

KSK BUSINESS SERVICES PROFESSIONAL CORPORATION'S PRIVACY CODE

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Introduction

At KSK Business Services Professional Corporation, respecting privacy is an important part of my commitment to my clients and employees, which is why I have an established privacy code. KSK Business Services Professional Corporation's Privacy Code is a statement of principles and guidelines regarding the minimum requirements for the protection of personal information provided by KSK Business Services Professional Corporation to my clients and employees. The objective of my privacy code is to promote responsible and transparent personal information management practices in a manner consistent with the provisions of the *Personal Information Protection and Electronic Documents Act* (Canada) (PIPEDA).

KSK Business Services Professional Corporation will continue to review my privacy code to make sure it is relevant and remains current with changing industry standards, technologies, and laws.

Summary of Principles

Principle 1 — Accountability

KSK Business Services Professional Corporation is responsible for the personal information under my control and shall designate one or more persons who are accountable for KSK Business Services Professional Corporation's compliance with the following principles.

Principle 2 — Identifying Purposes for Collection of Personal Information

KSK Business Services Professional Corporation shall identify the purposes for which personal information is collected at or before the time the information is collected.

Principle 3 — Obtaining Consent for Collection, Use or Disclosure of Personal Information

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

Principle 4 — Limiting Collection of Personal Information

KSK Business Services Professional Corporation shall limit the collection of personal information to that which is necessary for the purposes identified by KSK Business Services Professional Corporation. KSK Business Services Professional Corporation shall collect personal information by fair and lawful means.

Principle 5 — Limiting Use, Disclosure and Retention of Personal Information

KSK Business Services Professional Corporation shall not use or disclose personal information for purposes other than those for which it was collected, except with the consent of the individual or as required by law.

Principle 6 — Accuracy of Personal Information

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

Principle 7 — Security Safeguards

KSK Business Services Professional Corporation shall protect personal information by security safeguards appropriate to the sensitivity of the information.

Principle 8 — Openness Concerning Policies and Procedures

KSK Business Services Professional Corporation shall make readily available to clients and employees' specific information about policies and procedures relating to the management of personal information.

Principle 9 — Client and Employee Access to Personal Information

KSK Business Services Professional Corporation shall inform a client or employee of the existence, use and disclosure of his or her personal information upon request and shall give the individual access to that information. A client or employee shall be able to challenge the accuracy and completeness of the information and have it amended, as appropriate.

Principle 10 — Challenging Compliance

A client or employee shall be able to address a challenge concerning compliance with the above principles to the designated person or persons accountable for KSK Business Services Professional Corporation's compliance with KSK Business Services Professional Corporation's Privacy Code.

Scope and Application

The 10 principles that form the basis of KSK Business Services Professional Corporation's Privacy Code are interrelated and KSK Business Services Professional Corporation shall adhere to the 10 principles. Each principle must be read in conjunction with the accompanying commentary. As permitted by PIPEDA, the commentary in KSK Business Services Professional Corporation's Privacy Code has been drafted to reflect personal information issues specific to KSK Business Services Professional Corporation.

The scope and application of KSK Business Services Professional Corporation's Privacy Code are as follows:

- KSK Business Services Professional Corporation's Privacy Code applies to personal information collected, used, or disclosed by KSK Business Services Professional Corporation during commercial activities.
- KSK Business Services Professional Corporation's Privacy Code applies to the management of personal information in any form, whether oral, electronic, or written.
- KSK Business Services Professional Corporation's Privacy Code does not impose any limits on the collection, use or disclosure of the following information by KSK Business Services Professional Corporation:
 - an employee's name, title or business address or telephone number
 - information that KSK Business Services Professional Corporation collects, uses, or discloses for journalistic, artistic, or literary purposes and does not collect, use, or disclose for any other purpose
 - other information about the individual that is publicly available and is specified by regulation pursuant to PIPEDA.
- KSK Business Services Professional Corporation's Privacy Code will not typically apply to information regarding KSK Business Services Professional Corporation's corporate clients. However, such information may be protected by other KSK Business Services Professional Corporation policies and practices and through contractual arrangements.
- The application of KSK Business Services Professional Corporation's Privacy Code is subject to the requirements and provisions of PIPEDA, the regulations enacted thereunder, and any other applicable legislation or regulation.

Definitions

collection: The act of gathering, acquiring, recording, or obtaining personal information from any source, including third parties, by any means.

consent: Voluntary agreement for the collection, use and disclosure of personal information for defined purposes. Consent can be either express or implied and can be provided directly by the individual or by an authorized representative. Express consent can be given orally, electronically or in writing, but is always unequivocal and does not require any inference on the part of KSK Business Services Professional Corporation. Implied consent is consent that can reasonably be inferred from an individual's action or inaction.

client: An individual who purchases or otherwise acquires or uses any of KSK Business Services Professional Corporation's products or services or otherwise provides personal information to KSK Business Services Professional Corporation during KSK Business Services Professional Corporation's commercial activities.

disclosure: Making personal information available to a third party.

employee: An employee of or independent contractor to KSK Business Services Professional Corporation.

personal information: Information about an identifiable individual.

third party: An individual or organization outside of KSK Business Services Professional Corporation.

use: The treatment, handling, and management of personal information by and within KSK Business Services Professional Corporation or by a third party with the knowledge and approval of KSK Business Services Professional Corporation.

KSK Business Services Professional Corporation's Privacy Code in Detail

Principle 1 — Accountability

KSK Business Services Professional Corporation is responsible for personal information under its control and shall designate one or more persons who are accountable for KSK Business Services Professional Corporation's compliance with the following principles.

- 1.1. Responsibility for compliance with the provisions of KSK Business Services Professional Corporation's Privacy Code rests with the KSK Business Services Professional Corporation Privacy Officer, who can be reached at 780 875 2230 or via shea@kskcpa.ca. Other individuals within KSK Business Services Professional Corporation may be delegated to act on behalf of The KSK Business Services Professional Corporation Privacy Officer or to take responsibility for the day to day collection and/or processing of personal information.
- 1.2. KSK Business Services Professional Corporation shall make known, upon request, the title of the person or persons designated to oversee KSK Business Services Professional Corporation's compliance with KSK Business Services Professional Corporation's Privacy Code.
- 1.3. KSK Business Services Professional Corporation is responsible for personal information in its possession or control. KSK Business Services Professional Corporation shall use contractual or other means to provide a comparable level of protection while information is being processed or used by a third party.
- 1.4. KSK Business Services Professional Corporation shall implement policies and procedures to give effect to KSK Business Services Professional Corporation's Privacy Code, including:
 - a) implementing procedures to protect personal information and to oversee KSK Business Services Professional Corporation's compliance with KSK Business Services Professional Corporation's Privacy Code
 - b) implementing procedures to receive and respond to complaints or inquiries
 - c) training and communicating to staff about KSK Business Services Professional Corporation's policies and procedures
 - d) developing information materials to explain KSK Business Services Professional Corporation's policies and procedures

Principle 2 — Identifying Purposes for Collection of Personal Information

KSK Business Services Professional Corporation shall identify the purposes for which personal information is collected at or before the time the information is collected.

- 2.1. KSK Business Services Professional Corporation collects personal information *only* for the following purposes:

To perform professional services and to operate my business, and any such information collected is collected by fair and lawful means.

Further reference to "identified purposes" means the purposes identified in this Principle.
- 2.2. KSK Business Services Professional Corporation shall specify orally, electronically or in writing the identified purposes to the client or employee at or before the time personal information is collected. Upon request, employees collecting personal information shall explain these identified purposes or refer the individual to a designated person within KSK Business Services Professional Corporation who can explain the purposes.
- 2.3. When personal information that has been collected is to be used or disclosed for a purpose not previously identified, the new purpose shall be identified prior to use. Unless the new purpose is permitted or required by law, the consent of the client or employee will be acquired before the information will be used or disclosed for the new purpose.

Principle 3 — Obtaining Consent for Collection, Use or Disclosure of Personal Information

The knowledge and consent of a client or employee are required for the collection, use or disclosure of personal information, except where inappropriate. In certain circumstances personal information can be collected, used, or disclosed without the knowledge and consent of the individual.

- 3.1. In obtaining consent, KSK Business Services Professional Corporation shall use reasonable efforts to ensure that a client or employee is advised of the identified purposes for which personal information will be used or disclosed.
The identified purposes shall be stated in a manner that can be reasonably understood by the client or employee.
- 3.2. Generally, KSK Business Services Professional Corporation shall seek consent for the collection, use and disclosure of personal information at the same time the information is collected. However, KSK Business Services Professional Corporation may seek consent to use and disclose personal information after it has been collected, but before it is used and disclosed for a new purpose.
- 3.3. KSK Business Services Professional Corporation may require clients to consent to the collection, use and disclosure of personal information as a condition of the supply of a product or service only if such collection, use and disclosure is required to fulfill the explicitly specified and legitimate identified purposes.
- 3.4. In determining the appropriate form of consent, KSK Business Services Professional Corporation shall consider the sensitivity of the personal information and the reasonable expectations of its clients and employees.
- 3.5. The purchase or use of products and services by a client, or the acceptance of employment or benefits by an employee, may constitute implied consent for KSK Business Services Professional Corporation to collect, use and disclose personal information for the identified purposes.
- 3.6. A client or employee may withdraw consent at any time, subject to legal or contractual restrictions and reasonable notice. Clients and employees may contact KSK Business Services Professional Corporation for more information regarding the implications of withdrawing consent.
- 3.7. KSK Business Services Professional Corporation may collect, use, or disclose personal information without knowledge or consent if it is clearly in the interests of the individual and consent cannot be obtained in a timely way, such as when the individual is seriously ill or mentally incapacitated.
- 3.8. KSK Business Services Professional Corporation may collect, use or disclose personal information without knowledge or consent if seeking the consent of the individual might defeat the purpose of collecting, using or disclosing the information, such as in the investigation of a breach of an agreement or a contravention of a law.
- 3.9. KSK Business Services Professional Corporation may collect, use or disclose personal information without knowledge or consent in the case of an emergency where the life, health or security of an individual is threatened; when the information is contained in a witness statement, and its use is necessary to assess, process or settle an insurance claim; or in connection with a business transaction.
- 3.10. KSK Business Services Professional Corporation may collect, use or disclose personal information without knowledge or consent to a lawyer representing KSK Business Services Professional Corporation, to collect a debt, to comply with a subpoena, warrant or other court order, or as may be otherwise required or authorized by law.

Principle 4 — Limiting Collection of Personal Information

KSK Business Services Professional Corporation shall limit the collection of personal information to that which is necessary for the purposes identified by KSK Business Services Professional Corporation. KSK Business Services Professional Corporation shall collect personal information by fair and lawful means.

- 4.1. KSK Business Services Professional Corporation collects personal information primarily from its clients or employees.
- 4.2. KSK Business Services Professional Corporation may also collect personal information from other sources, including credit bureaus, employers, or personal references, or other third parties who represent that they have the right to disclose the information.

Principle 5 — Limiting Use, Disclosure and Retention of Personal Information

KSK Business Services Professional Corporation shall not use or disclose personal information for purposes other than those for which it was collected, except with the consent of the individual or as required or permitted by law.

KSK Business Services Professional Corporation shall retain personal information only if necessary, for the fulfillment of those purposes.

- 5.1. KSK Business Services Professional Corporation may disclose a client's personal information to:

Disclosed to employees to the extent required during a professional service engagement.

Provided to external professional practice inspectors who by law, professional regulation, or contract have the right to access files for inspection purposes.

To comply with a subpoena, a warrant or an order made by a court or other body with appropriate jurisdiction or to comply with rules of conduct required by regulatory bodies. It is important to note that Accounting Firms are not protected by client/solicitor privileges.

To a government institution or an investigative body that has requested the information, identified its lawful authority, and indicated that disclosure is for enforcing, investigating, or gathering information relating to any federal, provincial, or foreign law.

To provide you with information of matters that may be of interest to you such as new services I may provide, changes in law or accounting practices and other professional or business developments.

- 5.2. KSK Business Services Professional Corporation may disclose personal information about its employees as required to comply with a subpoena, a warrant or an order made by a court or other body with appropriate jurisdiction or to comply with rules of conduct required by regulatory bodies.
- 5.3. Only KSK Business Services Professional Corporation's employees with a business need-to-know, or whose duties reasonably so require, are granted access to personal information about clients and employees.
- 5.4. KSK Business Services Professional Corporation shall keep personal information only if it remains necessary or relevant for the identified purposes or as required by law. Depending on the circumstances, where personal information has been used to make a decision about a client or employee KSK Business Services Professional Corporation shall retain, for a period of time that is reasonably sufficient to allow for access by the client or employee, either the actual information or the rationale for making the decision.
- 5.5. KSK Business Services Professional Corporation shall maintain reasonable and systematic controls, schedules and practices for information and records retention and destruction, which apply to personal information that is no longer necessary or relevant for the identified purposes or required by law to be retained. Such information shall be destroyed, erased, or made anonymous.

Principle 6 — Accuracy of Personal Information

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

- 6.1. Personal information used by KSK Business Services Professional Corporation shall be sufficiently accurate, complete, and up to date to minimize the possibility that inappropriate information may be used to decide about a client or employee.
- 6.2. KSK Business Services Professional Corporation shall update personal information about clients and employees as necessary to fulfill the identified purposes or upon notification by the individual.

Principle 7 — Security Safeguards

KSK Business Services Professional Corporation shall protect personal information by security safeguards appropriate to the sensitivity of the information.

- 7.1. KSK Business Services Professional Corporation shall protect personal information against such risks as loss or theft, unauthorized access, disclosure, copying, use, modification, or destruction through appropriate security measures, regardless of the format in which it is held.
- 7.2. KSK Business Services Professional Corporation shall protect personal information disclosed to third parties by contractual agreements stipulating the confidentiality of the information and the purposes for which it is to be used.
- 7.3. All KSK Business Services Professional Corporation's employees with access to personal information shall be required to respect the confidentiality of that information.

Principle 8 — Openness Concerning Policies and Procedures

KSK Business Services Professional Corporation shall make readily available to clients and employees' specific information about its policies and procedures relating to the management of personal information.

- 8.1. KSK Business Services Professional Corporation shall make information about its policies and procedures easy to understand, including:
 - a) the title and address of the person or persons accountable for KSK Business Services Professional Corporation's compliance with KSK Business Services Professional Corporation's Privacy Code and to whom inquiries and/or complaints can be forwarded
 - b) the means of gaining access to personal information held by KSK Business Services Professional Corporation
 - c) a description of the type of personal information held by KSK Business Services Professional Corporation, including a general account of its use
 - d) a description of what personal information is made available to related firms (e.g., subsidiaries)
- 8.2. KSK Business Services Professional Corporation shall make available information to help clients and employees exercise control over the collection, use and disclosure of their personal information and, where applicable, privacy-enhancing services available from KSK Business Services Professional Corporation.

Principle 9 — Client and Employee Access to Personal Information

Upon request, KSK Business Services Professional Corporation shall inform a client or employee of the existence, use and disclosure of his or her personal information and shall give the individual access to that information.

A client or employee shall be able to challenge the accuracy and completeness of the information and have it amended, as appropriate.

- 9.1. Upon request, KSK Business Services Professional Corporation shall afford clients and employees a reasonable opportunity to review the personal information in the individual's file. Personal information shall be provided in an understandable form within a reasonable time, and at minimal or no cost to the individual.
- 9.2. In certain situations, KSK Business Services Professional Corporation may not be able to provide access to all the personal information that it holds about a client or employee. For example, KSK Business Services Professional Corporation may not provide access to information if doing so would likely reveal personal information about a third party or could reasonably be expected to threaten the life or security of another individual. Also, KSK Business Services Professional Corporation may not provide access to information if disclosure would reveal confidential commercial information, if the information is protected by solicitor-client privilege, if the information was generated in the course of a formal dispute resolution process, or if the information was collected in relation to the investigation of a breach of an agreement or a contravention of the laws of Canada or a province.
- 9.3. Upon request, KSK Business Services Professional Corporation shall provide an account of the use and disclosure of personal information and, where reasonably possible, shall state the source of the information. In providing an account of disclosure, KSK Business Services Professional Corporation shall provide a list of third parties to which it may have disclosed personal information about the individual when it is not possible to provide an actual list.
- 9.4. To safeguard personal information, a client or employee may be required to provide sufficient identification information to permit KSK Business Services Professional Corporation to account for the existence, use and disclosure of personal information and to authorize access to the individual's file. Any such information shall be used only for this purpose.
- 9.5. KSK Business Services Professional Corporation shall promptly correct or complete any personal information found to be inaccurate or incomplete. Any unresolved differences as to accuracy or completeness shall be noted in the individual's file. Where appropriate, KSK Business Services Professional Corporation shall transmit to third parties having access to the personal information in question any amended information or the existence of any unresolved differences.
- 9.6. Clients and employees can obtain information or seek access to their individual files by contacting the KSK Business Services Professional Corporation Privacy Officer.

Principle 10 — Challenging Compliance

A client or employee shall be able to address a challenge concerning compliance with the above principles to the designated person or persons accountable for KSK Business Services Professional Corporation's compliance with KSK Business Services Professional Corporation's Privacy Code.

- 10.1. KSK Business Services Professional Corporation shall maintain procedures for addressing and responding to all inquiries or complaints from its clients and employees regarding KSK Business Services Professional Corporation's handling of personal information.
- 10.2. KSK Business Services Professional Corporation shall inform its clients and employees about the existence of these procedures, as well as the availability of complaint procedures.
- 10.3. The person or persons accountable for compliance with KSK Business Services Professional Corporation's Privacy Code may seek external advice where appropriate before providing a final response to individual complaints.
- 10.4. KSK Business Services Professional Corporation shall investigate all complaints concerning compliance with KSK Business Services Professional Corporation's Privacy Code. If a complaint is found to be justified, KSK Business Services Professional Corporation shall take appropriate measures to resolve the complaint, including, if necessary, amending its policies and procedures. A client or employee shall be informed of the outcome of the investigation regarding his or her complaint.

Additional Information

For more information regarding KSK Business Services Professional Corporation's Privacy Code, please contact Shea Kelly at 780 875 2230 or via shea@kskcpa.ca.

Please visit the Privacy Commissioner of Canada's website at www.priv.gc.ca.