

McKellar Structured Settlements Inc. (“McKellar”)
Privacy Policy

McKellar is committed to protecting the privacy of the personal information of its clients. McKellar recognizes the importance of privacy and the sensitivity of personal information. Our clients have trusted us with their structured settlements since 1979 and it is important to us to maintain a high degree of integrity. As structure brokers and lawyers we have a professional obligation to keep confidential all information we receive within a broker-client relationship. We are committed to protecting any personal information we hold. The following is our privacy policy outlining how we collect, use, disclose and protect your personal information in order to safeguard your privacy.

Your Privacy Rights

From January 1, 2004, all businesses engaged in commercial activities must comply with the “Personal Information Protection and Electronic Documents Act”, and the “Canadian Standards Association Model Code for the Protection of Personal Information”, which it incorporates. These obligations extend to brokers, including McKellar. The Act gives you rights concerning the privacy of your personal information.

McKellar is responsible for the personal information we collect and hold. To ensure this accountability, we have developed this policy, and trained our principals and support staff about our policies and practices.

Why Does McKellar Need Personal Information

McKellar provides structured settlement services to a wide range of clients. In doing so, it produces direct marketing materials concerning its services and developments in the law.

What personal information do we collect?

Personal information is any information that identifies the Plaintiff/Claimant or by which their identify could be deduced.

If we did not collect and use this personal information we could not provide you with structured settlement options or a legal opinion with respect to the tax compliance of your settlement documents.

How do we collect this personal information?

We collect information only by lawful and fair means and not in an unreasonably intrusive way. Wherever possible we collect this personal information directly from you at the beginning of our relationship and throughout the life of your structure.

Sometimes we may obtain information about you from other sources, which include but are not limited to:

- your insurance company;
- your lawyer

Consent

As we have been retained by your lawyer or your insurance company to act in your matter, your consent is implied for us to collect, use, or disclose your personal sensitive information, for example medical records, in order for us to provide our services to your lawyer or your insurance company. If we are dealing with you directly, such as when you have contacted us directly to discuss or arrange for a structured settlement, or we are requesting banking information, or address information, etc. and you have provided this information to us verbally, your consent may be implied through your conduct.

Use of Your Information

We use your personal information to provide advice and services to you with respect to structured settlements, to administer our client databases and to include you in any direct marketing activities. If you tell us that you no longer wish to receive information about our services, or about new developments in the law, we will not send any further material.

McKellar does not disclose your personal information to any third party to enable them to market their products and services. For example, we do not provide our client mailing lists to other companies.

Disclosure of your Personal Information

Under certain circumstances, McKellar will disclose your personal information:

- when we are required or authorized by law to do so, for example if a court issues a subpoena;
- when you have consented to the disclosure;
- if we engage a third party to provide administrative services to us (like computer back-up services or archival file storage) and the third party is bound by our privacy policy;
- if we engage expert witnesses on your behalf;
- if we retain other structure brokers in other jurisdictions, on your behalf;

- if the information is already publicly known.

Updating Your Information

Since we use your personal information to provide structured settlement services to you, it is important that the information be accurate and up-to-date.

Is My Personal Information Secure?

McKellar takes all reasonable precautions to ensure that your personal information is kept safe from loss, unauthorized access, modification or disclosure. Among the steps taken to protect your information are:

- premises security;
- restricted file access to personal information;
- deploying technological safeguards like security software and firewalls to prevent hacking or unauthorized computer access;
- internal password and security policies.

Access to Your Personal Information

McKellar acknowledges that some clients about whom we collect personal information have certain legal rights concerning that information. These individuals have a right to be told of their privacy rights and our information handling practices. They have a right to know what information we have about them and summary information is available on request.

Correcting Errors

If McKellar holds information about you and you can establish that it is not accurate, complete and up-to-date, McKellar will take reasonable steps to correct it.

Can I be Denied Access to My Personal Information?

Your rights to access your personal information are not absolute.

We may deny access when:

- denial of access is required or authorized by law (for example, when a record containing personal information about you is subject to a claim of legal professional privilege by one of our clients);
- information relates to existing or anticipated legal proceedings against you;
- when granting you access would have an unreasonable impact on other people's privacy;
- when to do so would prejudice negotiations with you;
- to protect our firm's rights and property;
- where the request is frivolous or vexatious.

If we deny your request for access to, or refuse a request to correct information, we shall explain why.

McKellar does not use your Social Insurance Number as a way of identifying or organizing the information we hold upon you.

Can I request anonymity?

Whenever it is legal and practicable, we may offer the opportunity to deal with general inquiries without providing your name (for example, by accessing general information on our website). The "*Proceeds of Crime (Money Laundering) and Terrorist Financing Act*" requires us to confirm the identity of all new clients. It may also require us to disclose information to government agencies in relation to certain large cash transactions.

Communicating with Us

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.

Changes to this Privacy Policy

Since McKellar regularly reviews all of its policies and procedures, we may change our Privacy Policy from time to time.

Requests for Access

If you have any questions, or wish to access your personal information, please write to our Privacy Officer, James S. Moore, at:

649 Scottsdale Drive
Suite 100
Guelph, ON N1G 4T7

If you are not satisfied with our response, the Privacy Commissioner of Canada can be reached at:

112 Kent Street
Ottawa, ON K1A 1H3
1-800-282-1376

Employment Inquiries

If you apply to McKellar for a job, we need to consider your personal information, as part of our review process. We normally destroy all information from candidates after a decision has been made, not to hire them as an employee. If we offer you a job, which you accept, the information will be retained in accordance with our privacy procedures for employee records.

Website

Our website contains links to other sites, which are not governed by this privacy policy.

On our website, like most other commercial websites, we may monitor traffic patterns, site usage and related site information in order to optimise our web service. We may provide aggregated information to third parties, but these statistics do not include any identifiable personal information.