

2.4 PRIVACY POLICY

POLICY

CBV Collection Services Ltd. (“CBV”) has always been committed to respecting the privacy of the personal information of its employees, clients, members and the customers of those clients. In the course of providing our services, CBV may collect Personal Information. This Privacy Policy sets out how CBV collects, uses and discloses Personal Information and how we strive to ensure that Personal Information in our possession remains accurate and confidential.

RESPONSIBILITY

All Staff: All CBV staff are responsible for complying with the privacy principles.

POLICY DETAILS

Definitions

The following definitions from PIPEDA are used in this Privacy Policy for convenience:

“**Collection**” – the act of gathering, acquiring or obtaining personal information from any source, including from third parties, by any means.

“**Consent**” – voluntary agreement with what is being done or proposed. Consent can be either express or implied. Express consent is given explicitly, either orally or in writing. Express consent is unequivocal and does not require any inference on the part of the persons seeking the consent. Implied consent arises where consent may reasonably be inferred from the action or inaction of the individual.

“**Disclosure**” – making personal information available to other persons.

“**Personal Information**” – means information about an identifiable individual, but does not include the name, title, business address or telephone number of an employee of an organization.

“**Use**” – treatment and handling of personal information within CBV.

PRINCIPLE 1: ACCOUNTABILITY

All CBV staff are responsible for complying with the privacy principles. The Executive team at CBV has appointed a Privacy Officer. The Privacy Officer may delegate other individuals to act on their behalf.

CBV shall implement and update specific policies and practices to give effect to this privacy policy, including:

- a) evaluating and improving procedures to protect personal information;
- b) establishing procedures to receive and respond to complaints and enquiries;
- c) training staff and communicating to staff information about our policies and practices; and
- d) explaining our policies and procedures to our clients and the public.

CBV is responsible for all personal information in its possession or custody, including information that has been transferred through any third party. When we enter into a contract with a third party that involves us transferring personal information to that third party, the individual(s) responsible will ensure that a comparable level of protection is available while the personal information is being processed by the third party. This includes:

- a) providing a copy of this privacy policy to such person and receiving the written acknowledgement from such person that it will be bound by the policy;
- b) ensuring the return of all personal information to us upon completion of the contract;
- c) an agreement not to use such information for any other purpose; and
- d) the destruction of any remaining records in the possession of the third party.

PRINCIPLE 2: IDENTIFYING PURPOSES

The purposes for which personal information is collected shall be identified by CBV before or at the time the information is collected.

Members of CBV shall collect personal information only for the purposes of:

- providing debt collection services to clients, including locating individuals;
- identifying individuals and organizations interested in receiving information about our services, and other marketing purposes;
- hiring and employment purposes;
- training our employees;
- maintaining the security of client information, our premises, information and assets, and our individual employees;
- operating our website;

The specific purposes for which a member of CBV is collecting personal information shall be identified by the member at or before the time the information is collected. Only information that is necessary for the purposes that have been identified may be collected. The purposes for the collection shall be communicated to the subject individual.

PRINCIPLE 3: CONSENT

The knowledge and consent of the individual are required for the collection, use or disclosure of personal information, except as provided by law.

Consent is generally required for the collection of personal information and the subsequent use or disclosure of such information. The exceptions to such requirement are specified in the federal Personal Information Protection and Electronic Documents Act and the applicable provincial statutes. CBV shall, as a general practice, provide each employee involved in the collection of personal information with a summary of such exceptions for use as a reference.

PIPEDA and the applicable provincial statutes contain provisions allowing clients to disclose personal information for the purpose of collecting a debt owed by the individual to the client. Notwithstanding this

exception, when we are collecting a debt on behalf of a client, CBV may rely on and shall obtain and adhere to, any form of consent previously obtained by the client, subject to the exceptions provided for in the applicable legislation.

CBV will not, as a condition for the supply of services, require an individual to consent to the collection, use or disclosure of personal information beyond what is necessary for such purposes.

The adequacy of the form of consent depends upon the circumstances and the type of information that is being collected. Generally speaking, the more sensitive the information (such as health records or employment evaluations), the more explicit or manifest is the form of consent that we will require. In obtaining consent, we will take the reasonable expectations of the individual into account. We will not obtain consent through deception.

An individual may withdraw their consent at any time, subject to legal or contractual restrictions and reasonable notice. We will inform the individual of the implications or consequences of withdrawal.

PRINCIPLE 4: LIMITING COLLECTION

The collection of personal information shall be limited to that which is necessary for the purposes identified by CBV. The information shall be collected by fair and lawful means.

We will not collect personal information indiscriminately. Both the amount and the type of information collected shall be limited to that which we need to fulfill the purposes identified.

PRINCIPLE 5: LIMITING USE, DISCLOSURE AND RETENTION

Personal information shall not be used or disclosed for purposes other than those for which the information was collected, except with the consent of the individual or as permitted by law. Personal information shall be retained only as long as necessary for the fulfillment of those purposes.

Personal information that is no longer required to fulfill the identified purposes is destroyed, returned to the client that gave us the information originally, erased or made anonymous.

In keeping with the Credit Reporting Act, database and hard copy personal information are retained for a period of six years. Database files are purged and hard copy documentation is shredded at the expiration of the six year limitation, with the exception of Judgment accounts where information is retained for up to ten years.

Personal information in client files is retained for a period of one year after the relationship between the client and CBV concludes. Personal information is shredded at the end of the period.

PRINCIPLE 6: ACCURACY

Personal information shall be accurate, complete and as up-to-date as necessary for the purposes for which it is to be used.

This is particularly important where the information is being used to make some evaluation or judgment about the individual. The extent to which the personal information shall be accurate, complete and up-to-date will depend upon the use of the information, taking into account the interests of the individual.

Personal information that is used on an ongoing basis, including information that is disclosed to third parties, should generally be accurate and up-to-date.

PRINCIPLE 7: SAFEGUARDS

Personal information shall be protected by security safeguards appropriate to the sensitivity of the information.

CBV takes significant security safeguards to protect personal information against loss or theft, as well as unauthorized access, disclosure, copying, use or modification. The nature of the safeguards vary according to the sensitivity of the information.

Our methods of protection include physical measures, organizational measures and technological measures. All personal information is handled on a “need-to-know” basis and each member of CBV is responsible for the protection of the personal information used in his or her job function.

CBV regularly makes all of its members aware of the importance of maintaining the security of personal information.

Care is used in the disposal or destruction of personal information to prevent unauthorized parties from gaining access to the information.

PRINCIPLE 8: OPENNESS

CBV shall make readily available to individuals specific information about its policies and practices relating to the management of personal information.

CBV shall be open about its policies and practices with respect to the management of personal information. Individuals shall be able to acquire information about CBV’s policies and practices without unreasonable effort. This information shall be made available in a form that is generally understandable.

The information made available must include:

- a) how the individual may contact the Company’s Privacy Officer with respect to complaints or enquiries;
- b) advice that the individual can gain access to the personal information held by CBV by writing to the Company’s Privacy Officer, confirming and verifying their identity, and requesting the specified information;
- c) a description of the type of personal information held by CBV, including a general account of its use;
- d) a copy of any brochures or other information that explain CBV’s policies, standards or codes; and
- e) what personal information is generally made available to related organizations.

This information is also available on our website.

PRINCIPLE 9: INDIVIDUAL ACCESS

Upon request, an individual shall be informed of the existence, use and disclosure of his or her personal information and shall be given access to that information. An individual shall be able to challenge the accuracy and completeness of the information and have it amended as appropriate.

Before granting an individual access to their personal information, a member of CBV must consult the Privacy Officer or that person's delegate. The local Privacy Officer will receive the request from the individual and forward it to the National Privacy Officer for processing. There are restrictions on the grant of access in PIPEDA and the provincial statutes. For example, where revealing the personal information about the requesting individual will reveal information about a third party that cannot be severed from the information about the individual, the personal information cannot be disclosed. Because there are some differences between the statutes, it is important for each request to be carefully reviewed in the context of the applicable legislation.

Access may be refused in a variety of situations, including, where revealing the personal information would also reveal confidential commercial information; where revealing the information could reasonably be expected to threaten the life or security of another individual; if the information was collected during an investigation of a breach of an agreement or a contravention of the laws of Canada or a province on the expectation that the knowledge or consent of the individual would compromise the availability or accuracy of the information; or where the information was generated in the course of a formal dispute resolution process.

Upon receiving a request, we shall inform the individual whether or not we hold personal information about the individual. When disclosure of the personal information is made to the individual, we will provide an account of the use that has been made or is being made of the information and an account of the third parties to whom the information has been disclosed.

Where the request for access relates to personal information collected, used or disclosed in the course of serving a client, the client shall immediately be provided with a copy of the request.

We shall respond to an individual's request within 30 days and at minimal or no cost to the individual. We may require a reasonable payment for the information provided only if we inform the individual in advance of the approximate cost and the individual has advised us that the request is not being withdrawn.

When an individual successfully demonstrates that personal information we have is inaccurate or incomplete, we will amend the information as required. Depending upon the nature of the information challenged, amendment could involve the correction, deletion or addition of information. Where appropriate, the amended information shall be transmitted to third parties having access to the information in question.

When a challenge is not resolved to the satisfaction of the individual, the substance of the unresolved challenge shall be recorded by the member of CBV. When appropriate, the existence of the unresolved challenge should be transmitted to third parties having access to the information in question.

PRINCIPLE 10: CHALLENGING COMPLIANCE

An individual shall be able to address a challenge concerning compliance with the above privacy principles to CBV's Privacy Officer.

All Privacy complaints or inquiries can be directed to privacy@cbvcollections.com. You can send a written request via mail to:

Privacy Officer
CBV Collection Services Ltd.
#1490 – 4900 Denison Street
Markham, ON L3R 9T7

The Privacy Officer will uphold procedures to receive and respond to complaints or enquiries about CBV's policies and practices relating to the handling of personal information.

Members of CBV shall inform individuals who make enquiries or lodge complaints of the existence of the relevant complaint mechanisms of CBV. CBV shall investigate all complaints. If a complaint is found to be justified through either the internal or external compliant review process, CBV will take appropriate measures, including amending its policies and practices if necessary.

Additionally, individuals may contact the Office of the Privacy Commissioner of Canada or, where applicable, the Privacy Commissioner in their local province as listed below.

NATIONAL – CANADA

The Privacy Commissioner of Canada

30 Victoria Street
Gatineau, QC K1A 1H3

Toll-free: 1-800-282-1376

Phone: (819) 994-5444

TTY: (819) 994-6591

Toronto Office

655 Bay Street, #404
Toronto, ON M5G 2K4

BRITISH COLUMBIA

Office of the Information and Privacy Commissioner for British Columbia

PO Box 9038 Stn. Prov. Govt.
Victoria B.C. V8W 9A4

Location:

4th Floor, 947 Fort Street, Victoria BC V8V
3K3

Telephone: (250) 387-5629

MANITOBA

Manitoba's Ombudsman

750 - 500 Portage Avenue (Colony
Square)
Winnipeg, MB R3C 3X1

(204) 982-9130 (phone)

1-800-665-0531 (toll-free)

(204) 942-7803 (fax)

General office email:

ombudsman@ombudsman.mb.ca

ONTARIO

Information and Privacy Commissioner of Ontario

2 Bloor Street East, Suite 1400
Toronto, ON M4W 1A8

Toronto Area: 416-326-3333

Long distance: 1-800-387-0073

TDD/TTY: 416-325-7539

Fax: 416-325-9195

info@ipc.on.ca

QUEBEC

la Commission d'accès à l'information du Québec

Bureau 2.36, 525, boul. René-Lévesque Est
Québec (Québec) G1R 5S9

Téléphone : 418 528-7741

Télécopieur : 418 529-3102

la Commission d'accès à l'information du Québec (Montréal)

Bureau 900, 2045, rue Stanley
Montréal (Québec) H3A 2V4

Téléphone : 514 873-4196

Télécopieur : 514 844-6170

Téléphone sans frais : 1 888 528-7741

AGREEMENT

After reading this Policy, all CBV employees are required to complete and sign a Confidentiality/Non-Disclosure Agreement annually.