



## **PRIVACY POLICY**

Mann Lawyers LLP (“Mann Lawyers”, the “firm”, “we”, “us”, “our”) is committed, consistent with our obligations as professionals, to maintaining the confidentiality of client information. Our commitment extends to personal information. This policy describes how we collect, use, and disclose personal information of our clients and other individuals (collectively and individually, “you”, “your”).

### **What is Personal Information?**

Personal information is defined in the *Personal Information Protection and Electronic Documents Act* (Canada) (“PIPEDA”) to be information about an identifiable individual (“personal information”). This includes any information that identifies an individual or information that would allow the identity of an individual to be deduced. For example, personal information includes information that relates to an individual’s personal characteristics, circumstances, health, or their activities and views. On the other hand, information that you would normally find on a business card (such as your name, business address, and business contact information), which you provide to us for business purposes, is not considered to be personal information under PIPEDA. In addition, personal information does not include information about companies or other legal entities.

### **Obtaining Consent**

Generally, we will request your specific consent when we collect, use, or disclose your personal information. Explicit consent may be provided orally, in writing, or by agreement through electronic means. In some circumstances, your consent will be implied through your instructions to us or your conduct, such as where you provide personal information to us in the context of our ongoing relationship or where you provide us with non-business contact information in connection with our services. Sometimes your consent will not be required, such as when it is clearly in your best interests and consent is not available in a timely way, when the information is already publicly available, or where permitted or required by law.

By providing your personal information to us, you consent to our collection, use, and disclosure of such personal information in accordance with this Privacy Policy and as permitted or required by law. If you do not agree with this Privacy Policy, do not provide any personal information to us. Note, however, that we may not be able to provide you certain services if you decide not to disclose required personal information.

You may revoke your consent to the collection, use, and/or disclosure of your personal information at any time. However, the revocation of your consent may affect our ability to provide you services.

### **Collection and Use of Personal Information**

We will collect any and all information that in our reasonable opinion is necessary in order to: determine whether we will enter into a professional relationship with you; provide you with our advice and services; for administrative, billing and collection, and relationship management purposes; ensure regulatory compliance; and as otherwise permitted or required by law. This information may include your contact information; information to help establish your identity; information about your legal circumstances; whether you have

subscribed to or unsubscribed from any of our mailing lists; information regarding your preferences; and your payment information.

We only collect such information by lawful means and whenever possible we try to obtain this information directly from you. In certain circumstances, we may collect personal information about you from third parties, including, without limitation, your accountant, insurance company, real estate agent, and employer; regulatory and legal authorities; government agencies and other organizations; recruitment agencies; service providers; and public records. To assist us in making credit and other business decisions, prevent fraud, and check the identity of prospective clients, we may also on occasion, request information about you from consumer reporting agencies.

We may, unless you instruct us otherwise, use said information to advise you of new developments in the law, firm news, and any promotion that we may be having at that point in time (“Promotional Materials”). By providing us with your personal information, you are thereby impliedly authorizing us to send you commercial electronic messages, as defined in Canada’s anti-spam legislation, with Promotional Materials. You may unsubscribe from such commercial electronic messages at any time by following the unsubscribe link in one of our e-mail messages or by contacting us and asking us to unsubscribe you from our mailing list.

In addition, we automatically collect certain information about your use of our website, [www.mannlawyers.com](http://www.mannlawyers.com) (our “Website”) to optimize our web service. Such information may include, without limitation, information about how, when, and where you use our Website; the settings you use on our Website; information about the webpages you visited prior to coming to our Website; your mobile network information; the hardware and software you use when interacting with our Website; your device identifier; and your IP address. We may use such personal information to generate de-identified and/or aggregated information such that it does not contain any information that may alone or in combination with other information could identify an individual. We may use and/or disclose to third parties such de-identified and/or aggregated information to identify traffic patterns, site usage, and other information relevant to improving our Website’s functionality.

We use “cookies” on our Website. Cookies are text files with small pieces of data that are used to identify your computer as you use a computer network. Specific cookies known as HTTP cookies are used to identify specific users and improve your web browsing experience. You may set your Internet browser to notify you when you receive a cookie to accept or reject that cookie. You can also block cookies if you so wish.

If you apply to Mann Lawyers for a job, we need to consider your personal information as part of our review process. If we offer you a job, which you accept, the information will be retained in accordance with our privacy procedures for employee records.

### **Disclosure of Personal Information**

Subject to certain limited exceptions, all information, including personal information, that you provide to us in the course of our professional relationship will be held in the strictest of confidence and not disclosed, released, or otherwise conveyed without your prior implicit or express consent. We do not sell, trade, or exchange any personal information.

Mann Lawyers may use from time to time third-party service providers, such as consultants, external lawyers, experts, and agencies. We may be required to disclose some of your personal information to such parties in the course of providing our legal services. In addition, our computer consultants, office maintenance and security staff, file storage companies, and temporary workers may have access to personal information from time to time. We will work to ensure that anyone we retain with access to personal information is contractually bound to safeguard personal information with measures comparable to that provided by us and described in this Privacy Policy and not to retain, use, or disclose personal information that may be disclosure to them for any purposes other than the provision of services to Mann Lawyers.

Subject to our professional obligation with respect to confidentiality, we may under certain circumstances disclose your personal information, such as:

- when you have consented to such disclosure;
- when required or authorized by law, court order, or by order of a tribunal (for example, to comply with lawful requests by external regulators that have the legal authority to require that we provide personal information) and/or when we interview our lawyers and staff as part of their mandates. Such regulators may include the Law Society of Upper Canada, Canada Customs and Revenue Agency, and the Human Rights Commission;
- when the legal services we are providing to you require us to give your personal information to third parties (for example, a lender in a real estate mortgage transaction or to Industry Canada with respect to an incorporation), your consent will be implied unless you instruct us otherwise;
- where it is necessary to establish or collect our fees via court process;
- if we engage a third party to provide administrative services to us (such as archival file storage) and that third party is bound by our Privacy Policy or has a privacy policy that meets the standards of our Privacy Policy;
- if we engage a third party to assist us in providing our services to you (such as a title search company) and that third party is bound by our Privacy Policy or has a privacy policy that meets the standards of our Privacy Policy;
- if we engage an expert witness on your behalf;
- if we retain other law firms in other jurisdictions on your behalf;
- if the information is already publicly known; or
- where we believe, upon reasonable grounds, that there is an imminent risk to an identifiable person or group of death or serious bodily harm.

In such circumstances, we will endeavor not to disclose more information than is required.

### **Access to and Correction of Your Personal Information**

The accuracy of your information is important to us. We welcome any inquiries you might have regarding your personal information that we have collected and retained. To review your personal information retained by us and, if applicable, to have it corrected, or if you have any questions or concerns regarding your information or our privacy policies or procedures, please write to:

Mann Lawyers LLP  
11 Holland Avenue, Suite 300  
Ottawa, ON K1Y 4S1  
Tel: (613) 722-1500  
Fax: (613) 722-7677  
Attention: Andre Martin,  
Privacy Compliance Officer

We will need to confirm your identity in advance of allowing access to said personal information. We will only correct factual information and not any professional opinions or advice that we may have formed or provided and may ask you to provide evidence showing that our information is inaccurate. There is no charge for verifying or correcting information. Depending on the circumstances, there may be a charge if you want a copy of your records.

Please note you may be denied access to your personal information under any of the following circumstances:

- if allowing you access would likely reveal personal information about a third party;
- if the information is subject to solicitor-client privilege or other legal restriction;

- if revealing the information would reveal confidential commercial information belonging to Mann Lawyers;
- if revealing the information could affect the security of another person;
- where the information relates to an investigation of a breach of an agreement or a contravention of the laws of Canada or a province or territory thereof;
- where the information was generated in the course of a formal dispute resolution process;
- where the information relates to existing or anticipated legal proceedings against you;
- where to allow you access to the information would prejudice negotiations with you; or
- where the request is frivolous or vexatious.

In such cases, we will notify you of the reason why we cannot grant you access to your personal information.

## **Security Safeguards**

We take all reasonable precautions to ensure that your personal information is kept safe from loss, unauthorized access, modification, or disclosure. The following are some measures we have taken to protect your information:

- premises security;
- security measures in regard to physical storage devices, including fire-proof safes and locked cabinets;
- technological safeguards for electronic hardware, such as firewalls and routers;
- internal password and security policies with respect to electronic hardware;
- information reduced to a paper form is either under supervision or in a locked or restricted area;
- our staff has received the requisite training in order to be compliant with this Privacy Policy; and
- we offer different methods of exchanging electronic information, including the possibility of encryption.

If your personal health information is stolen, lost, or accessed by unauthorized persons, we will notify you as soon as practicable.

Please note that no method of transmission over the Internet, or method of electronic storage, is completely secure. As such, we cannot guarantee its absolute security.

## **Retention of Personal Information**

We retain your personal information after delivery of our services to answer any queries you may have and for our own accountability to external regulatory bodies. However, to safeguard your privacy, we may only retain your personal information for a limited time. For some legal files that period can be very lengthy, as it is often of great utility to have the old file material to refer to in any future representation of the same client. For other legal files, that period may only be a few years.

Last wills and testaments and powers of attorney will be retained until we receive a written direction to release these documents.

Applications for employment will be retained for a maximum of six (6) months after receipt unless we are requested by the applicant not to retain said application material.

In general and subject to the foregoing, we retain personal information for as long as it is required for the purpose for which it was collected, to be retained by law, or to address any issues that may subsequently arise. When personal information is no longer required, we will securely destroy or delete it.

## **Links to Other Websites**

Our Website may include links to other Internet sites and third-party resources. The linked third-party websites and resources are not under the control of Mann Lawyers and are not governed by this Privacy Policy. We recommend that you review the privacy statements and disclaimers of such third parties. We are not responsible for the privacy or security practices of external websites or resources.

## **Changes to Privacy Policy**

We may from time to time review and revise our privacy practices and this Privacy Policy. If we amend this Privacy Policy, an appropriate notice will be posted on our Website. A revised Privacy Policy will apply only to subsequently-collected information. Your continued use of our Website or provision of Personal Information to us after such changes will constitute your acceptance of and agreement to this Privacy Policy, as revised.

Last Updated: September 2021