

DARRELL N. HAWRELIAK PROFESSIONAL CORPORATION

PRIVACY POLICY

All commercial business, including law firms, must comply with the **Personal Information Protection and Electronic Documents Act** (PIPEDA) and the Canadian Standards Association model code for the protection of personal information (the Act and Schedule 1 respectively). The Act is designed to protect the privacy of your personal information in addition to the solicitor and client privilege which extends to communications between you and your lawyer.

Darrell N. Hawreliak Professional Corporation is required to implement certain policies and procedures in order to ensure the protection of your rights under the Act. This privacy policy is part of that process.

Your Personal Information and Why We Obtain It

The Act defines personal information as any information about an identifiable individual.

We require your personal information in order to carry out your instructions to the best of our ability. In fact, if you did not provide us with your personal information, we would be unable to represent you.

In addition to obtaining your personal information from you directly, we may also obtain your personal information from other sources including your bank, your employer, your accountant, your doctor, a consumer reporting agency, a real estate agent or a government agency or registry.

Use and Disclosure of Your Personal Information

Our law firm uses your personal information for a number of purposes including providing you with legal advice, preparing accounts, communicating with you or others for the purpose of carrying out your instructions, protecting against fraud or error and marketing activities. We must also disclose your personal information while carrying out your instructions. For example, we may be required to disclose your personal information to other law firms, lawyers or their staff in dealing with your case. If the matter is a real estate file, we may disclose your personal information to a realtor or lender. As you can appreciate, each individual and each case is a little different and the nature of the disclosure required will depend upon the particular fact situation and the steps required to carry out your instructions.

Consent to Use

PIPEDA requires that Darrell N. Hawreliak Professional Corporation not collect any personal information about you until we have first obtained your consent. Subject to some exceptions, we must also obtain a consent to disclose your personal information.

If you are presently our client, we have either obtained your written consent to the collection, use, disclosure and retention of your personal information, or your consent to the collection, use, disclosure and retention has been implied through your contact and instructions to our firm. In other instances, your consent has been obtained from you orally during a meeting or during a telephone conversation.

In some instances, our law firm does not require your consent to the release of your personal information. Those exceptions are listed in the Act and may be summarized as follows:

- 1) if we are required to appear in Court or before a government tribunal with authority to compel production of personal information (subject to solicitor and client privilege);
- 2) information that is already available to the public; or
- 3) emergency situations, pursuant to government legislation and where otherwise required by law.

Protection of Your Personal Information

Darrell N. Hawreliak Professional Corporation has taken the following precautions to protect your personal information. Our premises are secure. We have deployed security software and firewalls to prevent unauthorized access to our computers. All unused copies or duplicates of documents containing personal information are not disposed of in the trash bins but are placed in designated containers for shredding.

We caution you that electronic mail (e-mail) is not secure and may be accessed by others who are not intended to receive the information being transmitted. Therefore, should you communicate with us by e-mail and either by implication or expressly request that we respond in kind, you should be aware of the fact that the information we forward to you may not be secure.

Openness and Accuracy

It is essential that your personal information on file with our office be accurate and up-to-date. If we are advised that information in our system is incomplete or inaccurate, we will take reasonable steps to update and correct it.

In the event you wish to obtain specific information about our policies and procedures relating to your personal information, we are required to provide you with access to our policies and procedures. However, in the event that your request becomes prohibitively expensive, contains information about other persons, is protected by solicitor/client privilege or cannot be disclosed for any other reason including proprietary reasons, we may decline to provide the information requested.

Keeping and Disposing of Your Personal Information

Because we may require your personal information in the future to respond to inquiries or claims, we keep our client files sometimes for as long as 15 years in storage. Files older than 15 years are shredded as are any other documents which we determine are of no further value. Sometimes, we return documents to you either accompanied by a covering letter or an acknowledgment signed by you that you have received the documents being returned to you.

Conclusion

Darrell N. Hawreliak Professional Corporation will review its policies and procedures concerning your personal information from time to time.

In the meantime, the Act requires that we appoint an individual to be responsible for this important function. If you have any questions or concerns or wish access to personal information, please contact:

Darrell N. Hawreliak
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12-22 Water Street South
Kitchener, ON N2G 4K4
Tel: (226) 240-0111
Fax: (226) 240-0110

Complaints with respect to the manner in which your personal information has been collected, used, stored, retained or destroyed may be made by way of written complaint addressed to the Privacy Commissioner of Canada, 112 Kent Street, Ottawa, Ontario, K1A 1H3.

We thank you for the opportunity to be of service.