

## Privacy Policy

The Law Office of Bédard Business Law 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 and 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

Since 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, including the Law Office of Bédard Business Law. The *Act* gives you rights concerning the privacy of your personal information.

The Law Office of Bédard Business Law is responsible for the personal information it collects and holds. To ensure this accountability, we have developed this policy, and trained our lawyers and support staff about our policies and practices.

### Why Does the Law Office of Bédard Business Law Need Personal Information?

The Law Office of Bédard Business Law provides legal services and products to a wide range of clients. In doing so, it may produce direct marketing materials concerning its services and developments in the law. The personal information provided to us, will also assist the Law Office of Bédard Business Law in providing you legal services and products for which you retained us. If we did not collect and use your personal information we could not provide you with legal services.

### What personal information do we collect?

Personal information is any information that identifies you or can possibly allow someone to deduce your identity.

## **How do we collect your 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 and in the course of our representation.

Sometimes we may obtain information about you from other sources. For example:

- your insurance company;
- your real estate agent in a property transaction;
- a government agency or registry;
- your employer, if we are acting for you, at its request;
- your accountant.

### **Consent**

In most cases, we will 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 such as by retaining us to provide legal services.

### **Use of Your 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 no longer wish to receive information about our services or about new developments in the law you simply have to let us know and we will not send any further material.

The Law Office of Bédard Business Law does not disclose your personal information to any third parties to enable them to market their products and services. For example, we do not provide our client mailing lists to other law firms.

### **Disclosure of your Personal Information**

Under certain circumstances, the Law Office of Bédard Business Law will disclose your personal information:

- when we are required or authorized by law to do so, for example if a court issues a subpoena;
- when you have consented to the disclosure;
- when the legal services we are providing you require us give your information to third parties (for example a lender in a real estate mortgage transaction) your consent will be implied, unless you tell us otherwise;
- where it is necessary to establish or collect fees;
- 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 on your behalf;
- if we retain other law firms in Ontario or in other jurisdictions, on your behalf;
- if the information is already publicly known.

### **Updating Your 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.

### **Is My Personal Information Secure?**

The Law Office of Bédard Business Law 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:

- premises security;
- restricted file access to personal information;
- deployment of technological safeguards like security software and firewalls to prevent hacking or unauthorized computer access;
- internal password and security policies.

### **Access to Your 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.

### **Correcting Errors**

If the Law Office of Bédard Business Law holds information about you and you can establish that it is not accurate, complete and up-to-date, we will take reasonable steps to correct it.

### **Can I be Denied Access to My Personal Information?**

Your rights to access your personal information are not absolute.

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);
- when 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;
- to protect our firm's rights and property;
- when the request is frivolous or vexatious.

If we deny your request for access, or refuse a request to correct information, we shall provide you with an explanation.

The Law Office of Bédard Business Law does not use your Social Insurance Number as a way of identifying or organizing the information we hold about you.

### **Can I request anonymity?**

Whenever it is legal and practicable, we may offer the opportunity to deal with general inquiries without providing your name. 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**

From time to time, we may request information about you from consumer reporting agencies to help us make credit decisions about clients, prevent fraud, check your identity if you are a new client and prevent money-laundering.

### **Communicating with Us**

**E-mail is not a 100% secure medium. Be aware of this when sending personal or confidential information.**

### **Changes to this Privacy Policy**

Since we regularly review all of our policies and procedures, we may change our Privacy Policy from time to time.

### **Requests for Access**

If you have any questions, or wish to access your personal information, please write to:

Jean Bédard, Q.C.  
Bédard, Barrister & Solicitor, Business Law  
159 Wellington Street, Suite # 2  
P.O. Box 695  
Kingston, Ontario  
K7L 4X1

Phone: (613) 542-3552  
Fax: (613) 887-2778  
[jb@bedardlegal.com](mailto:jb@bedardlegal.com)

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

112 Kent Street,  
Place de Ville  
Tower B, 3<sup>rd</sup> Floor  
Ottawa Ontario, K1A 1H3

1.800.282.1376.

### **Employment Inquiries**

If you apply to the Law Office of Bédard Business Law for a position, 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 Web site like most other commercial Web sites will contain links to other sites, which are not governed by this privacy policy.

On our Web site, like most other commercial Web sites, 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.