

# Videotron Ltd.

## Privacy Code - General principles

### 1. INTRODUCTION

The federal government passed the Personal Information Protection and Electronic Documents Act, the purpose of which is to complete the laws in Canada governing the protection of Personal Information and the rights of individuals to access their Personal Information. This Act, which is completed by the Telecommunications Act and applicable provincial legislation (collectively, the "Law"), establishes the principles governing the collection, use and disclosure of Personal Information in Canada. At Videotron, we know how important it is to protect your Personal Information. With this in mind, we developed a Privacy Code that complies with current legislation on the protection of Personal Information, including the rules established by the Canadian Radio-television and Telecommunications Commission (CRTC).

Videotron' Code for the protection of Personal Information (also called the "Code", "Privacy Code" or "Videotron code") is a statement designed to establish responsible and transparent practices for the management of Personal Information.

Summary versions of the Code will be made available to customers upon request and on the company's corporate Web site. The full and final version of the Code is available on our Web site at [www.videotron.com/privacy](http://www.videotron.com/privacy) or can be obtained by e-mailing our Customer Service at [serviceclient@videotron.ca](mailto:serviceclient@videotron.ca) or calling the number appearing on your regular invoice.

### 2. DEFINITIONS

"Agent(s)" – employees, representatives, subcontractors, services providers, consultants or other agents duly authorized by Videotron to act for or on behalf of Videotron.

"Collection" or "to collect" – the act of collecting, acquiring, recording or obtaining Personal Information from any source whatsoever, including from Third Parties, and by any means whatsoever.

"Consent" – a voluntary acquiescence to the Collection, Use and Disclosure of Personal Information for purposes that have been identified. Depending on the circumstances, consent may be express or implied and can be given directly by the individual or through an authorized representative.

"Disclosure" or "to disclose" – the act of communicating Personal Information to a Third Party.

"Personal Information" – in the case of a subscriber, means all information kept by Videotron regarding such subscriber, other than the subscriber's name, address and listed telephone number and in the case of any other individual, any information about an identifiable individual, with the exception of the name and title of a Videotron employee and address and phone number of his or her workplace. Personal Information includes such things as credit information, billing files, service and equipment statements, as well as any complaints documented in a file.

An appendix to the Code that lists all of the Personal Information kept by Videotron is available upon request.

“Third Party” – a person other than Videotron, its Agents or the person specified in the Personal Information.

“Use” – the processing, handling and management of Personal Information by Videotron and its Agents.

### **3. ACCOUNTABILITY**

Videotron is responsible for the Personal Information under its control and shall designate one or more individuals to ensure compliance with the principles stipulated in this Code. At the time of publication, the designated person was Normand Vachon, Vice-president, Human Resources, Videotron Ltd., 300. Viger Ave. E, Montreal, QC H2X 3W4.

Anyone seeking more information about Videotron's commitment to protect Personal Information can get in touch with Videotron at the phone number appearing on their regular invoice, via the [www.videotron.com](http://www.videotron.com) Web site or by e-mailing [serviceclient@videotron.ca](mailto:serviceclient@videotron.ca).

### **4. IDENTIFYING THE PURPOSES FOR WHICH PERSONAL INFORMATION IS COLLECTED**

Videotron, through its Agents, collects Personal Information for specified and legitimate purposes, including without limitation, the purposes set out under parts 2, 3 and 4 of this Code.

When asked to do so, the Agents who are gathering Personal Information shall explain the purposes for doing so or instruct the person in question to contact Videotron's designated person for more information.

Unless authorized to do so by Law, the Agents will not Use or Disclose previously collected Personal Information for a new purpose without obtaining the prior Consent of the concerned individual.

### **5. CONSENT TO THE COLLECTION, USE OR DISCLOSURE OF PERSONAL INFORMATION**

Where required by Law, the Agent shall ensure that the individual from whom they are collecting Personal Information Consents to the Collection, Use and Disclosure of their Personal Information.

When determining the appropriate method of seeking Consent, the Agent shall consider the sensitivity of the Personal Information, the reasonable expectations of the individual and the criteria established by Law, as the case may be.

In certain circumstances, Videotron may Collect, Use or Disclose Personal Information without the knowledge or Consent of the person in question, for example:

- When it is clearly in the interest of the person in question and it is impossible to obtain the person's Consent within an appropriate time frame;

- When asking for the individual's Consent risks compromising the accuracy of the Personal Information, for example in cases of a breach of contract or a violation of a federal or provincial law;
- In emergencies, when the life, health or security of the individual is threatened;
- For the purpose of collecting a debt or complying with a subpoena, warrant or other court order or when required to do so by Law.

An individual may withdraw Consent at any time, subject to legal or contractual restrictions and provided such withdrawal is reasonable under the circumstances. The individual may contact Videotron for more information on the implications of such a withdrawal.

## **6. LIMITATION ON THE COLLECTION OF PERSONAL INFORMATION**

The Agent shall primarily Collect Personal Information from the concerned individual, although the Collection may occasionally be done otherwise where authorized by Law. For example, the Agent may Collect Personal Information from credit agencies or from Third Parties authorized to disclose the Personal Information. Videotron's files shall indicate the source of the Personal Information.

## **7. RETENTION OF PERSONAL INFORMATION**

Videotron only retains Personal Information as long as necessary or useful for its intended purposes or in accordance with the requirements of the Law. Depending on the circumstances, when Personal Information was used to make a decision about an individual, Videotron will retain the reasons for its decision for a reasonable period of time to allow that individual to have access to those reasons.

Videotron shall implement reasonable and systematic control measures, time frames and practices regarding the retention and destruction of Personal Information and files that are no longer needed nor relevant for their intended purposes, or that are no longer required by Law. Such Information shall be destroyed, erased or made anonymous.

## **8. ACCURACY OF PERSONAL INFORMATION**

Videotron will update the Personal Information as necessary for its intended purposes or upon request by the concerned individual.

The accuracy and completeness of Personal Information that is being kept by Videotron regarding an individual can be contested by such individual who can have the Personal Information amended as appropriate.

Videotron shall promptly correct or complete any Personal Information that is deemed to be inaccurate or incomplete. Any unresolved dispute with respect to the accuracy or completeness of Personal Information must be recorded in the file of the concerned individual. Where applicable, Videotron shall communicate all amended Personal Information to Third Parties who have access to the Personal Information or inform them of the existence of an unresolved challenge.

## **9. SAFEGUARDS**

Agents shall be required to protect the confidential nature of the Personal Information. Personal Information kept by Videotron shall only be accessed by Agents whose normal duties require them to have access to it.

Videotron shall protect the Personal Information against specific risks, such as the loss, theft or unauthorized access, disclosure, copying, use, modification or unauthorized destruction thereof, by taking security measures commensurate with the Personal Information's level of sensitivity and ensuring that its Agents put in place or undertake to put in place, as the case may be, adequate safety measures.

Methods used to destroy or ensure that all copies of the Personal Information are made anonymous shall be thorough and based on retention periods that comply with the Code.

## **10. TRANSPARENT POLICIES AND PRACTICES**

Upon request, Videotron shall provide the concerned individual with a list of the Personal Information on file regarding that individual, together with details of its Personal Information management practices.

From time to time, Videotron shall disseminate information to help individuals learn, exercise and protect their rights with respect to their Personal Information.

Videotron encourages its Agents to be vigilant and to report to the person designated for Code compliance any situation that seems to be at odds with the Privacy Code. No reprisals shall be taken against an Agent for reporting an irregularity regarding this Code.

## **11. ACCESS TO PERSONAL INFORMATION**

Subject to the exceptions provided for in the Law and upon request, Videotron shall inform an individual of the existence of Personal Information that concerns them, the Use that is being made and whether it was disclosed to Third Parties.

Subject to the exceptions provided for in the Law and upon request, Videotron shall allow the concerned individual to consult the Personal Information kept in his or her file. Personal Information shall be provided in a form that is generally understandable, within a reasonable time, and at minimal or no cost to the individual.

Between the request for access and the disclosure of Personal Information to the concerned individual, Videotron may revise the content of files solely to ensure that Personal Information on other individuals is not disclosed as a result. All changes made during this period will be done completely in compliance with the Law.

In certain situations, it may be impossible for Videotron to allow concerned individuals to consult all of their Personal Information. For example, Videotron cannot provide access to the Personal Information if disclosure would reveal confidential business information; if the Personal Information is protected by attorney-client privilege; if the Personal Information was obtained in the course of an official dispute-resolution process, or if the Personal Information was collected during an inquiry into a breach of contract or violation of a federal or provincial law. Upon request, Videotron shall specify the reason for denying access to Personal Information.

When providing a “Disclosure of Personal Information” statement, whenever it is not possible for Videotron to provide an exact list of Third Parties to whom it has disclosed Personal Information regarding an individual, Videotron shall provide a list of Third Parties to whom it *may have* disclosed Personal Information.

To ensure protection of the Personal Information, the concerned individual may be required to provide adequate proof of identification to enable Videotron to determine the existence, Use and Disclosure of Personal Information and authorize access to their file.

## **12. COMPLAINT FOR NON-COMPLIANCE WITH THE PRINCIPLES STIPULATED IN THE CODE**

Any interested individual shall be entitled to address a complaint regarding non-compliance with the principles set out in the Code by communicating with the person designated for Code compliance within Videotron, in accordance with paragraph 3.

Videotron has put in place procedures to receive and respond to complaints and inquiries regarding the Code and its practices relating to the handling of Personal Information. The concerned individuals shall be informed of the procedures to be followed as soon as they express a desire to file a complaint.

Videotron shall investigate all complaints regarding compliance with the Code. If a complaint is found to be justified, Videotron shall take appropriate measures, including, if necessary, changes to its Code and practices. The concerned individual shall be informed of the result of the investigation into their complaint.

If an individual who lodged a complaint is not satisfied with the decision of the person designated to protect Personal Information at Videotron, the individual can refer the complaint to the Privacy Commissioner of Canada, 112 Kent Street, Ottawa, Ontario K1A 1H3.