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## The Nexicom Privacy Policy

*Privacy Policy last revised on: September 1, 2017*

### The Policy

#### **Protecting your privacy is important to us.**

Nexicom has a long standing commitment to safeguarding your right to privacy and to ensuring the protection of customer data. Although our ability to provide service requires that we collect personal information about our customers, we take measures to ensure the privacy and confidentiality of that information. We wish to assure you that these measures comply fully with the federal Personal Information Protection and Electronic Documents Act (PIPEDA) which took effect on January 1, 2001. Nexicom may modify or remove portions of this Privacy Policy when it feels it is necessary and appropriate to do so. To determine when this Privacy Policy was last updated, please refer to the date found in the phrase “*Privacy Policy last revised on: \_\_\_\_\_*” located at the top right hand corner of the first page of this Privacy Policy.

This policy applies to personal information about customers, but does not apply to customers that are not individuals such as corporate customers; however, information collected from such customers is protected by other Nexicom policies and practices by applicable contractual terms.

By activating Nexicom’s Services, the Customer acknowledges reading, understanding and agreeing to Nexicom’s Terms of Services and Nexicom’s Privacy Policy.

#### **Why we collect personal information.**

To establish and maintain a responsible commercial relationship with you and to provide ongoing service; to understand your needs and develop and recommend suitable products and services; to manage and develop our business and operations, including personnel and employment matters; and to meet legal and regulatory requirements. Sharing information among Nexicom companies helps us understand your needs completely. The purpose for sharing information among the Nexicom companies is to help us identify your information, communication, and entertainment needs, and provide you with relevant information, advice and solutions. The Nexicom companies will not knowingly provide or sell personal information about you to any outside company for use in marketing or solicitation, except with your explicit permission. However, there are cases in which we may share customer information on a confidential basis. These include an agent providing services on our behalf and/or another communications provider to offer better service and process transactions. We also provide customer information where required by law or in an emergency situation.

#### **We follow Ten Principles.**

Nexicom’s core business is providing Telephone, Internet, TV services, Security and distributing Telecommunications equipment. In addition, Nexicom may provide other products and services from time to time. For Nexicom, privacy is a high priority and our Privacy Policy objective is to promote responsible and transparent practices in the management of personal information.

Nexicom established its Privacy Policy using the ten principles set out in the National Standard of Canada Entitled Model Code for the Protection of Personal Information. These ten principles are the following:



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### ***Principle #1: Accountability***

Nexicom is responsible for maintaining and protecting personal information while it is under our control. This includes any personal information that may need to be disclosed to third parties in order to initiate, maintain, update or discontinue your services with Nexicom. To help ensure the confidentiality of your personal information, policies and procedures have been established, Nexicom has a designated Privacy Officer who is responsible for compliance with the ten privacy principles. If the Customer has any questions or inquiries about how personal information is stored, or when it may need to be disclosed to others, our Privacy Officer is available to assist and explain Nexicom's policies.

### ***Principle #2: Identifying Nexicom's Purpose for the Collection of Personal Information***

Nexicom will collect only the information that is necessary to provide Customer's Services and will identify the purpose for which personal information is collected before or at the time of collection. The Customer's personal information will only be disclosed to third parties with the Customer's express consent or when necessary for legal reasons. Nexicom will ensure that customer confidentiality is maintained regardless of the technology used to communicate personal information.

### ***Principle #3: Obtaining The Customer's Consent for the Collection, Use or Disclosure of Personal Information***

Nexicom will make every reasonable effort to ensure that our Customers or the Customer's authorized representative understand and consent to how the Customer's personal information will be used. Nexicom may collect or use personal information without knowledge or consent if it is clearly in the interests of the individual and consent cannot be obtained in a timely way, such as when the individual is a minor, seriously ill or mentally incapacitated. Written requests and consents to release information will be kept in the Customer's records. Nexicom will disclose personal information to third parties only with the Customer's express consent, or when necessary for legal, audit or regulatory reasons. Nexicom will ensure that its Customer's personal information will be maintained in confidence regardless of the technology used to communicate the personal information.

### ***Principle #4: Limiting Our Collection of Personal Information***

The collection of personal information will be limited to that which is appropriate to provide the necessary telecommunications services to our Customers. Nexicom will always collect personal information by fair and lawful means.

### ***Principle #5: Limiting the Use, Disclosure and Retention of Personal Information***

Personal information will not be used or disclosed for purposes other than for which it was collected, except with the Customer's consent or as permitted or required by law. Nexicom shall retain personal information only as long as necessary for the fulfillment of those purposes.

### ***Principle #6: Keeping The Customer's Personal Information Accurate***

Nexicom will ensure that personal information is as accurate, current and complete as is necessary for the purposes for which it was collected. If the Customer has any questions about the accuracy and completeness of the personal information Nexicom has collected or retained, please do not hesitate to contact Nexicom's Privacy Officer.

### ***Principle #7: Safeguarding The Customer's Personal Information***

Nexicom shall protect personal information by security safeguards appropriate to the sensitivity of the information.



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Nexicom will maintain physical, procedural and technical security with respect to its offices and information storage facilities so as to prevent any loss, misuse, unauthorized access, disclosure, or modification of personal information collected and retained.

As part of these precautions, Nexicom will restrict access to personal information to those employees or third parties that require access to the information in order to fulfill our responsibilities in providing the Services to our Customers. As a condition of their employment, our employees with access to personal information are required to agree, in writing, to respect the confidentiality of personal information.

### ***Principle #8: Openness***

Nexicom pursues a policy of openness about the procedures it uses to manage personal information. Nexicom shall make information about its policies and practices easy to understand. Nexicom will assist customers in understanding the use of their personal information.

### ***Principle #9: Access to Personal information***

Nexicom will inform its customers of the existence, use and disclosure of their personal information upon request and provide access to that information. Our customers are able to challenge the accuracy and completeness of personal information and have it amended as appropriate. When necessary, Nexicom shall transmit to third parties having access to the personal information in question any amended information or the existence of any unsolved differences. In certain exceptional situations, Nexicom may not be able to provide the Customer with access to all of the personal information Nexicom holds. Exceptions may include information that contains references to third parties. Customers can obtain information or seek access to their individual Customer records by contacting our designated Privacy Officer.

### ***Principle #10: Challenging Compliance***

A Customer has the right to challenge our compliance with the above principles by contacting the Privacy Officer. Nexicom maintains strict procedures for addressing and responding to all inquiries or complaints from its customers about its handling of personal information. Our Privacy Officer will investigate all complaints concerning compliance with the privacy policy. If a complaint is found to be justified, Nexicom will take appropriate measures to resolve the complaint including the amendment of our policies and procedures. In exceptional circumstances, the Privacy Officer in compliance with our privacy policy may seek external advice where appropriate before providing a final response to individual complaints. If complainants are not satisfied with the response from our Privacy Officer they have the right to register their complaint with the Office of the Privacy Commissioner of Canada.

Nexicom relies on these ten principles to protect the Personal Information collected from its Customers. Nexicom has established its Privacy Policy in accordance with *The Personal Information Protection and Electronic Documents Act*.

*The Privacy Officer can be reached by:*

*Mail – 5 King St East, Millbrook, ON, LOA 1G0*

*Phone –705-775-4302*

*Email – [privacy@nexicom.net](mailto:privacy@nexicom.net)*



## Frequently Asked Questions

### ***What is Personal Information?***

For a customer, such information includes (but is not limited to) a customer's credit information, email address, billing records, service and equipment and any recorded complaints. Information that is publicly available, such as a customer's name, address and telephone number when listed in a directory or made available through directory assistance is not considered Personal Information.

### ***Why does Nexicom collect Personal Information?***

Nexicom collects Customer's Personal Information for the following purposes:

- to establish and maintain a responsible commercial relationship with the Customer;
- to understand the Customer's needs, preferences, and the Customer's eligibility for products and services;
- to recommend particular products, services and opportunities to the Customer;
- to develop, enhance and market products and services and/or provide products and services to our Customers;
- to process billing and collection of the fees for the Nexicom products and services which the Customer has purchased and/or subscribed to;
- to perform credit checks, if deemed necessary by Nexicom;
- to deliver products and/or services to our Customer; and
- to meet Nexicom's legal and regulatory requirements.

During a Customer's interaction with one of Nexicom's Internet sites, Nexicom may use a browser feature called a "cookie" to collect information anonymously and track user patterns on Nexicom's Web sites. A cookie is a small text file containing a unique identification number that identifies a Customer's browser – but not the Customer himself or herself (no personal information) – to Nexicom's computers each time a Customer visits one of the Nexicom Web sites using cookies. Using cookies, Nexicom also utilizes Google AdWords remarketing, which allows Third-party vendors, including Google, to show advertising on sites across the Internet based on a user's past visit to Nexicom's site. Customers can visit either Google's Ads Settings page to opt out of Google Analytics remarketing or the Network Advertising Initiative opt-out page to opt out of Third-party vendor's use of cookies.

When Nexicom chooses to use Personal Information for a purpose not previously identified, Nexicom will identify the new use. Unless such new use is required by law, the Consent of the Customer, or Web Site User is required before the Personal Information can be used for that new purpose.

### ***How does Nexicom obtain the Customer's consent?***

Consent is required for the collection of Personal Information and the subsequent use or disclosure of the Personal Information. Depending upon the circumstances and the type of Personal Information, the form of consent varies based on the sensitivity of the information.

In general, the use of products and services by a Customer, or a Web Site User will constitute implied consent required by Nexicom to collect, use and/or disclose Personal Information for the purposes identified in this Privacy Policy.

In exceptional circumstances, as permitted by law, Nexicom may collect, use or disclose Personal Information without a Customer's, or Web Site User's knowledge or consent.



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Consent may be withdrawn by Customers and Web Site Users at any time, subject to legal or contractual restrictions and upon providing Nexicom reasonable notice. If the Customer wishes to withdraw consent to certain collection, use or disclosure of Personal Information, please contact Nexicom at [privacy@nexicom.net](mailto:privacy@nexicom.net).

### ***When and how does Nexicom disclose Personal Information?***

Internally, only Nexicom employees whose duties reasonably so require, are granted access to Personal Information of Nexicom Customers.

When disclosing a Customer's Personal Information, Nexicom applies the following Customer Confidentiality Provisions derived from the Canadian Radio-television and Telecommunications Commission's ("CRTC") Decision 2009-723: Unless a Customer provides express consent or disclosure is pursuant to a legal power, all information kept by Nexicom regarding the Customer, other than the Customer's name, address, and listed telephone number, is confidential and may not be disclosed by the company to anyone other than:

- the Customer;
- a person who, in the reasonable judgment of Nexicom, is seeking the information as an agent of the Customer;
- another telephone company, provided the information is required for the efficient and cost-effective provision of telephone service and disclosure is made on a confidential basis with the information to be used only for that purpose;
- a company involved in supplying the Customer with telephone or telephone directory related services, provided the information is required for that purpose and disclosure is made on a confidential basis with the information to be used only for that purpose;
- an agent retained by Nexicom in the collection of the Customer's account, provided the information is required for and is to be used only for that purpose;
- a public authority or agent of a public authority, for emergency public alerting purposes, if a public authority has determined that there is an imminent or unfolding danger that threatens the life, health or security of an individual and that the danger could be avoided or minimized by disclosure of information; or
- an affiliate involved in supplying the Customer with telecommunications and/or broadcasting services, provided the information is required for that purpose and disclosure is made on a confidential basis with the information to be used only for that purpose.

### ***Who does Nexicom share Personal Information with?***

Nexicom does not sell Personal Information about its Customers. Nexicom may share a Customer's Personal Information with its partners, associates and third party service providers in order to fulfill the purposes identified above. In such cases, the relationship with the partner, associate or third party is governed by strict confidentiality standards and policies to ensure the Customer's information is secure and treated in accordance with *The Personal Information Protection and Electronic Documents Act*.

### ***How does Nexicom safeguard the Customer's Personal Information?***

The nature of the safeguards will vary depending on the sensitivity of the Personal Information that has been collected, the scope of the information, and the method of storage of that information. More sensitive types of Personal Information will be safeguarded by a higher level of protection.



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### ***How are Nexicom's policies and procedures accessed?***

Nexicom will be open about its policies and procedures with respect to the management of Personal Information. Customers and Web Site Users will be able to enquire about Nexicom's privacy policies and procedures at minimal cost and without unreasonable efforts on their part. This information is available to Customers and Web Site users by writing to Nexicom, to the attention of the Privacy Officer at 5 King St East, Millbrook, ON, L0A 1G0

### ***How is Personal Information accessed?***

Personal Information held by Nexicom may be accessed by submitting a request in writing to Nexicom's Privacy Officer at 5 King St East, Millbrook, ON, L0A 1G0. A response will be mailed to the address on the account or file. Nexicom will respond to a Customer or Web Site User's request within a reasonable period of time and at minimal or no cost.

In certain circumstances, Nexicom may not be able to provide access to all the Personal Information it holds, for example, when the disclosure would reveal confidential business information, if the Personal Information is protected by solicitor-client privilege, or if the Personal Information was collected during an inquiry into a breach of contract or violation of a federal or provincial law.

### ***How can I challenge compliance and offer suggestions?***

A Customer of Nexicom may direct any questions or inquires with respect to the privacy principles outlined above or about Nexicom's practices described in its Privacy Policy to [privacy@nexicom.net](mailto:privacy@nexicom.net) or to Nexicom's Privacy Officer at 5 King St East, Millbrook, ON, L0A 1G0

Nexicom will investigate all complaints and respond to all questions asked by its Customers. If a complaint is found to be justified, Nexicom will take appropriate measures to resolve the complaint, which may include amending its policies and procedures if necessary.

If Customers are not satisfied with Nexicom's response to a complaint or inquires about complaint procedures they may contact the office of the Privacy Commissioner of Canada, at:  
Toll-free: 1-800-282-1376  
Phone: (819) 994-5444

### **The Customer's role in protecting Personal Information.**

Please remember that Nexicom's Privacy Policy and our use of the Customer's Personal Information only applies to the information the Customer provides to Nexicom. In this regard, Nexicom cautions that if the Customer discloses Personal Information or personally-sensitive data through use of the Internet such as through web sites, chat rooms, communities, bulletin boards or other public online forums, this information is not collected by or for Nexicom but may be collected and used by other persons or companies over which Nexicom has no control. It is the Customer's responsibility to review the privacy statements of any person or company to whom the Customer chooses to link, from or through the use of any Nexicom Internet Services. Nexicom is not responsible for privacy statements or compliance or other content of any Web site not owned and managed by Nexicom.

Nexicom does its best to protect and safeguard Personal Information, and Nexicom believes there are measures that the Customer should take as well. Do not share Personal Information such as bank card numbers, credit card numbers, associated pin numbers or Social Insurance numbers with others unless the Customer clearly understands the purpose of



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their request and knows with whom the Customer is dealing. Do not keep sensitive Personal Information in the Customer's email inbox or on Webmail. Provide Nexicom with one acceptable piece of identification that will be kept in the Customer's file, so Nexicom can identify the Customer when calling. If the Customer is asked to assign passwords to connect the Customer's Personal Information, the Customer should use a combination of letters and numbers and should not use words that can be easily associated with the Customer (example: do not use the name of a family member or pet), Nexicom also suggests that the Customer change passwords regularly. If ever the Customer is suspicious of any telephone, mail or email promotional campaigns or the Customer suspects fraudulent activity, please contact us at [privacy@nexicom.net](mailto:privacy@nexicom.net) to verify that the campaign is a legitimate Nexicom activity.

### How to contact us.

If you have concerns about the collection and use of your personal information in the delivery of our services, please contact our customer service representatives who will be pleased to help you. If you have questions or concerns about your privacy or personal information among the Nexicom companies, or if you would like to examine the Nexicom Privacy Policy, please contact our Privacy Officer at (705) 775-4302 or at [privacy@nexicom.net](mailto:privacy@nexicom.net).

### How to Request a Copy of Your Personal Information Retained by Nexicom.

1. Document your request to obtain a copy of your personal information retained by Nexicom in writing. Your letter should be addressed to the "Nexicom Privacy Officer".
2. Submit your written request to Nexicom. This can be done in the following ways:
  - a. Visit any one of our locations and submit your letter to any staff attending the Front Counter. Locations include:
    - i. 5 King Street East, Millbrook
    - ii. 306 Stewart Street, Peterborough
    - iii. 747 Monaghan Road, Peterborough
    - iv. 55 Kent Street West, Lindsay
    - v. 36 Bridge Street, Lakefield
  - b. Postal Mail your letter to our main office at:  
Nexicom  
5 King Street East  
Millbrook, ON  
L0A 1G0  
ATTENTION: Nexicom Privacy Officer

### What Happens Next?

The Nexicom Privacy Officer will review your request. Within 5 business days, someone from the Nexicom Office will contact you and advise the following:

- a. Whether Nexicom has retained any of your personal information for our commercial relationship.
- b. If Nexicom has retained any of your personal information for our commercial relationship, there may be a nominal fee to gather and copy this information for you. You will be given the amount of the nominal fee and given a choice as to whether you agree to pay the nominal fee and therefore wish to proceed.

If you agree to proceed, we will have a copy of your personal information retained by Nexicom ready for pick up within 30 days of the date your letter was received by Nexicom.