

PRIVACY POLICY

Paul Harte PC recognizes the importance of privacy and the sensitivity of personal information. As lawyers we have a professional obligation to keep confidential all information we receive within a lawyer-client relationship. We are committed to protecting any personal information we hold. This Privacy Policy outlines how we manage your personal information and safeguard your privacy.

Your Privacy Rights

As of January 1, 2004, all businesses engaged in commercial activities must comply with the *Personal Information Protection and Electronic Documents Act*, and the Canadian Standards Association Model Code for the Protection of Personal Information, which it incorporates. These obligations extend to lawyers and law firms. The Act gives you rights concerning the privacy of your personal information.

Paul Harte PC is responsible for the personal information we collect and hold. To ensure this accountability, we have developed this policy, and trained our lawyers and support staff about our policies and practices.

Personal Information We Need

Paul Harte PC provides legal services and products to a wide range of clients. In doing so, it produces direct marketing materials concerning its services and developments in the law.

If we did not collect and use your personal information we could not provide you with legal services.

Personal Information We Collect

Personal information is any information that identifies you, or by which your identity could be deduced.

HARTE

Use of Personal Information

We use your personal information to provide legal advice and services to you, to administer our client (time and billing databases) and to include you in any direct marketing activities. If you tell us that you no longer wish to receive information about our services, or about new developments in the law, we will not send any further material.

Paul Harte PC does not disclose your personal information to any third party to enable them to market their products and services. For example, we do not provide our client mailing lists to other law firms.

Collecting Personal Information

We collect information only by lawful and fair means and not in an unreasonably intrusive way. Wherever possible we collect your personal information directly from you, at the start of a retainer or in the course of our representation.

Sometimes we may obtain information about you from other sources: for example,

- your doctors
- a hospital where you received treatment
- Ontario Health Insurance Plan
- your insurance company
- your employer
- a government agency or registry
- your accountant.

Paul Harte PC does not use your Social Insurance Number as a way of identifying or organizing the information we hold upon you

Consent

In most cases, we shall ask you to specifically consent, if we collect, use, or disclose your personal information. Normally, we ask for your consent in writing, but in some circumstances, we may accept your oral consent. Sometimes, your consent may be implied through your conduct with us.

Disclosure of Personal Information

Under certain circumstances, Paul Harte PC will disclose your personal information:

- when you have consented to the disclosure;

HARTE

- when the legal services we are providing to you requires us give your information to third parties (for example the opposing party in a law suit) your consent will be implied, unless you tell us otherwise;
- when we are required or authorized by law to do so, for example if a court issues a subpoena;
- if we engage a third party to provide administrative services to us (like computer back-up services or archival file storage) and the third party is bound by our privacy policy;
- if we engage expert witnesses or consultants on your behalf;
- if we retain other law firms in other jurisdictions, on your behalf;
- where it is necessary to establish or collect fees;
- if the information is already publicly known.

Updating Information

Since we use your personal information to provide legal services to you, it is important that the information be accurate and up-to-date.

If during the course of the retainer, any of your information changes, please inform us so that we can make any necessary changes.

Protecting Personal Information

Paul Harte PC takes all reasonable precautions to ensure that your personal information is kept safe from loss, unauthorized access, modification or disclosure. Among the steps taken to protect your information are:

- building security;
- restricted file access to personal information;
- technological safeguards including security software and firewalls to prevent hacking or unauthorized computer access;
- internal password and security policies.

Access to Personal Information

You may ask for access to any personal information we hold about you.

Summary information is available on request. More detailed requests which require archive or other retrieval costs may be subject to our normal professional and disbursement fees.

Your rights to access your personal information are not absolute. If we deny your request for access to, or refuse a request to correct information, we shall explain why.

HARTE

We may deny access when:

- denial of access is required or authorized by law (for example, when a record containing personal information about you is subject to a claim of legal professional privilege by one of our clients) ;
- information relates to existing or anticipated legal proceedings against you;
- when granting you access would have an unreasonable impact on other people's privacy;
- when to do so would prejudice negotiations with you;
- where the request is frivolous or vexatious.

Correcting Errors

If Paul Harte PC holds information about you and you can establish that it is not accurate, complete and up-to-date, Paul Harte PC will take reasonable steps to correct it.

Anonymity

Whenever it is legal and practicable, we may offer the opportunity to deal with general inquiries without providing your name (for example, by accessing general information on our website). However, the *Proceeds of Crime (Money Laundering) and Terrorist Financing Act* requires us to confirm the identity of all new clients. It may also require us disclose information to FINTRAC in relation to certain large cash transactions.

Credit Bureaus

While it is rarely necessary for us to access the credit history of our clients, from time to time we may have to consult the files of consumer reporting agencies to make credit decisions about clients, prevent fraud, check the identity of new clients and prevent money-laundering.

Communicating with Us

You should be aware that e-mail is not a 100% secure medium, and you should be aware of this when contacting us to send personal or confidential information.

Changes to this Privacy Policy

Since Paul Harte PC regularly reviews all of its policies and procedures, we may change our Privacy Policy from time to time.

HARTE

Requests for Access

If you have any questions, or wish to access your personal information, please write to us at Suite 301-1595 16th Avenue, Richmond Hill, ON L4B 3N9 or call us at (905) 709-7405.

If you are not satisfied with our response, the Privacy Commissioner of Canada can be reached at

112 Kent Street,
Ottawa Ontario, K1A 1H3
1 (800) 282-1376

Employment Inquiries

If you apply to Paul Harte PC for a job, we need to consider your personal information, as part of our review process. We normally retain information from candidates after a decision has been made, unless you ask us not to retain the information. If we offer you a job, which you accept, the information will be retained in accordance with our privacy procedures for employee records.

Web Site

Our website contains links to other sites, which are not governed by this privacy policy.

On our website, like most other commercial websites, we may monitor traffic patterns, site usage and related site information in order to optimise our web service. We may provide aggregated information to third parties, but these statistics do not include any identifiable personal information.