



PRIVACY POLICY

The McKenzie Institute USA (referred to as “**MIUSA**”, “**us**”, “**we**”, or “**our**” as the context may require) respects your privacy and is committed to protecting your personal data. The website www.mckenzieinstituteusa.org (the “**Site**”), is owned by MIUSA. This Privacy Policy (the “**Privacy Policy**”) describes our information and privacy practices for the Site. Please note that this Privacy Policy applies only to information collected through the Site or offline by MIUSA and does not cover any information collected at any other Site or offline by another company (unless specifically stated). Please note further, as described in this Privacy Policy, that some components of our website are operated by third parties and are therefore subject to additional terms found in the policies of those third parties. In such cases, there generally will be a link to the privacy policies of the third party, as described later in this Privacy Policy. By accessing or using the Site, you are accepting the terms described in this Privacy Policy. This Privacy Policy may change from time to time, as set forth below. Your continued use of the Site after we make changes is deemed to be acceptance of those changes, so please check the Privacy Policy periodically for updates.

1. IMPORTANT INFORMATION AND WHO WE ARE

PURPOSE OF THIS PRIVACY POLICY

This Privacy Policy aims to give you information on how MIUSA collects and processes your personal data through your use of the Site, including any data you may provide through the Site when you purchase a product or service.

If you are in the European Union, or if your personal data otherwise may be subject to the requirements of the General Data Protection Regulation, (Regulation (EU) 2016/679, or the “**GDPR**”), this Privacy Policy aims to give you information on how MIUSA collects and processes your personal data in accordance with the GDPR.

The Site is offered and available to users who have reached the age of majority in the applicable jurisdiction, and MIUSA does not knowingly collect personal information from users who have not reached the age of majority in the applicable jurisdiction. If we learn that we have collected personal data of a person under the age of majority, depending on jurisdiction, we will take steps to delete the data as soon as possible.

It is important that you read this Privacy Policy so that you are fully aware of how and why we are using your data. This Privacy Policy supplements other notices and privacy policies and is not intended to override them.

CALIFORNIA RESIDENTS’ RIGHTS

California Civil Code Section § 1798.83 permits users of the Site that are California residents to request certain information regarding our disclosure of personal information to third parties for their direct marketing purposes. To make such a request, please contact our DPO (contact information provided below).

CHANGES TO THE PRIVACY POLICY AND YOUR DUTY TO INFORM US OF CHANGES

We keep our Privacy Policy under regular review. This version was last updated in November 2018. We reserve the right to alter, modify, update, add to, subtract from or otherwise change this Privacy Policy at any time. We will use your personal data in a manner consistent with the Privacy Policy in effect at the time. You are responsible for periodically visiting the Site and this Privacy Policy to check for any changes.

It is important that the personal data we hold about you is accurate and current. Please keep us informed if your personal data changes during your relationship with us.

RESPONSIBILITY FOR EXTERNAL SITES

The Site may include links to third-party websites, plug-ins and applications. Clicking on those links or enabling those connections may allow third parties to collect or share data about you. We are not responsible for these third-party websites or their privacy statements. When you leave the Site, we encourage you to review the privacy policies of such third parties by visiting the links included within those separate websites, since their policies may differ from this Privacy Policy, and they may use information consistent with their own policies.

2. THE DATA WE COLLECT ABOUT YOU

“Personal data” or “personal information” means any information about an individual from which that person can be identified. It does not include data where the identity has been removed (anonymous data).

We may collect, use, store and transfer different kinds of personal data about you which we have grouped together as follows:

- **Identity Data** includes first name; last name; marital title; username or similar identifier; company or employer name; website; occupation/profession and professional license number, state issued and expiration date;
- **Contact Data** includes home and company/work mailing addresses, email address, website address, fax number and telephone numbers.
- **Financial Data** includes payment card details.
- **Transaction Data** includes details about payments to and from you and other details about educational programs/services including courses, exams, conferences or events you have registered for, membership, or products you have purchased. We do not electronically collect your payment card details, as all electronic payments are processed through an independent third party.
- **Technical Data** includes internet protocol (IP) address, your login data, browser type and version, time zone setting and location, browser plug-in types and versions, operating system and platform, and other technology on the devices you use to access the Site.
- **Profile Data** includes your username and password, feedback and survey responses and information about courses, exams, conferences or events you have registered for, taken or attended or products you have purchased.
- **Usage Data** includes information about how you use the Site.
- **Marketing and Communications Data** includes your preferences in receiving marketing from us and our third parties and your communication preferences.

We may also collect, use and share Aggregated Data such as statistical or demographic data for any purpose. Aggregated Data could be derived from your personal data but is not considered personal data in law as this data will not directly or indirectly reveal your identity. For example, we may aggregate your Usage Data to calculate the percentage of users accessing a specific Site feature. However, if we combine or connect Aggregated Data with your personal data so that it can directly or indirectly identify you, we treat the combined data as personal data which will be used in accordance with this Privacy Policy.

If you are in the European Union, or if your personal data otherwise may be subject to the GDPR, and if we happen to collect data about you identified under the GDPR as “Special Categories of Personal Data” (this includes details about your race or ethnicity, religious or philosophical beliefs, sexual orientation, personal or political opinions, trade union membership, information about your health, and genetic and biometric data), we will do so following the legal processing requirements of the GDPR. We do not collect any information about criminal convictions and offenses. If we learn that we have collected

such criminal convictions and offenses data subject to the GDPR, we will take steps to delete the data as soon as possible.

IF YOU FAIL TO PROVIDE PERSONAL DATA

Where we need to collect personal data by law, under the terms of a contract we have with you, or otherwise, and you fail to provide that data when requested, you may not be able to register for our courses, exams, conferences or events or purchase products from us. In this case, we may have to unenroll you from a course, exam, conference or event you have registered for with us or cancel a product contract you have with us, but we will notify you if this is the case.

3. HOW IS YOUR PERSONAL DATA COLLECTED?

If the personal data we are collecting from you is subject to the GDPR, we will use our best efforts to collect your personal data pursuant to GDPR required standards. We use different methods to collect data from and about you including through:

- **Direct interactions.** You may give us your Identity, Contact and Financial Data by filling in forms online or by communicating with us by mail, phone, email or otherwise. This includes personal data you provide when you:
 - register courses, exams, conferences or events offered by us;
 - purchase products from us;
 - create an account on the Site;
 - request marketing materials to be sent to you;
 - enter a promotion or survey; or
 - give us feedback or contact us.
- **Authorize.net.** Our payment services are hosted on Authorize.Net. Authorize.Net provides us with an online e-commerce platform that allows us to sell our services and products to you. Your data may be stored through Authorize.Net's data storage, databases and general Authorize.Net application. Authorize.Net may not provide us with all personal data it collects from you. If you choose a direct online payment gateway to complete any purchase of our services and products, Authorize.Net stores and maintains your credit card data. We are not responsible for any data which is not transferred to us by Authorize.Net. The use of such data is governed by the Terms of Use and Privacy Policy of Authorize.Net. For more information, please go to the Terms of Service (<https://www.authorize.net/about-us/terms/>) or Privacy Policy (<https://www.authorize.net/about-us/privacy/>).
- **Automated technologies or interactions.** As you interact with the Site, we may automatically collect Technical Data about your equipment, browsing actions and patterns. We may collect this personal data by using cookies, server logs and other similar technologies.

We may use third party analytics services like Google Analytics to provide us with a clearer picture of how you use the Site, including when you view specific pages or take specific actions on the Site. For more information about Google Analytics or to opt-out of Google Analytics, please go to Google Analytics Opt-Out Settings page here: <https://tools.google.com/dlpage/gaoptout>.

If you wish to learn more about our data collection process, please contact our DPO (contact information provided below).

- **Interactive Features.** (Facebook/Twitter/YouTube/LinkedIn/Instagram, etc.). While we strive to protect users' personal data and privacy, we cannot guarantee the privacy and/or security of any information you disclose online through interactive features such as forums, message boards, chat rooms, or similar services ("Interactive Features"). Please keep in mind when using Interactive Features through our Site; you disclose information at your own risk that may be specifically designed to be visible to other users. You should be aware that any personal data you choose to submit via Interactive Features can be read, collected, and used by other individuals and/or entities, and could

be used to send you unsolicited messages. We are not responsible for any information you choose to submit when you engage in such activities.

We also may use Interactive Features and tools, including pixel tags added to the Site, that allow data about actions of visitors to be sent to the Interactive Features to track conversions and to allow us to create custom audiences for the products or services we may advertise on these Interactive Features. We also may provide the Interactive Features with other data we have collected about you for this purpose, using the Interactive Features' tools that allow data such as email addresses and phone numbers to be locally hashed on our system before we upload and pass such data to any Interactive Features. The use of such data is governed by each applicable Interactive Features' privacy policy.

4. HOW WE USE YOUR PERSONAL DATA

We will only use your personal data when the law allows us to. If you are in the European Union, or if your personal data otherwise may be subject to the GDPR, you should understand that we will use our technical infrastructure in the United States in order to deliver various services to you. If you are purchasing services or products through the Site, we may need to transfer your personal data to the United States, and possibly to other jurisdictions outside of your home country, as necessary to provide these services. Similarly, if you are browsing the Site, we may collect certain personal data about you in order to enhance the Site, and your experience on the Site. Processing of your personal data as you browse the Site is necessary for our legitimate interests, and we believe these interests will not interfere with your fundamental rights or freedoms. Most commonly, we will use your personal data in the following circumstances:

- Where we need to sell services or products to you for the performance of our contract with you.
- Where it is necessary for our legitimate interests (or those of a third party) and your interests and fundamental rights do not override those interests.
- Where we need to comply with a legal obligation.
- To enforce or apply our Terms and Conditions and/or any other agreements, including for billing and collection purposes.

If the personal data we collect from you is subject to the GDPR, we will attempt to process your data pursuant to the lawful bases of the GDPR.

If your personal data is subject to the GDPR, please note that we may process your personal data for more than one lawful ground depending on the specific purpose for which we are using your data. Please contact us if you need details regarding the GDPR specific legal ground we are relying on to process your personal data.

MARKETING

We may use your Identity, Contact, Technical, Usage and Profile Data to form a view on what we think you may want or need, or what may be of interest to you. This is how we decide which products, services and offers may be relevant for you (we call this marketing). In addition, we may share such data with authorized third parties who we contract with to provide marketing services on our behalf, unless you opt out of receiving marketing messages, as set forth below. We do not allow our third-party service providers to use your personal data for their own purposes and only permit them to process your personal data for specified purposes and in accordance with our instructions.

You may receive marketing communications from us or third parties we have contracted with to provide marketing services on our behalf if you have requested information from us or purchased goods or services from us and you have not opted out of receiving that marketing.

OPTING OUT

You can ask us to stop sending you marketing communications at any time by following the opt-out links on any marketing message sent to you.

Where you opt out of receiving these marketing messages, this will not apply to personal data provided to us as a result of your registration for a course, exam, event or conference with us, product purchases or other transactions.

COOKIES

The Site and any e-mails sent from the Site may utilize cookies, web beacons or similar technologies. A cookie is a small text file that is sent to your browser from a web server and is stored on your computer's hard drive. A web beacon is a small, often invisible, graphic image included in a web page or e-mail. We may use web beacons for many purposes, such as to count visitors to the Site or to monitor how visitors navigate the Site. These technologies help us better understand user behavior and facilitate and measure effectiveness of the Site and its associated technologies. To the extent personal data may be collected, we will secure such data in accordance with this Privacy Policy.

You can set your browser to refuse all or some browser cookies, or to alert you when websites set or access cookies. If you disable or refuse cookies, please note that some parts of the Site may become inaccessible or not function properly.

CHANGE OF PURPOSE

We will only use your personal data for the purposes for which we collected it, unless we reasonably consider that we need to use it for another reason and that reason is compatible with the original purpose. If you wish to get an explanation as to how the processing for the new purpose is compatible with the original purpose, please contact us.

If your personal data is subject to the GDPR, and we need to use your personal data for an unrelated purpose, we will notify you and we will explain the legal basis which allows us to do so.

Please note that we may process your personal data without your knowledge or consent, in compliance with the above rules, where this is required or permitted by law.

5. DATA SECURITY

We have put in place appropriate security measures to prevent your personal data from being accidentally lost, used or accessed in an unauthorized way, altered or disclosed, including protecting your information by 128-bit SSL encryption. However, no transmission of data via the internet or electronic storage of information can be completely secure, so any transmission of personal data or other data is at your own risk.

All personal data you provide to us through the Site is stored on a secure server and protected by firewalls.

Credit card transactions for purchases of goods and/or services ordered by customers through the Site are electronically processed via *www.authorize.net*, a third party independent service provider. We do not store any electronically processed credit card information other than proof of purchase, name on the card and associated address, phone number and/or email address. We do, however, collect credit card information from service and/or product orders that are made via hard copy orders. We keep paper copies of the hard copy orders for a 90-day window in case of cancellations, which locked in storage room with limited access.

In addition, we limit access to your personal data to those employees, agents, contractors, business partners and other third parties who have a business need to know. They will only process your personal data on our instructions and they are subject to a duty of confidentiality.

6. DATA RETENTION

HOW LONG WILL YOU USE MY PERSONAL DATA FOR?

We will only retain your personal data for as long as reasonably necessary to fulfill the purposes we collected it for, including for the purposes of satisfying any legal, regulatory, tax, accounting or reporting requirements. We may retain your personal data for a longer period, if required by law, in the event of a complaint, or if we reasonably believe there is a prospect of litigation in respect to our relationship with you.

To determine the appropriate retention period for personal data, we may consider the amount, nature and sensitivity of the personal data, the potential risk of harm from unauthorized use or disclosure of your personal data, the purposes for which we process your personal data and whether we can achieve those purposes through other means, and the applicable legal, regulatory, tax, accounting or other requirements.

We may anonymize your personal data (so that it can no longer be associated with you) for research, statistical purposes, or other purposes, in which case we may use this information indefinitely without further notice to you.

7. YOUR LEGAL RIGHTS

If your personal data is subject to the GDPR, you have certain rights in relation to your personal data. Such rights may include the right, under certain circumstances, to: (1) request access to your personal data, (2) request rectification of the personal data that we hold about you, (3) request erasure of your personal data, (4) object to processing of your personal data, (5) request restriction of processing of your personal data, (6) request the transfer of your personal data or (7) withdraw your consent at any time where we are relying on consent to process your personal data. If your personal data is subject to the GDPR and you wish to make a complaint regarding our processing of your personal data, you may do so to the relevant Supervisory Authority in the European Union.

We have appointed our Executive Director as our Data Protection Officer (DPO) who is responsible for overseeing questions in relation to this Privacy Policy. If you have any questions about this Privacy Policy, including your legal rights, please contact the DPO using the details set out below.

CONTACT DETAILS

If you have any questions or complaints about this Privacy Policy or our privacy practices, please contact our DPO in the following ways:

Mailing Address: The McKenzie Institute USA
 432 N Franklin St, Ste 40
 Syracuse, NY 13204-1559
 Attention: Executive Director

Telephone Number: 1-800-635-8380

Fax Number: 315-471-7636

Email Address: info@mckenzieinstituteusa.org

8. GLOSSARY

LAWFUL BASIS

Legitimate Interest means the interest of our business in conducting and managing our business to enable us to give you the best service/product and the best and most secure experience. We make sure we consider and balance any potential impact on you (both positive and negative) and your rights before

we process your personal data for our legitimate interests. We do not use your personal data for activities where our interests are overridden by the impact on you (unless we have your consent or are otherwise required or permitted to by law). You can obtain further information about how we assess our legitimate interests against any potential impact on you in respect of specific activities by contacting us.

Performance of Contract means processing your data where it is necessary for the performance of a contract to which you are a party or to take steps at your request before entering into such a contract.

Comply with a legal obligation means processing your personal data where it is necessary for compliance with a legal obligation that we are subject to.