



Suite 16B – 261 Martindale Road  
St. Catharines, Ontario, L2W 1A2  
Tel: (905) 682-2775/Fax: (905) 682-2357  
Toll Free: 1-888-722-4193

Robert A. Wilson  
[rwilson@wilsonspurrllp.ca](mailto:rwilson@wilsonspurrllp.ca)

Geoffrey P. Spurr  
[gspurr@wilsonspurrllp.ca](mailto:gspurr@wilsonspurrllp.ca)

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## **Wilson Spurr LLP's Privacy Policy**

### ***Commitment to Privacy***

Wilson, Spurr LLP recognizes the importance of an individual's right to keep personally identifiable information private. We are committed to controlling the collection, use and disclosure of personal information provided by our clients. This Privacy Policy outlines how we manage your personal information and safeguard the privacy of individuals. This privacy statement does not apply to personal information about employees, partners or other temporary or permanent staff, consultants, volunteers or other individuals assigned to Wilson, Spurr LLP (collectively "firm members"), or to any information which is not personal information as defined in or interpreted under applicable law.

Wilson, Spurr LLP has certain statutory obligations concerning the personal information in our control. Briefly, "personal information" means information about an identifiable individual; in other words, it is information by which the identity of an individual could be deduced, such as residential address and telephone number, email address, personal information related to corporate involvements, billing history, tax records and medical records. However, it does not include the name, position or title, business address or business telephone number of an employee of an organization. It also excludes specified publicly-available information, such as information listed in a public telephone directory.

As a law firm, Wilson, Spurr LLP has a professional obligation to keep confidential all information received within the realm of the lawyer-client relationship and has always adhered to required confidentiality practices. To ensure accountability for all personal information collected by firm members, we have developed appropriate policies and practices, trained those firm members that deal with your personal information and appointed a Privacy Officer to ensure that we comply with our professional obligations and all applicable privacy laws.

We review all of our policies and procedures periodically, and, as such, we may change our Privacy Policy from time to time.

### ***The information we collect and how we use it***

The kinds of personal information we collect and use in relation to clients and potential clients will depend upon the information and services requested. However, subject to applicable law, it may include:

- Name, address, e-mail address, contact details, nature of client or potential client's legal issue, financial, credit, billing and account information, and other incidental information relating to the services we provide;

- Information material to your legal issue, for example, financial, property ownership, family, employment, disciplinary, benefit or tax information or any other information you give to us when you ask or instruct us to act for you;
- Legal issue or area of law of interest for instance when you request receipt of materials concerning our services and developments in the law;
- Information about individuals we collect in the course of acting for clients, including personal information about employees of clients, referrals, adverse parties and parties with parallel interests, other counsel, mediators and arbitrators, witnesses and potential witnesses, expert witnesses and consultants;
- Information about you contained in communications within Wilson, Spurr LLP and between us and you, whether on-line or off-line; and
- Information we may collect with your consent or as permitted or required by law.

We use this information:

- To assess whether we can act for you, including to avoid conflicts of interest;
- To offer and provide legal information and services to you;
- To communicate with you regarding the services you request and to respond to your requests and inquiries;
- To administer our client time and billing databases, and issue and collect accounts;
- To provide you with material on our services and developments in the law and to invite you to Wilson, Spurr LLP functions;
- To develop and use our knowledge management and precedent systems and permit members of Wilson, Spurr LLP to consult, for precedent purposes, documents that we have created on your behalf and that contain personal information;
- To manage and administer our business, including to avoid negligence and protect you and us against error and fraud;
- To fulfill our legal and professional obligations; and
- As permitted or required by law or for purposes for which you otherwise provide your consent.

Where Wilson, Spurr LLP is required to disclose personal information of clients to third parties for data processing (e.g. for contracted services such as photocopying, computer back-up services or archival storage services) or other third party services related to services rendered to and for clients, we will ensure that those third parties agree to only use the personal information for the specified administrative purposes and agree to provide a level of protection to the information comparable to that adopted by Wilson, Spurr LLP.

### **Safeguarding your Personal Information**

Wilson, Spurr LLP takes all reasonable precautions to ensure that personal information is kept safe from loss or theft, unauthorized copying, use, access, modification or disclosure. Among the steps taken are:

- Premises security restricting access to offices and equipment;
- Restricted file access to personal information (e.g. estate and wills information is stored within a fireproof safe);
- Technology safeguards, including security software, firewalls to prevent hacking or unauthorized computer access;
- Circulating to all Wilson, Spurr LLP members and personnel with strict instruction to act in accordance with its principles (e.g. limiting access to client information on a "need to know" basis; and

- Internal password and security policies.

We note that while we take all appropriate steps to safeguard personal information under our control, there is an inherent risk involved in the exchange of information using any form of communication, such as e-mail, telephone, fax transmission or courier service. We assume no liability for any damages you may suffer as a result of interception, alteration or misuse of information during such transfers.

Individuals may write to our Privacy Officer at the address below to request access to personal information held about them. Wilson, Spurr LLP will provide access to this information in the manner provided in the applicable legislation. If required or authorized by law, access to personal information may be denied.

Wilson, Spurr LLP will correct any information used in the course of providing services to clients that is shown to it to be inaccurate, incomplete or not up-to-date. Note that certain personal information is stored for historical purposes and is not updated. During the course of any engagement or any other exchange of information, any updates to client information will be immediately entered into our systems. If a request for access or a request to correct information is denied, Wilson, Spurr LLP will provide an explanation of the reasons for such refusal.

If you have any questions or wish to ask us about our personal information management, please write to our Privacy Officer at:

Robert A. Wilson – Privacy Officer  
Wilson, Spurr LLP  
261 Martindale Road  
Suite 16B  
St. Catharines, ON L2W 1A2  
e-mail: [rwilson@wilsonspurrllaw.ca](mailto:rwilson@wilsonspurrllaw.ca)

Wilson, Spurr LLP will investigate any complaints relating to our information management practices. Wherever it is legal and practical, Wilson, Spurr LLP will consider offering the opportunity to deal with general inquiries without an individual disclosing their name or other identifying information.

This policy is made under the *Personal Information Protection and Electronics Documents Act*. It is complex legislation and provides some additional exceptions to the privacy principles that are too detailed to set out here.

For more information about your personal privacy rights contact the Privacy Commissioner of Canada at [www.privcom.gc.ca](http://www.privcom.gc.ca) or 1-800-282-1376.

## **Disclaimer and Terms of Use**

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Emails sent through this website may not be 100% secure. We take precautions to keep the information that we collect through this website secure, including organizational, physical and electronic precautions. However, we assume no liability for any damages you may suffer as a result of interception, alteration or misuse of information as it is transmitted over the Internet.

Sending an email message to us generally, does not create a lawyer-client relationship. Please contact Robert Wilson or Geoffrey Spurr in person or by telephone before sending any confidential email to the firm or to any of its legal professionals.

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If you breach any of these Terms of Use, you may no longer use this website. We may, in our sole discretion, cancel or terminate your right to use this website, or any part of this website, at any time without notice. In the event of termination, you are no longer authorized to access this website or the part of this website affected by such cancellation or termination. In such event, the restrictions which these Terms of Use impose on you with respect to this website shall still apply. We are not liable to any party for such damages arising from such a termination.

These Terms of Use constitute the entire agreement between you and us relating to your access and use of our website. Our failure to insist upon strict performance of

any provision of this agreement does not mean that we are waiving any of our rights under this agreement. If a court determines that any of the provisions contained in this agreement are void, invalid or unenforceable, such determination will not affect the validity and unenforceability of the rest of this agreement.

This agreement is governed by and is to be implemented in accordance with the laws of the Province of Ontario and the laws of Canada applicable in Ontario, and the parties to this Agreement hereby attorn and submit to the jurisdiction of the courts of Ontario and the federal courts of Canada situated therein.