

ENERCARE INC.

PRIVACY POLICY

Enercare Inc.
Privacy Policy

The privacy of individuals connected with Enercare Inc. and its subsidiaries¹ (together, the “**Corporation**” or “**we**”), including our customers, suppliers, contractors, employees and website visitors is of great importance to us, and is something we take very seriously. Keeping Personal Information in strict confidence is a cornerstone of our business. Regardless of how the range of services we provide to our customers expands, and the technology we use changes, we will always strive to protect the privacy of Personal Information in accordance with this privacy policy (“**Privacy Policy**”).

This Privacy Policy describes how we handle and protect Personal Information under our control and sets out the principles and laws on which our privacy practices are based.

What is Personal Information?

“**Personal Information**” is any recorded information about an identifiable person. It includes such things as a person’s home address, date of birth, social insurance number and financial information. Such information may be gathered from customers and web site visitors. In all cases, we are committed to protecting the privacy of individuals and the integrity of their Personal Information.

How and Why We Collect Personal Information

Most of the Personal Information we handle is collected primarily in connection with products and services provided by or to the Corporation, and during the establishment of business relations. In the normal course of doing business, we also use Personal Information for various purposes, including:

- Establishing, managing and terminating business relations with you, including billing and collecting overdue amounts;
- Reviewing the products and services that we provide to you;
- Reviewing the products and services that we obtain from third parties;
- Informing you of our other products and services, or those of carefully selected third parties;
- Protecting us against error, fraud, theft and damage to our goods and property;
- Enabling us to comply with applicable law or regulatory requirements; and
- Any other reasonable purpose to which you consent.

We may also collect Personal Information through our website, which may use tracking software in the form of “cookies” (text files containing unique identification numbers identifying technical information about the visitor, but not necessarily the identity of the visitor). This information is transmitted to us each time our website is visited, and these cookies allow us to collect and store information such as the type of internet browser and operating system a visitor uses; the date, time and duration of the visit to our website; the internet address of the website from which they linked to our website; and the pages they visited while on our website. Unless a visitor actively submits Personal Information while on our website however, we will not normally be able to determine the identity of visitors to our website.

¹ As of the date hereof, this Policy applies to Enercare and all subsidiaries of Enercare under the “Enercare” or “Triacta” brands. If one our subsidiaries has adopted a separate privacy policy, it may supersede this Privacy Policy. Please contact our Privacy Officer using the contact information set out below if you are uncertain which policy applies.

How We Use and Disclose Your Personal Information

In the course of providing products or services to you, we use and may disclose your Personal Information under certain circumstances. The limited circumstances under which we may disclose your Personal Information include:

- During an emergency situation or where necessary to protect the safety of a person or group of persons;
- To employees, contractors, consultants and other parties (including affiliates of the Corporation) who require the information to assist us in managing the business relationship or providing services, including for billing, handling, account administration, servicing and installing, collections, marketing initiatives and reporting;
- At the request of government regulators;
- In response to a search warrant or other legally valid inquiry or order, or to an investigative body in the case of a breach of an agreement or contravention of law; and
- Where necessary for the establishment, exercise or defence of legal claims; or as otherwise required or specifically permitted by law.

We disclose Personal Information to unaffiliated third parties only when necessary to provide products or services to our customers or as otherwise identified in this Privacy Policy. When we do disclose such information to other parties, we require them to protect Personal Information to the same standard as we use within the Corporation. Please note that if such third parties are located in a foreign jurisdiction, the information becomes subject to the laws of that jurisdiction, including those governing disclosure of Personal Information to government authorities.

The Corporation may also disclose Personal Information in the context of an actual or possible corporate reorganization, merger or amalgamation with another entity, or an actual or possible sale of all or of a substantial portion of the Corporation's assets. In such circumstances, disclosure would occur on the condition that the information only be used for the purpose of evaluating the transaction, or on completion of the transaction, for the purposes outlined in this Privacy Policy.

You may refuse to provide Personal Information to the Corporation and may, subject to legal or contractual restrictions and reasonable notice, withdraw consent at any time to our continued use and disclosure of Personal Information previously collected. Please note that refusing or withdrawing your consent in respect of our handling of certain Personal Information may result in us being unable to provide you with certain products and services. You can withdraw your consent at any time by writing to the Privacy Officer at the address at the end of this Privacy Policy. You may also opt out of continuing to receive communications from the Corporation in respect of products and services of the Corporation or third parties other than those which you have inquired about or are receiving. We may, however, collect, use or disclose personal information without your knowledge or consent in exceptional circumstances where such collection, use or disclosure is permitted or required by law.

If we use or disclose Personal Information for a purpose other than those identified above, we will, as required, notify you and/or obtain your consent prior to doing so.

How We Safeguard Your Personal Information

We take the responsibility of safeguarding Personal Information very seriously and in doing so we employ various physical, electronic and procedural safeguards to protect such information. We also limit access to Personal Information regarding our clients to those employees, agents, affiliates and service providers who need to know such information in connection with the purposes set forth in this Privacy Policy.

We only retain Personal Information for as long as is necessary to fulfill the purposes for which it was originally obtained, unless we are required or permitted by law to retain the information for a longer period.

When Personal Information is no longer needed or permitted to be retained, it is securely destroyed or made anonymous as appropriate.

Accuracy and Access to Your Personal Information

We strive to ensure that all Personal Information is accurate, correct, and up-to-date, and take all reasonable efforts to ensure that the integrity and accuracy of such information is protected.

You can ask to see the Personal Information that we hold about you. If you want to review, verify or correct your Personal Information, or find out how it has been used or disclosed, please contact our Privacy Officer using the contact information set out below. Please note that any such communications must be in writing. Consistent with applicable law, if an individual requires an alternative method of accessing their Personal Information to accommodate a sensory disability, we will work to provide such alternatives.

When making an access request, we require specific information from you to confirm your identity as well as to search for, and provide you with, the Personal Information that we hold about you. We may charge you a reasonable fee to access your Personal Information; but we will advise you of any fee in advance. If you need help in preparing your request, please contact the office of our Privacy Officer.

There are only a few circumstances under which we will not comply with your request to provide you with access to your Personal Information. These circumstances include:

- If doing so could reveal Personal Information about a third party (and, in Quebec, if the disclosure could seriously harm that third party);
- If the information is subject to legal privilege or was generated in the context of a formal dispute resolution process;
- If the information relates to the actual or suspected breach of an agreement or of applicable law; or
- Where permitted or required by applicable law.

The Corporation will inform you of the reasons why, subject to any legal or regulatory restrictions, access has been denied.

Updates to this Privacy Policy

From time to time we may update our Privacy Policy. The most current version of this Privacy Policy will be posted on our website.

Questions or Concerns

The Corporation's compliance with this Privacy Policy and with applicable privacy laws is overseen by our Privacy Officer. If you have any questions or concerns regarding this Privacy Policy or our privacy practices, please contact our Privacy Officer at the following address:

Privacy Officer
Enercare Inc.
7400 Birchmount Road
Markham, ON L3R 5V4
Telephone: 416.649.1862

All enquiries will receive a timely response.

Last reviewed by the Board of Directors on April 1, 2020.