

PRIVACY POLICY

MICHAEL SCOTT LANDSCAPING & DESIGN, and its partners ("MICHAEL SCOTT LANDSCAPING & DESIGN", "we" or "us"), are committed to maintaining the accuracy, confidentiality, and security of your personal information. This policy explains how MICHAEL SCOTT LANDSCAPING & DESIGN collects, uses, discloses and safeguards the personal information provided to us either directly by you or by a third party.

For the purposes of this policy "personal information" means any information about an identifiable individual and includes name, address, home telephone number, marital status, liabilities, assets, income, banking records, health records, claims history and other information of a personal nature. Personal information will not include an individual's business address or business telephone number.

PRINCIPLES

As part of our commitment to treat your personal information with respect, MICHAEL SCOTT LANDSCAPING & DESIGN has adopted the following ten "fair information principles" that are included in Canada's *Personal Information Protection and Electronic Documents Act* ("PIPEDA"):

Principle 1 – Accountability

MICHAEL SCOTT LANDSCAPING & DESIGN is responsible for personal information under its control and shall designate an individual or individuals who are accountable for the MICHAEL SCOTT LANDSCAPING & DESIGN's compliance with the following principles.

Principle 2 – Identifying Purposes

The purposes for which personal information is collected shall be identified at or before the time the information is collected.

Principle 3 – Consent

The knowledge and consent of the individual are required for the collection, use, or disclosure of personal information, except where inappropriate.

Principle 4 – Limiting Collection

The collection of personal information shall be limited to that which is necessary for the purposes identified by MICHAEL SCOTT LANDSCAPING & DESIGN. Information shall be collected by fair and lawful means.

Principle 5 – Limiting Use, Disclosure, and Retention

Personal information shall not be used or disclosed for purposes other than those for which it was collected, except with the consent of the individual or as required by law. Personal information shall be retained only as long as necessary for the fulfillment of those purposes.

Principle 6 – Accuracy

Personal information shall be as accurate, complete, and up-to-date as is necessary for the purposes for which it is to be used.

Principle 7 – Safeguards

Security safeguards appropriate to the sensitivity of the information shall protect personal information.

Principle 8 – Openness

MICHAEL SCOTT LANDSCAPING & DESIGN shall make readily available to individuals specific information about its policies and practices relating to the management of personal information.

Principle 9 – Individual Access

Upon request, an individual shall be informed of the existence, use, and disclosure of his or her personal information and shall be given access to that information. An individual shall be able to challenge the accuracy and completeness of the information and have it amended as appropriate.

Principle 10 – Challenging Compliance

An individual shall be able to address a challenge concerning compliance with the above principles to the designated individual or individuals accountable for the MICHAEL SCOTT LANDSCAPING & DESIGN's compliance.

POLICIES

1. PURPOSE

Unless the purposes for collecting personal information are obvious and you provide your personal information for those purposes, MICHAEL SCOTT LANDSCAPING & DESIGN will communicate the purposes for which personal information is being collected, either orally or in writing, before or at the time of collection. Generally, MICHAEL SCOTT LANDSCAPING & DESIGN collects, uses, and discloses personal information (including to and from third parties) for the following purposes:

- to communicate with you;
- to answer any queries you have about MICHAEL SCOTT LANDSCAPING & DESIGN;
- to provide you with information that you have requested;
- to inform you about MICHAEL SCOTT LANDSCAPING & DESIGN;
- to personalize your experience and improve customer services;
- for statistical purposes and to manage and improve our website;
- to inform you about MICHAEL SCOTT LANDSCAPING & DESIGN services and solutions that may be of interest to you;
- to send you newsletters, videos, surveys, promotional mailings and other information (you can opt-out from these communications anytime by following the steps as described in the respective newsletter or promotional email);
- to investigate, adjust and administer claims;
- to investigate, detect and prevent fraudulent insured transactions; and
- as may be required or authorized by law.

2. CONSENT

MICHAEL SCOTT LANDSCAPING & DESIGN will obtain consent to collect, use or disclose personal information except where, as noted below, we are authorized to do so without consent. Consent can be implied (such as when you provide your name and address in order for us to provide you with information and services), express (express consent may be oral, in writing or electronic), and in some jurisdictions may be given by your authorized representative (such as your lawyer, a legal guardian or a person having a power of attorney).

Implied consent is inferred from the circumstances, including the relationship between the parties and the nature of the interaction. When MICHAEL SCOTT LANDSCAPING & DESIGN handles sensitive personal information, MICHAEL SCOTT LANDSCAPING & DESIGN obtains express consent. Sensitive information includes medical information or financial records for claims involving personal injury or income loss. In these circumstances, the sensitive personal information may not be collected until a claim is made and it becomes necessary to obtain such information to determine entitlement to benefits.

In certain circumstances, as permitted or required by law, MICHAEL SCOTT LANDSCAPING & DESIGN may collect, use or disclose personal information without the knowledge or consent of the individual, such as where personal information is publicly available, where collection or use is clearly in the interests of the individual and consent cannot be obtained in a timely way, to investigate a breach of an agreement or a contravention of a law, to act in response to an emergency that threatens the life, health or security of an individual, for debt collection or to comply with a subpoena, warrant or court order.

By providing information about a third party, such as a family member, director, officer, or employees, you represent that you have obtained that person's consent to the collection, use and disclosure in accordance with this policy.

You may choose to withhold or withdraw consent, however, this may affect the ability of MICHAEL SCOTT LANDSCAPING & DESIGN to provide services. Where the withdrawal or withholding of consent prevents MICHAEL SCOTT LANDSCAPING & DESIGN from providing adequate customer service, MICHAEL SCOTT LANDSCAPING & DESIGN may be unable to process your claim for payment.

3. LIMITING COLLECTION OF PERSONAL INFORMATION

MICHAEL SCOTT LANDSCAPING & DESIGN will only collect from you (or other sources) personal information that is necessary for the identified purposes. MICHAEL SCOTT LANDSCAPING & DESIGN may gather such personal information from you in person, via the Internet, via email, over the telephone or by corresponding with you via mail, facsimile, or from third parties who have your authority to disclose such personal information to us.

4. LIMITING USE, DISCLOSURE AND RETENTION OF PERSONAL INFORMATION

MICHAEL SCOTT LANDSCAPING & DESIGN will not use or disclose personal information for purposes other than those for which it was collected, except with the consent of the individual or as required by law. MICHAEL SCOTT LANDSCAPING & DESIGN retains personal information only as long as necessary to accomplish the identified purposes or satisfy our legal or business obligations.

MICHAEL SCOTT LANDSCAPING & DESIGN never sells personal information, or other information relating to you, to any organization, including charities or direct marketing groups. MICHAEL SCOTT LANDSCAPING & DESIGN discloses or transfers personal information to third parties, including related or unrelated companies ("service providers"), that carry out certain functions on its behalf. These service providers will be permitted to obtain only the personal information they need to deliver the service. They are required to maintain the confidentiality of the information and are prohibited from using it for any other purpose than for delivering the service to MICHAEL SCOTT LANDSCAPING & DESIGN in accordance with MICHAEL SCOTT LANDSCAPING & DESIGN's instructions and policies.

MICHAEL SCOTT LANDSCAPING & DESIGN may also disclose information about you to third parties, including the content of your communications, in order to: (a) comply with the law or respond to lawful requests or legal process; (b) protect the rights or property of MICHAEL SCOTT LANDSCAPING & DESIGN or our customers, including the enforcement of our agreements or policies; or (c) act on a good faith belief that such access or disclosure is necessary to protect the personal safety of MICHAEL SCOTT LANDSCAPING & DESIGN employees, customers or the public. We may also disclose personal information as part of a corporate transaction such as a merger or sale of assets.

Some of your personal information will be stored on servers in Canada, but some data may be processed and stored by service providers that are outside of Canada. Accordingly, your personal data may be transferred to and processed in locations outside of Canada. In these situations MICHAEL SCOTT LANDSCAPING & DESIGN will ensure (by entering into a written agreement or otherwise) that an adequate level of data protection is maintained by the service providers outside of Canada in accordance with applicable law. However, such information is subject to the laws of the other countries, including the United States, and may be accessible to law enforcement and national security authorities of those other countries, including the United States.

5. ACCURACY

MICHAEL SCOTT LANDSCAPING & DESIGN will make reasonable efforts to ensure that personal information is as accurate, complete and up-to-date as is necessary for the identified purposes. Individuals may request correction to their personal information in order to ensure its accuracy and completeness.

6. SAFEGUARDS

MICHAEL SCOTT LANDSCAPING & DESIGN will protect personal information with safeguards appropriate to the sensitivity of the information. The methods of protection will include physical measures, organizational measures and technological measures. However, your use of the internet and electronic mail is at your own risk.

7. OPENNESS

MICHAEL SCOTT LANDSCAPING & DESIGN will make the following information available: how to gain access to personal information; the type of personal information held by MICHAEL SCOTT LANDSCAPING & DESIGN and what personal information is made available to related entities; general information concerning our policies respecting personal information; and how to contact our Privacy Officer.

This Privacy Policy may change from time to time. The most recent version of this Privacy Policy will govern MICHAEL SCOTT LANDSCAPING & DESIGN's use of your information. Your continued consent to our collection, use and disclosure practices and/or your continued access to our website following the posting of any changes to this Privacy Policy shall constitute your acceptance of those changes.

8. INDIVIDUAL ACCESS

Upon written request and subject to limited exceptions (see below), MICHAEL SCOTT LANDSCAPING & DESIGN will inform you of the existence, use and disclosure of your personal information and give you access to that personal information.

If you would like to make such a request, please contact the Privacy Officer of MICHAEL SCOTT LANDSCAPING & DESIGN at the address below. Please note that MICHAEL SCOTT LANDSCAPING & DESIGN may charge reasonable costs in providing access to and copies of personal information and will inform you if such costs arise. Please also note that before MICHAEL SCOTT LANDSCAPING & DESIGN is able to provide you with any information or correct any inaccuracies, we may ask you to verify your identity and to provide other details to help us to respond to your request. We will endeavor to respond within an appropriate timeframe.

MICHAEL SCOTT LANDSCAPING & DESIGN may refuse a request or be unable to provide access to all the personal information as permitted or required by law. Examples include: information that contains references to other individuals or contains confidential commercial information, where such information cannot be severed from the record; information collected in the course of investigating a breach of an agreement or in the course of a formal dispute resolution process; and information that is subject to solicitor-client privilege.

9. CHALLENGING COMPLIANCE

If you have a complaint regarding our compliance with privacy legislation or this policy, you may contact us at:

Privacy Officer
Michael Scott Landscaping & Design.
4407 Fairgrounds Road
Severn, ON
L3V 0Y2

10. GOVERNING LAW AND DISPUTE RESOLUTION

This Privacy Policy, and all related matters are governed solely by the laws of the Ontario, Canada and applicable federal laws of Canada, excluding any rules of private international law or the conflict of laws that would lead to the application of any other laws.

Any claim or cause of action you may have arising from, connected with, or relating to this privacy policy or MICHAEL SCOTT LANDSCAPING & DESIGN 's handling of your personal information, or any related matters must be made within six months after the claim or cause of action arises, after which time the claim or cause of action is forever barred, regardless of any statute or law to the contrary.