

***J. TARTAGLIO, CPA
CHARTERED PROFESSIONAL ACCOUNTANT***

PRIVACY CODE

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PRIVACY CODE

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Introduction

At J. Tartaglio, CPA, respecting privacy is an important part of my commitment to my clients and employees. That is why I have developed the J. Tartaglio, CPA Privacy Code. The J. Tartaglio, CPA Privacy Code is a statement of principles and guidelines regarding the minimum requirements for the protection of personal information provided by J. Tartaglio, CPA to its clients and employees. The objective of the J. Tartaglio, CPA 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).

J. Tartaglio, CPA will continue to review the J. Tartaglio, CPA Privacy Code to make sure that it is relevant and remains current with changing industry standards, technologies and laws.

Summary of Principles

Principle 1 – Accountability

J. Tartaglio, CPA is responsible for personal information under its control and shall designate one or more persons who are accountable for J. Tartaglio, CPA's compliance with the following principles.

Principle 2 - Identifying Purposes for Collection of Personal Information

J. Tartaglio, CPA 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

J. Tartaglio, CPA shall limit the collection of personal information to that which is necessary for the purposes identified by J. Tartaglio, CPA. J. Tartaglio, CPA shall collect personal information by fair and lawful means.

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

J. Tartaglio, CPA 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

J. Tartaglio, CPA shall protect personal information by security safeguards appropriate to the sensitivity of the information.

Principle 8 - Openness Concerning Policies and Procedures

J. Tartaglio, CPA shall make readily available to clients and employees specific information about its policies and procedures relating to the management of personal information.

Principle 9 – Client and Employee Access to Personal Information

J. Tartaglio, CPA 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 J. Tartaglio, CPA's compliance with the J. Tartaglio, CPA Privacy Code.

Scope and Application

The ten principles that form the basis of the J. Tartaglio, CPA Privacy Code are interrelated and J. Tartaglio, CPA shall adhere to the ten principles as a whole. Each principle must be read in conjunction with the accompanying commentary. As permitted by the *Personal Information Protection and Electronic Documents Act* (Canada), the commentary in the J. Tartaglio, CPA Privacy Code has been drafted to reflect personal information issues specific to J. Tartaglio, CPA.

The scope and application of the J. Tartaglio, CPA Privacy Code are as follows:

- The J. Tartaglio, CPA Privacy Code applies to personal information collected, used, or disclosed by J. Tartaglio, CPA in the course of commercial activities.
- The J. Tartaglio, CPA Privacy Code applies to the management of personal information in any form, whether oral, electronic or written.
- The J. Tartaglio, CPA Privacy Code does not impose any limits on the collection, use or disclosure of the following information by J. Tartaglio, CPA:
 - (a) an employee's name, title or business address or telephone number;
 - (b) information that J. Tartaglio, CPA collects, uses or discloses for journalistic, artistic or literary purposes and does not collect, use or disclose for any other purpose; or
 - (c) other information about the individual that is publicly available and is specified by regulation pursuant to the *Personal Information Protection and Electronic Documents Act* (Canada).
- The J. Tartaglio, CPA Privacy Code will not typically apply to information regarding J. Tartaglio, CPA's corporate clients. However, such information may be protected by other J. Tartaglio, CPA policies and practices and through contractual arrangements.
- The application of the J. Tartaglio, CPA Privacy Code is subject to the requirements and provisions of the *Personal Information Protection and Electronic Documents Act* (Canada), 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 J. Tartaglio, CPA. 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 J. Tartaglio, CPA's products or services or otherwise provides personal information to J. Tartaglio, CPA in the course of J. Tartaglio, CPA's commercial activities.

Disclosure: Making personal information available to a third party.

Employee: An employee of or independent contractor to J. Tartaglio, CPA.

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

Third party: An individual or organization outside of J. Tartaglio, CPA.

Use: The treatment, handling, and management of personal information by and within J. Tartaglio, CPA or by a third party with the knowledge and approval of J. Tartaglio, CPA.

The J. Tartaglio, CPA Privacy Code in Detail

Principle 1 – Accountability

J. Tartaglio, CPA is responsible for personal information under its control and shall designate one or more persons who are accountable for J. Tartaglio, CPA’s compliance with the following principles:

- 1.1 Responsibility for compliance with the provisions of the J. Tartaglio, CPA Privacy Code rests with the J. Tartaglio, CPA Privacy Officer who can be reached at (604) 941-3449 or via the "Contact us" page at www.jtartagliocpa.com. Other individuals within J. Tartaglio, CPA may be delegated to act on behalf of the J. Tartaglio, CPA Privacy Officer or to take responsibility for the day-to-day collection and/or processing of personal information.
- 1.2 J. Tartaglio, CPA shall make known, upon request, the title of the person or persons designated to oversee J. Tartaglio, CPA’s compliance with the J. Tartaglio, CPA Privacy Code.
- 1.3 J. Tartaglio, CPA is responsible for personal information in its possession or control. J. Tartaglio, CPA 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 J. Tartaglio, CPA shall implement policies and procedures to give effect to the J. Tartaglio, CPA Privacy Code, including:
 - (a) implementing procedures to protect personal information and to oversee J. Tartaglio, CPA’s compliance with the J. Tartaglio, CPA Privacy Code;
 - (b) implementing procedures to receive and respond to complaints or inquiries;
 - (c) training and communicating to staff about J. Tartaglio, CPA’s policies and procedures; and
 - (d) developing information materials to explain J. Tartaglio, CPA’s policies and procedures.

Principle 2 - Identifying Purposes for Collection of Personal Information

J. Tartaglio, CPA shall identify the purposes for which personal information is collected at or before the time the information is collected:

- 2.1. J. Tartaglio, CPA collects personal information only for the following purposes:
- (a) Information is collected about clients in order to provide professional advice and services to them. Usually the scope of advice and service is set out in detail in formal engagement letters with the clients.
 - (b) Information is collected about clients in order to provide services to them including evaluating, monitoring and assessing the their tax and accounting requirements, recommending changes to asset structures, recommending changes to liability provisions and risk management and strategy consultations for items such as tax disputes.
 - (c) Information is collected about individual shareholders, employees and directors of organization in the course of providing services to clients. This information is collected as necessary to properly evaluate and plan the structure and activities of these organizations as mandated by the professional engagement between J. Tartaglio, CPA and them. This information is not utilized to review or analyze the personal financial affairs of any of these individuals, unless that is the subject of a separate engagement.
 - (d) Information is collected about an individual for the purpose of coordinating the collective financial affairs of that individual and organizations where that individual is also involved in those organizations for which J. Tartaglio, CPA is separately retained to provide services. J. Tartaglio, CPA may also use this information to verify the accuracy and consistency of information relevant to both engagements.
 - (e) J. Tartaglio, CPA may add individual client names and contact details to its client database in order to allow J. Tartaglio, CPA to send them materials relating to J. Tartaglio, CPA's general services. If a client prefers not to receive this type of material, they should advise J. Tartaglio, CPA in writing and their contact details will then not be utilized in this fashion.
 - (f) Further reference to "identified purposes" mean the purposes identified in this Principle.
- 2.2. J. Tartaglio, CPA 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, persons collecting personal information shall explain these identified purposes or refer the individual to a designated person within J. Tartaglio, CPA 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, J. Tartaglio, CPA 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, J. Tartaglio, CPA shall seek consent to use and disclose personal information at the same time it collects the information. However, J. Tartaglio, CPA may seek consent to use and/or disclose personal information after it has been collected, but before it is used and/or disclosed for a new purpose.
- 3.3. J. Tartaglio, CPA may require clients to consent to the collection, use and/or disclosure of personal information as a condition of the supply of a product or service only if such collection, use and/or disclosure is required to fulfill the explicitly specified, and legitimate identified purposes.
- 3.4. In determining the appropriate form of consent, J. Tartaglio, CPA shall take into account 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 J. Tartaglio, CPA 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 J. Tartaglio, CPA for more information regarding the implications of withdrawing consent.
- 3.7. J. Tartaglio, CPA may collect or use 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. J. Tartaglio, CPA 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. J. Tartaglio, CPA 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.

- 3.10. J. Tartaglio, CPA may use or disclose personal information without knowledge or consent to a lawyer representing J. Tartaglio, CPA, 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

J. Tartaglio, CPA shall limit the collection of personal information to that which is necessary for the purposes identified by J. Tartaglio, CPA. J. Tartaglio, CPA shall collect personal information by fair and lawful means.

- 4.1. J. Tartaglio, CPA collects personal information primarily from its clients or employees.
- 4.2. J. Tartaglio, CPA 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

J. Tartaglio, CPA 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. J. Tartaglio, CPA shall retain personal information only as long as necessary for the fulfillment of those purposes.

- 5.1. J. Tartaglio, CPA may disclose a client's personal information:
- (a) As required by applicable law (examples: court order, investigation of suspected fraud, etc.);
 - (b) To defend J. Tartaglio, CPA in proceedings arising from statements or opinions issued by J. Tartaglio, CPA in the course of its engagements;
 - (c) To service providers in circumstances where J. Tartaglio, CPA remains in control of the information (example: IT outsourcing);
 - (d) To professional regulatory bodies, as required by legislation, rules, policies or codes governing J. Tartaglio, CPA's profession.
- 5.2. J. Tartaglio, CPA may disclose personal information about its employees as follows:
- (a) J. Tartaglio, CPA will only collect, use and disclose personal employee information without express consent when it is reasonable for the particular purpose of the establishment, administration, management and termination of the employment relationship. Administration of the employment relationship will include interaction with benefit providers and others in the provision of my employee benefit plans.

- (b) J. Tartaglio, CPA will disclose personal employee information without the individual's consent to another organization in responding to a request for a reference only when the employee has provided specific consent for this to occur.
 - (c) J. Tartaglio, CPA will only collect, use and disclose personal information of employees without the individual's consent where required or permitted by applicable law.
 - (d) J. Tartaglio, CPA will obtain the consent of the employee for any use or disclosure of their personal information in other circumstances.
- 5.2. Only J. Tartaglio, CPA's employees with a business need-to-know, or whose duties reasonably so require, are granted access to personal information about clients and employees.
- 5.3. J. Tartaglio, CPA shall keep personal information only as long as 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, J. Tartaglio, CPA 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.
- 5.4. J. Tartaglio, CPA 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 J. Tartaglio, CPA shall be sufficiently accurate, complete, and up-to-date to minimize the possibility that inappropriate information may be used to make a decision about a client or employee.
- 6.2. J. Tartaglio, CPA 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

J. Tartaglio, CPA shall protect personal information by security safeguards appropriate to the sensitivity of the information.

- 7.1. J. Tartaglio, CPA 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. J. Tartaglio, CPA 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 of J. Tartaglio, CPA's employees with access to personal information shall be required to respect the confidentiality of that information.

Principle 8 - Openness Concerning Policies and Procedures

J. Tartaglio, CPA shall make readily available to clients and employees specific information about its policies and procedures relating to the management of personal information.

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

Principle 9 - Client and Employee Access to Personal Information

Upon request, J. Tartaglio, CPA 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, J. Tartaglio, CPA shall afford clients and employees a reasonable opportunity to review the personal information in the individual's file. Personal information shall be provided in understandable form within a reasonable time, and at minimal or no cost to the individual.

- 9.2. In certain situations, J. Tartaglio, CPA may not be able to provide access to all the personal information that it holds about a client or employee. For example, J. Tartaglio, CPA 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, J. Tartaglio, CPA 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, J. Tartaglio, CPA 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, J. Tartaglio, CPA 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. In order to safeguard personal information, a client or employee may be required to provide sufficient identification information to permit J. Tartaglio, CPA 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. J. Tartaglio, CPA 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, J. Tartaglio, CPA 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 J. Tartaglio, CPA 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 J. Tartaglio, CPA's compliance with the J. Tartaglio, CPA Privacy Code.

- 10.1. J. Tartaglio, CPA shall maintain procedures for addressing and responding to all inquiries or complaints from its clients and employees regarding J. Tartaglio, CPA's handling of personal information.
- 10.2. J. Tartaglio, CPA 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 the J. Tartaglio, CPA Privacy Code may seek external advice where appropriate before providing a final response to individual complaints.
- 10.4. J. Tartaglio, CPA shall investigate all complaints concerning compliance with the J. Tartaglio, CPA Privacy Code. If a complaint is found to be justified, J. Tartaglio, CPA 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 the J. Tartaglio, CPA Privacy Code, please contact the J. Tartaglio, CPA Privacy Officer at (604) 941-3449 or via the "Contact us" page at www.jtartagliocpa.com.

Please visit the Privacy Commissioner of Canada's web site at www.privcom.gc.ca.