

## Purpose

The purpose of this document is to communicate the Privacy Policy (this “**Policy**”) of 407 ETR Concession Company Limited (“**407 ETR**”) and its affiliates.

This Policy defines the rights and responsibilities of 407 ETR to collect, use, disclose, and retain Personal Information (defined below) for the purposes stipulated under the Highway 407 Act and the Highway 407 East Act (collectively the “**Acts**”) and other applicable legislation

## Scope and Responsibilities

This Policy applies to the Board of Directors of 407 International Inc., as well as the officers, employees, and where the context so requires, contractors, consultants, suppliers, representatives and agents of 407 ETR (collectively “**Personnel**”)

407 ETR’s Privacy Officer is responsible for ensuring 407 ETR’s compliance with all applicable legislation:

- by addressing issues raised by customers regarding privacy;
- by monitoring applicable privacy and data protection legislation;
- by providing guidance within 407 ETR regarding compliance to 407 ETR’s Privacy Policy; and
- by promoting privacy and data protection awareness and training throughout 407 ETR.

## Policy

407 ETR’s is committed to respecting our customers right to privacy and the confidentiality of their Personal Information.

407 ETR operates and manages Highway 407 ETR, and also provides tolling and back office services for the Province of Ontario’s Highway 407 (east of Brock Road) and Highway 412, (altogether, the “**Toll Highways**”).

This means that two privacy laws can apply when we collect, use or disclose Personal Information:

- Canada’s *Personal Information Protection and Electronic Documents Act* (PIPEDA) for Highway 407 ETR; and
- Ontario’s *Freedom of Information and Protection of Privacy Act* (FIPPA) for the Province of Ontario’s Highway 407 (east of Brock Road) and Highway 412.

For the purposes of this Policy, “Personal Information” is any information about an identifiable individual where the information, alone or with other information that’s reasonably available, can be used to identify that person. Certain information is exempted, however, like somebody’s business contact information that’s used to communicate about his or her employment, business or profession.

407 ETR obtains Personal Information directly from customers. We also collect Personal Information from third parties for the purposes described in, “How we use your personal information”, below. For example, we collect Personal Information from the Ontario Ministry of Transportation (MTO), from motor transport administrators, credit reporting agencies and collection agencies in order to collect and enforce amounts owing.

407 ETR may collect or use aggregated or anonymized data (e.g., de-identified information from the App) with 407 ETR technology or from third parties (e.g., general traffic data etc.). This data allows 407 ETR to perform analytics to better manage traffic and give customers the best customer experience possible. While aggregated or anonymized data cannot by itself identify customers, the data may be analyzed together with Personal Information to help us further understand our customers.

By law, customers must provide the MTO with a change of address notice within 6 days of moving. 407 ETR is not provided with automatic updates by the MTO. Therefore, to ensure prompt and accurate billing, 407 ETR also requires that customers forward this change of address information to 407 ETR in the manner set out in the Section of [www.407etr.com](http://www.407etr.com) "Please Contact us if you have any Questions or Concerns."

407 ETR encourages customers to review and confirm the accuracy of all their Personal Information provided to 407 ETR. If changes or corrections are required to their Personal Information, customers should contact 407 ETR immediately as described in the Section of [www.407etr.com](http://www.407etr.com) "Please Contact us if you have any Questions or Concerns."

407 ETR must obtain reasonable assurance that all third parties, with whom it transacts business or may share Personal Information, have privacy policies and procedures in place which protect the Personal Information of customers to the same extent as 407 ETR protects the Personal Information that it collects from its customers.

Customer consent can be express (written, verbal, and/or electronic) or implied (through their action or inaction). When necessary, we'll ask them for their express or "opt-in" consent with respect to more sensitive Personal Information and/or where a new purpose is identified, such as for App-related purposes described in part 10 of, "407 ETR may use Personal Information", below.

In other cases, 407 ETR relies on implied or "opt-out" consent, such as by Customers travel of the Toll Highways or their use of our online services, in order to collect, use and disclose Personal Information to help achieve the purposes described in parts 5 through 9 of, "407 ETR may use Personal Information" below.

In limited circumstances, the law allows us to forgo obtaining consent, such as when the use or disclosure of Personal Information is for the purposes described in parts 1 through 4 or 11 of, "407 ETR may use Personal Information" below.

**407 ETR may use Personal Information for the purposes described below.**

1. Collecting and enforcing tolls, fees and other charges owing
2. Traffic planning and revenue management
3. Responding to third parties that we, or the MTO, have an agreement with relating to collecting and enforcing tolls, fees and other charges owing
4. Communicating with customers to promote the use of the Toll Highways
5. Communicating with customers to:
  - a. Manage, share or consolidate account information, such as through One-Simple-Bill and account linking, as well as administering accounts where a licence plate has been transferred and Personal Information may be shared between related customers
  - b. Manage overdue balances, invoices and payments. For example, when investigating overdue balances, we may contact customers, request a credit investigation or a consumer report about a customer, or exchange or disclose Personal Information with, or to, government agencies, credit reporting agencies, collection agencies or other relevant service providers in Ontario or other jurisdictions
  - c. Advise on leasing, billing and payment options, as well as programs or services that may add value or meet customer needs
  - d. Assess customer satisfaction and obtain feedback on service quality or offerings, such as through online surveys or in-person focus groups

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6. Developing offers suited to customer needs and preferences
7. Training and testing for internal purposes of designing, maintaining and improving the quality and/or scope of services we provide to customers
8. Complying with corporate policies, procedures and other business requirements
9. With respect to website cookies, using technical and usage data gathered to improve the functionality and content of [www.407etr.com](http://www.407etr.com) so that you can have a great online experience!
10. As it relates to the App:
  - a. Providing App-related benefits described in the Terms of Use
  - b. Providing marketing offers and promotions
  - c. Ensuring the App is working properly, such as tracking outages or trouble-shooting issues reported to us
  - d. Improving the App or developing new features or services related to the App or mobile device
  - e. Verifying and improving customer account management
11. Under privacy law, we may, if necessary, use or disclose Personal Information in:
  - a. Aiding an emergency where a person's life, health or security is at stake
  - b. Responding to a subpoena, warrant, court order, or the request of a government institution with lawful authority for the purpose of enforcing or investigating a violation of law
  - c. Complying with, or supporting compliance with, relevant laws and regulations

407 ETR collects Personal Information mainly to bill customers, and also to fulfill the other purposes described above.

This information may include:

• Name	• Vehicle information
• Mailing address	• Registrant identification number (RIN)
• Other contact details like phone numbers and e-mail addresses	• Vehicle identification number (VIN)
• Licence plate	• Credit history
• Transaction history	• Trip details on the Toll Highways
• Driver's licence information	• Travel information
• Gender	• Customer communications with us like call centre, contest or survey responses that describe your experiences, opinions or preferences
• Date of birth	• Website cookies that help gather technical and usage data on visitors to <a href="http://www.407etr.com">www.407etr.com</a>
• For 407 ETR's mobile app (the "App"), location, travel and route information based on your in-App privacy settings, as well as mobile device ID and metadata that provides information about your device, its operating system, and App use. The App is further described in, " <a href="#">407 ETR's mobile app</a> ", below.	

Customers have the right to withdraw their consent from 407 ETR for the collection, use, and disclosure of their Personal Information, at any time. In the case of the App, customers may withdraw their consent by deleting the App. 407 ETR will withdraw consent once provided the Customer meets established guidelines.

1. The customer must provide reasonable notification that they wish to withdraw their consent;
2. Personal Information is only removed if all accounts established in the customer's name have been paid in full; and

3. 407 ETR's records show that a vehicle with licence plates registered in the customer's name has not traveled the Toll Highways since the customer's request. **Please Note:** If a vehicle registered in the customer's name subsequently travels the Toll Highways, a new account will be established, including Personal Information as required under this Policy; and
4. Withdrawal of consent does not mean deletion of existing records that contain Personal Information. 407 ETR has established data retention periods that determine how long Personal Information must be kept for.

407 ETR offers customers the option of an Anonymous Account to travel on the Toll Highways. Customers are not required to provide any Personal Information when they request an Anonymous Account, but are required to pay applicable fees, deposits, and a prepaid amount upon the establishment of the account. (See: [012 - Anonymous Account Policy](#) for details).

407 ETR does not sell or otherwise disclose Personal Information to any other company or organization to promote the products or services of that company or organization. 407 ETR only discloses Personal Information when authorized by the Acts, for example, to limited third parties (such as a collection agency) in order to administer or collect payments on 407 ETR's behalf.

407 ETR's Privacy Officer is responsible for ensuring that we are compliant with this Policy and our privacy laws. If a customer has any privacy-related questions or comments, wishes to challenge our compliance with the privacy principles described in this Policy, or have concerns over the policy decisions we make they can contact the Privacy Officer directly.

407 ETR adheres to established standards for the protection of Personal Information which are a central part of PIPEDA. These standards include 10 privacy principles which guide 407 ETR in how it collects, uses, discloses, and protects Personal Information:

### **407 ETR's mobile app**

A customer's use of the App is subject to its terms of use (the "Terms of Use"), located at [www.407etr.com](http://www.407etr.com). The types of location data and Personal Information 407 ETR can collect depends on the privacy settings customers choose on their mobile device. They may adjust their privacy and location settings in the App at any time to control which types of Personal Information 407 ETR may collect and how that information is used. Customers can always change location settings to control the information 407 ETR collects about their location and travel while they are not using the App.

### **If a Customer has any Questions or Concerns**

If a customer has any questions or concerns regarding 407 ETR's collection, use, or disclosure of their Personal Information, they should be directed to contact 407 ETR's Privacy Office at:

**Customer Advocacy & Privacy Office**  
**6300 Steeles Avenue West,**  
**Woodbridge Ontario, Canada, L4H 1J1**

or

Call 407 ETR's customer service line at 1-888-407-0407.

### **Privacy Commissioners**

In the event there are any questions or concerns that 407 ETR can't address customers can be directed to one of the privacy commissioners indicated below.

#### **PIPEDA for Highway 407 ETR customers:**

Office of the Privacy Commissioner of Canada (<https://www.priv.gc.ca>):  
30 Victoria Street  
Gatineau, Quebec, K1A 1H3  
Toll-free: 1-800-282-1376  
Phone: (819) 994-5444  
Fax: (819) 994-5424  
TTY: (819) 994-6591

**FIPPA for the Province of Ontario's Highway 407 and Highway 412 Customers**

Information and Privacy Commissioner of Ontario (<https://www.ipc.on.ca>):  
2 Bloor Street East, Suite 1400  
Toronto, Ontario, M4W 1A8  
Toronto Area: 416-326-3333  
Long Distance: 1-800-387-0073 (within Ontario)  
Fax: 416-325-9195  
TTY: 416-325-7539

## Privacy Policy for our Customers

A customer version of 407 ETR's Privacy Policy can be found on [www.407etr.com](http://www.407etr.com)  
[407 ETR's Privacy Policy - WEB Version](#)

The table below identifies how the WEB version corresponds to the 10 PIPEDA Principles.

<b>10 PIPEDA Principles</b>	<b>WEB Version Privacy Policy</b>
1. Accountability	Where accountable to you
2. Identifying Purposes	How we use your Personal Information
3. Consent	How do we get your consent
4. Limiting Collection	Limits to our collection, use, disclosure and retention
5. Limiting Use, Disclosure and Retention	Limits to our collection, use, disclosure and retention
6. Accuracy	Updating your Personal Information
7. Safeguards	Protecting your Personal Information
8. Openness	We're here to help
9. Individual Access	Accessing your Personal Information
10. Challenging Compliance	We're here to help

## Changes to the Privacy Policy

We may update this Policy at any time and, if we do, we'll notify customers in writing and/or note this on our website.

## Exceptions

Any exceptions will be identified and approved as per the process set out in the [Policy and Procedure Process Guide](#)

## Policy Maintenance

Standard maintenance and review as per the process set out in the [Policy and Procedure Process Guide](#)

## Policy Owner

Privacy Officer

**Related Policies**[010 – Record Management and Retention Policy](#)[010 A - Clean Desk Practices and Procedures](#)[010 B - Protection of Classified Information](#)[012 – Anonymous Account Policy](#)**Related Procedures**[004 B - CCTV and Video Surveillance Policy](#)[012 A - Anonymous Account Procedures](#)**Related Forms**

N/A

**Related Scripts**

N/A

**Revision History**

Date	Version number	Modifications
December 15, 2003	1.0	Original Version of 407 Privacy Policy and Procedures.
July 25, 2007	2.0	Revision of 407 ETR Privacy Policy to match components of the website version plus changed to standard policy format and edits.
February 20, 2008	3.0	Reviewed and made minor updates to Privacy Policy, reintroduce to management for sign-off.
June 30, 2014	4.0	Annual review completed no material change to content.
November 5, 2015	5.0	Annual review completed, no material changes identified. Edits made to include references to Government of Ontario Highway 407 East, as well as a clarification of “informed consent” based on a change to PIPEDA.
December 22, 2016	6.0	Revised the policy to reflect updates to the purpose section as well as type of information 407 ETR collects. Revised the Web version of the privacy policy to be more customer facing. Refined the east wording.
September 26, 2017	7.0	Annual review completed by BPM and Legal, no material change to content.
September 21, 2018	8.0	Annual review completed by BPM and Legal. Policy has been revised to reflect the information collected and used as a result of the introduction of 407 ETR's mobile app.

## Policy Authorization

Approvers	Approval Date
Andres Sacristan President & Chief Executive Officer	September 21, 2018
Ana Krijan Senior Director Finance	September 20, 2018
Greg MacKenzie General Counsel	September 20, 2018
Randy Luyk VP, Business Process Management	September 20, 2018

**Note.** Completion of the SharePoint workflow by the individuals above is evidence of approval of this document. Workflow approval for this document is available in SharePoint.