

PRIVACY POLICY

Policy

Stewart McKelvey (the firm) recognizes the importance of an individual's right to privacy. We are committed to collecting, using and disclosing personal information in a responsible manner in accordance with law. The firm also recognizes the important principles for the protection of personal information in respect of commercial activity, as set out in the *Personal Information Protection and Electronic Documents Act* ("PIPEDA").

Our obligations as legal professionals are also governed, in part, by the Rules of Professional Conduct that govern each of our professionals as members of law societies. 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.

What constitutes personal information?

Personal information is any information about an identifiable individual, but does not include the name, title, business address or telephone number of an employee of an organization.

Collection of personal information

The firm collects personal information primarily about our clients, so we can provide the legal services that they require. While such information is usually collected directly from our clients, it may also be collected from other sources such as insurance companies, real estate agents, governmental agencies, accountants or other consultants retained to assist with a client's legal matters. We may also collect, in certain specific circumstances, personal information about members of the general public, for the uses described in this policy.

To help us make credit decisions about clients, prevent fraud, check the identity of new clients and prevent money-laundering, we may on occasion, request information about clients from the files of consumer reporting agencies.

The firm collects personal information only as permitted by law, including with the consent of individuals as appropriate.

Use of personal information

Personal information about our clients is generally used to:

- Provide services to them in accordance with their instructions;
- Bill them for services rendered; and
- Provide them with information about legal developments and special events.

Personal information about members of the general public is generally used to:

- Gather and review information that is relevant to a legal issue affecting one or more of our clients; and
- Provide them with information about legal developments and special events.

The firm shall only use personal information as permitted by law, including with the consent of individuals as appropriate.

Disclosure of personal information

The firm shall generally only disclose personal information to a third party:

- In accordance with client instructions and to provide services on our clients' behalf;
- As required by our professional governing bodies and liability insurers;
- For the purpose of collecting fees owed to the firm; and
- If we engage a third party to provide administrative services for our benefit, in which case the firm shall use contractual or other means to protect the personal information that is being provided to the third party.

The firm shall disclose personal information only as permitted by law, including with the consent of individuals as appropriate.

Consent and exceptions to obtaining consent

The firm recognizes the importance of obtaining consent where required by law for collection, use and disclosure of personal information. For the purpose of obtaining an individual's consent, the firm shall consider the following principles and exceptions, as permitted by PIPEDA:

- Consent may be express or implied, depending on the circumstances; express consent should generally be obtained when information is likely to be considered sensitive;
- In order for consent to be meaningful, the individual shall be notified of the purposes for which the personal information will be used or disclosed at or before the time of collection; when personal information that has already been collected is to be used for

a new purpose, the additional consent of the individual to use or disclosure for that new purpose shall be obtained if required by law;

- Consent can be given by an authorized representative, such as a legal guardian or a person having power of attorney;

subject to contractual, legal and other limitations, consent may be withdrawn by an individual at any time; and

- Exceptions to the requirement of obtaining consent apply in certain circumstances, and employees of the firm shall consult with a partner or the firm's privacy officer if there is any uncertainty about whether such exceptions apply. Exceptions to obtaining consent may apply in the following circumstances:

- When collection or use is clearly in the interest of an individual and consent cannot be obtained in a timely way;
- In emergencies;

Where consent would compromise investigating a breach of contract or law;

- Consent may not be required for certain publicly available personal information, as specified by regulation, including name, address, and telephone number in publicly available telephone directories;
- To collect a debt;
- To comply with rules of court relating to the production of information; and
- In other circumstances where permitted or required by law.

Safeguards for personal information

The firm shall take appropriate physical, organizational and technological measures in order to safeguard all personal information under our control. The nature of the security measures we employ will vary depending on the amount, distribution, format, method of storage and, above all else, the sensitivity of the information that has been collected. Any personal information that we collect shall be retained as long as is necessary to fulfill the purpose for which the information was collected, and as required to satisfy any potential legal obligations that the firm may have in respect of the information.

Rights of the individual

Subject to lawyer-client privilege and other legal obligations and restrictions, an individual whose personal information is under our control shall, upon request, be informed of the existence, use and disclosure of his or her personal information and shall be given access to that information. He or she shall be able to challenge the accuracy and completeness of the information and have it amended as reasonably required. Furthermore, the firm shall make available to such individuals a copy of this policy and any other information relating to our management of personal information that we deem appropriate for distribution.

Contact Us

Individuals who wish to file a complaint, make an inquiry regarding or obtain access to their personal information, may contact general counsel:

Art Barry, Q.C.

Suite 900
Purdy's Wharf Tower One
1959 Upper Water Street
Halifax, NS, Canada
B3J 3N2

Direct Dial: 902.420.3364
Direct Fax: 902.420.1417
Email: abarry@stewartmckelvey.com

Website

Personal information may also be collected by the firm on or through our website (www.stewartmckelvey.com). Our privacy policy governing the use of our website can be found on our website's home page.

Changes to this privacy policy

Since the firm regularly reviews its policies and procedures, this privacy policy may be changed from time to time.

Stewart McKelvey is Atlantic Canada's first and largest regional law firm. With a distinguished heritage and premier talent, we have established an international reputation for generating results. With more than 220 lawyers and 350 staff in our six Atlantic locations, Stewart McKelvey has a single objective: the best outcome for our clients.