

InfoTrack Canada Privacy Statement

Currency

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1. General

In this Privacy Policy, **InfoTrack**, **we**, **our** or **us** means InfoTrack Services Limited (OCN 1000710642).

This Privacy Policy sets out how InfoTrack obtains consent for the collection, use and disclosure of personal information, and our procedures regarding the handling of personal information, including the right of individuals to access and request disposal of that information.

This Privacy Policy was last revised as of the “currency date”. From time to time, we may revise or update this Privacy Policy or our information handling practices. If we do so, the revised Privacy Policy will be published on our website, www.infotrackcanada.com (our **Website**), and the changes thereto will become immediately effective.

Where we process personal information in the role of a processor or service provider on behalf of a client, it is that client’s privacy policy that applies; we conduct such activities pursuant to our contractual arrangements with the client. If you are an end user or consumer with an existing relationship with one of our clients, you should refer to the client website to understand their privacy practices and policies.

2. The types of personal information we collect and hold

“**personal information**” means any information about an identifiable individual and for greater certainty excludes information which has been anonymized (ie, personal information which has been irreversibly and permanently modified, in accordance with generally accepted best practices, in a way to ensure that no individual can be identified from the information, whether directly or indirectly, by any means).

For greater certainty, personal information which has been de-identified (and not anonymized) (i.e., modified such that an individual cannot be directly identified from it, though a risk of the individual being identified remains) is still considered to be personal information.

Personal information does not include Business Contact Information that the organization collects, uses or discloses solely for the purpose of communicating or facilitating communication with the individual in relation to their employment, business or profession (where **Business Contact Information** means any information that is used for the purpose of communicating or facilitating communication with an individual in relation to their employment, business or profession such as the individual’s name, position name or title, work address, work telephone number, work fax number or work electronic address).

The types of personal information that we collect and hold may include:

- **contact details** including your name, address, contact telephone number, email address and other contact details
- **identification verification information** such as birthdate, identity document information, IP address, device information, images of your face and ID document for the purposes of performing a Verification of Identity;
- **payment information** such as credit card or bank details;
- **business related information:** personal information about the employees of our clients, suppliers, business associates and prospective business associates including contact details, roles and responsibilities;
- **service request information:** personal information collected directly from you or from our clients that is required to provide our services to them or you, for example:
 - information required to fulfill a request for our products and services including property searches
 - details required to obtain a Verification of Identity check supplied by Treefort, such as all names the applicant has previously been known by, date of birth, and identity documents such as driver licence, passport, Medicare card

- **product and services data:** information from third party suppliers in connection with the services we provide you or our clients including information such as:
 - property ownership and other property related information
 - document verification information supplied by Treefort in connection with our Verification of Identity Services
- **meta data:** information about your usage of our products and services that may include IP addresses from automatic logging services.

You are not obliged to provide personal information to InfoTrack. However, in many cases, if you do not provide your personal information to us, we may not be able to supply the relevant product or service that you have requested from us.

3. Your consent

Except where an exception applies (as described below), we collect, use, and disclose your personal information with your consent, as obtained at the point of collection, or as otherwise permitted or required by law.

In some circumstances, you may transfer or disclose to us, and we may collect from you, personal information about a third party. Where you transfer or disclose to us the personal information of a third party, you must ensure that the third party has provided their consent to the applicable collection, use and disclosure of such personal information.

As described above, InfoTrack may collect, use, or disclose your personal information without your knowledge and consent, as permitted by certain exceptions under Canadian Privacy Laws. We may rely on the following exceptions:

- collection or use for the purpose of a business activity (e.g. an activity that is necessary: (a) to provide an InfoTrack product or service that you have requested from us; or (b) for our information, system or network security); and (i) a reasonable person would expect the collection or use for such an activity; and (ii) the personal information is not collected or used for the purpose of influencing the individual's behaviour or decisions;
- collection or use for the purpose of an activity in which InfoTrack has a legitimate interest that outweighs any potential adverse effect on the individual resulting from that collection or use, and (i) a reasonable person would expect the collection or use for such an activity; and (ii) the personal information is not collected or used for the purpose of influencing the individual's behaviour or decisions;
- transfer to service providers;
- use to de-identify personal information;
- use for internal research, analysis, and development purposes (using de-identified information); use or disclosure in a prospective business transactions and completed business transactions (subject to certain conditions);
- disclosure to an other organization for the purposes of detecting or suppressing fraud or of preventing fraud that is likely to be committed;
- disclosure to an other organization related to a breach of security safeguards and the disclosure is solely for the purpose of reducing the risk of harm to the individual that could result from the breach or mitigating that harm;
- collection, use, and disclosure of personal information that appears in a registry collected under a statutory authority and to which a right of public access is authorized by law, where the collection, use and disclosure of the personal information relate directly to the purpose for which the information appears in the registry;
- collection, use, and disclosure of personal information that appears in a record or document of a

judicial or quasi-judicial body, that is available to the public, where the collection, use and disclosure of the personal information relate directly to the purpose for which the information appears in the record or document;

- collection, use, and disclosure where required by law; and
- disclosure to comply with a subpoena or warrant issued or an order made by a court, person or body with jurisdiction to compel the production of information, or to comply with rules of procedure relating to the production of records.

4. Adoption, use and disclosure of government related identifiers

InfoTrack, or its related body corporates in the ATI Group, may collect some personal information that is a government related identifier.

Personal information from identity documents may be provided to the document issuer or official record holder via third party systems for the purpose of confirming your identity.

InfoTrack may use or disclose a government related identifier where:

- it is reasonably necessary for InfoTrack to verify the identity of the individual for the purposes of our business activities or functions (i.e. to provide a product or service that you have requested from InfoTrack); or
- as required or authorised by law (including Privacy Laws) or in accordance with the order of a court or tribunal.

5. How personal information is collected and held by us

We collect personal information about you from the following sources:

- directly from you
- from our clients
- from our third party suppliers and partners
- automatically.

5.1 Directly

We collect personal information directly from you in the following ways:

- when you submit personal information through our Website (such as when you send us a message or fill out a form);
- in person, for example, when you engage with our HelpDesk and Property Services teams; and
- in the course of providing our services to you.

5.2 From our clients

We may also collect information about you from our clients (such as your law firm or bank) to fulfill the business activity of providing them with our services, which may be in connection with their personal or business needs such as conveyancing transactions they are conducting or due diligence searches they require. We require our clients to represent to us that they are providing us your personal information in accordance with applicable law, whether based on your consent or a consent exemption.

5.3 From third party suppliers and partners

We may also collect information about you from our third parties in the following ways:

- when you connect to a third party or connect to our services via a third party, for example, an integration partner
- third party suppliers and government database services in connection with the information brokerage services we provide to our clients.

5.4 Automatically

Information that may identify you as a user may be automatically gathered during your access to our Website or services, including:

- information about your usage of our services that may include IP addresses and contact details from automatic logging services
- information submitted or stored within the services or transferred to the services by an integration partner such as matter information and files that may incidentally include sensitive data including copies of identification documents
- device data when you use one of our applications.

For more information about our use of cookies and tracking technologies, please see our [Cookie Notice](#).

6. The purposes for which we collect, hold, use and disclose personal information

6.1 Business purposes

We collect, hold, use and disclose personal information for a variety of business purposes including:

- to provide online identity verification and fraud detection solutions to InfoTrack customers and clients with whom you apply for a product or service
- to provide the products or services you have requested from us
- to process payments
- to improve our business, products and services, including to handle and respond to your enquiries, complaints or concerns
- to provide personal information to third parties as set out in this Privacy Policy
- administer our databases used for client service, marketing and financial accounting purposes; and
- to comply with our legal requirements regarding the collection and retention of information concerning the products and services that we provide.
- for such other purposes as you may consent to from time to time
- as otherwise required or permitted by law.

6.2 Direct marketing

To the extent that you consent to same, we collect and use your personal information to:

- to promote our business to you
- to market other InfoTrack services or products to you

- notify you about the details of new services and products offered by us
- notify you of the details of meetings, events and seminars that may be of interest to InfoTrack customers and clients, and
- send you our newsletters and other marketing publications.

If you wish to withdraw your consent to the use of your personal information for the purpose of direct marketing or you would like to opt-out of receiving direct marketing communications, you can do so by contacting the InfoTrack Privacy Officer using the contact details set out below, or by following the instructions to unsubscribe which are contained in a communication that you receive from us.

7. Who we disclose personal information to

We may disclose your personal information with your consent, or otherwise as required or permitted by law.

We also transfer your personal information to the following categories of recipients:

- ATI Group & related companies, and
- Third Parties.

7.1 The ATI Group and related companies

InfoTrack may transfer your personal information to members of the ATI Group (**Member**), which includes our parent company ATI Global Pty Ltd and its subsidiaries, including:

- Legal Software Pty Ltd and its subsidiaries a full list of which can be found [here](#).
- Legal Search Pty Ltd and its subsidiaries, a full list of which can be found [here](#).

Where a Member is providing services to InfoTrack, InfoTrack may transfer your personal information to such Member in connection with such services, which services may include account management, billing and debt recovery, and group reporting.

Different companies within the ATI Group provide different services.

InfoTrack's clients are often a mutual client of both InfoTrack and one of our ATI Group members. InfoTrack may transfer information to other ATI Group members to provide and ensure the smooth running of the services which we, and they, both provide to our mutual clients.

7.2 Third Parties

The third parties to whom we may transfer your personal information are our:

- contractors and subcontractors,
- third party suppliers, and
- integration partners.
- In these cases, InfoTrack contractually obligates the third party to protect the personal information and not to use it for any other purposes.
- Where we do transfer information with third parties, we require that there are contracts in place that only allow use and disclosure of personal information to provide the service and that protect your personal information in accordance with the Privacy Laws.
- Otherwise, we will only disclose personal information to others if you've given us consent, or if the disclosure is made pursuant to a consent exemption, or is otherwise required or permitted by applicable law.

Contractors and subcontractors

We may transfer your personal information to third parties who work with us in our business to promote, market or improve the services that we provide, including:

- transfers of your personal information to our secure instances of our cloud based customer relations management database services and marketing database services which are hosted by third party providers, in order to for InfoTrack to use the software provided by those providers;
- transfers of your personal information to marketing consultants, promotion companies and website hosts, in order to fulfill marketing activities initiated by InfoTrack; and
- transfers of your personal information to consultants and professional advisers, in connection with product improvement or product development.

We may also combine personal information with information we collect from other sources, including the entities mentioned above, to enable us to provide our services.

Third party suppliers

In order to provide InfoTrack's products and services to our clients, we must often submit a request to our third party suppliers, which may include personal identifiers where required. The third parties to whom we may transfer your personal information for these purposes include suppliers such as:

- Teranet (as part of our titles and property related information service)
- Treefort (as part of our Verification of Identity Services)
- DocuSign (as part of our electronic signing service), and
- In each case, InfoTrack contractually obligates the third party supplier to protect the personal information and not to use it for any other purposes.

Integration partners

InfoTrack's clients are also often a mutual client of both InfoTrack and one of our integration partners. InfoTrack and the ATI Group may transfer information to our integration partners to provide and ensure the smooth running of the services which we, and they, both provide to our mutual clients. These integration partners include: Legal Software Developments Pty Ltd and its subsidiaries, and other integration partners as mentioned on our Website and updated from time to time.

8. International and interprovincial transfers of personal information

We may transfer your personal information outside of Canada to fulfill the purpose for which we collected it, including for processing and storage by service providers. While your personal information is outside of Canada, it is subject to the laws of the country in which it is located, which may have different data protection laws than Canada. Those laws may require disclosure of your personal information to authorities in that country.

9. How personal information is retained and protected by us

Generally, we will retain your personal information for as long as necessary to fulfill the purposes for which we collected it, taking into account the sensitivity of the information, and as permitted or required by law. We will dispose of the personal information as soon as feasible after that period.

We will retain the following categories of sensitive information for the following periods:

- Payment information: 7 years.

- Identification verification information: 30 days

Despite our use of security measures, we cannot guarantee that our safeguards will always be effective. If you have reason to believe that your personal information is no longer secure, please contact the InfoTrack Privacy Officer using the contact details set out in this policy.

10. Correction, Access and Disposal Rights

10.1 How to request to access your personal information

You have a right to request:

- whether we have any personal information about you,
- how we use the information,
- whether we have disclosed the information,
- an explanation of any prediction, recommendation or decision we made about you using an automated decision system that could have a significant impact on you, and
- access to your personal information which we hold about you.

You can make such a request by contacting the InfoTrack Privacy Officer using the contact details set out in this policy.

10.2 How to request disposal of your personal information

You can make a request for us to dispose of your personal information by contacting the InfoTrack Privacy Officer using the contact details set out in this policy.

11. Third-Party Websites and Services

We may provide links to third-party websites for your convenience and information. We may also make opportunities available to you to purchase, subscribe to, or use other products or services from third parties with different privacy practices. Those other websites, products, or services are governed by the privacy statements and policies of the respective third party. This Privacy Policy does not extend to any websites, products, or services provided by third parties. We do not assume responsibility for the privacy practices of third parties and we encourage you to review all third-party privacy statements prior to using third-party websites, products, or services.

12. How to contact us or make a complaint

If you have any questions about this Privacy Policy or if you wish to request access to your personal information or make a complaint about the privacy practices of InfoTrack, please contact our Privacy Officer by post, email or phone via the below details:

InfoTrack Privacy Officer
20 Bay Street, Suite 1530, Toronto, Ontario M5J2N8, Canada
privacy@infotrackcanada.com

When you contact us please identify yourself, including your contact details, provide a brief description of the request, and how you would like us to resolve the matter.