

RACECAPTURE INC.

PRIVACY POLICY

Last updated: May 26, 2026

At a Glance

RaceCapture is built for athletes, event organizers, photographers, and the communities around them. That includes how we handle your data. We collect only what we need to deliver your media, protect it carefully, and never sell it. This page is the short version. The full policy that follows gives you the detail.

What we collect

- **Athletes:** your name and email when you purchase media or contact us, your purchase history and transaction metadata, the event photos and bib numbers from events you attend, and a selfie if you choose to use selfie search.
- **Event organizers:** your organization name, contact person, event details, and administrative information needed to deliver our services to your event.
- **Community Portal photographers:** account details, payout information, event data, and sales records needed to operate your account and process your earnings.
- **All users:** basic usage logs, performance data, and anonymized analytics that keep the platform stable and secure.

How we use it

- Deliver your photos, purchase receipts, and gallery access.
- Help athletes find their images through selfie search and bib-number search.
- Process payouts to Community Portal photographers.
- Operate, secure, and improve the RaceCapture platform.
- Meet our legal obligations under PIPEDA, Quebec Law 25, Canadian tax law, and other applicable requirements.

What we never do

- Sell personal data to advertisers or data brokers.
- Store or access your full payment card details. Stripe handles that.
- Collect your name or billing address ourselves. Stripe collects that during checkout; we receive only limited transaction metadata back.
- Retain your selfie or face vector after your search completes in Standard mode. If you opt in to Live Delivery, we hold your face vector only for the active event and a short post-event tail (typically 24 to 72 hours), then delete it. Details in Section 5.
- Build long-term facial recognition profiles, facial datasets, or AI training sets from athlete images.
- Transfer personal data outside Canada without equivalent privacy protections in place.

Who to contact

Our Privacy Officer is Sean Menezes. For any privacy question, access request, correction, deletion, or image removal request, email info@racecapture.ca. We respond within 30 days.

1. Introduction

RaceCapture Inc. ("**RaceCapture**," "**we**," "**us**," or "**our**") is a Canadian race and event media company. We produce same-day photo and video coverage at races, fitness events, corporate events, and similar gatherings across Canada, and we license our software platform (the "Platform") to photographers and event organizers in the RaceCapture Community Portal.

This Privacy Policy explains how RaceCapture collects, uses, discloses, protects, and retains personal information in connection with:

- our websites at <https://racecapture.ca> (and any affiliated domains) (the "Website");
- the athlete-facing galleries, selfie search, bib-number search, and checkout tools we operate for events (the "Athlete Services");
- the administrative tools and Community Portal we make available to event organizers and photographers (the "Platform Services"); and
- our on-site photo and video services at events we are engaged to cover.

The Website, Athlete Services, Platform Services, and on-site services are referred to collectively as the "Services."

This Privacy Policy complies with the *Personal Information Protection and Electronic Documents Act* ("PIPEDA"), Quebec's Act respecting the protection of personal information in the private sector (as amended by Law 25 / Bill 64) (the "**Quebec Privacy Act**"), Quebec's Act to establish a legal framework for information technology (the "LCCJTI") as it relates to biometric systems, Canada's Anti-Spam Legislation ("CASL"), and other applicable Canadian privacy and consumer protection legislation.

By using the Services you consent to the collection, use, and disclosure of your personal information as described in this Privacy Policy. If you do not agree, please do not use the Services.

2. Who This Policy Applies To

This Privacy Policy applies to everyone who interacts with the Services:

- **Athletes and participants** who attend events, view galleries, upload selfies, search by bib number, or purchase media.
- **Event organizers** who engage RaceCapture or a Community Portal photographer to cover their event.
- **Community Portal photographers** who use the RaceCapture Platform to deliver media for their own events.
- **Visitors** who browse the Website without creating an account or making a purchase.

3. Our Role: Controller and Processor

How RaceCapture handles personal information varies by flow. Privacy law in Canada allocates responsibility between the organization that decides the purposes and means of a processing activity (often called a data controller) and the organization that processes personal information on behalf of another (often called a data processor or service provider).

3.1 Event photos captured at organizer events

When RaceCapture or a Community Portal photographer is engaged by an event organizer to cover an event, the event organizer is the organization primarily responsible for obtaining participant consents and waivers at registration and on-site. RaceCapture processes the resulting images and related personal information on the organizer's instructions and as needed to deliver the Services. For these flows, the event organizer is the controller and RaceCapture acts as the organizer's processor.

3.2 Athlete-initiated selfie search

When you upload a selfie directly to RaceCapture to find your event photos, you are interacting with RaceCapture directly. RaceCapture determines how the selfie search feature works, obtains your consent for it, and controls the retention of your selfie. For the selfie search flow, RaceCapture is a controller (or, where the event organizer has also configured gallery-level controls, a joint controller with the organizer).

3.3 Community Portal photographer uploads

Photographers who license the Platform to deliver their own events use the Community Portal. Those photographers decide which images to capture, upload, sell, and retain. Community Portal photographers are controllers for the personal information of the athletes whose images they upload, and RaceCapture acts as their processor under the RaceCapture Photographer Agreement and applicable law.

3.4 Direct-to-RaceCapture purchases, account data, and platform analytics

For your RaceCapture account, your purchases, your direct communications with us, and our own platform analytics, RaceCapture is the controller.

4. Information We Collect

4.1 Athletes and participants

RaceCapture itself directly collects only a narrow set of personal information from athletes:

- your email address (when you purchase media, sign up for a gallery, opt in to Live Delivery, or contact us);
- your selfie, if you use selfie search, handled strictly in accordance with Section 5;
- event photos and video in which you appear, together with associated metadata (event, timestamp, bib number where detectable);
- any message, support request, correction request, or image removal request you send us; and
- your email-based follow-up preferences, including your consent to receive notices of future events from the same organizer.

Additional information is collected through Stripe at checkout but is not stored on RaceCapture's servers. As described in Section 4.5 (Payment information) and Section 12 (Sub-Processors), Stripe collects your name, billing address, and payment details directly. RaceCapture receives only limited transaction metadata back from Stripe (such as transaction ID, amount, status, last four digits of the card, billing name) so that we can fulfil orders and respond to support. Bib numbers visible in event photos are used as a search index, as described in Section 6, and are not linked to organizer registration data. Device, browser, IP address, approximate location, and usage data are collected automatically as described in Section 4.4.

4.2 Event organizers

From event organizers, we collect organization name, contact person, email, phone number, billing information, event details (date, location, participant counts, event categories, waiver and consent

arrangements), and any ongoing operational information needed to plan, deliver, and invoice for coverage.

4.3 Community Portal photographers

From photographers using the Community Portal, we collect:

- full legal name, email, and contact information;
- Stripe Connect account details necessary to remit your earnings;
- event data you create and manage on the Platform;
- sales records, transaction history, and payout logs;
- platform usage data and login history; and
- support communications between you and RaceCapture.

4.4 Information collected automatically from all users

When you use the Website and Platform we automatically collect:

- device and browser information (device type, operating system, browser version, language settings);
- IP address and approximate geolocation;
- usage data (pages viewed, features used, session duration, referring URL); and
- log data, cookies, and similar technologies, as described in Section 19.

5. Facial Recognition, Selfie Search, and Biometric Information

We take facial biometric data more seriously than any other category of personal information. This section explains exactly how selfie search works, what we store, and what we do not.

5.1 The feature in plain language

To help athletes find their race photos, the Platform offers a selfie search feature that uses Amazon Web Services' Amazon Rekognition to compare faces. When a selfie is uploaded or an event photo is indexed, the Platform generates a mathematical representation of the face (a "**face vector**"). Face vectors are not photographs. They cannot be used to reconstruct an image of a face. They are compared to one another to determine whether two faces match.

5.2 What happens to your selfie: two modes

RaceCapture offers selfie search in two modes. The Standard mode is the default. Live Delivery is an opt-in upgrade.

Standard mode (default)

When you upload a selfie in Standard mode:

- your selfie is transmitted securely to our matching system;
- a face vector is generated at the moment of search, used only to compare against the facial index for the event you selected, and discarded as soon as the search completes;
- matching results are returned to you immediately;
- your selfie is deleted immediately after matching;

- we do not build a facial profile from your selfie, we do not add it to any dataset, and we do not use it to train any model.

Live Delivery (opt-in)

Live Delivery is presented as a clearly labelled, optional checkbox at the time you upload your selfie. If you opt in:

- with your express consent, RaceCapture stores a face vector derived from your selfie temporarily, so that we can keep matching you against new photos as they are uploaded during the event;
- we send you transactional email notifications no more often than every two hours, and only when new matching photos have been found;
- when the event gallery is finalized, we automatically deliver your final personalized gallery by email;
- we delete your face vector and any associated stored selfie within 30 days after the event ends, and never use this data beyond that event;
- you may end Live Delivery at any time using the unsubscribe link in any notification email or by contacting info@racecapture.ca, in which case your face vector and any associated selfie are deleted promptly.

In both Standard mode and Live Delivery, RaceCapture does not build long-term facial profiles, does not add your face vector to any dataset that persists beyond the event, and does not use your face vector or selfie to train any model.

5.3 What happens to photos already at the event

To enable selfie search, event photos that have been uploaded to the Platform are processed through Amazon Rekognition to create a facial index for each event:

- facial feature vectors (not photos) are stored temporarily to enable search for the duration the gallery is active;
- vectors are mathematical representations, not images, and cannot be used to reconstruct a face;
- vectors are deleted when the event gallery is retired, or earlier on request;
- we process this facial index under the authority of the event organizer, who is responsible for obtaining appropriate consent from athletes through event registration waivers; and
- by using the selfie search feature, you confirm you are the person in the selfie and you consent to this one-time matching process.

5.4 Biometric Information is sensitive

We treat face vectors and selfies as biometric information and as sensitive personal information under applicable Canadian privacy law. We obtain your express, free, enlightened, and specific consent before performing biometric processing, and that consent is presented to you separately from general acceptance of the Terms of Service and this Privacy Policy.

5.5 Quebec Law 25 biometric notice

Facial recognition constitutes the collection of biometric data under the *Quebec Privacy Act*. RaceCapture has conducted a Privacy Impact Assessment covering this technology, and maintains and updates it as the feature evolves. Where required under section 45 of the LCCJTI, RaceCapture makes the prescribed disclosures to the Commission d'accès à l'information concerning any database of biometric characteristics and any system that enables biometric identification or verification. Quebec residents may

contact us at info@racecapture.ca to request deletion of any facial index data associated with their image from a specific event.

5.6 Alternatives to biometric processing

If you prefer not to use facial recognition, you can still browse galleries and use the bib-number search (Section 6) to find your photos where supported by the organizer. You can also contact us or the organizer to request specific images.

6. Bib Number Search

Bib numbers visible in event photos are used as a search index to help athletes locate their photos quickly.

- Bib data is linked to event images only, and is not linked to personal registration data held by organizers.
- Bib numbers are never sold, shared with advertisers, or used for any purpose other than search.
- Bib data is retained while the relevant event gallery remains active, and is deleted when the gallery is retired.

7. Content Moderation

RaceCapture applies a layered content-moderation program to keep galleries safe for athletes, organizers, and the broader public:

- **Automated screening.** All photos uploaded to the Platform are automatically screened for violence, nudity, and other inappropriate or explicit content using Amazon Rekognition content moderation before they are published or made searchable. Images flagged at a high confidence level are quarantined and are not visible to athletes pending review.
- **Manual review.** Quarantined images, escalations from the automated filter, and other risk-flagged uploads are reviewed manually by RaceCapture personnel before any release.
- **User reporting.** Athletes, organizers, and members of the public can report concerns directly to RaceCapture by emailing info@racecapture.ca. We acknowledge user reports promptly and act on them as quickly as practicable.
- **Access controls for events involving minors.** Galleries for events primarily involving minors sit behind a password wall by default (see Section 16).

RaceCapture reserves the right to remove flagged or reported content, to suspend the photographer or organizer account responsible for the upload, and to report content to appropriate authorities, as described in Section 17.

8. Purposes for Collection, Use, and Disclosure

We identify our purposes at or before the time we collect your personal information. We collect, use, and disclose personal information for the following purposes:

- to capture, produce, edit, and deliver event media on behalf of organizers;
- to operate, maintain, and secure the Website and Platform, including galleries, search, checkout, downloads, and accounts;
- to operate facial recognition matching through selfie search and event indexing, in accordance with Section 5;
- to operate bib-number search (Section 6) and automated content moderation (Section 7);

- to process payments, issue receipts, handle refunds, and remit payouts through Stripe and Stripe Connect;
- to communicate with you about your account, purchases, gallery access, support requests, and legally required notices;
- to send, with your consent, notices of future events from the same organizer, and, where you have opted in separately, other marketing communications;
- to prevent, detect, and investigate fraud, misuse, and security incidents, and to enforce our Terms of Service;
- to comply with legal, regulatory, accounting, tax, and audit obligations, including CRA record-keeping requirements; and
- for any other purpose to which you have consented, or that is permitted or required by law.

9. Consent

9.1 Our general framework

We obtain your consent before or at the time we collect your personal information, or we rely on another lawful basis recognized under applicable Canadian privacy law. Consent may be express (for example, where you check a consent box or click "I agree") or implied (for example, where you voluntarily provide information for a purpose that would be obvious to a reasonable person, such as entering your email address to receive your gallery link).

9.2 Attendance at events

If you attend an event at which RaceCapture or a Community Portal photographer is providing services, your image may be captured as event content. Event organizers are responsible for notifying participants that photography is occurring and for obtaining required consents and waivers at registration and on site. We also take reasonable steps to be visible as photographers on site and to respect explicit objections communicated to us directly.

9.3 Express consent for biometric information

As described in Section 5, we obtain separate express consent for selfie search and any longer-term retention of your selfie during an active gallery. This consent is presented to you separately from the general Terms of Service and this Privacy Policy, and can be withdrawn at any time.

9.4 Consent involving minors

See Section 16 for special rules that apply when events involve minors.

9.5 Withdrawing consent

You may withdraw your consent at any time, subject to legal or contractual restrictions, by contacting info@racecapture.ca. Withdrawal may affect your ability to use certain features of the Services. For example, withdrawing biometric consent will disable selfie search for you. Withdrawal of consent does not apply retroactively to processing that has already taken place.

10. Limiting Collection and Use

We limit the collection of personal information to what is necessary for the purposes identified in Section 8. Face vectors are used only to match an athlete to the event content from the specific event associated with their search, not to track athletes across events or to build cross-event identity profiles.

11. Disclosure of Personal Information

11.1 To event organizers

We disclose limited personal information to event organizers in connection with the services we provide for their event. This may include aggregated participation and download statistics for their gallery, and, where you have consented, contact information for future event notifications.

11.2 To Community Portal photographers

When a Community Portal photographer operates a gallery, the photographer has access to the personal information of athletes participating in that gallery and to the event content associated with their events. Community Portal photographers are bound by the RaceCapture Photographer Agreement, which includes privacy obligations, and operate as controllers of that personal information in accordance with Section 3.3.

11.3 To sub-processors and service providers

We engage service providers to help us deliver the Services. We require them to protect personal information, to use it only for the purposes for which it was disclosed, and to comply with applicable law. Our current sub-processors are listed in Section 12.

11.4 Other disclosures

We may also disclose personal information:

- to our affiliates, subsidiaries, successors, and assigns, for the purposes described in this Privacy Policy;
- to our professional advisors (lawyers, accountants, auditors, insurers) on a confidential basis;
- to a prospective or actual purchaser, investor, lender, or financing party in connection with a merger, acquisition, financing, reorganization, or sale of all or substantially all of our assets, subject to appropriate confidentiality obligations;
- to courts, tribunals, regulatory authorities, law enforcement, and other governmental bodies, as required or permitted by law, including in response to a subpoena, warrant, court order, or similar legal process;
- to report suspected criminal activity, including any suspected child sexual abuse material or non-consensual intimate imagery, to the appropriate authorities (see Section 17); and
- to any other party with your consent or at your direction.

11.5 We never sell personal data

We do not sell your personal data to advertisers or data brokers, we do not share it with third-party advertising networks for the purpose of profiling you, and we do not use face vectors, selfies, or event content to train AI models, ours or anyone else's.

12. Sub-Processors and Service Providers

RaceCapture uses a limited number of trusted service providers to operate the Platform. This table will be updated as our sub-processor list changes.

Provider	Purpose	Categories of data	Primary processing location
Amazon Web Services (AWS)	Cloud hosting and storage; facial recognition (Amazon Rekognition); automated content moderation; transactional email; SMS delivery;	Event content, selfies, face vectors, account data, logs	Canada (ca-central-1)
Stripe, Inc.	Payment processing (PCI-DSS Level 1); Apple Pay and Google Pay tokenization; Stripe Connect payouts to photographers	Transaction metadata, last four digits of card, billing name and email, photographer bank / payout information	United States and Canada
Bluehost and WP Engine	Website hosting	Website content, basic server logs	United States and Canada (WP Engine supports Canadian regions)
Our professional advisors	Legal, accounting, audit, and insurance advice	Only as needed on a confidential basis	Canada

13. Storage, Data Residency, and Cross-Border Transfers

RaceCapture stores athlete data, event media, and face vectors in Canadian AWS infrastructure in the ca-central-1 region, to support Canadian data residency. Certain sub-processors may process limited personal information outside Canada, for example Stripe's payment processing operations in the United States, and the hosting of the public marketing website may use servers outside Canada. Where we transfer personal information to a service provider in another jurisdiction:

- we perform the privacy impact assessment required under the Quebec Privacy Act for transfers out of Quebec;
- we put contractual safeguards in place requiring the service provider to maintain protections substantially similar to those required under Canadian privacy law; and
- we limit the categories and volume of personal information transferred to what is strictly necessary.

You acknowledge that foreign governments, courts, law enforcement, or regulatory agencies may be able to obtain access to personal information under foreign law when it is stored or processed in that jurisdiction.

14. Retention

We retain personal information only for as long as is necessary to provide the Services, to exercise or defend legal rights, and to comply with legal, accounting, and regulatory obligations. Our standard retention schedule is:

Category	Retention	Notes
Selfies (Standard mode)	Deleted immediately after matching completes; face vectors generated at the moment of search and discarded with the result	Retention: zero
Selfies and face vectors (Live Delivery, opt-in)	Retained during the event and for a short post-event tail of 30 days, then deleted	Athlete may end Live Delivery at any time
Face vectors derived from event photos (event facial index)	Retained while the event gallery is active; deleted when the gallery is retired or on request	Not aggregated across events
Event photos and video	Retained indefinitely on AWS S3 storage and on backup media so that athletes and clients can access them later, subject to organizer takedown requests and athlete removal requests under Section 15	Subject to Section 15 removal rights
Bib-number search index	Retained while the event gallery is active	Not linked to organizer registration data
Purchase and transaction records	7 years	Canadian tax and accounting law (CRA requirements)
Community Portal photographer accounts	Duration of account plus 7 years for financial records	CRA requirements
Web logs, security and fraud logs	[TO CONFIRM] 12 to 24 months	Security and abuse detection
Marketing lists and consent records	Until you unsubscribe or become inactive for 24 months, plus 36 months of consent records (CASL)	CASL compliance

When personal information is no longer required, we securely delete or anonymize it.

15. Access, Correction, Portability, and Deletion

Under PIPEDA and the Quebec Privacy Act, you have specific rights regarding your personal information. We respond to verified requests within 30 days.

15.1 Access and portability

- You may request a summary of the personal information linked to your email or purchases.
- Where required by law, you may request a copy of the personal information you have provided in a structured, commonly used, and machine-readable format.
- We may verify your identity to prevent unauthorized access.

15.2 Correction

- If any personal information we hold about you is inaccurate or incomplete, you may request correction.
- We will update our records, or note the disagreement, and will notify any third parties who received the incorrect data where feasible.

15.3 Deletion and image removal

- You may request removal of specific event photos at any time. Email info@racecapture.ca with enough information for us to identify the event and the images concerned. We will acknowledge your request promptly and remove the identified images as soon as practicable. Because the Platform hosts a high volume of event content (well over 500,000 photos), some takedowns may require additional processing time, but in all cases we respond to your request within 30 days as required by Canadian privacy law.
- You may request deletion of any facial index data associated with your image from a specific event.
- Purchase records are subject to 7-year retention under Canadian tax law and cannot be deleted early.
- Deletion requests for photographer account data will be processed within 30 days of account closure, subject to legal retention obligations.

15.4 How to make a request

Send your request to info@racecapture.ca. We will acknowledge promptly and respond within 30 days. We do not charge a fee to respond to routine requests.

16. Minors and Youth Events

Many events covered through the Services involve participants who are minors. RaceCapture's default gallery settings reflect that:

- **Public by default for adult events.** Galleries for events that do not primarily involve minors (for example, open-category road races, fitness events, and corporate events) are public by default, unless the event organizer specifies otherwise.
- **Password-protected by default for events involving minors.** Galleries for events that primarily involve minors (for example, school events and youth athletics) are password-protected by default, with the password controlled by the event organizer and distributed to participants and their families through the organizer.

In addition:

- for events primarily involving minors, the event organizer must confirm in writing that parental or guardian consent has been obtained for photography and for use of images through the Services;

- we do not apply selfie search or any facial-recognition retention to galleries primarily involving minors except with additional organizer-level controls and, where applicable, verifiable parental or guardian consent;
- a parent or legal guardian may request access, correction, suppression, or deletion of images of their child by contacting info@racecapture.ca; and
- the RaceCapture account flow is not directed to children under the age of majority in their jurisdiction, and we do not knowingly permit children to create accounts or to make purchases without parental involvement.

17. Prohibited Uses and Reporting of Abusive Content

The Services may not be used to capture, store, search, purchase, distribute, or facilitate access to content that:

- depicts child sexual abuse or exploitation, or otherwise sexualizes minors;
- constitutes non-consensual intimate imagery or voyeuristic content;
- is used to harass, stalk, intimidate, or dox any individual; or
- otherwise violates applicable law or the RaceCapture Terms of Service.

We apply automated content moderation as described in Section 7 and reserve the right to suspend or terminate any account, remove any content, and report suspected offences to the appropriate authorities, including the Canadian Centre for Child Protection and, where relevant, the National Center for Missing & Exploited Children. We cooperate with law enforcement in investigations involving suspected child sexual abuse material or other unlawful content.

18. Safeguards

We protect personal information with administrative, technical, and physical safeguards appropriate to its sensitivity. These include:

- encryption of data in transit (TLS) and at rest (AES-256);
- Canadian AWS infrastructure (ca-central-1) for primary data storage and processing;
- role-based access controls and a need-to-know restriction for employees and contractors;
- multi-factor authentication for administrative accounts;
- password-protected and, where appropriate, 2FA-protected galleries;
- audit logging of biometric searches and administrative actions;
- automated content moderation on all uploads (Section 7);
- written confidentiality, privacy, and security obligations imposed on sub-processors, organizers, and Community Portal photographers; and
- regular security review, vulnerability scanning, and incident response procedures.

While we implement commercially reasonable safeguards, no system is perfectly secure. We do not guarantee absolute security.

19. Cookies and Similar Technologies

We and our analytics providers use cookies, pixels, and similar technologies to operate the Website, remember your preferences, measure performance, and improve the Services. You can manage cookie preferences through your browser settings, and you may choose not to accept non-essential cookies.

Disabling non-essential cookies may affect some Website functionality. We do not use advertising cookies and we do not share cookie data with third-party ad networks.

20. Automated Decision-Making

Selfie search and event photo indexing rely on automated processing by Amazon Rekognition to decide which images are returned to you and which uploads require moderation review. These decisions do not produce legal effects concerning you, but they do determine which images you see and which images are quarantined. You may ask for human review of a specific matching or moderation result, request correction of inaccurate matches, or disable biometric processing entirely. Where the Quebec Privacy Act applies, we will provide the information required under that Act concerning the principal factors and parameters used in these automated decisions, upon request.

21. Marketing Communications and CASL

RaceCapture sends two categories of email:

- **Transactional and service emails** (such as gallery links, purchase receipts, delivery status, password resets, service notices, and legally required notifications). These are necessary to deliver the Services and are not marketing.
- **Future-event and marketing emails** (such as notices of future events from the same organizer). We send these only where you have opted in or where another CASL exception applies.

Every commercial electronic message we send will identify us, provide a valid contact, and include a working unsubscribe mechanism. You can withdraw marketing consent at any time using the unsubscribe link in any email or by contacting info@racecapture.ca. We keep consent and unsubscribe records as required by CASL.

22. Breach Notification

If a breach of security safeguards involves personal information and creates a real risk of significant harm (PIPEDA), or constitutes a confidentiality incident that presents a risk of serious injury (Quebec Privacy Act), we will:

- notify the Office of the Privacy Commissioner of Canada as required under PIPEDA;
- notify the Commission d'accès à l'information within 72 hours of confirming the incident where the Quebec Privacy Act applies;
- notify affected individuals as soon as reasonably possible following regulator notification;
- notify event organizers, Community Portal photographers, and other affected parties where required by law or contract; and
- keep records of all breaches and confidentiality incidents as required by law.

Any breach notification to individuals will clearly describe what personal information was involved, when the incident occurred and was discovered, what we have done to contain it, steps you can take to protect yourself, and how to contact us for more information.

23. Community Portal Photographers

This section applies to photographers using the RaceCapture Community Portal. As a platform user, you have specific responsibilities regarding the personal information of athletes whose images you upload and sell.

23.1 Your responsibilities

By using the Community Portal, you agree to the RaceCapture Photographer Agreement and accept the following responsibilities:

- you own or hold appropriate rights to all images you upload;
- you are responsible for ensuring event organizers have obtained appropriate consent from athletes for photography and facial recognition processing, including through event registration waivers;
- you are the data controller for athlete images you upload; RaceCapture acts as a data processor on your behalf and in accordance with the Photographer Agreement;
- you must not upload content that is explicit, illegal, or in violation of any individual's rights;
- you are solely responsible for the content you upload; RaceCapture is a passive platform host;
- you must respond to athlete takedown and data-subject requests relating to your images in a timely manner, and cooperate with RaceCapture's response to such requests; and
- violations of these obligations may result in account suspension and legal liability.

23.2 Platform liability

RaceCapture operates as a technology platform and is not a publisher, editor, or co-creator of photographer-uploaded content. RaceCapture is not liable for content uploaded by Community Portal photographers. Photographers indemnify RaceCapture against any claim, loss, or expense arising from their uploaded content, their events, or their use of the Platform. RaceCapture reserves the right to remove any content and suspend any account at its sole discretion, without notice and without refund, where content or conduct violates the Photographer Agreement, these terms, or applicable law. RaceCapture's maximum aggregate liability to any photographer is limited to the subscription fees paid by that photographer in the three months immediately preceding the event giving rise to the claim.

24. Business Transfers

If RaceCapture or substantially all of our assets are acquired, merged, reorganized, financed, or sold, or if RaceCapture becomes insolvent or bankrupt, personal information may be among the assets transferred or disclosed to counterparties, subject to appropriate confidentiality and privacy protections. Any acquiring or successor party will be required to comply with this Privacy Policy or to provide notice of any material change.

25. Governing Law

This Privacy Policy and any dispute arising out of or in connection with it are governed by the laws of the Province of Ontario and the federal laws of Canada applicable there, without regard to conflict of laws principles. This provision is subject to the mandatory privacy protections available under the laws of the province or territory in which you reside (for example, Quebec, British Columbia, or Alberta), which continue to apply where legally required.

26. Changes to This Privacy Policy

We may update this Privacy Policy from time to time to reflect changes to our practices, technology, legal requirements, or business. If we make material changes, we will notify registered users by email and will post the updated Privacy Policy on the Website. The "Last updated" date at the top indicates when this Privacy Policy was last revised. Your continued use of the Services after the effective date of the revised Privacy Policy constitutes your acceptance of the changes.

27. Privacy Contact and Complaints

For any privacy question, access request, correction, deletion, image removal request, or complaint, contact us directly. We handle requests personally and respond within 30 days.

RaceCapture Inc.

Privacy Officer: Sean Menezes

Email: info@racecapture.ca

Website: <https://racecapture.ca>

Mailing address: [to be inserted]

If you are not satisfied with our response to a complaint, you may contact the following regulators:

Office of the Privacy Commissioner of Canada (for complaints governed by PIPEDA): 30 Victoria Street, Gatineau, Quebec K1A 1H3; toll-free 1-800-282-1376; <https://www.priv.gc.ca>.

Commission d'accès à l'information du Québec (for complaints from Quebec residents): <https://www.cai.gouv.qc.ca>.

Office of the Information and Privacy Commissioner of Alberta (for complaints from Alberta residents): <https://www.oipc.ab.ca>.

Office of the Information and Privacy Commissioner for British Columbia (for complaints from British Columbia residents): <https://www.oipc.bc.ca>.

End of Privacy Policy.