

McCuaig & Company Inc.

Suite 301 • 255 Lacewood Drive • Halifax • Nova Scotia • B3M 4G2

PRIVACY POLICY

McCuaig & Company Inc. is committed to protecting the privacy of information collected during the course of an insolvency or other engagement. However, there are times when private information must be shared with others in accordance with the requirements of various laws, including the *Bankruptcy and Insolvency Act* (“BIA”), the *Income Tax Act* and the *Personal Information Protection and Electronic Documents Act* (“PIPEDA”).

Bankruptcy and Proposals under the BIA are not private processes. Bankruptcy and Proposal documents are required by law to be filed with the Superintendent of Bankruptcy or the Court and therefore become a matter of public record. Any information which appears on your Statement of Affairs, including information about third parties, is available to the public, including your creditors. Beginning January 1, 2004, we will make every effort to ensure that your Social Insurance number no longer appears on the Statement of Affairs; however, it may be present in correspondence we issue to employers, banks and others where the social insurance number is required to identify you or your account.

From time to time, we are asked by our clients to discuss the status of their estate with creditors. Such discussions often include information about whether the client has entered into or is intending to participate in a formal insolvency process, such as bankruptcy or proposal. Prior to a formal estate filing, we will only have these discussions with your permission.

From time to time, we are asked by the spouse or other relative of a client for information regarding their spouse’s or relative’s estate administration. Without the consent of the client, we will no longer provide this information, including responding to letters, fax requests or email inquiries.

This privacy policy is not to be confused with client-lawyer confidentiality. When you provide us with information relevant to your estate administration, that information forms part of your file and may be available to creditors and used by the Trustee as the BIA may provide. Other than information relevant to your estate, we will not disclose other personal information about you without your express or implicit consent.

Under PIPEDA, a client may inquire about or request to correct the personal information that McCuaig and Company Inc. may possess concerning them. It is in the interest of all parties that the personal information that we possess is accurate at all times. Access may be denied under the law in certain circumstances, such as where information relates to existing or anticipated legal proceedings, where the information is covered by solicitor-client privilege, when the request is frivolous or vexatious or when granting access would have an unreasonable impact on other people’s privacy. If we deny access to a client, or decline a request to correct information, we will explain why.

Our information systems, including our website, do not collect visitor information in the form of the visitor’s domain or internet protocol address but may collect information regarding what systems or web pages are accessed.

McCuaig and Company Inc. endeavors to maintain adequate physical, procedural and technical security so as to prevent any unauthorized access or disclosure of information.

Disclosure of personal information may also occur when we engage a third party to provide professional services to us (such as legal, accounting, computer back-up or archival storage) and the third party is bound by our privacy policy or a similar privacy policy.

Robert McCuaig is our Privacy Officer. Inquiries, requests for access, requests for corrections and any complaints may be directed to him by mail or email as follows:

Robert McCuaig
McCuaig & Company Inc.
Suite 301, 255 Lacewood Drive
Halifax NS B3M 4G2

By email: robert@mccuaig.ca

If contacting us by email, you should be aware that email is not a 100% secure medium.

The rights of McCuaig and Company Inc. herein may be exercised by it, its officers, agents and employees.

Before we proceed to act as Trustee of your bankrupt estate, or as Trustee or Administrator under a Proposal pursuant to the BIA or in any other capacity to assist in the settlement of your financial affairs, we ask that you read this document and that you agree to the following:

1. I understand that from time to time that McCuaig & Company Inc. may have to disclose some of my personal information with creditors and other third parties pursuant to the requirements of the BIA or other statutes. I agree with such disclosure.
2. I understand that from time to time my creditors or their agents may contact McCuaig & Company Inc. inquiring about my intentions to proceed with some form of insolvency process. I hereby agree that McCuaig & Company Inc. may respond to such inquiries, including in the response their understanding of my intentions.
3. I agree to co-operate with McCuaig & Company Inc. in providing whatever information they require to assist me, understanding that the information will remain private except where McCuaig & Company Inc. are required to disclose it as part of any insolvency administration or where I provide my authority to its disclosure.

Dated at _____, _____ on _____, 20____.
City or Town *Province*

Print Name

Signature