

**EP Canada Film Services Inc.**  
**Canada Film Capital Corporation**  
**∞ Privacy Code ∞**

*Updated: September 1, 2008*

EP Canada Film Services Inc. and Canada Film Capital Corporation (together referred to as the "Company" throughout) understand that privacy is a critical issue for all of our Clients. Our Privacy Code outlines our principles and procedures regarding the confidentiality and security of personal information.

The Code outlines the principles the Company applies when protecting Clients' privacy. The Code is based on the Canadian Standards Association (CSA) Model Code for the Protection of Personal Information (CAN/CSA-Q830-96) and the Federal Personal Information Protection and Electronic Documents Act (PIPEDA). Based on these models, we have tailored our own ten privacy principles to meet the specific needs and expectations of our Clients.

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## Scope

This code applies to the Company. It outlines the principles and commitments we make to you, our Clients and Employees, to protect the privacy of personal information.

This Code does not apply to the information collected, used or disclosed with respect to corporations or commercial entities. However, the Company exercises the same care and diligence in protecting the confidentiality of this information.

## Definitions

"EPC" means EP Canada Film Services Inc., operating as Entertainment Partners Canada.

"Client" is any employee, individual, or payee; a production company, a network and or studio who uses the Company for payroll services while engaged in the business of Motion Picture, Television or Commercial Production, and all other services the Company offers.

"Collection" the act of gathering, acquiring, or obtaining personal information from any source including third parties, by any means.

"Company" means both EP Canada Film Services Inc. and Canada Film Capital Corporation, or either entity individually.

"Consent" involves voluntary agreement with what is being done or proposed. Consent may be expressed or implied. Expressed consent can be given orally or in writing, is unequivocal, and does not require any inference on the part of the Company. Implied consent exists when the Company can reasonably infer consent based upon the action or inaction of the Client.

"Disclosure" the act of making personal information available to others outside of the Company.

"Use" the treatment and handling of personal information by and within the Company.

"Personal Information" information about an identifiable individual that is recorded in any form; excluding the individual's name, business title, business address & business phone number.

"Third-Party" an individual or organization other than the Company or the Client.

## Section 1: The Company's Accountability

The Company is accountable for the protection of Clients' personal information. While senior management is ultimately accountable for the protection of personal information, the day-to-day monitoring for compliance is also shared with staff.

- 1.1 The overall responsibility for the protection of personal information, and compliance with this Code rests with the Company's Privacy Officers.
- 1.2 The Company is committed to ensuring that the appropriate security measures are employed in the transfer of sensitive information. However, when using e-mail or wireless communication, the Company advises clients that complete confidentiality and security are not assured.
- 1.3 The Company is not accountable for any damages suffered when a Client transmits personal information through e-mail or wireless communication or when the Company transmits information in any format at the request of the Client
- 1.4 The Company continues to develop policies and procedures to: protect personal information; receive and respond to complaints and inquiries; train staff regarding the policies and procedures; communicate the policies and procedures to our Clients.

## Section 2: Purposes of Collecting Personal Information

The Company collects personal information for the following reasons:

- a) To provide payroll services
- b) To provide tax credit administration and financing services
- c) To manage and develop products and services to meet the needs of our Clients
- d) To contact our Clients directly for products and services that may be of interest
- e) To ensure a high standard of service to our Clients
- f) To meet regulatory or contractual requirements
- g) To verify a Client's identity

## Section 3: Consent

The Company will obtain consent to collect, use or disclose any personal information except where detailed in this Code. The Company will make reasonable efforts to ensure that Clients understand how their personal information will be used and disclosed.

- 3.1 A Client's consent can be expressed, implied, or given through an authorized representative such as a lawyer or agent. A Client can withdraw consent at any time, with certain exceptions (see # 3.3 below). The Company, however, may collect, use or disclose personal information without the Client's knowledge or consent in the following exceptional circumstances:
- a) When such collection, use or disclosure is permitted or required by law
  - b) When use of information is for acting in an emergency that threatens an individual's life health, or personal security
  - c) When certain information is publicly available
  - d) When we require legal advice
  - e) When we need to collect a debt from a Client
  - f) When we need to deal with an anticipated breach of law
  - g) When required for reporting benefit information
- 3.2 Consent may be given orally, in writing, or electronically. For example, depending on the sensitivity of the information, consent can be expressed over the telephone when information is being collected; electronically when submitting an agreement, application, or other information; in writing when signing an agreement or application form; when using a product or service; or when indicating by means of a check-off box whether or not consent is granted.
- 3.3 Subject to contractual or legal arrangements, Clients may withdraw or refuse consent provided that the Company is given reasonable notice. Refusal or withdrawal of consent may prevent the Company from providing a product or service to the Client.

## Section 4: Limits for Collecting Personal Information

The Company will only collect personal information for the purposes identified. The Company will use methods that are lawful and will not collect information unnecessarily.

## Section 5: Limits for Using, Disclosing, and Keeping Personal Information

Client information will only be used or disclosed for the purpose for which it was collected. The Company will not use personal information for any additional purpose unless the Company seeks Client consent to do so, or unless legally or contractually required to do so.

- 5.1 The Company will not sell Client information or personal information to Third Parties.
- 5.2 The Company may periodically use Client personal information to conduct surveys in order to enhance our services. If an outside body is employed to conduct research on behalf of the Company, or provide other services that require access to Client information, the Company will ensure that appropriate security undertakings, such as confidentiality clauses in contractual arrangements, are employed to protect the transfer and use of personal information.

- 5.3 The Company will retain Client personal information only as long as necessary or expected to be necessary for the identified purposes, or as required by legislation.

## Section 6: Accuracy

The Company will make reasonable efforts to ensure that Client personal information is as accurate, complete, and current as required for the purposes for which it was collected. In most cases, the Company relies on its Clients to ensure that certain information, such as the Client address or telephone number, is current, complete, and accurate.

## Section 7: Safeguarding Personal Information

The Company is committed to the safekeeping of Client personal information in order to prevent its loss, theft, unauthorized access, disclosure, duplication, use, or modification.

- 7.1 Depending on the sensitivity of the information, the Company will employ appropriate security measures to protect the information. The measures may include, for example, the physical security of offices and data centers; and electronic security measures such as passwords, encryption, and personal identification numbers.
- 7.2 The Company will use appropriate security measures when disposing of Client personal information.
- 7.3 The development of the Company's policies and procedures for the protection of personal information is an ongoing process. Changes in technology necessitate that the Company continually develops, updates, and reviews information protection guidelines and controls to ensure ongoing information security.

## Section 8: Availability of Policies and Procedures

The Company is open about the policies and procedures it uses to protect personal information. Information about these policies and procedures will be made available either electronically or in written format in plain language.

- 8.1 The Company will make the following information available:
- a) The name, title and address of the person accountable for the policies and procedures and to whom complaints or inquiries can be forwarded
  - b) A description of the type of personal information held by the Company, including a general account of its use
  - c) A copy of our Privacy Code or other information that explains the policies and procedures
  - d) An explanation of what personal information is made available to related organizations such as affiliated companies

## Section 9: Providing Access to Personal Information

Clients have a right to access their personal information held by the Company. Upon request, the Company will, within a reasonable time period, tell the Client what personal information it has, what it is being used for, and to whom it has been disclosed if applicable and within the time period for which records are available.

- 9.1 Clients will be asked to be specific about the information they would like to access and to submit their request in writing to the Company.
- 9.2 Clients will be required to provide personal information to identify themselves to enable the Company to provide an account of the existence, use, and disclosure of personal information.
- 9.3 The Company will make the information available within 30 days, or provide written notice of extension where additional time is required to fulfill the request.

When information is not provided within 30 days of the request, the Company will, no later than 30 days after the date of the request, give a notice of extension to the Client, advising of the new time limit, the reasons for extending the time limit and of the right of the Client to make a complaint to the government appointed Privacy Commissioner regarding the extension.

- 9.4 The information will be made available at a cost that will vary with the type and amount of information requested. Where a cost will be incurred by the Client, the Company will inform the Client of the cost and request further direction from the Client on whether or not the Company should proceed with the request.
- 9.5 If a request is refused, the Company will notify the Client in writing, documenting the reasons for refusal and resources for redress available to the Client.
- 9.6 In certain situations, the Company may not be able to provide access to any or all personal information about a Client. In such cases, the Company will explain the reasons it will not provide the requested information, and identify resources for recourse available to the Client. The reasons for not providing information may include that the information:
  - a) is unreasonably costly to provide
  - b) would threaten the life or security of another individual
  - c) was generated in a formal dispute resolution process
  - d) contains references to other individuals
  - e) can not be disclosed for legal, security, or commercial proprietary reasons
  - f) is subject to solicitor-client or litigation privilege.
- 9.7 If the information is demonstrated to be inaccurate or incomplete, the Company will amend the information as required. Where appropriate, the Company will transmit the amended information to Third Parties having access to the information in question.

## Section 10: Compliance and Complaints

Clients are to direct any complaints, concerns or questions regarding this Privacy Code in writing to the Company's Privacy Officer. If the Privacy Officer is unable to address the Client's concerns, the issue can be referred to the office of the President. At any point in this process the Client may also write to the Privacy Commissioner.

### Contact Information:

#### **Toronto:**

EP Canada Film Services Inc. or  
Canada Film Capital Corporation  
Suite 500 - 130 Bloor St. West  
Toronto, ON M5S 1N5  
Attention: The Privacy Officer

#### **Vancouver:**

EP Canada Film Services Inc.  
351 Bewicke Avenue  
North Vancouver, BC V7M 3E9  
Attention: The Privacy Officer