

McAuley & Partners Privacy Policy

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McAuley & Partners recognizes the importance of privacy and the sensitivity of personal information. As lawyers we have a professional obligation to keep confidential all information we receive within a lawyer-client relationship. We are committed to protecting any personal information we hold. This Privacy Policy outlines how we manage your personal information and safeguard your privacy.

Privacy Legislation

From January 1, 2004, all businesses engaged in commercial activities must comply with the Personal Information Protection and Electronic Documents Act, "PIPEDA" and the Canadian Standards Association Model Code for the Protection of Personal Information, which it incorporates. These obligations extend to lawyers and law firms, including McAuley & Partners. The Act gives you rights concerning the privacy of your personal information.

As a professional services firm, we have professional and ethical obligations to keep confidential the information we receive in the context of a lawyer-client and agent-client relationship. To ensure this accountability, we have developed this policy, and trained our lawyers and support staff about our policies and practices.

Personal Information

Personal information is defined in PIPEDA as information about an identifiable individual, but does not include the name, title or business address or telephone number of an employee of an organization. In other words, it does not include the information one expects to find on a business card.

Consent to Our Collection of Personal Information

In most cases, we obtain your consent to collect, use and disclose your personal information. Usually, if you retain our firm, we assume that we have your implied consent to our collection and use of your personal information, however, at times we may ask for your express consent either verbally or in writing. Generally, we collect your personal information directly from you at the start of or during the course of your retainer with our firm. Sometimes we may obtain information about you from other sources such as a government registry or other professionals who serve you.

Use of Personal Information at McAuley & Partners

We use your personal information to provide legal advice and services to you, to issue invoices and to maintain our database of clients. In addition, if you apply for a position with McAuley & Partners, we will use your personal information to assess your candidacy. Lastly, we may use your contact information (name, e-mail and postal address) so that we may communicate with you about recent developments in the law.

Withdrawal of Consent

You may withdraw your consent to our collection, use and disclosure of your personal information at any time, subject to legal and/or contractual restrictions and upon reasonable notice. Your withdrawal of consent to our collection, use and disclosure of your personal information may impact our ability to represent you and provide you with legal advice.

Disclosure of Personal Information

Generally, we do not disclose your personal information to third parties without your consent unless permitted or required by applicable laws or court orders. The following are some examples where we may disclose your personal information; such disclosure is necessary to collect fees or disbursements; we contract with a third party to provide us with certain services such as archival file storage or insurance. (In such cases, we will use contractual or other means to ensure the third party service provider is bound by obligations regarding privacy which are consistent with this policy); or we engage expert witnesses or other law firms on your behalf.

Accuracy of Your Information

It is important that the information we have on file be accurate and up-to-date. If, during the course of the retainer, any of your information changes, please inform us so that we can make any necessary changes. We may also ask you from time to time whether your personal information is up-to-date.

Safeguards

McAuley & Partners uses various safeguards to ensure that your personal information is protected against loss, theft, misuse, unauthorized access, disclosure, copying or alteration. These include: security of our physical premises; our professional obligations; security software and firewalls to prevent unauthorized computer access or “hacking”; and internal passwords that restrict access to our electronic files.

Access to your Personal Information

You have a right to challenge the accuracy and completeness of your personal information and to have it amended, as appropriate. You also have a right to request access to your personal information and receive an accounting of how that information has been used and disclosed, subject to certain exceptions prescribed by law. For example, if the requested information would

reveal personal information about another individual, your request for access may be limited or denied. If your request for access is denied, McAuley & Partners will notify you in writing of the reason for denial. Detailed requests which require archive or other retrieval costs may be subject to our normal professional and disbursement fees.

Challenging Compliance

McAuley & Partners will respond to inquiries about its policies and practices relating to its handling of your personal information. Inquiries should be direct to McAuley & Partners Privacy Contact using the contact information below. McAuley & Partners will investigate all complaints and will respond within 30 days of receipt of a written inquiry. If the complaint is found to be justified, McAuley & Partners will take appropriate measures to resolve it, including, if necessary, amending this Policy and its procedures.

Website Privacy

Like most other commercial websites, we may monitor traffic patterns, site usage and related site information to optimize your visit to our website.

We do not use cookies or any electronic means to collect personal information from you or your computer; however, our website server will automatically collect IP addresses. We may view the IP log from time to time, for example, to maintain security of our website. We do not link IP addresses to other personally identifiable information.

Email privacy

You should be aware that e-mail is not a 100% secure medium, and you should be aware of this when contacting us to send personal or confidential information. Risks associated with the use of email include, but are not limited to, viruses; disclosure of privileged information if you are not utilizing an email that is only accessible by yourself or a work provided email address as these are not private and can be accessed by others, including your employer; and that the solicitor/client privilege associated with an email does not extend to third parties, which is another reason why communication should only occur with an email address that you, as a client, is the only person with access.

Privacy Contacts

If you have any questions or complaints about this Policy or the handling of your personal information, if you wish to withdraw your consent to our use of your personal information, or to request access to or update any information we have on file, please contact the lawyer or agent with whom you are dealing, or contact:

Lisa Smith
McAuley & Partners
4 Whyte Ave., P.O. Box 159
Dryden, Ontario

October, 2010

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P8N 2Y8

Telephone: 807-223-2254 ext: 235

If any complaint or inquiry is not handled to your complete satisfaction, you may contact:

Privacy Commissioner of Canada

112 Kent Street

Ottawa, Ontario

K1A 1H3

Telephone: 613-995-8210

Toll Free: 800-282-1376

Changes to this Privacy Policy

We may change this Privacy Policy from time to time. Any changes will be posted on our website at www.mcauleylaw.com and will be made available upon request through your contact at McAuley & Partners. Please check from time to time to ensure you are aware of our current policy. This Privacy Policy is effective November 1, 2010.