outside of the agency. Requests for contact information of clients will be forwarded to clients so the client may respond personally.

If the agency receives or becomes aware of information related to allegations of misconduct this information will be shared only between certain individuals in the agency according to the agency's anti-harassment policy and relevant Canadian legislation

such as the Employment Standards Act. Transatlantic Agency may disclose personal information, without consent, if we are required to do so by law. Transatlantic Agency will not inform the individual involved when it is reasonable to believe that informing the individual would compromise a legal investigation or limit the ability to prevent a crime.

### **Retention**

Transatlantic Agency will keep personal information only as long as necessary to comply with any business or legal requirements. We retain information about our clients' intellectual work when all the rights have reverted to the client from the publisher or other company if a rights contract was negotiated, or when the agency client relationship is terminated if a rights contract was not negotiated.

### **6 - Accuracy**

Transatlantic Agency will make every reasonable effort to ensure that the personal information we collect and use is accurate and up to date. Transatlantic Agency will respond to all requests to update and correct information.

### **7 - Safeguards**

#### **Storage**

Transatlantic Agency combines physical, technological and organizational steps to keep information private whether it is on paper documents or in digital form. While handling all information carefully, we match safeguards to the sensitivity of the information. We rank information as more or less sensitive based on amount of harm that could be caused if it were misplaced or stolen, or shared for purposes for which it was not collected. Everyone affiliated with or employed by Transatlantic Agency agrees to handle information they access according to the agency's privacy practices, and is committed to confidentiality.

## **Security Breach**

If a breach occurs and information is disclosed that could cause harm, such as bodily harm, humiliation, damage to reputation or relationships, loss of employment, business or professional opportunities, financial loss, identity theft, negative effects on a credit record, and damage to or loss of property, or similar harm, Transatlantic Agency will notify:

- The affected individuals
- The federal Office of the Privacy Commissioner of Canada

Transatlantic Agency may also notify any other organization or government institution that might reduce the risk of, or mitigate, harm that may be caused.

## **Third Parties**

Transatlantic Agency uses service providers for storing and processing some of the agency's information. The services we use must agree to Transatlantic Agency privacy practices or have equivalent policies. Individuals and companies that offer services of other kinds to us, such as professional and legal consultants, who may get access to personal information, are expected to be bound by agreements with us that commit to practices in keeping with the principles in this notice.

## **8 - Openness**

Transatlantic Agency maintains a public copy of this privacy notice on our website [www.transatlanticagency.com](http://www.transatlanticagency.com). This version was reviewed on January 15, 2019. The privacy notice is reviewed every six months.

## **9 - Individual Access**

Transatlantic Agency will provide individuals with access to information about themselves upon request. Clients receive copies of all contracts and information collected by Transatlantic Agency for tax and payment processing.

## **10 - Challenging Compliance**

David Bennett, 416 488 9214 [david@transatlanticagency.com](mailto:david@transatlanticagency.com) can be contacted with concerns about compliance with any of the commitments we have made in this notice, or concerns about your information.

### **Notes about our website and social media**

Cookies and similar technologies help us find out about visitors to the website and to compile anonymous statistics to help us understand your interests. Cookies are small data files which are downloaded onto your device by the website which you are visiting and collect information about you. For example, the next time you visit the same website, a cookie can cause the website to recognize you as a returning visitor and the country you live in.

You can use your browser settings to withdraw your consent to cookies at any time and you can delete cookies that have already been set.

These websites contain information about choices you can make about cookies:

[www.allaboutcookies.org](http://www.allaboutcookies.org)

[www.youronlinechoices.eu](http://www.youronlinechoices.eu)

We provide the agency's email news to individuals that have consented to receive it by subscribing to it.

When you engage with us on social media, we see our interactions and conversations with you and we may see some of the information you have supplied to the social media platform about yourself. Most social media platforms and browsers have privacy settings that you can use to change what is visible about you.