

# Code of Fair Information Practices of Télébec, Télébec, Société en commandite and its affiliates

The Télébec and its Affiliates Code of Fair Information Practices complies fully with the Personal and Electronic Documents Act incorporates the ten principles of Canadian Standards Association (CSA) Model Code for the Protection Personal Information (CAN/CSA-Q830-96), which was published in March 1996 as a National Standard of Canada.

Revised 31 January, 2011

The logo for Télébec, featuring the word "Telebec" in a black sans-serif font with a green swoosh above the letters "e" and "b".

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## Introduction

Télébec, Société en commandite ("Télébec") and its affiliates are a group of companies specialized in several areas of telecommunications services: telephony, Internet, cellular telephones, cable, information systems, etc. The complementary nature of our companies enables us to offer a more comprehensive and competitive product.

Télébec and its affiliates have long been committed to maintaining the accuracy, confidentiality, security and privacy of customer and employee personal information. This is reflected in existing privacy and confidentiality provisions found in various Télébec policies and in applicable service rules approved by regulatory agencies over the years. It is also reflected in the high regard and trust with which customers and employees view the management of personal information by Télébec and its affiliates.

In March 1996, the new Canadian Standards Association *Model Code for the Protection of Personal Information*, CAN/CSA-Q830-96 (the "CSA Code"), was published as a National Standard of Canada. Télébec and its affiliates have adopted the *Code of Fair Information Practices of Télébec and Its Affiliates*, to describe in detail how we subscribe to the principles of the CSA Code and the requirements of the *Personal Information Protection and Electronic Documents Act*.

The *Code of Fair Information Practices of Télébec and its Affiliates* ("Code") is a formal statement of principles and guidelines concerning the minimum requirements for the protection of personal information provided by Télébec and its affiliates to our customers and employees. The objective of the Code is responsible and transparent practices in the management of personal information, in accordance with the National Standard and federal legislation.

Télébec and its affiliates will continue to review the Code periodically to make sure it is relevant and remains current with changing technologies and laws and the evolving needs of our customers and employees.

## Summary of Principles

### **Principle 1 - Accountability**

*Télébec and its affiliates are responsible for personal information under their control and shall designate one or more persons who are accountable for compliance with the following principles,*

### **Principle 2 - Identifying Purposes for Collection of Personal Information**

*Télébec and its affiliates shall identify the purposes for which personal information is collected at or before the time the information is collected.*

### **Principle 3 - Obtaining Express Consent for Collection, Use or Disclosure of Personal Information**

*The knowledge and express consent of a customer or employee are required for the collection, use or disclosure of personal information, except where inappropriate.*

### **Principle 4 - Limiting Collection of Personal Information**

*Télébec and its affiliates shall limit the collection of personal information to that which is necessary for the purposes identified, Télébec and its affiliates shall collect personal information by fair and lawful means.*

### **Principle 5 - Limiting Use, Disclosure and Retention of Personal Information**

*Télébec and its affiliates shall not use or disclose personal information for purposes other than those for which it was collected, except with the express consent of the individual or as required by law, Télébec and its affiliates shall retain personal information only as long as necessary for the fulfillment of those purposes,*

### **Principle 6 - Accuracy of Personal Information**

*Personal information shall be as accurate, complete and up-to-date as is necessary for the purposes for which it is to be used.*

### **Principle 7 - Security Safeguards**

*Télébec and its affiliates shall protect personal information by security safeguards appropriate to the sensitivity of the information.*

### **Principle 8 - Openness Concerning Policies and Practices**

*Télébec and its affiliates shall make readily available to customers and employees specific information about its policies and practices relating to the management of personal information.*

### **Principle 9 - Customer and Employee Access to Personal Information**

*Télébec and its affiliates shall inform a customer or employee of the existence, use and disclosure of his or her personal information upon request and shall give the individual access to that information. A customer or employee has the right to challenge the accuracy and completeness of the information and to have it amended as appropriate.*

## **Principle 10 - Challenging Compliance**

*A customer or employee shall be able to address a challenge concerning compliance with the above principles to the designated person or persons accountable for the compliance of Télébec and its affiliates with the Code.*

## **Scope and Application**

The 10 principles that form the basis of the Code are interrelated and Télébec and its affiliates shall adhere to the 10 principles as a whole. Each principle must be read in conjunction with the accompanying commentary. As permitted by the CSA Code, the commentary in the Code has been tailored to reflect personal information issues specific to Télébec and its affiliates.

The scope and application of the Code of Fair Information Practices are as follows:

- The Code applies to personal information about customers and employees of Télébec and its affiliates that is collected, used or disclosed by these companies.
- The Code applies to the management of personal information in any form whether oral, electronic or written.
- The Code does not impose any limits on the collection, use or disclosure of the following information by Télébec and its affiliates: a) information that is publicly available, such as a customer's name, address, telephone number and electronic address, when listed in a directory or made available through directory assistance; or b) the name, title or business address or telephone number of an employee of an organization.
- The application of the Code is subject to the requirements or provisions of any applicable legislation, regulations, tariffs or agreements (such as collective agreements), or the order of any court or other lawful authority.

## Definitions

**Affiliates of Télébec** - all companies or entities owned by Télébec or which are related to it through ownership, including:

Câblevision du Nord de Québec inc.  
Centre d'interaction Proximédia, inc.  
NorthernTel, Limited Partnership.

As well as any company that replaces the above-mentioned companies or entities as a result of a restructuring or reorganization.

**Collection** - the act of gathering, acquiring, recording or obtaining personal information from any source, including third parties, by any means.

**Consent** - voluntary agreement with the collection, use and disclosure of personal information for defined purposes. Consent can be either express or implied and can be provided directly by the individual or by an authorized representative. Express consent may be taken to be given by a customer where the customer provides written consent, oral confirmation by an independent third party, electronic confirmation through the use of a toll-free number or electronic confirmation via the Internet, but is always unequivocal and does not require any inference on the part of Télébec or its affiliates. Implied consent is consent that can reasonably be inferred from an individual's action or inaction.

**Customer** - an individual who

- (a) uses, or applies to use, the products or services of Télébec or its affiliates;
- (b) corresponds with Télébec or its affiliates; or
- (c) enters a contest sponsored by Télébec or its affiliates.

**Disclosure** - making personal information available to a third party.

**Employee** - an employee or pensioner of Télébec or its affiliates.

**Personal information** - information about an identifiable individual but not aggregated information that cannot be associated with a specific individual.

- For a **customer**, such information includes a customer's credit information, billing records, service and equipment, and any recorded complaints.
- For an **employee**, such information includes information found in personal employment files, performance appraisals and medical and benefits information.

**Third party** - an individual other than the customer or his agent or an organization other than the Télébec companies.

**Use** - the treatment, handling, and management of personal information by Télébec and its affiliates.

## The Code of Fair Information Practices in Detail

### Principle 1 - Accountability

*Télébec and its affiliates are responsible for personal information under their control and shall designate one or more persons who are accountable for the companies' compliance with the following principles.*

- 1.1 Responsibility for ensuring compliance with the provisions of the Code rests with the senior management of Télébec and its affiliates, which shall designate one or more persons to be accountable for compliance with the Code. Other individuals within Télébec or its affiliates may be delegated to act on behalf of the designated person(s) or to take responsibility for the day-to-day collection and processing of personal information.
- 1.2 Télébec and its affiliates shall make known, upon request, the title of the person or persons designated to oversee the companies' compliance with the Code. Télébec and its affiliates have designated the Télébec Privacy Ombudsman to oversee compliance with the Code. The Télébec Privacy Ombudsman can be contacted at the following address:

Télébec Customer Services, c/o Privacy Ombudsman  
555, avenue Centrale  
Val-d'Or (Québec), J9P 1P6  
**[ombudsman@telebec.com](mailto:ombudsman@telebec.com)**

- 1.3 Télébec and its affiliates are responsible for personal information in their possession or control, including information that has been transferred to a third party for processing. Télébec and its affiliates shall use appropriate means to provide a comparable level of protection while information is being processed by a third party (see Principle 7).
- 1.4 Télébec and its affiliates have implemented policies and procedures to give effect to the Code of Fair Information Practices, including:
  - a) implementing procedures to protect personal information and to oversee the company's compliance with the Code;
  - b) establishing procedures to receive and respond to inquiries or complaints;
  - c) training and communicating to staff about the company's policies and practices;  
and
  - d) developing public information to explain the company's policies and practices.

## Principle 2 - Identifying Purposes for Collection of Personal Information

Télébec and its affiliates *shall identify the purposes for which personal information is collected at or before the time the information is collected.*

- 2.1 Télébec and its affiliates collect personal information only for the following purposes:
- a) To establish and maintain responsible commercial relations with customers and to provide ongoing service;
  - b) To understand customer needs;
  - c) To develop, enhance, market or provide products and services;
  - d) To manage and develop their business and operations, including personnel and employment matters; and
  - e) To meet legal and regulatory requirements.

Further references to "identified purposes" mean the purposes identified in this Principle

- 2.2 Télébec and its affiliates shall specify orally, electronically or in writing the identified purposes to the customer or employee at or before the time personal information is collected. Upon request, persons collecting personal information shall explain these identified purposes or refer the individual to a designated person within Télébec and its affiliates who shall explain the purposes.
- 2.3 Unless required by law, Télébec and its affiliates shall not use or disclose, for any new purpose, personal information that has been collected without first identifying and documenting the new purpose and obtaining the express consent of the customer or employee.

### **Principle 3 - Obtaining Express Consent for Collection, Use or Disclosure of Personal Information**

*The knowledge and express consent of a customer or employee are required for the collection, use or disclosure of personal information, except where inappropriate.*

- 3.1 In certain circumstances personal information can be collected, used or disclosed without the knowledge and express consent of the individual. For example, Télébec and its affiliates may collect or use personal information without knowledge or express consent if it is clearly in the interests of the individual and express consent cannot be obtained in a timely way, such as when the individual is a minor, seriously ill or mentally incapacitated.

Télébec and its affiliates may also collect, use or disclose personal information without knowledge or express consent if seeking the express consent of the individual might defeat the purpose of collecting the information such as in the investigation of a breach of an agreement or a contravention of a federal or provincial law.

Télébec and its affiliates may also use or disclose personal information without knowledge or express consent in the case of an emergency where the life, health or security of an individual is threatened.

Télébec and its affiliates may disclose personal information without knowledge or express consent to a lawyer representing the companies, to collect a debt, to comply with a subpoena, warrant or other court order, or as may be otherwise required by law.

- 3.2 In obtaining express consent, Télébec and its affiliates shall use reasonable efforts to ensure that a customer or employee is advised of the identified purposes for which personal information will be used or disclosed. Purposes shall be stated in a manner that can be reasonably understood by the customer or employee.
- 3.3 Generally, Télébec and its affiliates shall seek express consent to use and disclose personal information at the same time it collects the information. However, Télébec and its affiliates may seek express consent to use and disclose personal information after it has been collected but before it is used or disclosed for a new purpose.
- 3.4 Télébec and its affiliates will require customers to consent to the collection, use or disclosure of personal information as a condition of the supply of a product or service only if such collection, use or disclosure is required to fulfill the identified purposes.
- 3.5 In determining the appropriate form of express consent, Télébec and its affiliates shall take into account the sensitivity of the personal information and the reasonable expectations of its customers and employees.



- 3.6 In general, the use of products and services by a customer, or the acceptance of employment or benefits by an employee, constitutes implied consent for Télébec and its affiliates to collect, use and disclose personal information for all identified purposes.
- 3.7 A customer or employee may withdraw express consent at any time, subject to legal or contractual restrictions and reasonable notice. Customers and employees may contact Télébec or its affiliates for more information regarding the implications of withdrawing express consent.

#### **Principle 4 - Limiting Collection of Personal Information**

*Télébec and its affiliates shall limit the collection of personal information to that which is necessary for the purposes identified by the company. Télébec and its affiliates shall collect personal information by fair and lawful means.*

- 4.1 Télébec and its affiliates collect personal information primarily from their customers or employees.
- 4.2 Télébec and its affiliates may also collect personal information from other sources including credit bureaux, employers or personal references, or other third parties that represent that they have the right to disclose the information.

#### **Principle 5 - Limiting Use, Disclosure and Retention of Personal Information**

*Télébec and its affiliates shall not use or disclose personal information for purposes other than those for which it was collected, except with the express consent of the individual or as required by law. Télébec and its affiliates shall retain personal information only as long as necessary for the fulfillment of the purposes for which it was collected.*

- 5.1 In certain circumstances personal information can be collected, used or disclosed without the knowledge and express consent of the individual. (See Principle 3.1)
- 5.2 In addition, Télébec and its affiliates may disclose a customer's personal information to:
- a) **An agent acting on behalf of Télébec or its affiliates**, such as a company hired to perform installation or maintenance on our behalf;
  - b) **Another communications service provider**, in order to offer efficient and effective communications services (e.g. to provide wireless service while roaming in another company's coverage area);
  - c) **A company involved in supplying the customer with telephone or telephone directory related services**;
  - d) **Another person for the development, enhancement, marketing or provision of any of the products or services of Télébec and its affiliates**;

- e) **An affiliate that offers telecommunications or broadcasting services;**
- f) **An agent retained by the Company to evaluate the customer's creditworthiness or to collect the customer's account,** for the express purpose of the collection of past-due bills;
- g) **A public authority or agent of a public authority, if in the reasonable judgement of the Company, it appears that there is imminent danger to life or property,** in emergencies, for internal security matters, or where required by court order or search warrant; and
- h) **Emergency services,** in emergency situations.

You may decide that you prefer us not to share your personal information among Télébec and its affiliates to promote products and services. If this is the case, please send us written instructions to that effect to Télébec Customer Services , 555, avenue Centrale Val-d'Or (Québec), J9P 1P6, or by filling up the e-mail form under "Contact us" on the website: [www.telebec.com](http://www.telebec.com).

5.3 Télébec and its affiliates may disclose personal information about its employees:

- a) for normal personnel and benefits administration;
- b) in the context of providing references regarding current or former employees in response to requests from prospective employers; or
- c) where disclosure is required by law.

5.4 Only those employees of Télébec and its affiliates who require access for business reasons, or whose duties reasonably so require, are granted access to personal information about customers and employees.

5.5 Télébec and its affiliates shall keep personal information only as long as it remains necessary or relevant for the identified purposes or as required by law. Depending on the circumstances, where personal information has been used to make a decision about a customer or employee, Télébec and its affiliates shall retain, for a period of time that is reasonably sufficient to allow for access by the customer or employee, either the actual information or the rationale for making the decision.

5.6 Télébec and its affiliates shall maintain reasonable and systematic controls, schedules and practices for information and records retention and destruction which apply to personal information that is no longer necessary or relevant for the identified purposes or required by law to be retained. Such information shall be destroyed, erased or made anonymous.

## **Principle 6 - Accuracy of Personal Information**

*Personal information shall be as accurate, complete and up-to-date as is necessary for the purposes for which it is to be used.*

- 6.1 Personal information used by Télébec and its affiliates shall be sufficiently accurate, complete and up-to-date to minimize the possibility that inappropriate information may be used to make a decision about a customer or employee.
- 6.2 Télébec and its affiliates shall update personal information about customers and employees as and when necessary to fulfill the identified purposes or upon notification by the individual.

## **Principle 7 - Security Safeguards**

*Télébec and its affiliates shall protect personal information by security safeguards appropriate to the level of confidentiality of the information.*

- 7.1 Télébec and its affiliates shall protect personal information against such risks as loss or theft, unauthorized access, disclosure, copying, use, modification or destruction, through appropriate security measures. Télébec and its affiliates shall protect the information regardless of the format in which it is held.
- 7.2 Télébec and its affiliates shall protect personal information disclosed to third parties by contractual agreements stipulating the confidentiality of the information and the purposes for which it is to be used.
- 7.3 All employees of Télébec and its affiliates with access to personal information shall be required as a condition of employment to respect the confidentiality of personal information.

## **Principle 8 - Openness Concerning Policies and Practices**

*Télébec and its affiliates shall make readily available to customers and employees specific information about its policies and practices relating to the management of personal information.*

- 8.1 Télébec and its affiliates shall make information about their policies and practices easy to understand, including:
  - a) The title and address of the person or persons accountable for the companies' compliance with the Code of Fair Information Practices and to whom inquiries or complaints can be forwarded;
  - b) The means of gaining access to personal information held by the companies; and
  - c) A description of the type of personal information held by the companies, including a general account of its use.
- 8.2 Télébec and its affiliates shall make available information to help customers and employees exercise choices regarding the use of their personal information and the privacy-enhancing services available from the company.

## **Principle 9 - Customer and Employee Access to Personal Information**

*Télébec and its affiliates shall inform a customer or employee of the existence, use and disclosure of his or her personal information upon request and shall give the individual access to that information.*

*A customer or employee has the right to challenge the accuracy and completeness of the information and have it amended as appropriate.*

- 9.1 Upon request, Télébec and its affiliates shall afford to a customer or an employee a reasonable opportunity to review the personal information in the individual's file. Personal information shall be provided in understandable form within a reasonable time and at minimal or no cost to the individual.
- 9.2 In certain situations, Télébec and its affiliates may not be able to provide access to all of the personal information that they hold about a customer or employee. For example, Télébec and its affiliates may not provide access to information if doing so would likely reveal personal information about a third party or could reasonably be expected to threaten the life or security of another individual. Also, Télébec and its affiliates may not provide access to information if disclosure would reveal confidential commercial information, if the information is protected by solicitor-client privilege, if the information was generated in the course of a formal dispute resolution process, or if the information was collected in relation to the investigation of a breach of an agreement or a contravention of a federal or provincial law. If access to personal information cannot be provided, Télébec and its affiliates shall provide the reasons for denying access upon request.
- 9.3 Upon request, Télébec and its affiliates shall provide an account of the use and disclosure of personal information and, where reasonably possible, shall state the source of the information. In providing an account of disclosure, Télébec and its affiliates shall provide a list of organizations to which it may have disclosed personal information about the individual when it is not possible to provide an actual list.
- 9.4 In order to safeguard personal information, a customer or employee may be required to provide sufficient identification information to permit Télébec and its affiliates to account for the existence, use and disclosure of personal information and to authorize access to the individual's file. Any such information shall be used only for this purpose.
- 9.5 Télébec and its affiliates shall promptly correct or complete any personal information found to be inaccurate or incomplete. Any unresolved differences as to accuracy or completeness shall be noted in the individual's file. Where appropriate, Télébec and its affiliates shall transmit to third parties having access to the personal information in question any amended information or the existence of any unresolved differences.
- 9.6 A customer can obtain information or seek access to his or her individual file by contacting a designated representative at one of Télébec and its affiliates' business offices.
- 9.7 An employee can obtain information or seek access to his or her individual file by contacting his or her immediate supervisor within the applicable Télébec Company.

## Principle 10 - Challenging Compliance

*A customer or employee shall be able to address a challenge concerning compliance with the above principles to the designated person or persons accountable for the compliance of Télébec and its affiliates with the Code of Fair Information Practices.*

10.1 Télébec and its affiliates shall maintain procedures for addressing and responding to all inquiries or complaints from its customers and employees about the companies' handling of personal information.

10.2 Télébec and its affiliates shall inform their customers and employees about the existence of these procedures as well as the availability of complaint procedures.

10.3 The person or persons accountable for compliance with the Code may seek external advice where appropriate before providing a final response to individual complaints.

10.4 Télébec and its affiliates shall investigate all complaints concerning compliance with the Code. If a complaint is found to be justified, the company shall take appropriate measures to resolve the complaint including, if necessary, amending its policies and procedures. A customer or employee shall be informed of the outcome of the investigation regarding his or her complaint.

For more information on Télébec and its affiliates' commitment to privacy, contact any of the Télébec Companies at the number shown on your monthly bill, or contact us through the following website:

**[www.telebec.com](http://www.telebec.com)**

For copies of the *CSA Model Code for the Protection of Personal Information* contact:

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