

Community Futures Development Corporations (“CFDCs”) PRIVACY CODE

This Privacy Code informs you of the CFDCs' commitment to and policy on privacy. It tells you the ways a CFDC ensures that your privacy and the confidentiality of your information are protected.

The objective of CFDCs' 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) and other applicable privacy legislation.

Community Futures Manitoba (“CFM”), the Provincial Association acting on behalf of the CFDCs, will conduct periodic reviews of this Privacy Code to make sure that it remains current with changing standards, technologies and laws.

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COMPLIANCE WITH LEGAL AND INDUSTRY STANDARDS

Each CFDC will make every reasonable effort to comply with industry standards and applicable federal and provincial laws in Canada, including the *Personal Information Protection and Electronic Documents Act*.

CFDCs' PRIVACY CODE

CFDCs' Privacy Code only applies to identifiable individuals whose personal information a CFDC collects, uses, retains and discloses in the course of commercial activities. When we use the words "personal information" or "information" in this Privacy Code, we mean information about an identifiable individual, with the exception of the name, title or

business address or telephone number of an employee of an organization. Further, these terms do not include information that does not identify particular individuals, like aggregate statistics or anonymous data, or information which is publicly available, as specified in applicable laws.

PURPOSES FOR THE COLLECTION, USE, RETENTION AND DISCLOSURE OF INFORMATION ABOUT YOU

The following are the purposes for the collection, use, retention and disclosure of personal information by a CFDC:

- To establish and maintain a relationship with you as a client and to provide services to you;
- To provide you with information about products, programs, services, conferences, training resources and upcoming events that may interest you;
- To administer the CFDC's services, to assess the quality and quantity of CFDCs' services, to maintain adequate accounting and tax records, and to have information in such form as the CFDC may reasonably require for its business needs;
- To meet legal, regulatory and governmental requirements (including the requirements of Western Economic Diversification Canada ("**WD**") as the funding source of the CFDCs and CFPM), to detect and prevent fraud and to protect the interests of you, the CFDC and WD; and
- To achieve any other purpose to which you have given your consent.

For clients who have not obtained a loan from a CFDC, the above-noted purposes differ in that the applicable CFDC is not required to maintain accounting and tax records related to such individuals. For loan clients, further details regarding a CFDC's purposes for the collection, use, retention and disclosure of personal information are outlined in your Loan Application Form with the CFDC.

KEY PRINCIPLES

CFDCs' Privacy Code consists of the following key principles, which apply to all aspects of a CFDC's handling of an individual's personal information in the context of a commercial activity, including the collection, use, retention and disclosure of such information.

A. Collecting and Using Information

CFDCs collect and use information to establish and serve you as a client.

CFDCs gather and use your personal information to provide you with the services you have requested. CFDCs collect, use, retain and disclose information about you only with your consent, except as outlined in this Privacy Code. In obtaining your consent, whether express or implied, the purposes for which a CFDC requires your information are outlined above. If a CFDC purposes differ from those outlined above, the applicable CFDC will advise you of its new purposes at the time of collection of your information.

A CFDC may depart from this consent principle in accordance with the limited exceptions described in this Privacy Code, when permitted by other written and posted policies established by the applicable CFDC, or where required or permitted by applicable laws (for instance, a CFDC may disclose personal information in an emergency to protect human life or safety).

The information a CFDC collects depends on the service you have requested. For every client, a CFDC needs your contact information (your name, address and some identification). Here is why a CFDC needs some of the other information it asks you to provide.

- *Birth Date*

This helps a CFDC identify you and ensure that no one is trying to impersonate you.

- *Social Insurance Number (SIN)*

A CFDC uses your SIN to keep your information separate from that of other clients with a similar name. For loan applicants, CFDCs use your SIN to obtain information with your consent, through the credit approval process.

- *Financial Information*

For loan applicants, your financial information is used to assess your eligibility for a business loan.

- *Health Information*

For loan applicants, a CFDC requires your health information if you wish to apply for group creditor life insurance, as an insurance company will not provide such coverage unless you are eligible based on your health information.

A CFDC only collects the information it needs and only uses it for the purposes explained to you.

A CFDC will only ask for the information it needs for the particular service you have requested and will only use it for the purposes outlined in this Privacy Code or, if applicable, outlined to you at the time of collection of your information, such as in the case of a loan applicant. When you apply for a new service, a CFDC will indicate how it intends to use your information if its purposes differ from those already outlined. A CFDC will advise which information would help it to serve you but is optional for you to provide.

With your consent, a CFDC may obtain information about you from third parties.

Obtaining additional information about you from trustworthy third parties helps a CFDC assess your eligibility for its loans and services. For example, for loan applicants a CFDC needs to know your credit history. For this reason, a CFDC may contact other lenders or credit bureaus to give it information on your credit history. A CFDC may also contact employers or other personal references to verify information that you have given it. CFDCs will not do this without your consent, but please remember that if you do not

give your consent a CFDC will not be able to process your loan application and extend credit services to you.

B. Releasing Information

Under no circumstances do CFDCs sell client lists or information to others. CFDCs release your information to outside parties only under the following circumstances:

- *Where a CFDC has your consent, whether express or implied.*

For example, for loan applicants, a CFDC will disclose your credit history with such CFDC to other lenders or credit bureaus in order to support the credit approval process. In such cases, the CFDC will release the information required to identify you, as well as facts from its credit records about your repayment history.

For business clients, a CFDC may disclose your contact information to Western Economic Diversification Canada and other related organizations, such as the Manitoba Women's Enterprise Centre or the Canada/Manitoba Business Service Centre, whose programs, services and/or products also may interest you. If you do not want a CFDC to provide your contact information to those other related organizations, please advise the CFDC.

- *To suppliers and agents who assist the CFDC in servicing you and whom the CFDC can reasonably trust to respect your privacy.*

For example, a CFDC will disclose your name and address to a courier company making a delivery to you at its request. In such cases, a CFDC will only make disclosure to the extent necessary and whenever possible, require that the party receiving this information provides reasonable assurances that they will respect the privacy of your information in accordance with applicable laws.

- *When required or permitted by law to do so.*

For example, a CFDC must give information in response to a valid demand, search warrant or other legally valid enquiry or order. A CFDC may disclose information to the authorities to serve a clear public interest and fulfill its public duty - such as to protect against fraud or other criminal activity. A CFDC may take action to protect its interests which may result in disclosing information to parties outside the CFDC, such as using agents to collect overdue accounts. A CFDC may also disclose information under an exception to the requirement for consent expressly set out in applicable laws, such as the exception for disclosures necessary to protect human life or safety in an emergency.

- *When a CFDC needs to do so to protect its interests in the context of an existing or potential legal or administrative proceeding.*

For example, in the event of a proceeding commenced by or against a CFDC in connection with you, a CFDC may disclose your information to its lawyers and to the court or administrative body involved.

- *When required by Western Economic Diversification Canada ("WD"), as a partial funder of CFDCs and the source of CFDC investment funds.*

For example, a CFDC must prepare reports for distribution to WD in order to receive funding. Although the information contained in such reports is often de-identified data, such reports may contain personal information of loan applicants and other clients.

C. Protecting Information

CFDCs will protect your information with appropriate safeguards and security measures.

Each CFDC has reasonable security standards to protect its systems and your information against unauthorized access and use. All employees of the CFDCs are familiar with the procedures that must be taken to safeguard client information.

A CFDC will retain your information only as long as it is legally or reasonably required by it.

The length of time a CFDC retains information varies depending on the service and the nature of the information. This period may extend beyond the end of your relationship with the CFDC but only for so long as it is legally or reasonably required by it. When your information is no longer needed, CFDCs have procedures to destroy, delete, erase or convert it to an anonymous form.

D. Providing Information Access and Accuracy

A CFDC will give you access to the information it has about you.

Most of your information is kept in a CFDC's client file about you. Please contact the CFDC that serves you if you wish to access any information the CFDC may have about you. Each CFDC will advise you in advance if a minimal charge will be required for conducting a search, and will do its utmost to respond to your request within 30 days. Please note that a CFDC may not be able to provide information about you from its records if it contains references to other persons, is subject to legal privilege, contains information proprietary to the CFDC, is too costly to retrieve, or cannot be disclosed for other legal reasons.

CFDCs will make every reasonable effort to keep your information accurate and up-to-date.

Having accurate information about you enables a CFDC to give you the best possible service. You can help by keeping the CFDC that serves you informed of any changes, for instance if you move or change telephone numbers. If you find any errors in a CFDC's information about you, please send the CFDC the correction in writing by mail, fax or e-mail. The CFDC will make appropriate corrections and make sure that such corrections are conveyed to anyone it may have misinformed. For information that remains in dispute, a CFDC will note your opinion in its file.

E. Respecting and Responding to Your Privacy Concerns

CFDCs will explain your options of refusing or withdrawing consent to the collection, use or disclosure of your information, and will record and respect your choices subject to any legal or contractual restrictions and reasonable notice.

Please contact the CFDC that serves you and ask to speak to the CFDC's Privacy Officer if you have any questions related to your options. For example, you may refuse consent for a CFDC to do a credit check, but the CFDC will not be able to extend credit services to you. Once you have a credit product, you will not be able to withdraw your consent to share your credit experience with other lenders and credit bureaus, as this is necessary to support the credit approval process.

A CFDC will investigate and respond to your concerns about any aspect of its handling your information.

If you have any concerns or questions about privacy and confidentiality - or any concerns about the way a request for information was handled - you can take the following action. Contact the CFDC that serves you and ask to speak to its Privacy Officer. Log on to www.cfpm.mb.ca to find contact information for the CFDC that serves you.

The Privacy Officer appointed for each CFDC has the decision-making authority to resolve most concerns. However, if you are unsatisfied with the way your complaint or request was addressed, you may contact the Federal Privacy Commissioner:

Office of the Privacy Commissioner
112 Kent Street
Ottawa, Ontario
K1A 1H3

INFORMATION REGARDING WEB SITE PRACTICES

The principles outlined in this Privacy Code apply to information collected through each CFDC's and CFPM's Web site, with the following qualifications.

A CFDC and CFPM collects and stores your e-mail address from any communications that you may send to it by clicking on any of its e-mail links. A CFDC and CFPM may use your e-mail address to communicate with you, if you are registering for a program, conference, training resource or upcoming event, your e-mail indicates that a response to your inquiry is requested or if CFDC or CFPM wishes to address a concern or complaint you may have.

A CFDC may have its own Web site privacy policy, which should be consulted for further information regarding such CFDC's Web site privacy practises. Links to external sites are provided for you as a convenience and no responsibility or liability is assumed in respect of such linked sites. These other sites may send their own cookies to users, collect data or solicit personal information. You should check the privacy policy of any site you visit for information regarding their privacy handling practices.

UPDATING THIS CODE

Any changes to this Privacy Code or to a CFDC's information handling practices will be recorded in a timely manner.

We may add, modify or remove portions of this Privacy Code when we feel it is appropriate to do so. However, a CFDC will not use any information collected prior to such changes for any new purposes without first obtaining your consent.

Effective Date: January 1, 2004