


<b>PRIVACY AND CONFIDENTIALITY POLICY</b>			
Title : Privacy Policy	Section : 1	Version: 01	Revised : Sept 2023

## **1.0 BUT**

The objective of the Privacy Policy is to adopt clear and enforceable guidelines that govern how A & R Belley Inc. (hereinafter, referred to as "Belley") collects, uses, discloses, retains and destroys it. In addition, in documentation as well as in all physical aspects relating to the integrity of personal information as well as by technological means.

## **2.0 REFERENCES**

**2.1** *Quebec's Act respecting the protection of personal information in the private sector, also known as Bill 25.*

## **3.0 APPLICATION AND DEFINITIONS**

### **3.1 TO WHOM THIS APPLIES**

This policy applies to Belley, including its officers, employees, consultants, as well as to any person who otherwise provides services on behalf of Belley. It also applies to Belley's website, as well as to all websites controlled and maintained by Belley. It covers all types of personal information managed by Belley, whether it is the information of its customers, potential or current, its suppliers, consultants, employees, members or any other person (such as visitors to its websites or otherwise).

### **3.2 DEFINITIONS :**

#### **3.2.1 PERSONAL INFORMATION**

It is information that relates to a natural person and allows, directly or indirectly, to identify him. For example, this could include an individual's name, address, email address, telephone number, gender or banking information, information about their health, ethnicity, language, etc.

#### **3.2.2 SENSITIVE PERSONAL INFORMATION**

It is information for which there is a reasonable degree of expectation of privacy, e.g. health information, banking information, biometric information, sexual orientation, ethnic origin, political opinions, religious or philosophical beliefs, etc.

### **3.2.3 PROFESSIONAL OR BUSINESS CONTACT INFORMATION**

An individual's business or business contact information is not personal information, such as an individual's name, title, address, email address or business telephone number. More specifically and for the sake of clarity, within the meaning of Québec's Act respecting the protection of personal information in the private sector, and as of September 22, 2023, section 3 (collection, use, disclosure), 4 (retention and destruction) and 6 (data security) do not apply to information of an individual relating to the exercise of a function in an enterprise, such as name, title, position, and the address, email address and telephone number of their place of work.

These same paragraphs also do not apply to personal information that is public by law, as soon as this policy comes into force.

## **4.0 COLLECTION, USE AND DISCLOSURE**

In the course of its activities, Belley may collect different types of information for different purposes.

Belley will also inform the persons concerned, at the time of collection of personal information, of any other information collected, the purposes for which it is collected and the means of collection, in addition to other information to be provided as required by law.

Belley applies the following general principles with respect to the collection, use and disclosure of personal information:

### **4.1 CONSENT:**

In general, Belley collects personal information directly from the individual concerned and with his or her consent unless an exception is provided for by law. Consent may be implied in certain situations, for example, when the individual decides to provide his or her personal information after being informed by this Policy on Use and Disclosure for the purposes identified in this Policy. Thus, this policy and the information it contains may be

consulted by the person concerned at the time of collection of personal information.

Normally, Belley must also obtain the consent of the person concerned before collecting his personal information from third parties, before communicating it to third parties or for any secondary use thereof. However, Belley may act without consent in certain cases provided for by law and under the conditions provided for therein. The main situations where Belley may act without consent are set out in the relevant sections of this policy.

## **4.2 COLLECTION**

In all cases, Belley only collects information if it has a valid reason to do so. In addition, collection will be limited only to the information necessary to fulfill the intended purpose.

Please note that Belley's services and programs are not directed to minors, and more generally, Belley does not knowingly obtain personal information from minors (in these cases, information cannot be collected from this individual without the consent of a parent or guardian).

*Collection from Third Parties.* Belley may collect personal information from third parties. Unless otherwise provided by law, Belley will seek the consent of the individual concerned before collecting personal information concerning him or her from a third party. In the event that such information is not collected directly from the individual, but from another organization, the person concerned may request the source of the information collected from Belley.

In certain situations, Belley may also collect personal information from third parties, without the consent of the person concerned, if it has a serious and legitimate interest in doing so and (a) if the collection is in the interest of the individual and it is not possible to do so from the individual in a timely manner, or (b) if such collection is necessary to ensure that the information is accurate.

Belley may also collect personal information, indirectly, in particular by using :

- Mintz : Criminal records and credit checks ;

This collection through third parties may be necessary to use certain services or programs, or to otherwise do business with Belley. When required, Belley will obtain the consent of the individual at the appropriate time.

### **4.3 RETENTION AND USE**

Belley ensures that the information it holds is up-to-date and accurate at the time it is used to make a decision about the person concerned.

Belley may only use an individual's personal information for the purposes indicated herein or for any other purpose provided at the time of collection. As soon as Belley wishes to use this information for another reason or purpose, a new consent must be obtained from the person concerned, which must be expressly obtained in the case of sensitive personal information. However, in certain cases provided for by law, Belley may use the information for secondary purposes without the individual's consent, e.g.:

- Where such use is clearly for the benefit of that person ;
- When necessary to prevent or detect fraud ;
- When necessary to evaluate or improve protection and security measures.

#### **4.3.1 LIMITED ACCESS**

Belley has implemented measures to limit access to personal information only to those employees and individuals within its organization who are qualified to read it and for whom the information is necessary in the performance of their duties. Belley will seek the consent of the person before granting access to any other person.

### **4.4 COMMUNICATION**

Generally, and unless an exception is indicated in this policy or otherwise provided by law, Belley will obtain the consent of the person concerned before disclosing his or her personal information to a third party. In addition, when consent is required and in the case of sensitive personal information, Belley will need to obtain the express consent of the individual before disclosing the information.

However, disclosure of personal information to third parties is sometimes necessary. Thus, personal information may be disclosed to third parties

without the consent of the individual concerned in certain circumstances, including, but not limited to, the following:

**4.4.1** Belley may communicate personal information, without the consent of the person concerned, to a public body (such as the government) which, through one of its representatives, collects it in the exercise of its powers or the implementation of a program under its management that requires, by the law constituting the program to the organization, Belley to provide the information.

**4.4.2** Personal information may be shared with its service providers to whom it is necessary to disclose the information without the individual's consent. For example, these service providers may be event organizers, Belley's subcontractors appointed to carry out mandates in programs administered by Belley, and cloud service providers. In these cases, Belley must have written contracts with these suppliers that indicate the measures they must take to ensure the confidentiality of the personal information disclosed that the use of this information is made only in the context of the performance of the contract and that they cannot retain this information after its expiry. In addition, these contracts must provide that suppliers must notify Belley's Chief Privacy Officer (indicated in this policy) of any breach or attempted breach of confidentiality obligations concerning the personal information disclosed and must allow this person in charge to carry out any verification relating to this confidentiality.

**4.4.3** If necessary for the purposes of concluding a commercial transaction, Belley may also communicate personal information, without the consent of the person concerned, to the other party to the transaction and subject to the conditions provided for by law.

**4.4.4 COMMUNICATION OUTSIDE QUEBEC:**

Disclosure outside Quebec: Personal information held by Belley may be disclosed outside Quebec, for example, when Belley uses cloud service providers whose server(s) are

located outside Quebec or when Belley does business with subcontractors located outside the province.

## **4.5 ADDITIONAL INFORMATION ON THE TECHNOLOGIES USED**

### **4.5.1 USE OF COOKIES**

Cookies are data files that are transmitted to the computer of the visitor of a website by his web browser when he visits this site and can have several uses.

The websites controlled by Belley use cookies including:

- To remember visitors' settings and preferences, e.g. for language selection and to enable tracking of the current session.
- For statistical purposes to know the behavior of visitors, the content consulted and allow the improvement of the website.

Websites controlled by Belley use the following types of cookies :

- **Session cookies:**  
These are session cookies that are stored for the duration of the website visit only.
- **Persistent cookies for language choice:**  
These are kept on the computer until they expire and will be retrieved the next time you visit the site.
- **Other technological means used**  
Belley also collects personal information through technological means such as web forms integrated into a website controlled by Belley (for example, its contact form, its membership form, its form to subscribe to the newsletter and seminars), questionnaires accessible online on its platforms and applications, as well as other platforms or forms tools (e.g. Microsoft Forms).

If Belley collects personal information by offering a technology product or service that has privacy

settings, Belley must ensure that these settings provide the highest level of privacy by default (cookies are not covered).

#### **4.6 RETENTION AND DESTRUCTION OF PERSONAL INFORMATION**

Unless a minimum retention period is required by applicable law or regulation, Belley retains personal information only for the time necessary to fulfill the purposes for which it was collected.

The personal information used by Belley to make a decision about an individual must be retained for a period of at least one year following the decision in question or even seven years after the end of the fiscal year in which the decision was made if it has tax implications, for example, the circumstances of the termination of employment.

At the end of the retention period or when the personal information is no longer needed, Belley will ensure:

- To destroy them ; or
- Anonymize it (i.e. it no longer irreversibly identifies the individual and can no longer be linked to personal information) and use it for serious and legitimate purposes.

Belley's destruction of information is done in a secure manner to ensure the protection of this information. Belley has falls of secure documents, whose destruction of documents is managed by an external company "Shred-it".

#### **4.7 BELLEY'S RESPONSIBILITIES**

In general, Belley is responsible for the protection of the personal information it holds.

Belley's Privacy Officer is the Senior Director, Administration and Finance. It must, in general, ensure compliance with applicable legislation concerning the protection of personal information. The head must approve the policies and practices governing the governance of personal information. Specifically, this person is responsible for implementing this policy and ensuring that it is

known, understood and applied. In the event of the absence or inability to act of this person in charge, Belley's controller will assume the functions of the person responsible for the protection of personal information.

Belley personnel who have access to personal information or are otherwise involved in its management must ensure its protection and comply with this policy.

The roles and responsibilities of Belley employees throughout the life cycle of personal information may be specified by any other Belley policy in this regard, if any.

#### **4.8 DATA SECURITY**

Belley undertakes to implement reasonable security measures to ensure the protection of the personal information it manages. The security safeguards in place include, among other things, the purpose, amount, distribution, medium and sensitivity of the information. Thus, this means that information that qualifies as sensitive (see definition in Section 2) will need to be subject to greater security safeguards and better protection. In particular, and in accordance with what was mentioned above regarding limited access to personal information , Belley must put in place the necessary measures to impose constraints on the rights to use its information systems so that only employees who must have access to them are authorized to access them.

#### **4.9 RIGHTS OF ACCESS, RECTIFICATION AND WITHDRAWAL OF CONSENT**

To assert their rights of access, rectification or withdrawal of consent, the person concerned must submit a written request to this effect to Belley's person for the protection of personal information, at the email address indicated in the following section.

Subject to certain legal restrictions, the persons concerned may request access to their personal information held by Belley and request its correction in the event that it is inaccurate, incomplete or ambiguous. They may also require the cessation of the dissemination of personal information concerning them or that any hyperlink attached to their name allowing access to the information by technological means be deindexed, where the dissemination of the information contravenes the law or a court order. They may do the same, or require that the hyperlink allowing access to this



information be reindexed, when certain conditions provided for by law are met.

Belley's Privacy Officer must respond in writing to such requests within 30 days of the date of receipt of the request. Any refusal must be justified and accompanied by the legal provision justifying the refusal. In these cases, the response must indicate the remedies under the law and the time limit for exercising them. The person in charge must help the applicant understand the refusal if necessary.

Subject to applicable legal and contractual restrictions, data subjects may withdraw their consent to the disclosure or use of the information collected.

They may also ask Belley what personal information is collected from Belley, the categories of people at Belley who have access to it and how long it will be kept.

## **4.10 COMPLAINT PROCESS**

### **4.10.1 RECEPTION**

Any person who wishes to make a complaint relating to the application of this policy or, more generally, to the protection of his or her personal information by Belley, must do so in writing by contacting Belley's Privacy Officer at the email address indicated in the following section.

The individual must indicate his name, contact information, including a telephone number, as well as the subject and reasons for his complaint, giving sufficient details for it to be evaluated by Belley. If the complaint is not sufficiently specific, the Privacy Officer may request any additional information it considers necessary to assess the complaint.

### **4.10.2 TRAITEMENT**

Belley undertakes to treat any complaint received confidentially.

Within 30 days of receipt of the complaint or receipt of any additional information deemed necessary and required by Belley's Privacy Officer in order to process it, Belley's Privacy Officer must assess the complaint and provide a written

reasoned response by email to the complainant. This assessment will determine whether Belley's handling of personal information complies with this policy, any other policies and practices in place within the organization and applicable legislation or regulations.

In the event that the complaint cannot be dealt with within this period, the complainant must be informed of the reasons justifying the extension of the time limit, the progress made in dealing with his complaint and the reasonable time required to be able to provide a definitive response.

Belley must establish a separate file for each complaint addressed to him. Each file contains the complaint, the analysis and documentation to support its assessment, as well as the response sent to the person making the complaint.

It is also possible to file a complaint with the “Commission d'accès à l'information du Québec” or any other privacy oversight body responsible for enforcing the law concerned by the subject matter of the complaint.

However, Belley invites all interested persons to first contact their Privacy Officer and wait until the completion of the processing process by Belley.

#### **4.11 APPROVAL**

This policy is approved by Belley's Chief Privacy Officer, whose business contact information is as follows:

**Privacy Officer:**

Vanja Pospisil

Principal Director of Administration and Finance

1035 Panneton Street

Sherbrooke (Québec) J1K 2B3

[vpospisil@belley.net](mailto:vpospisil@belley.net)

For any requests, questions or comments under this policy, please contact the person in charge by email.

## 4.12 PUBLICATION AND CHANGES

This policy is published on Belley's website, as well as on all websites controlled and maintained by Belley, to which this policy applies, with respect to the personal information collected there. This policy is also disseminated by any means likely to reach the persons concerned.

Belley must also do the same for all changes to this policy, which must also be the subject of a notice to inform the persons concerned.

\*Notes: Please note that the use of the masculine gender is intended to streamline and facilitate the reading of this policy.

Table of versions and changes:

Version	Effective	Changes since the last version
1.0	September 1, 2023	S.O. – <i>First version</i>