

The Answer Company

Privacy Policy

&

Guidelines

January 2004

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Introduction

The Answer Company has long been committed to maintaining the accuracy, confidentiality, security and privacy of customer and employee personal information. This is reflected in existing privacy and confidentiality provisions found in various Answer Company policies and practices over the years. It is also reflected in the high regard and trust with which customers and employees view the management of personal information by The Answer Company. The Answer Company Privacy Policy is a formal statement of principles and guidelines concerning the minimum requirements for the protection of personal information provided by The Answer Company to our customers and employees. The objective of the Answer Company Privacy Policy is responsible and transparent practices in the management of personal information, in accordance with federal and provincial legislation.

The Answer Company Privacy Policy incorporates the provisions of Part 1 of the Personal Information Protection and Electronic Documents Act (Statutes of Canada 2000, Chapter 5) and includes the ten principles of the Canadian Standards Association (CSA) Model Policy for the Protection of Personal Information.

Consent

BY SUBMITTING PERSONAL INFORMATION TO THE ANSWER COMPANY, CUSTOMERS AND EMPLOYEES AGREE THAT WE MAY COLLECT, USE AND DISCLOSE PERSONAL INFORMATION IN ACCORDANCE WITH THE ANSWER COMPANY PRIVACY POLICY

Scope and Application

The ten principles which form the basis of the Answer Company Privacy Policy are interrelated, and The Answer Company shall adhere to the ten principles as a whole. As permitted by the Personal Information Protection and Electronic Documents Act, the detail guidelines in the Answer Company Privacy Policy have been tailored to reflect personal information issues specific to The Answer Company.

The *scope* and *application* of the Answer Company Privacy Policy are as follows:

- ✓ The Policy applies to personal information about The Answer Company's customers and employees that is collected, used, or disclosed by The Answer Company.
- ✓ The Policy applies to the management of personal information under its control.
- ✓ The Policy does not impose any limits on the collection, use or disclosure of the following information by The Answer Company:
 - a) a customer's name, address and telephone number, when listed in a public, professional or business directory or available through directory assistance;
 - b) an employee's name, title, business address or business telephone number; or
 - c) other information about the customer or employee that is publicly available and is specified by regulation pursuant to the Personal Information Protection and Electronic Documents Act.
- ✓ The Policy does not apply to information regarding The Answer Company corporate customers; however, such information is protected by other Answer Company policies and practices and through contractual arrangements.
- ✓ The *application* of the Answer Company Privacy Policy is subject to the requirements and provisions of Part 1 of the Personal Information Protection and Electronic Documents Act, the regulations enacted thereunder, and any other applicable legislation or regulations, including any applicable regulations of the Canadian Radio-television and Telecommunications Commission, or the order of any court or other lawful authority.

Definitions

agent - an authorized representative or service provider acting on behalf of The Answer Company.

The Answer Company - The Answer Company and its subsidiary and affiliated companies, as they may exist from time to time as well as employees and agents acting on behalf of The Answer Company. The Answer Company does not include resellers of The Answer Company products and services.

collection - the act of gathering, acquiring, recording, or obtaining personal information from any source, including third parties, by any means.

consent - voluntary agreement with the collection, use and disclosure of personal information for defined purposes. Consent can be either express or implied and can be provided directly by the individual, by his or her legal guardian or by a person having power of attorney for the individual. Express consent can be given orally, electronically or in writing, but is always unequivocal and does not require any inference on the part of The Answer Company. Implied consent is consent that can reasonably be inferred from an individual's action or inaction.

customer - an individual who (a) uses, or applies to use, the products or services of The Answer Company; or (b) corresponds with The Answer Company; or (c) enters a contest or other promotional activity sponsored by The Answer Company.

disclosure - making personal information available to a third party.

employee - a current or former employee or pensioner of The Answer Company.

personal information - information about an identifiable customer or an employee, but does not include aggregate information that cannot be associated with a specific individual. For a customer, such information includes a customer's credit information, billing records, service and equipment, and any recorded complaints. For an employee, such information includes information found in personal employment files, performance appraisals, and benefits information, but does not include the employee's name, title, business address (including e-mail address) or business telephone or fax numbers.

third party - an individual other than the subject customer, employee or his or her respective agent or an organization other than The Answer Company.

use - the treatment, handling, and management of personal information by and within The Answer Company.

The Answer Company Privacy Policy – Detail Guidelines

Principle 1 - Accountability

The Answer Company is responsible for personal information under its control and shall designate one or more persons who are accountable for The Answer Company's compliance with the following principles.

- 1.1 Responsibility for ensuring compliance with the provisions of The Answer Company Privacy Policy rests with the senior management of The Answer Company, which shall designate one or more persons to be accountable for compliance with the Policy. Other individuals within The Answer Company may be delegated to act on behalf of the designated person(s) or to take responsibility for the day-to-day collection and processing of personal information.

1.2 The Answer Company has designated a Chief Privacy Officer to oversee compliance with The Answer Company's Privacy Policy. The Chief Privacy Officer (CPO) is responsible for the implementation and supervision of this policy. The Chief Privacy Officer is Shawn Ostheimer and he can be contacted at sostheimer@theanswerco.com or write to:

Shawn Ostheimer
Chief Privacy Officer
The Answer Company
200-4170 Still Creek Drive
Burnaby, B.C.
V5C 6C6
Fax: 604.473-9166

- 1.3 The Answer Company is responsible for personal information in its possession or custody, including information that has been transferred to a third party for processing. The Answer Company shall use appropriate means to provide a comparable level of protection while information is being processed by a third party (see Principle 7).
- 1.4 The Answer Company has implemented policies and procedures to give effect to the Answer Company Privacy Policy, including:
- implementing procedures to protect personal information and to oversee The Answer Company's compliance with the Answer Company Privacy Policy;
 - establishing procedures to receive and respond to inquiries or complaints;
 - training and communicating to staff about The Answer Company's policies and practices; and
 - developing public information to explain The Answer Company's policies and practices.

Principle 2 - Identifying Purposes for Collection of Personal Information

The Answer Company shall identify the purposes for which personal information is collected at the time the information is collected.

- 2.1 The Answer Company collects personal information only for the following purposes:
- to establish and maintain responsible commercial relations with customers and to provide ongoing service;
 - to understand customer needs and preferences;
 - to develop, enhance, market or provide The Answer Company products and services;
 - to manage and develop The Answer Company's business and operations, including personnel and employment matters;
 - to meet legal and regulatory requirements;
 - to hire, identify and manage employees and to administer employment benefits;
 - to protect The Answer Company against error and fraud; and
 - for any other purpose to which an individual consents.

Note: For additional purposes for which The Answer Company may use or disclose personal information, please see Principle 5. Further references to "identified purposes" mean the purposes identified in this Principle and in Principle 5.

- 2.2 The Answer Company shall specify orally, electronically or in writing the identified purposes to the customer or employee at the time personal information is collected. Upon request, persons collecting personal information shall explain these identified purposes or refer the individual to a designated person within The Answer Company who shall explain the purposes.
- 2.3 Unless required by law, The Answer Company shall not use or disclose for any new purpose personal

information that has been collected without first identifying and documenting the new purpose and obtaining the consent of the customer or employee.

Principle 3 - Obtaining Consent for Collection, Use or Disclosure of Personal Information

The knowledge and consent of a customer or employee are required for the collection, use, or disclosure of personal information, except where inappropriate.

- 3.1 The Answer Company may use or disclose personal information without knowledge or consent in the case of an emergency where the life, health or security of an individual is threatened. The Answer Company may also disclose personal information without knowledge or consent to a lawyer representing The Answer Company, to collect a debt, to comply with a subpoena, warrant or other court order, or as may be otherwise required or authorized by law.
- 3.2 In obtaining consent, The Answer Company shall use reasonable efforts to ensure that a customer or employee is advised of the identified purposes for which personal information will be used or disclosed. Purposes shall be stated in a manner that can be reasonably understood by the customer or employee.
- 3.3 Generally, The Answer Company shall seek consent to use and disclose personal information at the same time it collects the information. However, The Answer Company may seek consent to use and disclose personal information after it has been collected, but before it is used or disclosed for a new purpose.
- 3.4 The Answer Company will not, as a condition of the supply of a product or service, require customers or employees to consent to the collection, use or disclosure of personal information beyond that required to fulfill the identified purposes.
- 3.5 In determining the appropriate form of consent, The Answer Company shall take into account the sensitivity of the personal information and the reasonable expectations of its customers and employees.
- 3.6 In general, unless otherwise specified by a customer or employee, i) a customer's use of The Answer Company products and services, correspondence with The Answer Company or participation in a contest or other promotional activity sponsored by The Answer Company or ii) an employee's acceptance of employment or benefits, constitutes implied consent for The Answer Company to collect, use and disclose personal information for all identified purposes.
- 3.7 A customer or employee may withdraw consent at any time, subject to legal or contractual restrictions and reasonable notice. Customers and employees may contact The Answer Company for more information regarding the implications of withdrawing consent.

Principle 4 - Limiting Collection of Personal Information

The Answer Company shall limit the collection of personal information to that which is necessary for the purposes identified by The Answer Company. The Answer Company shall collect personal information by fair and lawful means.

- 4.1 The Answer Company primarily collects personal information directly from its customers or employees.
- 4.2 The Answer Company may also collect personal information from other sources including credit bureaus, employers or personal references, or other third parties who represent that they have the right to disclose the information.

Principle 5 - Limiting Use, Disclosure, and Retention of Personal Information

The Answer Company shall *not* use or disclose personal information for purposes other than those for which it was collected, except with the consent of the individual or as required by law. The Answer Company shall retain personal information only as long as necessary for the fulfillment of those purposes.

- 5.1 In certain circumstances personal information can be collected, used or disclosed without the knowledge or consent of the individual. (See Principle 3.1)
- 5.2 In addition to the other identified purposes in Principles 2.1 and 5.3, The Answer Company may disclose a customer's personal information to:
 - a) a person who in the reasonable judgment of The Answer Company is seeking the information as an agent of the customer;
 - b) a company involved in supplying the customer with software or related services;
 - c) a company or individual retained by The Answer Company to perform functions on its behalf, such as research or data processing;
 - d) another company or individual for the development, enhancement, marketing or provision of any of The Answer Company's products or services;
 - e) an agent used by The Answer Company to evaluate the customer's creditworthiness or to collect the customer's account;
 - f) a credit reporting agency;
 - g) a public authority or agent of a public authority, if in the reasonable judgment of The Answer Company, it appears that there is imminent danger to life or property which could be avoided or minimized by disclosure of the information;
 - h) a third party or parties, where the customer consents to such disclosure or disclosure is required by law; and
 - i) a financial institution on a confidential basis and solely in connection with the assignment of its right to receive payment, the provision of security or other financing arrangements.
- 5.3 In addition to the other identified purposes in Principles 2.1 and 5.2, The Answer Company may disclose personal information about its employees:
 - a) for normal personnel and benefits administration;
 - b) in the context of providing references regarding current or former employees in response to requests from prospective employers; or
 - c) where disclosure is required by law.
- 5.4 Only The Answer Company's employees with a business need to know, or whose duties reasonably so require, are granted access to personal information about customers and employees.
- 5.5 The Answer Company shall keep personal information only as long as it remains necessary or relevant for the identified purposes or as required by law. Depending on the circumstances, where personal information has been used to make a decision about a customer or employee, The Answer Company shall retain, for a period of time that is reasonably sufficient to allow for access by the customer or employee, either the actual information or the rationale for making the decision.
- 5.6 The Answer Company shall maintain reasonable and systematic controls, schedules and practices for information and records retention and destruction which apply to personal information that is no longer necessary or relevant for the identified purposes or required by law to be retained. Such information shall be destroyed, erased or made anonymous.

Principle 6 - Accuracy of Personal Information

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

- 6.1 Personal information used by The Answer Company shall be sufficiently accurate, complete, and up-to-date to minimize the possibility that inappropriate information may be used to make a decision about a customer or employee.
- 6.2 The Answer Company shall update personal information about customers and employees as and when necessary to fulfill the identified purposes or upon notification by the individual.

Principle 7 - Security Safeguards

The Answer Company shall protect personal information by security safeguards appropriate to the sensitivity of the information.

- 7.1 The Answer Company shall use commercially reasonable efforts to protect personal information against such risks as loss or theft, unauthorized access, disclosure, copying, use, modification or destruction, through appropriate security measures. The Answer Company shall protect the information regardless of the format in which it is held.
- 7.2 The Answer Company shall protect personal information disclosed to third parties by contractual agreements stipulating the confidentiality of the information and the purposes for which it is to be used.
- 7.3 All of The Answer Company's employees and sub-contractors with access to personal information shall be required to respect the confidentiality of that information.

Principle 8 - Openness Concerning Policies and Practices

The Answer Company shall make readily available to customers and employees specific information about its policies and practices relating to the management of personal information.

- 8.1 The Answer Company shall make information about its policies and practices easy to understand, including:
 - a) the title and address of the person or persons accountable for The Answer Company's compliance with the The Answer Company Privacy Policy and to whom inquiries or complaints can be forwarded;
 - b) the means of gaining access to personal information held by The Answer Company; and
 - c) a description of the type of personal information held by The Answer Company, including a general account of its use.
- 8.2 The Answer Company shall make available information to help customers and employees exercise choices regarding the use of their personal information and the privacy-enhancing services available from The Answer Company.

Principle 9 - Customer and Employee Access to Personal Information

The Answer Company shall inform a customer or employee of the existence, use, and disclosure of his or her personal information upon written request and shall give the individual access to that information. A customer or employee shall be able to challenge the accuracy and completeness of the information and have it amended as appropriate.

- 9.1 Upon written request, The Answer Company shall afford customers and employees a reasonable opportunity to

review the personal information gathered by The Answer Company. Personal information shall be provided in understandable form within a reasonable time, and at a minimal or no cost to the individual.

- 9.2 Upon request, The Answer Company shall provide an account of the use and disclosure of personal information and, where reasonably possible, shall state the source of the information. In providing an account of disclosure, The Answer Company shall provide a list of organizations to which it may have disclosed personal information about the individual when it is not possible to provide an actual list.
- 9.3 In order to safeguard personal information, a customer or employee may be required to provide sufficient identification information to permit The Answer Company to account for the existence, use and disclosure of personal information and to authorize access to the individual's file. Any such information shall be used only for this purpose.
- 9.4 The Answer Company shall promptly correct or complete any personal information found to be inaccurate or incomplete. Any unresolved differences as to accuracy or completeness shall be noted in the individual's file. Where appropriate, The Answer Company shall transmit to third parties having access to the personal information in question any amended information or the existence of any unresolved differences.
- 9.5 Customers can obtain their personal information or seek access to their individual files by contacting a customer service representative or the Answer Company Chief Privacy Officer.
- 9.6 Employees can obtain access to their personal information or seek access to their personnel files by contacting their manager or Human Resources.

Principle 10 - Challenging Compliance

A customer or employee shall be able to address a challenge concerning compliance with the above principles to The Answer Company's Chief Privacy Officer.

- 10.1 The Answer Company shall maintain procedures for addressing and responding to all inquiries or complaints from its customers and employees about The Answer Company's handling of personal information.
- 10.2 The Answer Company shall inform its customers and employees who make inquiries or lodge complaints about the existence of these procedures as well as the availability of complaint procedures.
- 10.3 The Answer Company's Chief Privacy Officer may seek external advice where appropriate before providing a final response to individual complaints.
- 10.4 The Answer Company shall investigate all complaints concerning compliance with the Answer Company Privacy Policy. If a complaint is found to be justified, The Answer Company shall take appropriate measures to resolve the complaint including, if necessary, amending its policies and procedures. A customer or employee shall be informed of the outcome of the investigation regarding his or her complaint.