

Privacy Policy

Contemporary Art Galleries Association - AGAC

AGAC websites covered by this policy:

- <https://www.agac.ca/>
- <https://montreal.galleriesweekend.ca/>
- <https://toronto.galleriesweekend.ca/>
- <https://galleryweekend.ca/>
- <https://plural.art/>
- <https://agac.wiin.io/fr/>

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1. LEGAL INFORMATION

1.1. Objective

Our *Privacy Policy* sets out how we collect, use and disclose the personal information and non-personal information we collect about you when you use or access any of our websites (online or mobile).

Personal information or data is defined as "*any information which relates to a natural person and enables that person to be identified or distinguished from any other person (directly or indirectly)*"¹.

The purpose of our privacy policy is to inform users of our sites of the personal data we will collect and of the following information, where applicable:

1. What personal data is collected;
2. How the collected data is used;
3. How the collected data is shared;
4. How the collected data is protected;
5. Rights of site users;
6. Cookie Policy for our sites.

Our *Privacy Policy* operates in conjunction with the terms and conditions for using our websites.

1.2. Applicable laws

This policy is consistent with the following Canadian federal legislation:

- *The Personal Information Protection and Electronic Documents Act (PIPEDA)*.

It also complies with the provisions of the following Quebec provincial laws, overseen by the *Commission d'accès à l'information*:

- *Act to modernize legislative provisions as regards the protection of personal information (Bill 25)*
- *Act to establish a legal framework for information technology (AELFIT)*.

For residents of EU countries, the *General Data Protection Regulation (GDPR)* governs all data protection policies, regardless of the site's location. This privacy policy is intended to comply with the GDPR. If there are any inconsistencies between this document and the GDPR, the GDPR takes precedence. If we find inconsistencies, we will modify our policy to comply with the GDPR.

For residents of the State of California, this privacy policy is intended to comply with the *California Consumer Privacy Act (CCPA)*. If there are any inconsistencies between this document and the CCPA,

¹ [Présentation des concepts-clés liés aux renseignements personnels | Gouvernement du Québec](#)

state law takes precedence. If we find inconsistencies, we will modify our policy to comply with the CCPA.

1.3. Consent

Users agree that by using our site, they consent to the following:

1. the conditions set out in this privacy policy;
2. the collection, use and storage of the data listed in this policy.

Underage persons

The user must be of legal age to create an account on one of AGAC's websites. For residents of the European Union, the RGPD specifies that people under the age of 15 are considered minors for the purposes of data collection: minors must have the consent of a legal representative for their data to be collected, processed and used.

1.4. Updates

This privacy policy may be amended to maintain compliance with legislation and to reflect any changes to our data collection process. We recommend that our users check our policy from time to time to ensure that they are aware of any updates. If a major change is made to the policy, we will inform users by email.

1.5. Contact person

If you have any questions about this policy, please do not hesitate to contact the person responsible for personal data:

Julie Lacroix, Director

julie@agac.ca

1 (514) 798-5010

2. DATA COLLECTED BY AGAC

2.1. Personal data

When you use one of our websites, certain personal data is collected automatically and certain data is provided by you.

Data collected automatically

When you visit and use our site, we may automatically collect and store the following information:

1. IP address
2. Location
3. Links on the site on which the user has clicked
4. Site content consulted by the user
5. Date and time of consultation of site pages.

Data provided by the user

We also collect the following data when a person creates a user account on one of our sites and/or becomes a member of AGAC:

1. First and last name
2. Date of birth
3. Gender
4. E-mail address
5. Telephone number (home, office and cell)
6. Full address
7. Business Number (NEQ)
8. Social Insurance Number (SIN)
9. Website
10. Payment information
11. Artistic discipline
12. Professional activity
13. Professional occupation (artist, worker, volunteer, employee, etc.)
14. Curriculum Vitae.

2.2. Use of personal data

Please note that we collect only the data we need to fulfill our mission. The Contemporary Art Galleries Association (AGAC) is a non-profit organization whose primary mission is to ensure the recognition and prosperity of the contemporary art market in Canada. For the purposes of representation and consultation, AGAC must be aware of all individuals and legal entities involved in the arts and culture sector in Canada.

The data we collect when the user performs certain functions on our site may be used anonymously for the following purposes:

1. Reporting to donors
2. Production of statistics for internal use only.

We will not collect any additional data without informing you first. Personal data collected on our sites will only be used for the purposes specified in this policy or indicated on the relevant pages of our sites; we do not use your data for any other purpose.

2.3. Sharing of personal data

Employees

We may disclose to any AGAC employee such user data as is reasonably necessary to carry out the Association's mission and the purposes set out in this policy.

Third parties

We may share user data with the following third parties, when a confidentiality agreement is signed and when we have the user's consent: ²

1. Cities, municipalities and regional county municipalities (RCMs)
2. Organizations
3. Businesses.

We may share user data with third parties for the purpose of targeting possible advertising campaigns or analyzing user behavior or attributes. This data is collected via a pixel configured on Meta platforms or via the Google Analytics 4 tool configured on our websites and is anonymized before being shared with our partners running our advertising campaigns.

Third parties will not be able to access user data beyond what is reasonably necessary to achieve the given business purpose.

Other disclosures

We undertake not to sell or share your data with other third parties, except in the following cases:

1. If required by law
2. If required for any legal proceedings
3. To establish or protect our legal rights.

² This consent is requested when a user creates an account or joins AGAC.

If you follow one or more hyperlinks on one of our websites to other sites not owned by AGAC, please note that we are not responsible for and have no control over their privacy policies and practices.

2.4. Protection of Personal data

All private data stored in our system is secure and accessible only to our employees. Our employees are bound by strict confidentiality agreements and a breach of this agreement would result in the employee's dismissal.

While we take every reasonable precaution to ensure that user data is secure and that users are protected, there is always a risk of harm. Considering the many risks associated with Web and Internet technologies, we are unable to guarantee the security of user data beyond what is reasonably practical.

3. USER RIGHTS

3.1. User rights

As a user, you have the right to access all your personal data that we have collected. In addition, you have the right to update or correct any personal data in our possession, provided that it is acceptable under the law.

You may choose to withdraw or modify your consent to data collection and use at any time, provided it is legally acceptable to do so and you have informed us. Please allow a reasonable period of time for any requests for changes to data collection or for the deletion of collected data to take effect in your user account.

3.2. Modifying, deleting or contesting collected data

If you wish to have your information deleted or modified, please contact our Privacy Officer :

Julie Lacroix, Director

julie@agac.ca

1 (514) 798-5010

4. COOKIES

4.1. Cookie Policy

A cookie is a file that is downloaded to the user's device when they visit our site, enabling us to store and retrieve information relating to navigation on our websites. It is important to stress that the use of cookies does not allow us to obtain any personal data on users.

Among other things, cookies enable the site to store and retrieve information about the user's browsing decisions and habits. We use them to personalize the experience on our pages, to identify and remember the registered user account and to make navigation easier.

Users may configure their browsers to refuse cookies. In this case, they will still be able to access content normally, but their experience will not be personalized.

Our Cookie Policy is how our websites tell users which cookies and trackers they use, what data they collect and for what purposes, how long they are active and with whom they share this data. Users are also informed of how they can revoke their consent or refuse to have their data collected, processed and shared.

Cookies that help secure our website

These cookies monitor and analyze network traffic. They detect any unauthorized attempts to modify information or damage our systems. For example, these cookies receive and record the IP address of the computer that has contacted our website, the date and time of the visit, and the pages consulted.

Cookies that analyze our website traffic

These cookies enable us to quantify traffic for statistical analysis of how our services are used. This allows us to examine browsing trends on our site and improve the products and services we offer you.

Cookies for technical use that personalize navigation on the AGAC site

These cookies allow us to monitor aspects of the user's session, so that we can improve the browsing experience on the site. For example:

1. They enable us to recognize the user's language.
2. They prevent or make more difficult attacks against the website or its users.
3. They help us ensure proper reproduction of multimedia content.
4. They improve performance by enabling the distribution of Web traffic from our machines to several servers.

Other cookies belong to third parties, mainly online social networking services providing content sharing systems.

4.2. Disabling cookies on your browser

Most browsers allow users to configure which cookies they wish to accept or reject. These settings are usually found in the "Options" or "Preferences" section of the browser menu.

Instructions for configuring cookies in the main browsers

- **Chrome:** Configuration -> Advanced Options -> Privacy -> Content configuration.
For more information, please consult Google Support or Browser Help.
- **Firefox:** Tools -> Options -> Configuration -> History -> Custom Configuration.
For more information on this subject, please consult Mozilla Support or Browser Help.
- **Internet Explorer:** Tools -> Internet Options -> Privacy -> Configuration.
For more information, please consult Microsoft Support or Browser Help.
- **Safari:** Preferences -> Security.
For more information, please consult Apple Support or Browser Help.

Updates to the Cookie Policy on the AGAC website

The owner of our websites may modify this *Cookie Policy* in accordance with legislative or regulatory requirements, or to adapt this policy to the instructions issued under the PIPEDA. For this reason, we recommend that users visit this page regularly.

If a major change is made to the *Cookie Policy*, we will inform users by email.

Effective date: September 22, 2022