

# **Schenker of Canada Limited**

## **Client Privacy Policy**

We at Schenker of Canada Limited (“Schenker”) understand that privacy is an important issue for our clients, and one that we have taken steps to protect. This Policy outlines the principles and procedures we apply in protecting the confidentiality and security of personal client information. It is based on the Canadian Standards Association (CSA) Model Code for the protection of personal information, and designed to comply with the Canada *Personal Information Protection and Electronic Documents Act* (“PIPEDA”) as well as applicable Provincial privacy legislation. In doing so we have tailored our own privacy principles to meet the specific needs and expectations of our business.

### **Scope**

This Policy applies to personal information collected about individual Schenker clients and individual representatives of corporate clients. “Personal information” is information about an individual that is connected to that person as an individual. It does not include general information used to operate our business, such as the name, business title, business address, or business telephone number of a client. It does include information that can identify an individual.

### **Article 1: Accountability**

- 1.1 Schenker is responsible for the protection of personal information collected and maintained by it and which is under its control. While senior management oversees compliance, day-to-day monitoring may be delegated to other staff.
- 1.2 The overall responsibility for the protection of personal information, and compliance with this Policy, rests with Schenker’s Privacy Officer or Officers named at the end of this document or any successors appointed.
- 1.3 Schenker has developed procedures to protect personal information; receive and respond to complaints and inquiries; train staff regarding the policies and procedures; and to communicate policies and procedures to our clients.
- 1.4 While Schenker is committed to ensuring that the appropriate security measures are employed in the transfer of sensitive information, when using e-mail or other electronic communication, complete confidentiality and security are not assured. We are not accountable for any damages suffered when we or any employee transmits personal information through e-mail or other electronic communication that is intercepted by a third party.

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### Article 2: Identifying Purposes

2.1 Schenker is committed to openness regarding its collection and use of personal client information. We collect and use personal information for the following limited purposes:

- to provide services and ensure a high standard of service to our clients
- to develop and manage products and services to meet the needs of our customers
- to establish and maintain client lists and mailing lists
- to meet regulatory requirements
- to verify a customer's identity

### Article 3: Consent

3.1 Schenker will obtain client consent to collect, use or disclose any personal information, except where detailed in this Policy. Schenker will make reasonable efforts to ensure that customers understand how their personal information will be used and disclosed.

3.2 A client's consent can be express, implied, or given through an authorized representative such as a lawyer, agent or broker.

3.3 Schenker may collect, use or disclose personal information without a client's knowledge or consent in exceptional circumstances:

- when such collection, use or disclosure is permitted or required by law
- when use of information is for acting in an emergency that threatens an individual's life, health, or personal security
- when certain information is publicly available
- when we require legal advice from a lawyer
- when we need to collect a debt from a customer
- when we need to deal with an anticipated breach of law.

3.4 Consent may be given orally, in writing, or electronically.

3.5 Subject to contractual or legal arrangements, clients may withdraw or refuse consent provided that Schenker is given reasonable notice. Refusal or withdrawal of consent may prevent Schenker from providing a product or service to the customer, as in the case where a member is applying for credit and will not provide relevant credit information.

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### **Article 4: Limiting Collection**

- 4.1 Schenker will only collect personal information for the purposes identified, and only use methods that are lawful. We do not collect information indiscriminately.

### **Article 5: Limiting Use, Disclosure and Retention**

- 5.1 Personal information will only be used or disclosed for the purpose for which it was collected. Schenker will not use personal information for any additional purpose unless Schenker seeks customer to do so.
- 5.2 Schenker will not sell customer lists or other personal information to third parties, unless it has first obtained the consent of the person from whom such information was received.
- 5.3 Schenker may periodically use client personal information to conduct member surveys in order to determine and enhance its provision of services. If an outside entity is employed to conduct research on behalf of Schenker, or to provide other services that require access to a customer's personal information, Schenker will ensure that appropriate security undertakings are employed to protect the transfer and use of any personal information.
- 5.4 Subject to applicable laws, the various offices of the Stinnes Schenker group of companies may transfer personal information between each other.
- 5.5 Schenker will retain client personal information only as long as necessary or expected to be necessary for the identified purposes, or as required by legislation.

### **Article 6: Accuracy**

- 6.1 Schenker makes all reasonable efforts to ensure that customer personal information is as accurate, complete, and current as required for the purposes for which it was collected.
- 6.2 Schenker does not routinely update personal information unless it is necessary to fulfill the purposes for which it was collected. If you are aware of changes to any personal information you have given us, simply inform us of the changes and we will update our records accordingly.
- 6.3 Customers may check and correct their personal information by contacting the Schenker Privacy Advisor assigned to oversee the day-to-day care and control of

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personal information by writing or e mailing your request to that official at the address set out at the end of this document.

### Article 7: Safeguards

7.1 Schenker is committed to the safekeeping of client personal information in order to prevent its loss, theft, unauthorized access, disclosure, duplication, use, or modification.

7.2 Depending on the sensitivity of the information, Schenker employs appropriate security measures to protect personal information, including:

- physical security measures such as restricted access and locked filing cabinets
- electronic security measures for computerized personal information such as password protection, database encryption and personal identification numbers
- organizational processes such as limiting access to your personal information to a selected individual or group of individuals
- contractual obligations with third parties who need access to your personal information requiring them to protect and secure your personal information

7.3 Schenker also uses appropriate security measures when disposing of customer personal information.

### Article 8: Openness

8.1 Schenker is open about the policies and practices used to protect client personal information, however, to ensure the integrity of our security procedures and business methods, we may refuse to publicly disclose certain information.

8.2 The information that Schenker will make available to customers upon request about its policies and procedures include:

- the name, title and address of the person accountable for the policies and procedures and to whom enquiries or complaints may be forwarded
- a copy of any brochures or other information that explain the policies and procedures; and
- an explanation of what personal information is made available to related or affiliated organizations

8.2 [OPTIONAL: This Policy is also available on our Website at: <http://www.> ]

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### Article 9: Individual Access

- 9.1 Clients may request access to their personal information stored by Schenker at any time. Such requests should be made in writing and directed to the Privacy Advisor described at the end of this document.
- 9.2 We will respond in a timely manner to questions, concerns or requests about the privacy of your personal information and our privacy policies and, in our response, we will:
- inform you about what type of personal information, if any, we have on record or in our control, how it is used and to whom it may have been disclosed
  - provide you with access to your personal information or, alternatively, the reasons for not providing access, for example: that the information is unreasonably costly to provide; would threaten the life or security of another individual; was gathered in a formal dispute resolution process; the information contains references to other individuals; the information cannot be disclosed for legal, security or commercial proprietary reasons; or it is information that is subject to solicitor-client privilege
  - make any necessary updates to your personal information
- 9.3 We reserve the right to confirm the identity of any person seeking access to personal information before complying with any access request. We may also charge a reasonable fee for responding to such requests.
- 9.4 Schenker will make personal information available within 30 days of receiving a request, unless we require additional time to fulfill the request. In such cases, we will send a notice of extension advising of the new time limit and the reasons for extending it so that the client may properly consider his/her remedies.
- 9.5 When personal information on record is demonstrated to be inaccurate or incomplete, Schenker will amend the information as required and, where appropriate, will transmit the amended information to third parties having access to the information in question.

### Article 10: Challenging Compliance

- 10.1 As mentioned above, Schenker has designated a Privacy Advisor who is responsible for the day-to-day care and control of personal information that we gather. Clients should direct any questions, concerns or complaints they may

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have relating to their personal information or Schenker's privacy policy and practices to that Privacy Advisor.

- 10.2 Schenker will respond in a timely manner to such questions, concerns or complaints. If a complaint is found to be justified, we will take appropriate measures to resolve the matter. [OPTIONAL: If our Privacy Officer is unable to satisfactorily address the client's concerns, the issue may be referred to the office of the (Insert Title of Corporate Officer)]. Of course, at any point in that process the client may also write to the Privacy Commissioner.
- 10.3 How to contact Schenker of Canada's Privacy Advisor:

**Sandra Walters**  
**905-293-8668**

[sandra.walters@schenker.ca](mailto:sandra.walters@schenker.ca)

6555 Northwest Drive  
Mississauga, ON. L4V 1K2

or

**Helene Cousineau**  
**604-688-8511**

[helene.cousineau@schenker.ca](mailto:helene.cousineau@schenker.ca)

3A – 1030 West Georgia Street  
Vancouver, BC V6E 2Y3