

## **PRIVACY POLICY**

HGR Graham Partners LLP (**HGRGP**) believes strongly in protecting your privacy and the confidentiality of your Personal Information. We acknowledge that you may have privacy and security concerns with respect to the information we collect, use and disclose to third parties for the purpose of allowing us to provide legal advice and offer our services to you. In order to comply with the privacy legislation, we have developed this **Privacy Policy**. Any personally identifiable information about a client or prospective client is considered Personal Information (“Personal Information”) and will be treated in accordance with this Privacy Policy.

Our duty to keep your Personal Information and any other information about you confidential stems from both the *Personal Information Protection and Electronic Documents Act* and the *Rules of Professional Conduct of the Law Society of Upper Canada*.

## **COLLECTION, USE AND DISCLOSURE OF PERSONAL INFORMATION**

HGRGP collects, uses and discloses your Personal Information (including individuals associated with you, all of whom are referred to as “you” in this Privacy Policy) for the following purposes (“Identified Purposes”):

- To establish and manage client relationships, provide legal advice, perform legal services, fulfill legal duties, and avoid conflicts of interest. This may include the sharing of Personal Information by and between HGRGP personnel for such purposes;
- To act on your behalf in the course of dealing with your matter
- To make proposals for your future needs
- To share Personal Information to and from third parties for the purpose of providing legal services. Such third parties may include opposing parties; parties in interest; opposing, foreign and other counsel and advisors; witnesses; decision-makers; and experts;
- To consider whether HGRGP should establish a commercial relationship with clients, suppliers and other third parties, including to evaluate credit worthiness, issue invoices, administer accounts, collect and process payments, and to fulfill contractual obligations;
- To understand and respond to client, supplier and other third party needs and preferences, including to contact and communicate with such parties and to conduct surveys, research and evaluations;
- To develop, enhance, market, sell or otherwise provide HGRGP products and services;
- To distribute our newsletters, seminar information and other material to individuals on our mail and email lists, including via third party mailing houses and email service providers;
- To develop and manage our knowledge-management precedent systems and databases;
- To develop and manage HGRGP’s business and operations;
- To detect and protect HGRGP and other third parties against error, negligence, breach of contract, fraud, theft and other illegal activity, and to audit compliance with HGRGP policies and contractual obligations;
- To engage in business transactions, including the purchase, sale, lease, merger, amalgamation or any other type of acquisition, disposal, securitization or financing involving HGRGP;
- As permitted by and to comply with, any legal or regulatory requirements or provisions;
- And
- For any other purpose to which you consent.

## **WHAT INFORMATION WE COLLECT**

- Information you provide on legal documents or other forms, which may include your name, home address, home email address, age, Identification Numbers (e.g. Social Insurance Number, driver’s license, pilot’s license), credit card numbers, credit records, banking information, payment records, medical and health information, employment and income information, billing and account information, information about your legal issue and other information incidental to providing legal advice and services (including Personal Information about witnesses, family members, beneficiaries, directors, officers, employees, adverse parties, investigators, experts, other professional advisors, and your business partners, investors, shareholders, competitors and customers who are individuals).

- Information we acquire from other parties for purposes related to your matters or matters that you are involved in.
- Information generated during the performance of legal services undertaken by HGRGP on your behalf.

Personal Information does not generally include what is considered business contact information: your name, title or position, business address, telephone number, facsimile number, or email address.

## **DISCLOSURE OF INFORMATION TO OTHERS**

We will not disclose any Personal Information about you to any third parties except as instructed by you, as required to perform the services HGRGP undertakes to perform on your behalf, and as otherwise permitted by law.

**Please Make Note:** If we are required by law we may have to disclose your Personal Information to third parties without obtaining your prior approval or providing you with notice thereof.

## **CONSENT**

Your knowledge of and consent to HGRGP's collection, use and disclosure of your Personal Information is critical. We rely on the following actions by you as indications of your consent to our existing and future Personal Information practices:

- Your voluntary provision of Personal Information to us directly, or through another party;
- Your express consent or acknowledgement contained within a written, verbal or electronic process;
- Your implied consent by virtue of you retaining our services.

Your consent may be given through your authorized representative such as a legal guardian, agent or holder of a power of attorney.

**By submitting personal information to HGRGP or its service providers and agents, you agree that we may collect, use and disclose such personal information in accordance with this privacy policy and as permitted or required by law.**

Subject to certain legal or contractual restrictions and reasonable notice, you may withdraw this consent at any time. HGRGP will inform you of the consequences of withdrawing your consent. **In some cases, refusing to provide certain Personal Information or withdrawing consent for HGRGP to collect, use or disclose your Personal Information could mean that we cannot provide you with the requested services or information.**

**If you wish to withdraw your consent please refer to the Questions or to Withdraw Consent section below.**

## **LIMITING COLLECTION AND RETENTION OF PERSONAL INFORMATION**

**HGRGP** will only collect, use, or disclose Personal Information that is necessary for the Identified Purposes or as permitted by law. If we require Personal Information for any other purpose, you will be notified of the new purpose, and subject to your consent, that new purpose will become an Identified Purpose. HGRGP will collect Personal Information only by fair and lawful means. We will retain Personal Information only as long as necessary for the fulfillment of the Identified Purposes.

## **SAFEGUARDS**

We have in place physical, electronic, and procedural safeguards appropriate to the sensitivity of the information we

maintain regarding clients. Safeguards will vary depending on the sensitivity, format, location, amount, distribution and storage of the Personal Information.

## **ACCURACY, ACCOUNTABILITY, OPENNESS AND CUSTOMER ACCESS**

Our knowing about changes to some of your Personal Information (e.g. your address) may be key to our representation of you. **Please keep us informed of changes to your Personal Information.**

A copy of this Privacy Policy (and any significant changes) can be obtained from our website at **www.Hgrgp.ca**. HGRGP is responsible for all Personal Information under its control and has designated a Chief Privacy Officer who is accountable to Senior Management for HGRGP's compliance with this Privacy Policy.

## **QUESTIONS, OR TO WITHDRAW CONSENT**

To secure your Personal Information, HGRGP does not provide online access to its clients to view or amend Personal Information in its database. You have the right to access your Personal Information and request rectification of any Personal Information in the file that may be obsolete, incomplete or incorrect.

If you have any questions about this Privacy Policy or want to access your Personal Information, you can obtain our Personal Information Question/Request form by writing or calling our Chief Privacy Officer at the following address or visiting the [www.Hgrgp.ca](http://www.Hgrgp.ca) website:

**Chief Privacy Officer  
HGR Graham Partners LLP  
518 Yonge Street, Midland ON L4R 2C5  
Phone: 1 705 526-2231 Fax: 705 526-0313  
Email: [Chiefprivacyofficer@Hgrgp.ca](mailto:Chiefprivacyofficer@Hgrgp.ca)**

You may also withdraw your consent to any use or disclosure of your Personal Information (which may limit or terminate the services that HGRGP provides to you) by writing or sending an email to us at the above address. We will need to validate the identity of anyone making such a request to ensure that we do not provide your information to anyone who does not have the right to such information.

Normally we will respond to access requests within 30 days.

## **CHANGES TO THIS PRIVACY POLICY**

If there is any significant change to this Privacy Policy, HGRGP will post a notice of the change on its website.

## **FILING A COMPLAINT**

Please write to us at the address above to file a privacy complaint. Should we fail to resolve a complaint to your satisfaction or within a reasonable period, you may contact the **Office of the Privacy Commissioner of Canada** during business hours at 1 **800 282 1376** or at **www.privcom.gc.ca**.