

**OUR PRIVACY PROMISE
AND
THE CODE OF
CONSUMER RIGHTS
& RESPONSIBILITIES**

How to contact us

Direct any queries about this *Policy* to Trafalgar's Privacy Officer at the telephone, e-mail address, or mailing address listed below.

If you have a complaint related to this *Personal Information Policy* or any of our procedures, contact our Privacy Officer. If your complaint is justified, we will take the steps necessary to resolve the issue, including amending our *Policy* and practices, if necessary.

If we are not able to resolve your concern, or if you have any other concerns about Trafalgar's *Personal Information Policy* and procedures, you may contact the Office of the Privacy Commissioner of Canada or, if applicable, the provincial Privacy Commissioner. Trafalgar's Privacy Officer will provide you with this contact information upon request.

For more information, to file a complaint, to make enquiries, or to opt out of all or any parts of this *Policy*, please contact Trafalgar's Privacy Officer:

TRAFALGAR INSURANCE PRIVACY OFFICER

Address: 700 University Avenue, Suite 1500
Toronto, Ontario M5G 0A1

Telephone: 1 866 941 5094

Fax: 416 941 5322

E-mail: privacy@ingcanada.com

La version française de cette *Politique relative aux renseignements personnels* est disponible sur demande.

This *Personal Information Policy* is subject to any amendments, which will be available from Trafalgar's Privacy Officer by calling 1 866 941 5094.

Trafalgar Insurance Company of Canada is a member of ING Canada Inc.

Our Privacy Promise

Protecting your personal information is an essential part of Trafalgar's commitment to you.

This *Personal Information Policy* spells out the responsibility of the Trafalgar Insurance Company of Canada ("Trafalgar Insurance", "Trafalgar", "we", "our", "us"), and your rights as our applicant, customer, former customer or claimant ("you" or "your"), regarding the collection, use and disclosure of your personal information.

What is "personal information"?

"Personal information" is information about an identifiable individual but does not include the name, title or business address or telephone number of an employee of an organization.

How are we accountable?

Trafalgar Insurance is responsible for your personal information in its possession or custody, including personal information that has been transferred to, or received from, a third party in the course of commercial activities for processing or other purposes for which you have consented.

Collecting, using and disclosing your personal information

Why do we do it?

We collect, use and disclose personal information for one reason: to serve you better. Knowing you helps us to understand your insurance needs, communicate effectively with you, and provide you with the services and products you want.

Specifically, we collect, use and disclose your personal information for the following Identified Purposes:

- verify your identity;
- determine your eligibility for Trafalgar insurance products and services, whether purchased through Trafalgar or your broker;
- assess and underwrite insurance risks;
- determine prices, fees and premiums;
- investigate and settle claims;
- detect and prevent fraud;
- compile statistics, conduct market research, and report to regulatory or industry entities in accordance with prudent insurance practices, including claims history;
- investigate specific transactions or patterns of transactions to detect unauthorized or illegal activities;
- comply with the law; or
- comply with tax requirements.

Personal information may be collected, used or disclosed for any of these "Identified Purposes" set out above. If your personal information is not needed for one of the Identified Purposes, we will not use or disclose it without obtaining additional consent from you.

How do we do it?

The collection, use and disclosure of your personal information depend on how you do business with us. We may gather information from the following sources:

- from you, on applications for our insurance products, or on other forms filled out through telephone, e-mail or face-to-face interviews ; for example your name, address, telephone number, e-mail address, occupation, financial and banking information, and health information;
- from licensed agents, insurance brokers, intermediaries and financial services representatives with whom you have a relationship, as well as adjusters and inspectors;
- from your interactions with us ; for example through your payment history, underwriting and claims;
- from government and other entities, that have information on your driving record and claims history; or
- from consumer reporting agencies; for example your credit history.

If you provide personal information to us or through any of these sources, you do so with the understanding that your personal information may be used or disclosed for the Identified Purposes amongst us, the above sources, or third parties and that Trafalgar may verify such information, or obtain additional personal information about you by checking with government agencies, credit bureaus, motor vehicle agencies and other fact collecting and verifying entities to assist us for the Identified Purposes.

Consent

Your knowledge and consent are required before we may collect, use or disclose your personal information, except in special circumstances, such as during a fraud investigation, an investigation by the police, or in situations otherwise permitted by the law. If any of the personal information that we collect is sensitive, such as health information, we will obtain additional written or oral consent from you before collecting, using or disclosing the information.

How do you provide us with your consent?

We accept any of the following as your consent for Trafalgar's existing use and future collection, use and disclosure of your personal information for the Identified Purposes:

- your receipt of this *Personal Information Policy*, unless you advise Trafalgar, either orally or in writing, that you do not agree with the terms stated in this *Policy*, and that you wish to opt out of all or portions of it;
- your unrestricted provision of information to Trafalgar, either directly or through licensed agents, insurance brokers or adjusters;
- your express written or oral consent as obtained through an application process; or
- your consent as provided by your authorized representative, such as a legal guardian or power of attorney.

In some circumstances, your consent may be implied. For instance:

- if you obtain insurance for your family, or anyone else, you represent that you have obtained consent from them to the collection, use and disclosure of their personal information for the Identified Purposes, even though they might not be present during the application process;
- if you have an existing insurance policy with us and you request amendments to the policy, it is assumed that the consent which you gave to us when buying the original policy remains in effect.

How can you withdraw your consent?

You may withdraw your consent at any time upon reasonable notice, subject to legal or contractual restrictions. Please note, however, that withdrawing your consent may affect our ability to continue to provide you with the products and services that you have or would like to receive.

To withdraw your consent, you should contact our Privacy Officer at the address or telephone number listed on the back cover. Unless we hear otherwise from you, you are giving to us your consent for the collection, use and disclosure of personal information as provided in this *Policy* for the Identified Purposes.

Keeping and protecting your personal information

How long do we keep your personal information?

Your personal information is retained only so long as we need it to effectively provide products and services to you, and for a reasonable length of time thereafter in case we need to meet any potential obligations or legal or government requirements. Trafalgar shall use care when storing or destroying your personal information in order to prevent unauthorized access.

How do we protect your personal information?

Whether in electronic or paper-based format, Trafalgar maintains strict security systems to safeguard your personal information from unauthorized access, disclosure or misuse. As well, when we no longer need your personal information, we take as much care to destroy it as we do when storing it.

In the event that we transfer your personal information to a third party for processing (for example, when printing cheques, managing claims and client statements, or for data processing), we contractually require any person or organization providing products or services on our behalf to protect our customers' confidentiality in a manner consistent with our own internal measures, or as required by law.

Your right to access your personal information

You have a right to access your personal information that we have in our possession or control. You also have a right to know which third parties have received your information from Trafalgar.

In order to access your personal information, please make your request in writing to Trafalgar's Privacy Officer, stating as specifically as possible which personal information you are requesting. We will try to respond to such requests as soon as possible, and will advise you if for some reason we cannot respond right away. Trafalgar may charge you a reasonable fee for providing access to your personal information, but only after first advising you of the approximate cost.

In providing you with a list of the organizations to whom we have disclosed any of your information, we will try to be as precise as possible. When it is not possible to provide an exact list of such organizations to which we have actually disclosed your personal information, Trafalgar shall provide a list of organizations to which we may have disclosed the information.

Trafalgar has the right to refuse your request for access to personal information if:

- the information is protected by solicitor-client privilege;
- granting access would reveal confidential commercial information;
- doing so would reasonably be expected to threaten the life or security of another individual;
- the information was collected for purposes related to the detection and prevention of fraud;
- the information was generated in the course of a formal dispute resolution process; or
- the information would likely reveal personal information about another individual.

Keeping your information accurate

Trafalgar strives to ensure that the personal information we have on file about you is as accurate and up-to-date as necessary for the Identified Purposes for which it is to be used. If any information needs to be updated or amended to reflect a change in your situation, we make every effort to update our records. Trafalgar shall amend personal information that is materially inaccurate or incomplete and, where appropriate, shall endeavour to advise other parties having access to the information in question. Please refer to the back cover for our contact information.

Code of Consumer Rights and Responsibilities

Insurance companies, along with the brokers and agents who sell home, auto and business insurance, are committed to safeguarding your rights when you shop for insurance and when you submit a claim following a loss. Your rights include the right to be informed fully, to be treated fairly, to timely complaint resolution, and to privacy. These rights are grounded in the contract between you and your insurer and the insurance laws of your province. With rights, however, come responsibilities including, for example, the expectation that you will provide complete and accurate information to your insurer. Your policy outlines other important responsibilities. Insurers and their distribution networks, and governments also have important roles to play in ensuring that your rights are protected.

Right to Be Informed

You can expect to access clear information about your policy, your coverage, and the claims settlement process. You have the right to an easy-to-understand explanation of how insurance works and how it will meet your needs. You also have a right to know how insurers calculate price based on relevant facts. Under normal circumstances, insurers will advise an insurance customer or the customer's intermediary of changes to, or the cancellation of a policy, at least thirty days prior to the expiration of the policy, if the customer provides information required for determining renewal terms of the policy at least forty-five days prior to the expiration of the policy.

You have the right to ask who is providing compensation to your broker or agent for the sale of your insurance. Your broker or agent will provide information detailing for you how he or she is paid, by whom, and in what ways.

Insurance companies will disclose their compensation arrangements with their distribution networks. Brokers and agents are committed to providing information relating to ownership, financing, and other relevant facts.

Responsibility to Ask Questions and Share Information

To safeguard your right to purchase appropriate coverage at a competitive price, you should ask questions about your policy so that you understand what it covers and what your obligations are under it. You can access information through brochures and websites, as well as through one-on-one meetings with your broker, agent, or company representative. You have the option to shop the marketplace for the combination of coverages and service levels that best suits your insurance needs. To maintain your protection against loss, you must promptly inform your insurance company or broker or agent of any change in your circumstances. Information required to determine renewal terms of your policy must be provided at least forty-five days prior to the expiration of the policy.

Right to Complaint Resolution

Insurance companies, their brokers and agents are committed to high standards of customer service. If you have a complaint about the service you have received, you have a right to access your company's complaint resolution process. Your insurer, agent or broker can provide you with information about how you can ensure that your complaint is heard and promptly handled. Consumers may also contact the independent General Insurance OmbudService (www.giocanada.org).

Responsibility to Resolve Disputes

You should always enter into the dispute resolution process in good faith, provide required information in a timely manner, and remain open to recommendations made by independent observers as part of that process.

Right to Professional Service

You have the right to deal with insurance professionals who exhibit a high ethical standard, which includes acting with honesty, integrity, fairness and skill. Brokers and agents must exhibit extensive knowledge of the product, its coverages and its limitations in order to best serve you.

Right to Privacy

Because it is important for you to disclose any and all information required by an insurer to provide the insurance coverage that best suits you, you have the right to know that your information will be used for the purpose set out in the privacy statement made available to you by your broker, agent or insurance representative. This information will not be disclosed to anyone except as permitted by law. You should know that insurers are subject to Canada's privacy laws.