

Companion document to the Carswell publication:

Managing Personal Information
Insights on Corporate Risk and Opportunity for Privacy-Savvy Leaders

by M. Thérèse Reilly, Barrister and Solicitor, BA, LLB, LLM, CIPP/C

Sample Privacy Statement Template

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Sample Privacy Statement Template¹

Protecting your privacy and the confidentiality of your personal information has always been an important aspect of our operations. The collection and use of customers' personal information is fundamental to our day-to-day business operations. [Company name], subsidiaries and affiliates, hereinafter called "us" or "we", respect your privacy. We take your privacy seriously and share your concerns about privacy and the protection of your personal information.

The purpose of this Privacy Statement ("Policy") is to inform you how we collect, use, disclose and protect your personal information.

What This Privacy Statement Covers²

This Policy applies to our collection, use and disclosure of your personal information in Canada. It applies to all subsidiaries, affiliates and owned websites and domains and the websites and domains of our wholly owned subsidiaries ("website").

¹ **This document is a sample template provided for information purposes only. It is not provided for nor should it be construed as legal advice.**

It is meant to serve as a guide to assist you with developing or formulating your own privacy statement which is to be customized to your specific business and operations taking into account the applicable privacy and data protection laws of your respective jurisdictions.

² **Customize each section and clause based on your specific business or operations. Your privacy statement must be tailored to meet your specific business and the requirements, laws and business practices of your respective jurisdiction. The clauses throughout are provided only as a sample to serve as a guide in drafting your privacy statement. This Privacy Statement and selected clauses is provided for information purposes only. Include a particular clause only if applicable to you (for example, the Safe Harbour clause)**

All our employees, board members, and contracted parties working on our behalf must comply with these policies, even if local law is less restrictive. Specific practices are tailored to meet the legal, regulatory, and cultural requirements of the countries and regions where we operate.

Accountability

We take our commitment to securing your privacy very seriously. Each employee and representative is responsible for the personal information under his or her control. Our employees are informed about the importance of privacy and receive information periodically to update them about our Policy and related practices and processes.

In addition to establishing this Policy, we have appointed a member of our Executive as our Chief Privacy Officer who is responsible for analyzing all personal information handling practices and ensuring that our privacy policy is up-to-date and in force at all times.

Safe Harbour

We participate in the EU Safe Harbour Privacy Framework as set forth by the United States Department of Commerce and have also self-certified our privacy practices as consistent with U.S.-E.U. Safe Harbour principles: Notice, Choice, Onward Transfer, Access and Accuracy, Security, Data Integrity and Enforcement. As part of our participation in the Safe Harbour Privacy Framework, we have agreed to TRUSTe dispute resolution for disputes relating to our compliance with it.

TRUSTe Certification

We were awarded TRUSTe's Privacy Seal signifying that this privacy policy and practices have been reviewed by TRUSTe for compliance with TRUSTe's program requirements including transparency, accountability and choice regarding the collection and use of personal information. TRUSTe is an independent organization whose mission is to enable individuals and organizations to establish trusting relationships based on respect for personal identity and information by promoting the use of fair information practices.

What is Personal Information?

Personal information is any piece of information, either factual or subjective, about an identifiable individual. Personal information does not include the name, title, business address, or telephone number of an employee of an organization.

The types of personal information we collect may include contact information such as your name, address, telephone number, cell number, email address; financial information such as your credit card number; and other unique information such as user IDs and passwords, billing and transaction information, product and service preferences, contact preferences, educational and employment background, and job interest data.

Collection of Personal Information

Personal information may be collected from you through a variety of means, including, as examples, websites, other ordering channels, and service or employment processes. We may also obtain personal information about covered individuals from other publicly or commercially available sources we deem credible.

Either before or when we collect information about you, we will explain how we intend to use it. We will limit the information we collect to what we need for those purposes, and we will use it only for those purposes. We will obtain your consent if we wish to use your information for any other purpose. We collect information by fair and lawful means.

We may collect information during your visit to our website via such tools as Web beacons, cookies and clickstreaming. These tools collect certain traffic information that your browser sends to a website, such as your browser type and language, access times, and the address of the website from which you arrived . They may also collect information about your Internet Protocol (IP) address, click stream behavior and product information. An IP address is a number that is automatically assigned to your computer whenever you are surfing the Web, allowing Web servers to locate and identify your computer.

Clickstreaming is a technology that allows a website operator to track the paths that surfers take as they access a website and look at the site's pages, and as they use links to other sites.

Web Beacons are small graphic images that allows a website operator to collect certain information and monitor user activity on its website. A web beacon is a very small pixel which is invisible to the user.

Web site traffic information is monitored and analyzed in order to determine which features and services are popular and useful to visitors, so that we can improve our services.

How we use your information³

The information we collect to understand your needs and interests help us deliver a consistent and personalized experience. For example, we may use your information to:

- to facilitate your registration options including emailing you your personalized membership number;
- assist you in completing a transaction or order;
- prevent and detect security threats, fraud or other malicious activity;
- communicate with you about products and services;
- provide service and support;
- update you on new services and benefits;

³ Select as appropriate

- provide personalized promotional offers;
- select content to be communicated to you;
- personalize our websites;
- measure performance of marketing initiatives, ads, and websites “powered by” another company on our behalf;
- allow you to participate in contests and surveys;
- contact you regarding our products or services;
- send you periodic newsletters and mailings you request;
- help us manage operations and risk;
- satisfy valid information requests from regulators and other organizations or individuals who are legally entitled to make such requests;
- monitor and/or record your telephone discussions with our representatives for our mutual protection; and,
- enhance customer service and to confirm our discussions with you.

How we Share Your Information

We do not provide directly all the services related to your relationship with us. We may use third party service providers to process or handle personal information on our behalf. Some of our service providers are located outside of Canada and subject to foreign legislation. Whenever we share your personal information with these trusted service providers, they work under confidentiality agreements. Suppliers and service providers are required by contract to keep confidential the information received on our behalf and may not use it for any purpose other than to carry out the services they are performing for us.

We may provide your information to other persons in situations where:

- we have your consent;
- we are required or permitted to do so by law or applicable regulators and self-regulatory organizations;
- we provide the product or service you have requested.

As we continue to develop and grow, we may buy or sell parts of our businesses. As our businesses consist primarily of our customer relationships, personal customer information and information regarding the particular account or service being purchased or sold would generally be one of the transferred business assets.

Consent

We will only collect, use or disclose your personal information with your consent, except as permitted or required by law. We may be required or permitted under statute or regulation to collect, use or disclose personal information without your consent, for example in response to a court order or subpoena, to comply with local or federal regulations, or to collect a debt owed to us.

How we obtain your consent

It is important to understand the different ways that we may obtain your consent to collect, use, disclose and share your personal information.

Consent to the collection, use and disclosure of personal information may be given in various ways depending on the situation and the sensitivity of the information.

Consent can be express (for example, orally, electronically or on a form you may sign describing the intended uses and disclosures of personal information) or implied (for example, when you provide information necessary for a service you have requested or in some circumstances where notice has been provided to you about our intentions with respect to your personal information and you have not withdrawn your consent for an identified purpose, such as by using an "opt-out" option provided).

Implied consent may be also obtained through your use of a product, or when you approach us to obtain products or services from us. Generally, by providing us with personal information, we will assume that you consent to our collection, use and disclosure of such information for the purposes identified or as described in this privacy policy, if applicable, or otherwise at the time of collection.

Consent may be given by your authorized representative (such as a legal guardian or a person having a power of attorney).

We will not make your consent a condition of obtaining a product or service, unless it is reasonably or legally required, and we will clearly indicate when this is the case.

Withdrawing Consent

You may withdraw your consent to our collection, use and disclosure of personal information at any time, subject to contractual and legal restrictions and reasonable notice. Note that if you withdraw your consent to certain uses of your personal information, we may no longer be able to provide certain of our products or services.

Children's Privacy⁴

We do not knowingly collect information from children under the age of 13 and does not target its websites to children under 13. We encourage parents and guardians to take an active role in their children's online activities and interests.

Your Choices

We give you the choice of receiving a variety of information that complements our products and services. You can subscribe to receive certain product and service specific information and also choose to receive general communications. We give you a choice regarding delivery of general communications by postal mail, email, telephone, and mobile device⁵.

Under no circumstances do we sell customer lists or other personal information to third parties for marketing purposes.

Consent to Transfer

This website is operated in Canada. If you are located in the United States of America, European Union or elsewhere outside of Canada, please be aware that any information you provide to us will be transferred to Canada. By using this site and participating in any of our services and/or providing us with your information, you consent to this transfer.

Access to and Accuracy of Your Information

We strive to keep your personal information accurately recorded. We have implemented technology, management processes and policies to help maintain data accuracy. We provide individuals with reasonable access to personal information that they provided to us and the reasonable ability to review and correct it or deletion, as applicable.

We have policies and procedures to help us maintain the accuracy of your information. For most updates, we rely on you for information. You can help by keeping us informed of any changes, such as if you move or change telephone numbers. If you find any errors in our information

⁴ Notwithstanding the foregoing, we may from time to time conduct, sponsor, co-sponsor or participate in contests and/or promotions that may be open to entrants of all ages, including children under the age of 13. During any such contest and/or promotions we will make a special effort to encourage children to consult with their parents before furnishing data and in each case parental consent must be obtained in order for any such entry or participation to be valid. We believe that parents should supervise their children's online activities and consider using parental control tools available from online services and software manufacturers that help provide a child-friendly online environment.

⁵ Provide information and opportunity to select privacy preferences.

about you, let us know and we will make the corrections immediately, and make sure they are conveyed to anyone we may have misinformed.

To protect your privacy and security, we will also take reasonable steps to verify your identity, such as requiring a password and user ID, before granting access to your data.

You can check your information to verify, update and correct it, and to have any obsolete information removed. There is no charge for verifying or correcting your information.

If you have a sensory disability, we will do our best to give you access to your personal information in any alternative format you request if we already have it in that format or if its conversion into that format is reasonable and necessary in order for you to be able to exercise your rights under applicable legislation.

If you ask, we will let you know the names of outside companies or organizations we have given information to. This may include information given to outside companies we have used to do work for us, such as mailing houses.

We Respond to Your Request Promptly

We will respond to your request for access to your personal information within 30 days of receiving your written request. If however we need to extend the time, or we have to refuse your request, we will tell you why, subject to any legal restrictions and we will notify you of the new deadline, the reasons for the extension, and your rights under applicable legislation respecting the extension.

We cannot provide information from our records which contains references to other persons, is subject to legal privilege, contains confidential information proprietary to us, relates to an investigation of a breach of agreement or contravention of laws, or cannot be disclosed for other legal reasons.

Retention

We will retain your information only for the time it is required for the purposes we describe and as permitted by applicable law.

The length of time we retain information varies depending on the product or service and the nature of the information. This period may extend beyond the end of your relationship with us but only for so long as it is necessary for us to have sufficient information to respond to any issue that may arise at a later date. When your personal information is no longer required, it is destroyed or made anonymous.

Safeguards

We protect your personal information using physical, electronic or procedural security measures appropriate to the sensitivity of the information in our custody or control, including safeguards

to protect personal information against loss or theft, as well as unauthorized access, disclosure, copying, use, or modification.

We take seriously the trust you place in us. To prevent unauthorized access or disclosure, to maintain data accuracy, and to ensure the appropriate use of the information, we utilize appropriate physical, technical and administrative procedures to safeguard the information we collect.

The personal information you provide us is stored on computer systems located in controlled facilities which have limited access. When we transmit highly confidential information (such as credit card number or password) over the internet, we protect it through the use of encryption, such as the Secure Socket Layer (SSL) protocol.

We audit our procedures and security measures regularly to ensure that they are being properly administered and that they remain effective and appropriate to the sensitivity of the information.

Access to personal information is authorized only for our employees, representatives and service providers who require access in the performance of their duties, to any person granted access by the individual through the consent process and to those otherwise authorized by law.

When providing information to service providers acting on our behalf, we will require such organizations or individuals to abide by our Privacy Policy or to have their own policy which gives generally equivalent protection. We will give them only the information necessary to perform the services for which they are engaged, and will require that they not store, analyze or use that information for purposes other than to carry out those services.

Our computer systems, including portions of our websites, are password-secured and constructed in such a way that only authorized individuals can access secure systems and databases. To safeguard against unauthorized access to your personal information via the Internet, you are required to "sign on" to certain secure areas of our websites using an individual, confidential password.

Cookies

A cookie is a small file containing certain pieces of information that a website creates when you visit the site. It can track how and when you use a site, which site you visited immediately before, and it can store that information about you.

There are two common types of cookies, "session cookies" and "persistent cookies". Session cookies store information only for the length of time that you are connected to a website - they are not written onto your hard drive. Once you leave the website, the originator of the cookie no longer has the information that was contained on it.

We use session cookies as an additional security feature for its online services. For example, when you login to any web service and are authenticated through your login ID and password, a

cookie will store the identification number of your browser. Throughout your session, the cookie acts as a type of digital signature to identify your current session to the web server.

We also use session cookies to track your visits within our site. We use that information to determine the type of information that you are looking for in our site and to improve our site. We use information about the site you visited immediately prior to our site to assess the viability of links to our site that we have created on third party sites.

The information stored in "persistent cookies" is written onto your hard drive and remains there until the expiry date of the cookie. We use persistent cookies to store non-sensitive information that you are aware of and have agreed to.

We also employ persistent cookies, in order to provide you with a more comfortable online experience. A persistent cookie is placed on your computer's hard drive to remember your language preference and ensure you are always presented with the appropriate language. All persistent cookies used by us are encrypted for additional security.

Currently, most browsers do not distinguish between session cookies and persistent cookies. For web services to operate, your browser must be set to accept cookies. If you are concerned about having your browser enabled to accept cookies while you are surfing other websites, we recommend that you enable your browser to notify you when it is receiving a cookie. This gives you the ability of accepting or rejecting any cookie presented by the web server you are visiting.

You can disable cookies using your Internet browser's settings. Please consult your browser's help function for information on how to disable cookies. Note that if you disable cookies, certain features of our website will not function properly.

Links to third party websites

Our website may provide links to third-party websites for your convenience and information. If you access those links, you will leave our website. We do not control those sites or their privacy practices, which may differ from our practices. We do not endorse or make any representations about third-party websites. The personal data you choose to provide to or that is collected by these third parties is not covered by this Privacy Statement. We encourage you to review the privacy policy of any company before submitting your personal information.

Use of Social Media Sites

We may also provide social media features on our website that enable you to share information with your social networks and to interact with us on various social media sites. Your use of these features may result in the collection or sharing of information about you, depending on the feature. We encourage you to review the privacy policies and settings on the social media sites with which you interact to make sure you understand the information that could be shared by those sites.

If you post, comment or share personal information, including photographs, to any public forum on one of our sites, social network, blog, or other such forum, please be aware that any personal information you submit can be read, viewed, collected, or used by other users of these forums, and could be used to contact you, send you unsolicited messages, or for purposes that neither you nor we have control over. We are not responsible for the personal information you choose to submit in these forums.

IP addresses and information about your computer and mobile device

Due to the communications standards on the internet, when you visit our website we automatically receive the URL of the site from which you came and the site to which you are going.. We also receive the internet protocol (“IP”) address of your computer (or the proxy server you use to access the World Wide Web), your computer operating system and type of web browser you are using, email patterns, mobile device operating system (if you are accessing our website using a mobile device), as well as the name of your ISP or your mobile carrier. We use this information to analyze overall trends to help improve the service. The linkage between your IP address and your personally identifiable information is not shared with third parties without your permission.

Changes to this Privacy Statement

We may amend this Privacy Statement from time to time. If we change our privacy statement, we will post the revised statement here, with an updated revision date. You acknowledge that we may amend this agreement from time to time to take into consideration changes in legislation or other issues that may arise. If we make any substantial changes, we will notify you by sending a notice to the primary email address specified in your account or by posting the revised policy on this website. We may also send it to you by mail.

Language

The parties have expressly requested and required that this Privacy Statement and all other related documents be drawn up in the English language. Les parties conviennent et exigent expressément que ce Politique et tous les documents qui s’y rapportent soient rédigés en anglais.

How to Reach Us

If you have comments or questions about our privacy statement, please send them to our Privacy Office or write to us.

If you have a request to change your information or concerns regarding our personal information practices and/or our Privacy Policy, please contact us [insert appropriate telephone number or address or email].