

Thomson Jaspar & Associates – Privacy Policies

Policies

1.0 Principle 1 — Accountability

Thomson Jaspar & Associates is responsible for personal or corporate information under its control and has designated a Privacy Officer who is accountable for the firm's compliance with the following principles:

- 1.1 Accountability for the firm's compliance with the principles rests with the Partners of Thomson Jaspar & Associates, even though the Privacy Officer within the firm may be responsible for the day-to-day collection and processing of personal or corporate information. In addition, other individuals within Thomson Jaspar & Associates may be delegated to act on behalf of the Privacy Officer.
- 1.2 The identity of the Privacy Officer designated by Thomson Jaspar & Associates to oversee the firm's compliance with the principles will be made known upon request.
- 1.3 Thomson Jaspar & Associates is responsible for personal or corporate information in its possession or custody, including information that has been transferred to a third party for processing. Thomson Jaspar & Associates will use contractual or other means to provide a comparable level of protection while the information is being processed by a third party.
- 1.4 Thomson Jaspar & Associates will implement policies and practices to give effect to the principles, including:
 - a) implementing procedures to protect personal or corporate information;
 - b) establishing procedures to receive and respond to complaints and inquiries;
 - c) training and communicating to staff information about the firm's policies and practices; and
 - d) regular review of the firm's policies and procedures to ensure compliance with the Privacy Act.

2.0 Principle 2 — Identifying Purposes

Thomson Jaspar & Associates, at or before the time the information is collected, will identify the purposes for which personal or corporate information is collected.

Thomson Jaspar & Associates – Privacy Policies

- 2.1 Thomson Jaspar & Associates will document the purposes for which personal or corporate information is collected before the information is collected.
- 2.2 Thomson Jaspar & Associates will make a reasonable effort to identify the purposes for which personal or corporate information is collected at or before the time of collection.
- 2.3 The identified purposes should be specified at or before the time of collection to the client from whom the personal or corporate information is collected. Depending upon the way in which the information is collected, this can be done orally or in writing.
- 2.4 When personal or corporate information that has been collected is to be used for a purpose not previously identified, the new purpose will be identified prior to use. Unless law requires the new purpose, consent of the client is required before information can be used for that purpose.
- 2.5 Persons collecting personal or corporate information should be able to explain to clients the purposes for which the information is being collected.

3.0 Principle 3 — Consent

The knowledge and consent of the client are required for the collection, use, or disclosure of personal or corporate information, except where deemed inappropriate.

Note: In certain circumstances personal or corporate information can be collected, used, or disclosed without the knowledge and consent of the client. For example:

- legal, medical, or security reasons may make it impossible or impractical to seek consent.
 - When information is being collected for the detection and prevention of fraud or for law enforcement, seeking the consent of the client might defeat the purpose of collecting the information.
 - Seeking consent may be impossible or inappropriate when the client is a minor, seriously ill, or mentally incapacitated.
- 3.1 Consent is required for the collection of personal or corporate information and the subsequent use or disclosure of this information. Typically, Thomson Jaspar & Associates will seek consent for the use or disclosure of the information at the time of collection. In certain circumstances, consent with respect to use or disclosure may be sought after the information has been collected but before use (for

Thomson Jaspar & Associates – Privacy Policies

example, when the firm wants to use information for a purpose not previously identified).

- 3.2 The principle requires “knowledge and consent”. Thomson Jaspar & Associates will make a reasonable effort to ensure that the client is advised of the purposes for which the information will be used. To make the consent meaningful, the purposes must be stated in such a manner that the client can reasonably understand how the information will be used or disclosed.
- 3.3 Thomson Jaspar & Associates will not, as a condition of the supply of a product or service, require an client to consent to the collection, use, or disclosure of information beyond that required to fulfill the explicitly specified, and legitimate purposes.
- 3.4 The form of the consent sought by Thomson Jaspar & Associates may vary, depending upon the circumstances and the type of information. In determining the form of consent to use, Thomson Jaspar & Associates will take into account the sensitivity of the information. Although some information (for example, medical records and financial records) is almost always considered to be sensitive, any information can be sensitive, depending on the context.
- 3.5 In obtaining consent, the reasonable expectations of the client are also relevant. In this case, Thomson Jaspar & Associates can assume that the client’s request constitutes consent for specific purposes. On the other hand, an client would not reasonably expect that personal or corporate information given to a Third Party company selling other products, unless consent were obtained. Consent will not be obtained through deception.
- 3.6 The way in which Thomson Jaspar & Associates seeks consent may vary, depending on the circumstances and the type of information collected. Thomson Jaspar & Associates will generally seek express consent when the information is likely to be considered sensitive. Implied consent would generally be appropriate when the information is less sensitive. An authorized representative such as a legal guardian or a person having power of attorney can also give consent.
- 3.7 Clients can give consent in many ways. For example:
 - a) in writing, by engagement letter;
 - b) a check off box may be used to allow clients to request that their names and addresses not be used for other purposes;

Thomson Jaspar & Associates – Privacy Policies

- c) consent may be given orally when information is collected over the telephone; or
- d) consent may be given at the time that clients agree to use a product or service.

3.8 A client may withdraw consent at any time, subject to legal or contractual restrictions and reasonable notice. The firm will inform the client of the implications of such withdrawal.

4.0 Principle 4 — Limiting

The collection of personal or corporate information will be limited to that which is necessary for the purposes identified by Thomson Jaspar & Associates. Information will be collected by fair and lawful means.

4.1 Thomson Jaspar & Associates will not collect personal or corporate information indiscriminately. Both the amount and the type of information collected will be limited to that which is necessary to fulfill the purposes identified. Thomson Jaspar & Associates will specify the type of information collected as part of their information-handling policies and practices.

4.2 The requirement that personal or corporate information be collected by fair and lawful means is intended to prevent Thomson Jaspar & Associates from collecting information by misleading or deceiving clients about the purpose for which information is being collected. This requirement implies that consent with respect to collection must not be obtained through deception.

5.0 Principle 5 — Limiting Use, Disclosure, and Retention

Personal or corporate information will not be used or disclosed for purposes other than those for which it was collected, except with the consent of the client or as required by law. Personal or corporate information will be retained only as long as necessary for the fulfillment of those purposes.

5.1 When Thomson Jaspar & Associates use personal or corporate information for a new purpose, this new purpose will be documented.

5.2 Thomson Jaspar & Associates has developed guidelines and implemented procedures with respect to the retention of personal or corporate information. These guidelines include minimum and maximum retention periods. Personal or corporate information that has been used to make a decision about a client will be retained long enough to allow the client access to the information after the decision

Thomson Jaspar & Associates – Privacy Policies

has been made. Thomson Jaspar & Associates may be subject to legislative requirements with respect to retention periods.

5.3 Personal or corporate information that is no longer required to fulfill the identified purposes should be destroyed, erased, or made anonymous. Thomson Jaspar & Associates has developed guidelines and implemented procedures to govern the destruction of personal or corporate information.

6.0 Principle 6 — Accuracy

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

6.1 The extent to which personal or corporate information will be accurate, complete, and up-to-date will depend upon the use of the information, taking into account the interests of the client. Information will be sufficiently accurate, complete, and up-to-date to minimize the possibility that inappropriate information may be used to make a decision about the client.

6.2 Thomson Jaspar & Associates will not routinely update personal or corporate information, unless such a process is necessary to fulfill the purposes for which the information was collected.

6.3 Personal or corporate information that is used on an ongoing basis, including information that is disclosed to third parties, should generally be accurate and up-to-date, unless limits to the requirement for accuracy are clearly set out.

7.0 Principle 7 — Safeguards

Security safeguards appropriate to the sensitivity of the information will protect personal or corporate information.

7.1 The security safeguards will protect personal or corporate information against loss or theft, as well as unauthorized access, disclosure, copying, use, or modification. Thomson Jaspar & Associates will protect personal or corporate information regardless of the format in which it is held.

7.2 The nature of the safeguards will vary depending on the sensitivity of the information that has been collected, the amount, distribution, and format of the information, and the method of storage. A higher level of protection should safeguard more sensitive information.

Thomson Jaspar & Associates – Privacy Policies

- 7.3 The methods of protection include
- a) physical measures, for example restricted access to the office;
 - b) firm measures, for example, security clearances and limiting access on a “need-to-know” basis; and
 - c) technological measures, for example, the use of passwords and encryption.
- 7.4 Thomson Jaspar & Associates will make their employees aware of the importance of maintaining the confidentiality of personal or corporate information on a regular basis.
- 7.5 Care will be used in the disposal or destruction of personal or corporate information, to prevent unauthorized parties from gaining access to the information.

8.0 Principle 8 — Openness

Thomson Jaspar & Associates will make readily available to clients specific information about its policies and practices relating to the management of personal or corporate information.

- 8.1 Thomson Jaspar & Associates will be open about their policies and practices with respect to the management of personal or corporate information. Clients will be able to acquire information about the firm’s policies and practices without unreasonable effort. This information will be made available in a form that is generally understandable.
- 8.2 The information made available will include
- a) the name or title, and the address, of the person who is accountable for the firm’s policies and practices and to whom complaints or inquiries can be forwarded;
 - b) the means of gaining access to personal or corporate information held by the firm;
 - c) a description of the type of personal or corporate information held by the firm, including a general account of its use; and
 - d) a copy of any brochures or other information that explain the firm’s policies, standards, or codes.
- 8.3 Thomson Jaspar & Associates may make information on its policies and practices available in a variety of ways. The method chosen depends on the nature of its business and other considerations. For example, the firm may choose to make brochures available in its place of business, mail information to its customers, provide online access, or establish a toll-free telephone number.

Thomson Jaspar & Associates – Privacy Policies

9.0 Principle 9 — Client Access

Upon request, an client will be informed of the existence, use, and disclosure of his or her personal or corporate information and will be given access to that information. A client will be able to challenge the accuracy and completeness of the information and have it amended as appropriate.

Note: In certain situations, Thomson Jaspar & Associates may not be able to provide access to all the personal or corporate information it holds about a client. Exceptions to the access requirement should be limited and specific. The reasons for denying access should be provided to the client upon request. Exceptions may include information that is prohibitively costly to provide, information that contains references to other clients, information that cannot be disclosed for legal, security, or commercial proprietary reasons, and information that is subject to solicitor-client or litigation privilege.

- 9.1 Upon request, Thomson Jaspar & Associates will inform a client whether or not the firm holds personal or corporate information about the client. The firm is encouraged to indicate the source of this information and will allow the client access to this information. In addition, the firm will provide an account of the use that has been made or is being made of this information and an account of the third parties to which it has been disclosed.
- 9.2 A client may be required to provide sufficient information to permit Thomson Jaspar & Associates to provide an account of the existence, use, and disclosure of personal or corporate information. The information provided will only be used for this purpose.
- 9.3 In providing an account of third parties to which it has disclosed personal or corporate information about a client, Thomson Jaspar & Associates should attempt to be as specific as possible. When it is not possible to provide a list of the organizations to which it has actually disclosed information about a client, the firm will provide a list of organizations to which it may have disclosed information about the client.
- 9.4 Thomson Jaspar & Associates will respond to a client's request within a reasonable time and at minimal or no cost to the client. The requested information will be provided or made available in a form that is generally understandable. For example, if Thomson Jaspar & Associates uses abbreviations or codes to record information, an explanation will be provided.

Thomson Jaspar & Associates – Privacy Policies

9.5 When a client successfully demonstrates the inaccuracy or incompleteness of personal or corporate information, Thomson Jaspar & Associates will amend the information as required. Depending upon the nature of the information challenged, amendment involves the correction, deletion, or addition of information. Where appropriate, the amended information will be transmitted to third parties having access to the information in question.

9.6 When a challenge is not resolved to the satisfaction of the client, Thomson Jaspar & Associates will record the substance of the unresolved challenge. When appropriate, the existence of the unresolved challenge will be transmitted to third parties having access to the information in question.

10.0 Principle 10 — Challenging Compliance

A client will be able to address a challenge concerning compliance with the above principles to the Privacy Officer accountable for the firm's compliance.

10.1 Thomson Jaspar & Associates will put procedures in place to receive and respond to complaints or inquiries about their policies and practices relating to the handling of personal or corporate information. The complaint procedures should be easily accessible and simple to use.

10.2 Thomson Jaspar & Associates will inform clients who make inquiries or lodge complaints of the existence of relevant complaint procedures. A range of these procedures may exist. For example, some regulatory bodies accept complaints about the personal-information handling practices of the companies they regulate.

10.3 Thomson Jaspar & Associates will investigate all complaints. If a complaint is justified, Thomson Jaspar & Associates will take appropriate measures, including, if necessary, amending its policies and practices.