

Privacy Policy

This privacy statement affirms our commitment to the protection of personal information and to inform you of our practices with respect to the collection, use and disclosure of personal information.

The federal legislation, *Personal Information Protection and Electronic Documents Act* (PIPEDA), requires businesses, including law firms, to comply with the statutory requirements aimed at protecting personal information. Chislett Whitten Law recognizes the right of individuals to privacy with respect to their personal information and is committed to the principles of PIPEDA which govern the use of personal information.

Our Privacy Statement and our practices and procedures are subject to regular review to ensure continued compliance in this area.

What Is "Personal Information"?

"Personal information" means any information, about an identifiable individual.

Aggregated information about a group of individuals that does not enable identification of an individual person does not fall within the scope of "personal information". The name, title or business address or telephone number of an employee of an organization is not considered to be "personal information".

As legal professionals, we are governed by rules of professional conduct as set out by our professional association's Rules of Professional Conduct. Every lawyer has a professional obligation and duty to respect the confidentiality of client information. Our lawyers take great care in the handling of personal information.

Why Do We Collect Personal Information And How Do We Use It?

The types of personal information of clients and potential clients that Chislett Whitten Law collects and uses depends on the information and services that are being requested. Subject to applicable laws, personal information may include:

- Name, address, email address, contact details, nature of the client or potential client's legal issue, financial, credit, billing and account information, and other accompanying information relating to the request for service;
- Information pertinent to the client's legal issue, including financial information, tax information, family and property information, or other information a client may give us in order for us to act for the client;
- Information contained in communications between the client and Chislett Whitten Law, including electronic communications; and
- Information that Chislett Whitten Law may collect with the consent of the client or as permitted by law.

Chislett Whitten Law generally collects personal information for the following limited purposes:

- To determine whether Chislett Whitten Law can enter into a professional relationship with you;
- With respect to the collection and use of third party personal information, in the course and scope of representing clients and providing legal services to such clients;

- With respect to the collection and use of your personal information, to provide legal services or information to you;
- To establish and maintain client and general mailing lists;
- To communicate with you to inform you of legal developments, new services, or seminars and events put on by Chislett Whitten Law;
- To ensure your satisfaction with our services;
- For administration, billing, accounting, auditing and collection purposes in relation to you or your business and your relationship to us;
- Through our website, for the purposes of tracking (for internal marketing and security purposes) access to and usage of the Chislett Whitten Law website; and
- To fulfil our professional and legal obligations.

In addition, from time-to-time, we may contact you requesting additional personal information to assist us in maintaining our contact or mailing lists, or to provide services to you. Chislett Whitten Law shall only use your personal information as permitted by law, including with your consent as appropriate.

Chislett Whitten Law may collect information about third-party agents, vendors, suppliers, expert witnesses, who provide goods, services and information to Chislett Whitten Law. Such information would include name and contact information, information on the services provided and qualifications of third-party and information that may be required to enable Chislett Whitten Law to pay for services or goods provided.

Obtaining Consent

Chislett Whitten Law generally will obtain personal information directly from you or through its interaction with you. Personal information may also be obtained from other sources where they have information that is relevant to the matter for which you have engaged our services. Third-party sources may include a government agency, a third-party such as your real estate agent, financial institution, insurance agent, or other law firms that may have represented you.

In obtaining consent for the collection, use and disclosure of personal information, Chislett Whitten Law shall observe the following principles of PIPEDA:

- Consent may be express or implied; where information is likely to be considered sensitive, express consent should be obtained;
- Consent shall be informed consent. When collecting personal information, you will be notified of the purposes for which your personal information will be used and disclosed. If Chislett Whitten Law identifies a new purpose for information that it has already collected, your consent will be obtained for this additional use or disclosure; and
- Consent can be given by the individual or by an authorized individual.

If you choose to provide your personal information to Chislett Whitten Law, we assume that you consent to the collection, use and disclosure of your personal information as set out in this privacy statement. If you do not consent, do not provide your information or where it is appropriate identify restrictions on the use and disclosure of your information. You may withdraw your consent, subject to any contractual, legal or other limitations.

Disclosure Of Your Personal Information

Disclosure of your personal information to a third party may occur in the following circumstance:

- In order to provide services on your behalf and in accordance with your instructions; including to an expert or consultant engaged on your behalf, to another law firm or to an agent retained to act or assist us on your behalf;
- When you have instructed us to disclose your personal information to a third party for a specified purpose or where we reasonably believe that a third party requesting your information is your agent;
- To subcontractors or agents in the course of a contract for services for us, such as data processing or storage of client files;
- To provide information as required by our professional body and liability insurers;
- To establish or collect monies owing to Chislett Whitten Law, such as to a collection agency or financial institution;
- To conform to obligations imposed by law or statutes, including any order or requirement of a court, administrative agency or other government tribunal;
- As required pursuant to a criminal investigation;
- In connection with a reorganization, merger or amalgamation with another entity, provided that the information disclosed continues to be used for the purposes stated above by the entity acquiring that personal information; and
- Where you have consented or as permitted by law.

What Are Our Obligations To Maintain Your Personal Information?

Chislett Whitten Law stores and maintains personal information in conformity with the principles of the PIPEDA. These principles are as follows:

Accountability. We take responsibility for all personal information under our control. We have designated an individual to be responsible for the day-to-day care and control of personal information, in compliance with the terms of this Privacy Statement (the "Chief Privacy Officer"), whose contact information is below. We have also developed policies and procedures to protect personal information including, but not limited to:

- Developing internal procedures to receive and respond to complaints and inquiries;
- Training our staff about our policies and practices with respect to personal information; and
- Developing and distributing information to our staff and to the public outlining our policies and procedures with respect to personal information.

Identifying Purposes. We are committed to openness to you regarding our collection and use of your personal information. We have outlined the purposes for which we collect, use and disclose your personal information above. Should we need to use your personal information for any purpose other than those listed above, we will seek your consent for that specific purpose.

Consent. By providing personal information to Chislett Whitten Law, you agree and consent that we may collect, use and disclose your personal information in accordance with this Privacy Statement. Chislett Whitten Law is committed to ensuring that you are aware of why your personal information is

being collected, how your personal information is being used, and for what reason your personal information may be disclosed. To this end, we will use all reasonable efforts to provide information to you on how your personal information will be collected, used and disclosed by us.

As well, we may periodically request written confirmation from you to ensure that the personal information collected and maintained by us is up-to-date and accurate and that we have your continuing consent to the use or retention of your personal information.

As noted above, Chislett Whitten Law may use or disclose your personal information without your consent, in the limited circumstances identified.

Limiting Collection. Chislett Whitten Law restricts the collection of personal information only to that information that is necessary for the limited purposes as noted above. We are committed to openness and to collecting personal information in a fair and lawful manner.

Limiting Use, Disclosure and Retention. We do not use your personal information for purposes other than those for which it was originally collected unless we first obtain your consent to do so. We retain your personal information only for as long as it is needed and only for the fulfillment of the purposes for which it was originally collected. This may include retaining personal information for a set length of time in fulfillment of our professional or legal responsibilities.

Accuracy. Chislett Whitten Law is committed to maintaining accurate, complete and up-to-date personal information about you. If you are aware of any changes to the personal information you have given us, simply inform us of the changes and we will update our records accordingly. You may check and correct your personal information by contacting our Chief Privacy Officer at the address set out below.

Safeguards. Chislett Whitten Law has developed and implemented security mechanisms appropriate to the sensitivity of your personal information being retained by us. These security safeguards include:

- Physical security measures, such as locked cabinet storage and restricted access to areas where personal information is stored;
- Internal employee security measures, including policies regarding restricted network access, employee confidentiality agreements, and limited physical access to where personal information is stored; and
- Technological measures including the use of passwords and firewalls.

We also ensure that any of our employees who deal with your personal information are properly trained and are aware of the necessary and appropriate measures to protect personal information.

We use care in the disposal and destruction of your personal information to prevent any unauthorized parties from gaining access to your personal information.

While we take all reasonable measures to keep your personal information secure, methods of communicating personal information to Chislett Whitten Law (for example, mail, video conference, fax, telephone, faxes, email) may not be completely secure and may be susceptible to loss, misrouting and error. In communicating with you, we request the right to use a more convenient method of communication that is less secure than another method (for example, email as opposed to mail).

Openness. We are committed to making information available about our policies and practices relating to the management of personal information. We are pleased to answer any questions you may have regarding the collection and maintenance of personal information. Please contact our Chief Privacy Officer in writing or by email at the address set out below.

Individual Access. You can request access to your personal information held by us. However, we reserve the right to confirm the identity of the person seeking access to personal information before complying with any access requests. Please forward your access request to our Chief Privacy Officer at the address set out below.

Upon request, we will inform you if we have any of your personal information in our care and control, as well as providing you with details of such personal information. In responding to your request, Chislett Whitten Law reserves the right to charge you a reasonable fee.

Challenging Compliance. Our Chief Privacy Officer will receive and respond to all information requests regarding our Privacy Statement or about your personal information under our care and control. In addition, this person shall respond to any challenge concerning compliance with our Privacy Statement. If you have any questions about your personal information that is collected and maintained by us, please contact our Chief Privacy Officer.

Where you can demonstrate that an error in the accuracy or completeness of your personal information exists, we will amend your personal information appropriately. When a challenge is not resolved to your satisfaction, then we will, with your consent, destroy your personal information under our care and control. If we are unable to provide you with access to all of the personal information we hold about you, then the reasons for the denial of such access will be provided to you.

If you wish to challenge our compliance with this Privacy Statement, please do so by contacting our Chief Privacy Office at the address listed below. We will investigate all complaints received by us and respond in writing in a timely manner. If the complaint is found to be justified, then we will take appropriate measures to resolve the matter to your satisfaction.

How Do I Contact The Chief Privacy Officer?

Our Chief Privacy Officer may be contacted in writing or by email at the address listed below:

Sheri Hayward, Chief Privacy Officer
Chislett Whitten Law
1655 Topsail Road, Suite 200
Paradise, NL, A1L 1V1
Email: contact@chislettwhitten.ca