

The FNQLEDC must collect information from people who wish to use the Mark of the Bear. In this Policy, we explain how information is managed, used, transferred and protected. Anyone requesting permission to use the Bear Mark must agree to the terms and conditions of this Policy.

FNQLEDC Bear Mark Information Management Policy

Policy objective and information collection

1. The FNQLEDC collects certain information from people wishing to use the Bear Mark. This is necessary in order to determine whether they meet the criteria set out in the ***FNQLEDC Policy on the Use of the Official Mark (“Mark Policy”)***. The FNQLEDC may also collect information from other sources of public or private information, as described below.
2. In this ***Bear Mark Information Management Policy***, we explain how the information is managed, used, transferred and protected. A **definitions** section can be found at the end of this Policy.

Policy Scope

3. This Policy applies to:
 - a) Information transmitted to the FNQLEDC or held by the FNQLEDC as part of its administration of the use of the Bear Mark;
 - b) All Employees of the FNQLEDC and any person who uses the information held by the FNQLEDC or who accesses it, regardless of the medium on which it is stored.

Use of information by FNQLEDC

4. Subject to the provisions of this Policy, the FNQLEDC uses the information to:
 - a) Establish and maintain an internal (private) register and a public (accessible online) register of Authorized Users;
 - b) Evaluate, analyze and process authorization applications to use the mark and verify the accuracy of any information provided in connection with such applications;
 - c) Promote the purpose of the Mark Policy, including the protection of the integrity and value of the mark, ensure the continuous monitoring of the use of the mark by the

- FNQLEDC, and ensure that those who use the mark have genuine Indigenous participation;
- d) Develop and improve the services provided by the FNQLEDC in connection with the mark or otherwise, in particular through research studies;
 - e) Communicate with mark applicants and users regarding the mark or the services of the FNQLEDC;
 - f) Undertake any use that is incidental or compatible with the other uses identified above.
5. Maintaining a public register helps, among other things, to protect the integrity and value of the mark and ensure the ongoing monitoring of the use of the mark, while publicly displaying Authorized Users as such. Public Register Information includes the name of the business or individual, their address, a description of their activities, and the community to which they belong (if applicable). Public Register Information:
- a) Is not confidential and may be publicly disclosed by the FNQLEDC;
 - b) May be used by the FNQLEDC for marketing or promotional purposes.
6. When a person sends information to the FNQLEDC as part of an application for authorization to use the mark:
- a) They consent to the information being used by the FNQLEDC in accordance with this Policy;
 - b) They confirm that they have obtained the consent of any third party for whom they are submitting Personal Information or Confidential Information and that this third party has accepted that their information may be used by the FNQLEDC in accordance with this Policy;
 - c) They authorize the FNQLEDC to communicate with Indigenous governments or other authorities to confirm an individual's status as an Eligible Individual.

Protection of Personal Information and Confidential Information

7. In order to protect Personal Information and Confidential Information, the FNQLEDC:
- a) Complies with any applicable law regarding the protection of Personal Information and Confidential Information;
 - b) Limits its disclosure to those who legitimately need the information to process it or in the performance of their duties;
 - c) Appoints a Personal Information and Confidential Information Protection Officer;
 - d) Implements reasonable security measures.

8. Any person, including an Employee of the FNQLEDC, who accesses the Personal Information or Confidential Information agrees:
 - a) Not to use, disclose, disseminate, sell, transfer, give, reproduce, circulate, or otherwise distribute to any person or otherwise make public any Confidential Information, other than in accordance with this Policy, this confidentiality obligation having no time limit;
 - b) To take all necessary or useful measures to prevent the unauthorized dissemination, disclosure or use of such data and information;
 - c) To return to the FNQLEDC without delay, at the end of their involvement with the FNQLEDC or at the request of the FNQLEDC, any written document or computer media containing the Confidential Information, without attempting to justify any right of retention in this regard.

Responsible for the implementation of this policy

9. The Person Responsible for the implementation of this Policy is the Director Finances and Administration of the FNQLEDC. Any individual may file a complaint with the Person Responsible regarding an actual or suspected breach of this Policy.
10. Upon receipt of a complaint, the Person Responsible will investigate and take steps to rectify the situation if necessary.

Modification of this policy by FNQLEDC

11. The FNQLEDC may unilaterally modify this Policy and specify the date on which the modification comes into effect.

Definitions

12. In this Policy, all the definitions found in the *FNQLEDC Policy on the Use of the Official Mark* apply. Furthermore:
 - a) “*Employee*” includes any natural person employed by the FNQLEDC as well as consultants, subcontractors or agents;
 - b) “*Confidential Information*” means any document or information marked as confidential or which a reasonable person would consider as such, including, but not limited to:
 - i. Partnership and shareholder agreements;
 - ii. Records of individuals with significant control;
 - iii. Lists of shareholders or members;
 - iv. Status cards;
 - v. Personal Information that is not Public Register Information;
 - vi. Financial or commercial information;

- vii. Any information relating to the FNQLEDC, its activities, its members, employees, representatives, agents, suppliers, clients or administrators;
 - viii. Any document or work composed, assembled, performed or produced that contains confidential information.
- c) “*Person*” includes natural persons, legal persons, corporations, trusts, cooperatives, joint ventures, sole proprietorships, associations, Indigenous and non-Indigenous governments, and public agencies;
 - d) “*Registrar*” means the Registrar of the mark within the meaning of the *FNQLEDC Policy on the Use of the Official Mark*;
 - e) “*Personal Information*” means any information relating to a natural person that allows that person to be identified, excluding the name and title of an employee and the contact details for their place of work;
 - f) “Public Register Information” means information about Authorized Users that is disclosed in the public register established by the Registrar in accordance with the *FNQLEDC Policy on the Use of the Official Mark*.