

## Privacy Policy

February 2008

Pallett Valo LLP is committed to maintaining the confidentiality of personal information that has been provided to us by our clients and others. This Privacy Policy has been prepared to confirm such commitment and to assist you in understanding the type of Personal Information that we may collect from you and from others, how we may use that Personal Information, to whom we may disclose it, and how we safeguard that Personal Information and your privacy. We are committed to collecting, using and disclosing Personal Information in a responsible manner, and only to the extent necessary for the services we provide. Our confidentiality obligations as a law firm are governed by the Rules of Professional Conduct as set out by the Law Society of Upper Canada. In addition, this Privacy Policy has been developed to comply with the Personal Information Protection and Electronic Documents Act (“PIPEDA”).

### Collection, Use and Disclosure Of Personal Information

Personal Information means information about an identifiable individual. Personal Information would include such things as a person’s home address and telephone number, e-mail address, age, gender, race, height and weight, information about the person’s health, political views, income and activities. Personal Information does not include certain business information, specifically, a person’s title at work, business address and business telephone number.

Pallett Valo LLP collects, uses and discloses Personal Information as required to provide our clients with legal advice and to otherwise assist them with their legal issues. If we wish to collect Personal Information from you, we will inform you before gathering the information, and will explain to you how we intend to use the information. The Personal Information that we typically collect includes contact information (addresses, telephone numbers, facsimile numbers and e-mail addresses) in order to reach you to discuss your legal issues and to send you our accounts for services rendered, as well as information relating to your particular legal issues. We may collect this information directly from you or from third parties (such as search houses or persons whose evidence, opinions or perceptions we need to provide our advice or services to you).

In certain circumstances, PIPEDA provides that we may disclose your Personal Information without your consent. Such circumstances include: where required by law or by order of a court or tribunal; where the information is used for the purpose of collecting a debt owed to Pallett Valo LLP; where the Personal Information is requested by a government institution to enforce any law; where we believe that the Personal Information relates to a breach of an agreement or a contravention of the laws of Canada or a Province that has been, is being or is about to be committed; and in the case of an emergency that threatens the life, health or security of an individual. In such circumstances, we will not disclose more information than is reasonably necessary.

We will not sell, trade or exchange any Personal Information that we collect. We may collect e-mail and mailing addresses in order to distribute publications prepared by Pallett Valo LLP and notifications of upcoming seminars or events that we believe may be of interest to you.

### Security Of Your Information

Pallett Valo LLP takes all reasonable precautions to safeguard your Personal Information, whether the information is kept electronically or otherwise. This involves ensuring that the only persons who view your Personal Information are those who reasonably have the need to do so, and that where

necessary and appropriate, sensitive Personal Information may be locked in filing cabinets or in offices. All of our firm members are trained to collect, use and disclose Personal Information only as necessary to serve our clients' needs and in accordance with this Privacy Policy. Electronically, all of our computers and our computer network may only be accessed with passwords which are updated regularly.

Pallett Valo LLP may use other agents, contractors or companies to perform services on its behalf (eg. file storage companies, credit card companies, its accountants, couriers, process servers, conveyancers and search houses) and such parties may have limited access to certain Personal Information that we have collected. Occasionally, certain other parties such as Pallett Valo LLP's landlord, cleaners and security personnel and temporary workers may have access to Pallett Valo LLP's premises and may have limited access to certain Personal Information that we have collected. In each case, Pallett Valo LLP restricts the third party's access to Personal Information as much as is reasonably possible. Pallett Valo LLP is taking steps to ensure that all third parties that it deals with operate in accordance with privacy policies similar to this one.

### **Accessing Your Personal Information**

With very limited exceptions as set forth in PIPEDA, you are always entitled to access the Personal Information that we have collected from you. We reserve our right to charge you a nominal fee to provide you with such access. If we cannot provide you with access to your Personal Information, we will advise you within 30 days that we are unable to do so, and will tell you, if possible, why we cannot provide you with such access.

If you believe that any factual information contained in your Personal Information (as opposed to our professional opinion as to a matter) is incorrect, please advise us so that we can update our records. We may ask you to provide evidence that our files are incorrect. If we do not agree that the Personal Information is incorrect, we will include in our file a note from you that you believe the Personal Information to be incorrect and we will forward such note with the Personal Information if it is sent to third parties.

### **Use Of Our Website**

You can visit most pages on our website without giving us any Personal Information about yourself. However, sometimes we do need Personal Information to provide services that you request. Pallett Valo LLP only collects Personal Information that you submit voluntarily, such as when you provide your address or other contact information that you choose to provide. Such Personal Information may be collected in the course of registration for a seminar or for the purpose of adding your name and contact information to our mailing list in order to provide you with publications and notifications of upcoming seminars or events that we believe may be of interest to you. By providing us with such information, you consent to our collection and use of your Personal Information for such purposes. We will remove you from our mailing list upon receiving your request in writing for us to do so.

Due to the nature of the internet, however, no data transmission over the internet is fully secure. Please be aware of this before you send us any information through this website as Pallett Valo LLP cannot guarantee that any information that you transmit to us will not be intercepted and/or misused by third parties.

## Links

Our website may from time to time contain links to other websites that may collect your Personal Information. Pallett Valo LLP does not assume any responsibility for their privacy practices or policies, and cannot be held liable for the actions of those third parties. You should review the privacy policies of such parties before providing them with any Personal Information.

## Retention of Information

We are required to maintain certain Personal Information for a period of time for various reasons, including in order to be able to answer your questions relating to the services that we provided to you and to meet the requirements of the Law Society of Upper Canada and our insurers. All Personal Information will be disposed of when appropriate, and in a manner that is secured and which respects your privacy. When we dispose of client information, including Personal Information, our paper files are shredded and information kept electronically is deleted from our computers and computer network. When we dispose of old computer equipment, we ensure that all information, including Personal Information, is “wiped clean” from such equipment before it is disposed of.

## Questions and Concerns

If you wish to make a formal complaint about our privacy practices, please forward your complaint in writing to our Privacy Officer. He will acknowledge receipt of your complaint and ensure that the matter is investigated promptly. He will also provide you with a written notice outlining the decision reached by Pallett Valo LLP after investigating your complaint, the reasons for such decision and any steps taken or that will be taken by Pallett Valo LLP in connection with your complaint.

If you are unhappy with the decisions reached by Pallett Valo LLP, or have a general inquiry about privacy legislation, the Information and Privacy

Commissioner of Canada oversees the administration of the privacy legislation in the private sector. The Commissioner also acts as a kind of ombudsman for disputes relating to the privacy legislation. You can contact the Information and Privacy Commissioner at:

112 Kent Street  
Ottawa, Ontario  
K1A 1H3

Tel: 1.800.282.1376  
Fax: 613.947.6850  
Email: [info@privcom.gc.ca](mailto:info@privcom.gc.ca)

**[www.privcom.gc.ca](http://www.privcom.gc.ca)**

Pallett Valo LLP reserves the right to amend this Privacy Policy at any time and from time to time and we encourage you to refer back to this Privacy Policy regularly. Any amendment to this Privacy Policy will apply to the Personal Information collected, used or disclosed from and after the date of such amendment.

If you have any questions or concerns with respect to our privacy practices, please do not hesitate to call our Privacy Officer, Brian Reiss, at:

### **Pallett Valo LLP**

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**Email: [breiss@pallettvalo.com](mailto:breiss@pallettvalo.com)**

He will endeavour to answer your questions or concerns as quickly and completely as possible.

### **Pallett Valo LLP Privacy Law Group**

Privacy is a serious matter. Our privacy group can assist your business by conducting a privacy audit to determine what personal information exists within your business, how it is collected, for what purpose, who has access to it, how it is used, how it is kept confidential, to whom it is disclosed and how it is disposed of. We can also assist in the creation of a privacy policy which complies with PIPEDA and in the development of internal and external policies and procedures to deal with personal information, and in training your staff to comply with such privacy practices.

### **Contact Members of the Privacy Law Group at Pallett Valo LLP**

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This article provides information of a general nature only and should not be relied upon as professional advice in any particular context. For more information about privacy policy, contact a member of our **Privacy Law Group** at **905.273.3300**.

If you would like additional copies of the bulletin, or know of anyone who would be interested in joining our mailing list, please contact Marketing Coordinator at **marketing@pallettvalo.com**.

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