

**ENERCARE INC.**

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**PRIVACY POLICY**

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**Enercare Inc.**  
**Privacy Policy**

The privacy of individuals connected with Enercare Inc. and Enercare Solutions Inc., and their subsidiaries (together, the “Corporation”), including our customers, suppliers, contractors, employees and website visitors is of great importance to us, and is something we take very seriously. Keeping Personal Information in strict confidence is a cornerstone of our business. Regardless of how the range of services we provide to our customers expands, and the technology we use changes, we will always strive to protect the privacy of Personal Information in accordance with this privacy policy (“Privacy Policy”).

This Privacy Policy describes the principles on which the Corporation and its employees and agents will protect the privacy of Personal Information, sets out the principles on which our privacy practices are based, and takes into consideration the various privacy laws across the country which also help protect your Personal Information. This policy is part of our commitment to ensure that all Personal Information of individuals in our possession and under our control is protected and used in accordance with the law, and outlines how Personal Information is collected, used, stored and disclosed by the Corporation. This Policy as it applies to a subsidiary of the Corporation may be superseded by a policy specifically adopted by such subsidiary.

**What is Personal Information?**

“**Personal Information**” is any recorded information about an identifiable person, other than the name, title, business address and business telephone number of a person. It includes such things as a person’s home address, date of birth, social insurance number, medical and financial information. Such information may be gathered from customers, employees, and web site visitors. In all cases, we are committed to protecting the privacy of individuals and the integrity of their Personal Information.

**How and Why We Collect Personal Information**

With respect to our customers, most of the Personal Information is collected and received primarily in connection with products and services provided by the Corporation, and during the establishment of our customers’ accounts with us. In the normal course of doing business, we also use Personal Information for various purposes, including:

- Establishing, managing and terminating business relations with you;
- Reviewing the products and services that we provide to you;
- Reviewing the products and services that we obtain from you;
- Informing you of our other products and services, or those of carefully selected third parties;
- Protecting us against error, fraud, theft and damage to our goods and property;
- Enabling us to comply with applicable law or regulatory requirements; and
- Any other reasonable purpose to which you consent.

We may also collect Personal Information through our website, which may use tracking software in the form of “cookies” (text files containing unique identification numbers identifying the Internet browser of the visitor, but not necessarily the identity of the visitor). This information is transmitted to us each time our website is visited, and these cookies allow us to collect and store information such as the type of Internet browser and operating system a visitor uses; the date, time and duration of the visit to our website; the Internet address of the website from which they linked to our website; and the pages they visited while on our website. Unless a visitor actively submits Personal Information while on our website however, we will not normally be able to determine the identity of visitors to our website.

## **How We Use and Disclose Your Personal Information**

In the course of providing products or services to you, we use and may disclose your Personal Information under certain circumstances. The limited circumstances under which we may disclose your Personal Information include: during an emergency situation or where necessary to protect the safety of a person or group of persons; to employees, contractors, consultants and other parties (including affiliates of the Corporation) who require the information to assist us to establish, maintain and manage our business relationship with you, including, for example, third parties that provide services to us or on our behalf, or third parties that collaborate with the Corporation in the provision of services to you, including for billing, handling, account administration, servicing and installing, collections, marketing initiatives and reporting; at the request of government regulators; in response to a search warrant or other legally valid inquiry or order, or to an investigative body in the case of a breach of an agreement or contravention of law; where necessary for the establishment, exercise or defence of legal claims; or as otherwise required or specifically permitted by law. We make such disclosure of Personal Information to our affiliates and to unaffiliated third parties only when necessary to provide products or services to our customers or as otherwise identified in this Privacy Policy. When we do disclose such information to other parties, we require that such third parties are both made aware of and are required to comply with this Privacy Policy to the extent permitted by law. Please note that if such third parties are located in a foreign jurisdiction, the information becomes subject to the laws of that jurisdiction, including those governing disclosure of personal information to government authorities.

If we use or disclose Personal Information for a purpose other than those identified above, we will take all necessary steps to obtain your consent prior to doing so.

The Corporation may also disclose Personal Information in the context of an actual or possible corporate reorganization, merger or amalgamation with another entity, or an actual or possible sale of all or of a substantial portion of the Corporation's assets. In such circumstances, disclosure would occur on the condition that the information only be used for the purpose of evaluating the transaction, or on completion of the transaction, for the purposes outlined in this Privacy Policy.

You may refuse to provide Personal Information to the Corporation and may, subject to legal or contractual restrictions and reasonable notice, withdraw consent at any time to our continued use and disclosure of Personal Information previously collected. Please note that refusing or withdrawing your consent in respect of our handling of certain Personal Information may result in us being unable to provide you with certain products and services. You can withdraw your consent at any time by writing to the Privacy Officer at the address at the end of this Privacy Policy. You may also opt out of continuing to receive communications from the Corporation in respect of products and services of the Corporation or third parties other than those which you have inquired about or are receiving. We may, however, collect, use or disclose personal information without your knowledge or consent in exceptional circumstances where such collection, use or disclosure is permitted or required by law.

## **How We Safeguard Your Personal Information**

We take the responsibility of safeguarding Personal Information very seriously and in doing so we employ various physical, electronic and procedural safeguards to protect such information. We also limit access to Personal Information regarding our clients to those employees, agents, affiliates and service providers who need to know such information in connection with the purposes set forth in this Privacy Policy.

We only retain Personal Information for as long as is necessary to fulfill the purposes for which it was originally obtained, unless we are required or permitted by law to retain the information for a longer period. When Personal Information is no longer needed or permitted to be retained, it is securely destroyed or made anonymous as appropriate.

## **Accuracy and Access to Your Personal Information**

We strive to ensure that all Personal Information is accurate, correct, and up-to-date, and take all reasonable efforts to ensure that the integrity and accuracy of such information is protected.

You can ask to see the Personal Information that we hold about you. If you want to review, verify or correct your Personal Information, please contact our Privacy Officer using the contact information set out below. Please note that any such communications must be in writing.

When making an access request, we require specific information from you to confirm your identity and right to access, as well as to search for, and provide you with, the Personal Information that we hold about you. We may charge you a reasonable fee to access your Personal Information; but we will advise you of any fee in advance. If you need help in preparing your request, please contact the office of our Privacy Officer.

Upon a written request, we will provide you with reasonable access to your Personal Information held by us as described in this Privacy Policy, and will identify how the information has been used and to whom it has been disclosed. If you find that any such information is incorrect, we will take necessary steps to update or correct it as required. Where required by law, if an individual whose Personal Information is held by us has a sensory disability, as required by law, we will give access to their Personal Information in alternative form.

There are only a few circumstances under which we will not comply with your request to provide you with access to your Personal Information. These circumstances include:

- If doing so could reveal Personal Information about a third party and, if the third party is in the province of Quebec, if the disclosure could seriously harm that third party;
- If the information is subject to solicitor-client privilege or was generated in the context of a formal dispute resolution process;
- If the information relates to the actual or suspected breach of an agreement or of applicable law; or
- where permitted or required by applicable law.

The Corporation will inform you of the reasons why, subject to any legal or regulatory restrictions, access has been denied.

## **Updates to this Privacy Policy**

From time to time we may update our Privacy Policy. The most current version of this Privacy Policy will be posted on our website.

## **Questions or Concerns**

The Corporation's compliance with this Privacy Policy and with applicable privacy laws is overseen by our Privacy Officer. If you have any questions or concerns regarding this Privacy Policy or our privacy practices, please contact our Privacy Officer at the following address:

John Toffoletto, Privacy Officer  
Enercare Inc.  
7400 Birchmount Road  
Markham, ON L3R 5V4  
Telephone: 416.649.1862

All enquiries will receive a timely response.

Last reviewed by the Board of Directors on March 7, 2016.