**PRIVACY POLICY**

*(Last modified on September 21, 2022)*

**Welcome!**

Welcome to the CultEv Website and Services. We are confident that you will find our Services useful. We are providing this Privacy Policy (the “**Policy**”) to tell you about who we are, what personal information we collect from you and about you, and what we do with your personal information, all while you use the Website or Services or otherwise interact with us. The Policy also explains your rights under the law, and how you can contact us and the necessary authorities to enforce those rights. We ask that you please read it carefully.

**Key Elements of this Policy**

Here are the key elements of this Policy so you can know the important parts right away to make an informed decision about your consent for our collection, use and disclosure of your personal data. By submitting any personal data to us via any means, you consent to such collection, use and disclosure. You can find the details in the rest of the Policy.

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| **Personal data we collect from you but only with your consent** | **What we do with it** | **Third parties we share it with** |
| Contact Information | Communicate with you and manage our relationship, depending on your relationship with us | Companies that provide our communications services, such as MailChimp |
| Account Information | Manage your account, and enable logging in to the Services | Companies that provide the infrastructure for the Services, such as Microsoft Azure and Amazon AWS |

**1. Definitions, Modifications and Acceptance**

This Policy may cover several different situations, so please refer to the following definitions for clarification:

“**Client**” refers to a specific type of Services user, who has been granted access to a “**Client Dashboard**” in order to create Listings.

“**CultEv**” refers to the business which includes the Services, the Website, and all related business processes and entities, and which is owned by The Cultural Events MegaCorp Inc., a duly incorporated company in the Province of Quebec, Canada. Where the present Policy refers to “CultEv”, it may refer to The Cultural Events MegaCorp Inc. and / or its affiliates, subsidiaries, employees, officers, directors, subcontractors, agents, partners or representatives, depending on the context. Any reference to “**we**”, “**our**”, or “**us**” in this Policy shall also refer to CultEv or The Cultural Events MegaCorp Inc. In this Policy, a Website visitor or Services user may be referred to as “**you**”. When a Services user has created an account and is logged in, they may be referred to as a “**Logged-in User**”.

“**Device**” refers to the handheld, tablet or other internet-connected device through which you may be accessing and using the Services.

“**Listings**” refer to listings of cultural events created by CultEv or Clients and displayed through the Services.

“**Services**” are the proprietary services that CultEv has developed that allow you to find cultural events, purchase tickets, list cultural events, and participate in other online activities related to the Listings. The Services are currently available on the Website, but may be available through other means in the future.

“**Website**” is the website located at http://www.cultev.com which is owned and operated by The Cultural Events MegaCorp Inc., and includes all subdomains, present and future. Without limiting the generality of the foregoing, the Website includes the subdomain which displays the Client Dashboard.

Additional definitions shall be made throughout this Policy, but they will be recognizable as they will be capitalized, bolded, and in quotation marks. Additional definitions may also be found in the Terms of Use, and will have the same meaning in this Policy as they do there. The definitions found in this Policy shall also apply to the Terms of Use.

***By visiting the Website and / or using the Services, or by clicking the acceptance box upon signing up for an account, you agree to be bound by the terms of the Policy. By submitting Personal Information to us through the Services or via other means, you consent to CultEv’s collection, use and disclosure of such Personal Information (as that term is defined hereinbelow) in accordance with this Policy (as amended from time to time) and as permitted or required by law. If you do not agree to all the provisions contained in the Policy, you are not authorized to use the Services. If you are an individual using the Services on behalf of a corporation or other registered organization (“Legal Entity”), you represent and warrant that you have the capacity and authority to accept the Policy on behalf of the Legal Entity, and hereby agree to be the collection, use, and disclosure of Personal Information on behalf of that Legal Entity.***

CultEv reserves the right, at any time and without prior notice, to modify or replace any of the Policy. Any changes to the Policy can be found at this URL. It is your responsibility to check the Policy periodically for changes. Your use of the Services following the posting of any changes to the Policy constitutes acceptance of those changes. If there are any significant changes to the Policy that materially affect the way we treat your information, we will use commercially reasonable efforts to notify you by sending a notice to the primary email address specified in your account, by posting a prominent notice when you log in to your account for the first time following those changes, or by posting a prominent notice upon your first visit to the Website or Services following those changes.

The Policy should be read in conjunction with the Terms of Use, as both these documents govern your use of the Services.

If you have any questions about the Policy or if you wish to inquire about and / or access any Personal Information CultEv holds about you, please contact our designated officer who is responsible for collected Personal Information:

CultEv Privacy Officer

privacy@cultev.com

or:

CultEv Privacy Officer

123 Fake Street

Montreal, QC

H0H 0H0

**2. General Statement of Privacy and Protection of Personal Information**

CultEv takes your privacy and security of Personal Information very seriously. We have provided and will continue to provide a secure environment and this strict Policy that describes the limited ways the information is used and the limited access to such information.

**3. What Does This Privacy Policy Cover?**

This Policy covers the treatment of personally-identifiable information, i.e. any information that identifies an individual, or can be used in conjunction with other information to identify an individual (“**Personal Information**”) and other information gathered by CultEv when you are visiting the Website and / or using the Services. This Policy also covers CultEv’s treatment of any Personal Information that CultEv may share with its business partners or other third parties under very limited circumstances.

This Policy does not apply to the general practices and treatment of information (whether personal or not) by third parties that CultEv does not own or control, including but not limited to any third-party websites or services that you elect to access through the Services or via a link from the Services (“**Third-Party Website**”), or to individuals that CultEv does not manage or employ. While we attempt to facilitate access or link only to those Third-Party Websites that share our respect for your privacy, we cannot take responsibility for the content or privacy policies of those Third-Party Websites. We encourage you to carefully review the privacy policies of any Third-Party Website you access. We have named and provided links to the most important of these Third-Party Websites elsewhere in this Policy.

Finally, this Policy does not cover any Personal Information you send to CultEv via any non-secured, non-encrypted mode of communications such as email, instant messenger or other messaging service, or Twitter or any other social media, as communications via these methods may be subject to interception, loss, or alteration. While we welcome your comments and suggestions sent to us in this manner, we encourage you to carefully examine what Personal Information you send to CultEv via these methods.

**4. No Collection of Personal Information as a Matter of Course**

CultEv does not, as a matter of course, gather any of your Personal Information while you are using the Services, unless you are asked to provide such information, for example by signing up for an account. Personal Information is only gathered with your informed consent. Where you have provided Personal Information, it will only be used for the stated purpose, as detailed more specifically in the next section.

**5. Personal Information Collected and Its Uses**

The following is an exhaustive list of Personal Information collected from you when you use the Services and what we use it for. You acknowledge and agree that you are submitting this Personal Information with your informed consent. You acknowledge and agree that the Personal Information you submit is accurate to the best of your knowledge.

* **“Account Information”**: As specified in the Terms of Use, users of the Services will be required to create an account and enter the following Personal Information in order to use certain functions of the Services: a valid email address, first and last name, birth date, and location. This Account Information is used to manage your account, to verify your credentials for logging-in to the Services, to communicate with you information about your account, to communicate with you information about the Services, to verify you are of the age of majority, and to help you find Listings of cultural events close to you. We also use this Account Information to provide you with information about our other products and services which may be of interest to you, further information about our Services such as newsletters about new Services features and content, special offers, promotional announcements and customer surveys. For more information about use of your email address, please refer to the “Email Communications” section further in this Policy.
* “**Client Information**”: In addition to the Account Information listed above, if you want to become a Client you must submit other information such as type of Client (artist / promoter, etc.), your business address if applicable, and other information which may or may not be Personal Information. We use this Client Information only for the purposes of determining your fitness to be a Client, and to tailor the Services to your needs.
* Location: To the extent your location can be considered Personal Information, your location is required to use the Services. Your location is collected through location services on your Device or via location services in your web browser, or submitted by you when creating an account. We use your location to help find Listings of cultural events close to you.

CultEv shall use all reasonable efforts to ensure your submitted Personal Information remains accurate, complete, and up-to date for the uses as described above. However, you shall be responsible for updating any Person Information which may change, and CultEv shall not be held liable for any inaccurate, incomplete, or out of date Personal Information where you have failed to communicate such changes to us.

**6. Security and Encryption of Information**

CultEv uses only industry best practices (physical, electronic and procedural) in keeping any data collected secure. In addition, CultEv uses third-party vendors and hosting partners to provide the necessary hardware, software, networking, storage, and related technology required to operate the Services, and these third parties have been selected for their high standards of security, both electronic and physical. For example, CultEv uses [Microsoft Azure](https://azure.microsoft.com/) and [Amazon Web Services](https://aws.amazon.com/), recognized leaders in secure data, for hosting of the Website and Services, and storage of user data. Please note that these third parties may not be located in your home jurisdiction – please see the “Transfer of Personal Information Outside Your Home Jurisdiction” section further in this Policy for more information.

Where you use the Services to find Listings, all information is transferred by encrypted Secure Sockets Layer (“SSL”), the standard for Internet secure transactions and data transmission.

**7. Non-disclosure of Personal Information to Third Parties**

Except as provided in the next paragraphs and the next section in this Policy on Email Communications, CultEv does not divulge any Personal Information gathered via the Services to third parties. Moreover, CultEv does not sell, rent, trade or license any Personal Information regarding its users to third parties. Only the employees, representatives, subcontractors, officers, agents, or assigns of CultEv are responsible for the management and development of the Website and Services, and only these individuals have access to the information collected there. These employees, representatives, subcontractors, officers, agents or assigns all have been instructed to comply with the Policy, and are under contractual obligations of non-disclosure.

Notwithstanding anything in the Policy to the contrary, we may share any information we have collected about you or that you have submitted (whether Personal Information or not): (1) in response to subpoenas, court orders, or legal process, or to establish, protect, or exercise our legal rights or defend against legal claims or demands; (2) if we believe it is necessary in order to investigate, prevent, or take action regarding illegal activities, fraud, or situations involving potential threats to the safety of any person, or any violation of the Terms of Use; (3) if we believe it is necessary to investigate, prevent, or take action regarding situations that involve abuse of the Website or Services infrastructure or the Internet in general (such as voluminous spamming, denial of service attacks, or attempts to compromise the security of the Website or Services infrastructure or the Website or Services generally); (4) to a parent company, subsidiaries, joint ventures, or other companies under common control with CultEv (in which case we will require such entities to honour this Policy); (5) if CultEv merges with another entity, is subject to a corporate reorganization, or sells or transfers all or part of its business, assets or shares (in which case we will require such entity to assume our obligations under this Policy, or inform you that you are covered by a new privacy policy).

CultEv uses certain “**Third-Party Services**” in order to augment the functionalities of the Website and Services. Personal information is transferred from CultEv to these Third-Party Services, but only to the extent required in order for them to function properly, and only upon your express submission of such information. These Third-Party Services are limited to social networks like [Facebook](https://facebook.com/) and [Twitter](https://twitter.com/) for sharing of Services content including Listings. Under certain circumstances you may be required to log in to your social network account for this function to work, and thus your Personal Information required to log in to the account is transferred securely from CultEv to the Third-Party Service.

CultEv uses certain Third-Party Services to present additional content through the Website and Services, including [Google Maps](https://www.google.ca/maps), Facebook, and [closeaccess.tv](http://closeaccess.tv/), but no Personal Information is sent to these Services for displaying of this content, with the exception of Google Maps where your location is sent.

**8. Email Communications and Compliance with Anti-Spam Laws**

CultEv currently uses [MailChimp](http://mailchimp.com/) and [SurveyMonkey](https://www.surveymonkey.com/) (“**Email Providers**”) to manage our mailing list and to send out emails and surveys. Personal Information is transferred to the Email Providers in order for the mailing list to function properly. Your Personal Information is only used for the proper sending out of email; the Email Providers do not use this Personal Information for any other purpose, and will not transfer or sell your Personal Information to any other third party. For more information, please refer to [MailChimp’s Privacy Policy](http://mailchimp.com/legal/privacy/) and [SurveyMonkey’s Privacy Policy](https://www.surveymonkey.com/mp/policy/privacy-policy/). You may unsubscribe from receiving emails from us at any time by following the link at the bottom of any email sent to you.

CultEv’s practices in regards to its email are designed to be compliant with anti-spam laws, specifically the law unofficially called “CASL”, or Canada’s Anti-Spam Law (S.C. 2010, c. 23). If you believe you have received email in violation of this law, please contact us using the contact information further up in this Policy.

**9. Limited Gathering of Information for Statistical, Analytical and Security Purposes**

CultEv automatically collects certain information using third-party analytics programs [Google Analytics](http://www.google.com/analytics/), to help us understand how our users use the Services, but none of this information identifies you personally. For example, each time you visit the Website or use the Services, we automatically collect (as applicable) your IP address, browser and computer or Device type, access times, the web page from which you came, the web page(s) or content you access, and other related information. We use information collected in this manner only to better understand your needs and the needs of the Website and Services users in the aggregate. CultEv also makes use of information gathered for statistical purposes to keep track of the number of visits to the Website, the specific pages on the Website, and users of the Services with a view to introducing improvements to the Website and Services.

Your IP address and other relevant information may be used in order to trace any fraudulent or criminal activity, or any activity in violation of the Terms of Use.

**10. Aggregated Information**

In addition to the information collected by the analytics program as described in the previous section, we may also generate, use and disclose aggregated and / or anonymized information and statistics about the Services and Services users for marketing and strategic purposes. However, no user of our Services will be individually identifiable from these aggregated and / or anonymized information and statistics.

**11. General Information Transfer from the Services**

Any information (Personal or not) the Services collect while you use them may be stored locally on your Device or computer and then transferred to servers controlled by CultEv, and CultEv may obtain this information as a result of the data being sent to our servers from the Services. The information, however, is only used (or not used) by CultEv as described elsewhere in this Policy.

**12. Verification, Correction and Deletion of Personal Information**

You have the right to: (i) verify what Personal Information CultEv holds about you, including its accuracy and completeness; (ii) ask for your Personal Information to be corrected or updated; and (iii) to withdraw your consent to the use by CultEv of your Personal Information and have it deleted from our records. If you wish to inquire about and verify and / or correct Personal Information CultEv holds about you, or if you wish to have all your Personal Information permanently deleted from our records, please contact us using the contact information further up in this Policy. Please note that deletion of your Personal Information may make it impossible for you to use the Services, or certain portions thereof, and CultEv accepts no responsibility for any damages, pecuniary or otherwise, resulting therefrom. If you request deletion of your Personal Information, CultEv reserves the right to retain some of your Personal Information for a reasonable time in order to satisfy our legal obligations or under a legal procedure of any sort.

**13. Tracking Technology ("Cookies") and Related Technologies**

CultEv uses tracking technology (“cookies” and related technology such as tags, pixels and web beacons) on the Website and in the Services and by using the Services you agree to their use. Cookies are small text files placed on your hard drive or memory when you visit a website or use certain online services, in order to track use and to improve the user experience by storing certain data on your computer or Device. The Services use “session cookies,” which improve your user experience by storing certain information from your current visit on your computer.

Specifically, we use the following cookies and related technologies to perform the following functions:

* Authentication cookies for the Services to facilitate signing in to your account;
* Google Analytics cookie to provide general internal and user analytics and to assist in identifying possible fraudulent activities;
* [Google Tag Manager](https://www.google.com/analytics/tag-manager/) tag (and third party tags managed through Google Tag Manager) to track certain analytics and marketing functions;
* [Facebook Pixel](https://developers.facebook.com/docs/facebook-pixel) tag in order to track certain actions, to receive information from the Services and elsewhere on the internet and to use that information to provide measurement services and targeted ads. You can opt out of the ads portion of Facebook Pixel by visiting the [Ad Choices](http://www.aboutads.info/choices) page.

Your browser or Device can be set to refuse cookies or delete them after they have been stored. Please refer to your browser or Device’s help section for instructions. Please note that deleting or refusing these cookies may reduce your user experience by requiring you to re-enter certain information, including information required to use the Services. Furthermore, as we use authentication cookies, deleting those cookies may prevent certain functions from working at all. CultEv and its Representatives shall not be held responsible for any function that may not operate after you refuse or delete cookies, or any losses or damages arising from those functions not operating, or having reduced functionality.

**14. Risks Associated with the Internet and Wireless Data Transmission**

Despite CultEv’s best efforts to ensure that third parties will not access or obtain your Personal Information through your use of the Services, complete confidentiality and security cannot currently be guaranteed on the Internet and / or where data is transferred via digital wireless technology of any type. Communication via the Internet is subject to interception, loss, or alteration. You acknowledge and agree that CultEv and its Representatives cannot be held responsible for damages resulting from the transmission of confidential information or Personal Information over the Internet and that such communications are at your own risk.

**15. Transfer of Personal Information Outside Your Home Jurisdiction**

Website or Services users may access the Website or Services from any country in the world. CultEv and its third-party vendors, including service providers and hosting partners, are located in the United States and Canada. You acknowledge that CultEv and our third-party vendors may be located in jurisdictions or countries where the privacy laws may not be as protective as those in your home country, state, province or other governmental jurisdiction, and consent to the transfer of your Personal Information to such countries. Without limiting the generality of the foregoing, Website or Services users in the European Union acknowledge and agree that their Personal Information may be transferred to the United States, and consent to such transfer.

**16. Compliance with Privacy Laws and Making Complaints**

This Policy and CultEv’s practices in general are designed to be in compliance with Canada’s *Personal Information Protection and Electronic Documents Act* (“PIPEDA”, S.C. 2000, c. 5) and Quebec’s *An Act Respecting the Protection Of Personal Information in the Private Sector* (R.S.Q. c. P-39.1). If you have any questions regarding this compliance, please contact our Privacy Officer us using the contact information further up in this Policy.

If you are not satisfied with the response received or any actions taken by our Privacy Officer, you can make a complaint to the Office of the Privacy Commissioner of Canada. Instructions on how to do so can be found [on their website](https://www.priv.gc.ca/en/report-a-concern/file-a-formal-privacy-complaint/). In Québec you can make a complaint to the *Commission d’accès à l’information*, with the instructions for contacting them [on their website](https://www.cai.gouv.qc.ca/a-propos/nous-joindre/).

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