

## Siemens in Canada PRIVACY CODE

### Introduction

Siemens in Canada is committed to maintaining the accuracy, security and privacy of personal information. This Siemens in Canada Privacy Code is a formal statement of principles and guidelines concerning the minimum requirements for the protection of personal information of our customers, personnel, service providers and other individuals. The objective of the Siemens in Canada Privacy Code is to ensure responsible and transparent practices in the management of personal information, in accordance with applicable legislation. This Privacy Code is incorporated into and forms a part of Siemens in Canada's official corporate policy. Note that personal information provided to us may be processed both inside and outside Canada and may be accessible to law enforcement and national security authorities of jurisdictions outside Canada.

### Definitions

**agent** — a representative or service provider authorized by Siemens in Canada to act on behalf of Siemens in Canada.

**collection** — the act of gathering, acquiring, recording, or obtaining personal information from any source, including third parties, by any means.

**consent** — voluntary agreement with the collection, use and disclosure of personal information. Consent can take the form of either express consent or implied consent and can be provided directly by the individual, by his or her legal guardian or by a person having power of attorney for the individual. Express consent can be given orally, electronically or in writing, but is always unequivocal and does not require any inference on the part of Siemens in Canada. Implied consent is consent that can reasonably be inferred from an individual's action or inaction.

**customer** — an individual: who (a) uses, or applies, or approaches Siemens in Canada to use, or is solicited by Siemens in Canada to use the products or services of Siemens in Canada; or (b) corresponds with Siemens in Canada; or (c) enters a contest, submits a survey or engages in any other promotional activity sponsored by Siemens in Canada.

**disclosure** — making personal information available to a third party.

**identified purposes** — mean the purposes identified in Principles 2.1, 2.2 and 2.3.

**individual** — a natural person.

**personal information** — information about an identifiable individual in any form, including factual or subjective information. Personal information does not include aggregate information that does not allow an individual to be identified. For greater clarity, personal information includes personal health information.

- For a **customer**, such information includes, without limitation: a customer's credit information, billing records, business email address, service and equipment, and any recorded complaints.
- For **Siemens in Canada personnel**, such information includes, without limitation: information found in application forms, personal employment files, performance appraisals, medical records, business email address and benefits information, but does not include the personnel's name, title, business office address or business telephone or fax numbers.

**Siemens Affiliate** — means the parent company, subsidiaries and affiliates of Siemens Ag, as they may exist from time to time.

**Siemens Canada** — Siemens Canada Limited and its business units, as they may exist from time to time, as well as Siemens personnel and agents acting on behalf of Siemens Canada. Siemens Canada does not include resellers and distributors of Siemens Canada products and services.

**Siemens Canada Privacy Panel** - one or more persons designated by Siemens Canada.

**Siemens in Canada** — includes the following:

- (1) Siemens Canada Limited
- (2) Siemens Financial Ltd.
- (3) Siemens Mobility Limited
- (4) Siemens Industry Software ULC
- (5) Flender Corporation Canada Branch
- (6) Mentor Graphics (Canada) ULC
- (7) Siemens Energy Canada Limited
- (8) Dresser-Rand Canada, ULC
- (9) Siemens Transformers Canada Inc.
- (10) Trench Limited

and their business units, as they may exist from time to time, as well as Siemens in Canada personnel and agents acting on behalf of Siemens in Canada. Siemens in Canada does not include resellers and distributors of Siemens in Canada products and services.

**Siemens in Canada Privacy Panel** - the same as the Siemens Canada Privacy Panel.

**Siemens in Canada personnel** — an active or inactive employee, retired employee or pensioner of Siemens in Canada, and any individual contractor, consultant or service provider retained to provide services to Siemens in Canada.

**third party** — an individual (other than the subject individual or his or her respective agent) or an organization (other than Siemens in Canada).

**use** — the treatment, handling, and management of personal information within Siemens in Canada.

## Scope and Application

The ten principles which form the basis of the Siemens in Canada Privacy Code (“**Privacy Code**”) are interrelated and Siemens in Canada shall adhere to the ten principles as a whole. Each principle must be read in conjunction with the accompanying commentary. As permitted by the Canadian federal *Personal Information Protection and Electronic Documents Act*, the commentary in the Privacy Code has been tailored to reflect personal information issues specific to Siemens in Canada.

The scope and application of the Privacy Code are as follows:

- The Privacy Code applies to personal information about individuals that is collected, used, or disclosed by Siemens in Canada.
- The Privacy Code applies to the management of personal information under Siemens in Canada’s control.
- The Privacy Code does not impose any limits on the collection, use or disclosure of the following information by Siemens in Canada:
  - a) an individual’s name, title, business address, , business telephone number or business facsimile number, when listed in a public, professional or business directory or available through directory assistance; and
  - b) other information that is publicly available and is specified by regulation pursuant to *the Personal Information Protection and Electronic Documents Act*.
- The Privacy Code does not apply to information regarding corporations and other organizations to the extent the information is not about an identifiable individual; however, such information may be protected by other Siemens in Canada policies and practices and through contractual arrangements.
- The Privacy Code does not apply to the collection, use or disclosure of personal information by Siemens in Canada where such collection, use or disclosure is required or permitted by law.

- The application of the Privacy Code is subject to the applicable provisions of the federal *Personal Information Protection and Electronic Documents Act* and the regulations enacted thereunder, and all other applicable provincial legislation as may be enacted and amended from time to time, and the order of any court or other lawful authority.

## **Summary of Principles**

### **Principle 1 - Accountability**

Siemens in Canada is responsible for personal information under its control and shall designate one or more persons who are accountable for Siemens in Canada's compliance with the following principles.

### **Principle 2 - Identifying Purposes for Collection of Personal Information**

Siemens in Canada shall identify the purposes for which personal information is collected at or before the time the personal information is collected.

### **Principle 3 - Obtaining Consent for Collection, Use or Disclosure of Personal Information**

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

### **Principle 4 - Limiting Collection of Personal Information**

Siemens in Canada shall limit the collection of personal information, both the amount and the type of information, to that which is necessary for the purposes identified by Siemens in Canada. Personal information shall be collected by fair and lawful means, and not by misleading or deceiving individuals about the purpose for which information is being collected.

### **Principle 5 - Limiting Use, Disclosure, and Retention of Personal Information**

Siemens in Canada shall not use or disclose personal information for purposes other than the identified purposes for which it was collected, except with the consent of the individual or as required by law. Siemens in Canada shall retain personal information only as long as necessary to fulfil the identified purposes.

### **Principle 6 - Accuracy of Personal Information**

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 - Security Safeguards**

Siemens in Canada shall protect personal information by security safeguards appropriate to the sensitivity of the information.

### **Principle 8 - Openness Concerning Policies and Practices**

Siemens in Canada shall make readily available to individuals specific information about its policies and practices relating to the management of personal information. Siemens

in Canada shall make information about its privacy policies and practices available on the Siemens in Canada website at [www.siemens.ca](http://www.siemens.ca) and upon request to the Siemens in Canada Privacy Panel via the contact information provided in the commentary regarding Principle 1.

**Principle 9 – Individual Access to Personal Information**

Upon written request from an individual pursuant to Principle 8, Siemens in Canada shall inform the individual of the existence, use, and disclosure of his or her personal information and, subject to certain exceptions, shall give the individual 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 this Privacy Code to the Siemens in Canada Privacy Panel.

## **CONSENT**

**BY SUBMITTING PERSONAL INFORMATION TO SIEMENS IN CANADA, SIEMENS AFFILIATES, OR THEIR RESPECTIVE SERVICE PROVIDERS AND AGENTS, YOU AGREE TO OUR COLLECTION, USE AND DISCLOSURE OF SUCH PERSONAL INFORMATION FOR THE IDENTIFIED PURPOSES IN ACCORDANCE WITH THIS PRIVACY CODE AND AS PERMITTED OR REQUIRED BY LAW. You acknowledge that Personal Information provided to us may be processed both inside and outside Canada and may be accessible to law enforcement and national security authorities of jurisdictions outside Canada. Subject to legal and contractual requirements, you may refuse or withdraw your consent to certain of the identified purposes at any time by contacting the Siemens in Canada Privacy Panel. If you refuse or withdraw your consent, we may not be able to provide you or continue to provide you with some products, services or information which may be of value to you. To the extent that you provide Siemens in Canada, Siemens Affiliates, or their respective service providers and agents with the personal information of another individual, you represent that you have the authority and/or have obtained all necessary consents from such individual to enable us to collect, use and disclose such personal information for the purposes described in this Privacy Code.**

## The Privacy Code in Detail

### Principle 1 — Accountability

Siemens in Canada is responsible for personal information under its control and shall designate one or more persons who are accountable for Siemens in Canada's compliance with the following principles.

- 1.1 Responsibility for ensuring compliance with the provisions of the Siemens in Canada Privacy Code ("Privacy Code") rests with the senior management of Siemens Canada, which shall designate one or more persons to be accountable for compliance with the Privacy Code. Other individuals within Siemens Canada may be delegated to act on behalf of the designated person(s) or to take responsibility for the day-to-day collection and processing of personal information.
- 1.2 Siemens Canada has established a Privacy Panel to oversee compliance with the Privacy Code. The Privacy Panel can be contacted at:

Siemens Canada Privacy Panel  
c/o Data Privacy Officer  
1577 North Service Road East  
Oakville, ON L6H 0H7  
Canada  
e-mail: [privacy.panel.ca@siemens.com](mailto:privacy.panel.ca@siemens.com)

- 1.3 Siemens in Canada is responsible for personal information in its possession or custody, including information that has been transferred to a third party for processing. Siemens in Canada shall use contractual or other means to provide a comparable level of protection while personal information is being processed by a third party (also see Principle 7).
- 1.4 Siemens in Canada has implemented policies and procedures to give effect to the Privacy Code, including:
  - a) implementing procedures to protect personal information and to oversee Siemens in Canada's compliance with the Privacy Code;
  - b) establishing procedures to receive and respond to inquiries or complaints;
  - c) training and communicating to Siemens in Canada personnel information about Siemens in Canada's privacy policies and practices; and
  - d) developing public information to explain Siemens in Canada's privacy policies and practices.

### Principle 2 — Identifying Purposes for Collection of Personal Information

Siemens in Canada shall identify the purposes for which personal information is collected at or before the time the personal information is collected.

2.1 Siemens in Canada collects, uses and discloses personal information for the following purposes:

- a) to consider whether Siemens in Canada or a Siemens Affiliate should establish and/or continue a commercial relationship with customers and suppliers, including to extend credit and to evaluate credit standing, to match credit bureau or credit reporting agency information, to check references and confer with banking institutions;
- b) to establish and maintain commercial relations with customers, suppliers and Siemens Affiliates and to provide ongoing products and services, administer accounts, make and receive payments, and to fulfil contractual obligations with such customers, suppliers and Siemens Affiliates;
- c) to understand and respond to customer needs and preferences and provide other customer service assistance, including to communicate with customers, to facilitate warranty service, rebates and returns, and to conduct surveys, contests and promotions;
- d) to develop, enhance, market, sell or otherwise provide Siemens in Canada products and services, including to conduct research and statistical analysis;
- e) to develop, enhance, market, sell or provide products and services of third parties, including Siemens Affiliates, with whom Siemens in Canada has a commercial relationship;
- f) to manage and develop Siemens in Canada's and Siemens Affiliates' business and operations, including personnel and employment matters;
- g) to hire, identify and manage current, former and prospective Siemens in Canada personnel and to administer payments and benefits;
- h) to monitor communications to ensure the consistency and quality of the products and services of Siemens in Canada, Siemens Affiliates and other third parties with whom Siemens in Canada has a commercial relationship;
- i) to detect, investigate and protect Siemens in Canada, Siemens Affiliates and other third parties against error, fraud, theft and other illegal activity, negligence and breaches of contract;
- j) to perform audits and investigations and implement recommendations in accordance with Siemens in Canada audit and security policies (including the Siemens Charter for Internal Audit and the Siemens Security Charter);
- k) to engage in and carry out business transactions that may involve the sale or transfer of personal information, including the purchase, sale, lease, merger, amalgamation or any other type of acquisition, disposal, securitization or financing involving Siemens in Canada or Siemens Affiliates;
- l) as permitted by, and to comply with, any legal or regulatory requirements or provisions; and
- m) for any other purpose to which an individual consents.

2.2 In addition to the other identified purposes in Principles 2.1 and 2.3, Siemens in Canada may collect, use and disclose personal information from or to:

- a) a person who in the reasonable judgment of Siemens in Canada is providing or seeking the information as an agent of the subject individual;
- b) an organization or individual retained by Siemens in Canada to perform functions on its behalf, such as marketing, research, data processing, call centre or storage services;
- c) an organization or individual for the development, enhancement, marketing or provision of any of Siemens in Canada's and Siemens Affiliates' products or services;
- d) an organization or individual retained by Siemens in Canada to evaluate an individual's creditworthiness or to collect debts outstanding on an account;
- e) a credit reporting agency;
- e) a financial institution on a confidential basis and solely in connection with the assignment of a right to receive payment, the provision of security or other financing arrangements; or
- f) any third party or parties, where the individual consents to such disclosure or disclosure is required or permitted by law.

2.3 In addition to the other identified purposes in Principles 2.1 and 2.2, Siemens in Canada may collect, use and disclose personal information of current and former Siemens in Canada personnel:

- a) in the course of conducting human resources operations for the purposes of establishing, managing and terminating an employment or consulting relationship, including to administer compensation, taxes and other source deductions, pensions, benefits and rewards programs, corporate travel, corporate credit cards, company vehicles, reimbursements, advances, loans, garnishments, and workplace injury or disability claims;
- b) to administer pension, insurance and other benefits for dependants and beneficiaries nominated by Siemens in Canada personnel;
- c) for the purpose of personnel recruitment, including to obtain and provide references regarding prospective, current or former Siemens in Canada personnel and Siemens Affiliates' personnel and to assess and facilitate inter-company and intra-company employment opportunities for Siemens in Canada personnel;
- d) to administer policies and procedures regarding the training, retention, health and safety, human rights, evaluation and discipline of Siemens in Canada personnel, including to develop and communicate performance reviews and reviews for strategic marketing and planning purposes;
- e) to administer the physical and technological security of Siemens' facilities and computer systems, and the safety of Siemens' personnel and visitors, through the collection of personal information on security video, passcard access and other security surveillance systems, in accordance with Siemens' policies;
- f) to administer Siemens' technology, computer systems and websites, including remote access from non-Siemens locations;
- g) to facilitate inter-company communication and to market and promote the skills and experience of Siemens in Canada personnel, including the

- display of biographies and other personal information on the Siemens' intranet and websites;
- h) to manage Siemens in Canada's relationships with unions and unionized Siemens in Canada personnel, including for negotiating and administering collective bargaining agreements;
  - i) to provide on-site medical care and examinations, as appropriate; and
  - j) to promote the social interaction of Siemens in Canada personnel, including to organize events, contests, rebate programs, and celebrate birthdays and holidays.
- 2.4 Siemens in Canada shall specify the identified purposes to the individual at the time personal information is collected. Depending on the way in which the personal information is collected, this can be done orally, electronically or in writing. Upon request, persons collecting personal information should be able to explain these identified purposes or refer the individual to a designated person within Siemens in Canada who shall explain the purposes.
- 2.5 Unless required or permitted by law, Siemens in Canada shall not use or disclose for any new purpose personal information that has been collected without first identifying and documenting the new purpose and obtaining the consent of the subject individual.

### **Principle 3 — Obtaining Consent for Collection, Use or Disclosure of Personal Information**

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

- 3.1 Siemens in Canada may **collect** personal information without the knowledge or consent of the individual only if:
- a) the collection is clearly in the interests of the individual and consent cannot be obtained in a timely way;
  - b) it is reasonable to expect that the collection with the knowledge or consent of the individual would compromise the availability or accuracy of the information and the collection is reasonable for purposes related to investigating a breach of an agreement or a contravention of applicable laws;
  - c) the information is publicly available and is specified by regulation pursuant to the *Personal Information Protection and Electronic Documents Act*; or
  - d) permitted or required by applicable law or regulation.
- 3.2 Siemens in Canada may **use** personal information without the individual's knowledge or consent in the following circumstances:
- a) in an emergency that threatens the life, health or security of an individual;

- b) if Siemens in Canada becomes aware of personal information that it has reasonable grounds to believe could be useful in the investigation of a contravention of any laws of Canada, a province or a foreign jurisdiction that has been, is being or is about to be committed, and the information is used for the purpose of investigating that contravention;
- c) if it is publicly available and is specified by regulation pursuant to the *Personal Information Protection and Electronic Documents Act*;
- d) if it is clearly in the interests of the individual and consent cannot be obtained in a timely way;
- e) it is reasonable to expect that the use of the information with the knowledge or consent of the individual would compromise the availability or accuracy of the information and the use is reasonable for purposes related to investigating a breach of an agreement or a contravention of applicable laws; or
- f) as permitted or required by applicable law or regulation.

3.3 Siemens in Canada may **disclose** personal information without the individual's knowledge or consent only if the disclosure is:

- a) made to a barrister or solicitor (or in Quebec, an advocate or notary) who is representing Siemens in Canada;
- b) for the purpose of collecting a debt owed by the individual to Siemens in Canada;
- c) required to comply with a subpoena or warrant issued or an order made by a court, person or body with jurisdiction to compel the production of information, or to comply with rules of court relating to the production of records;
- d) made to a government institution that has made a request for the information, identified its lawful authority to obtain the information and indicated that: (i) it suspects that the information relates to national security, the defence of Canada or the conduct of international affairs, (ii) the disclosure is requested for the purpose of enforcing any law of Canada, a province or a foreign jurisdiction, carrying out an investigation or gathering intelligence for the purpose of enforcing any such law; or (iii) the disclosure is requested for the purpose of administering any law of Canada or a province;
- e) made on the initiative of Siemens in Canada to an investigative body or a government institution and Siemens in Canada: (i) has reasonable grounds to believe that the information relates to a breach of an agreement or a contravention of the laws of Canada, a province or a foreign jurisdiction that has been, is being or is about to be committed, or (ii) suspects that the information relates to national security, the defence of Canada or the conduct of international affairs;
- f) made to a person who needs the information because of an emergency that threatens the life, health or security of an individual and, if the subject individual is alive, Siemens in Canada informs the individual in writing without delay of the disclosure;

- g) made to an institution whose functions include the conservation of records of historical or archival importance, and the disclosure is made for the purpose of such conservation;
  - h) made after the earlier of (i) 100 years after the record containing the information was created, and (ii) 20 years after the death of the subject individual;
  - i) information that is publicly available and is specified by regulation pursuant to the *Personal Information Protection and Electronic Documents Act*; or
  - j) permitted or required by applicable law or regulation.
- 3.4 Generally, Siemens in Canada shall seek consent to use and disclose personal information at the same time it collects the information. However, Siemens in Canada may seek consent to use and disclose personal information after it has been collected, but before it is used or disclosed for a new purpose.
- 3.5 In obtaining consent, Siemens in Canada shall use reasonable efforts to ensure that an individual is advised of the identified purposes for which personal information will be used or disclosed. Purposes shall be stated in a manner that can be reasonably understood.
- 3.6 Siemens in Canada will not, as a condition of the supply of a product or service, require an individual to consent to the collection, use or disclosure of personal information beyond that required to fulfil the identified purposes.
- 3.7 In determining the appropriate form of consent, Siemens in Canada shall take into account the sensitivity of the personal information and the reasonable expectations of a reasonable person. Although some information (for example, medical records and income records) is almost always considered to be sensitive, depending on the context almost any information can be considered sensitive depending on the circumstances.
- 3.8 In general, unless otherwise specified by the subject individual, an individual's acceptance of employment, retainer, payment or benefits as a member of Siemens in Canada personnel, constitutes implied consent for Siemens in Canada to collect, use and disclose personal information for all identified purposes.
- 3.9 In obtaining consent, the reasonable expectations of the individual are also relevant. Consent shall not be obtained through deception.
- 3.10 In obtaining consent from a minor or individual who is seriously ill or mentally incapacitated, reasonable efforts should be made to obtain the consent from the individual's authorized representative (such as a legal guardian or a person having power of attorney).
- 3.11 An individual may withdraw consent at any time, subject to legal or contractual restrictions and reasonable notice. Siemens in Canada shall inform the individual

of the implications of such withdrawal, such as Siemens in Canada's inability to provide or continue to provide products, services or information that may be of value. Individuals may contact the Privacy Panel for more information regarding the implications of withdrawing consent.

## **Principle 4 — Limiting Collection of Personal Information**

Siemens in Canada shall limit the collection of personal information, both the amount and the type of information, to that which is necessary for the purposes identified by Siemens in Canada. Personal information shall be collected by fair and lawful means, and not by misleading or deceiving individuals about the purpose for which information is being collected.

## **Principle 5 — Limiting Use, Disclosure, and Retention of Personal Information**

Siemens in Canada shall not use or disclose personal information for purposes other than the identified purposes for which it was collected, except with the consent of the individual or as required by law. Siemens in Canada shall retain personal information only as long as necessary to fulfil the identified purposes.

- 5.1 Only Siemens in Canada personnel with a business need to know, or whose duties reasonably so require, are granted access to personal information about customers, Siemens in Canada personnel, and other individuals.
- 5.2 Siemens in Canada shall keep personal information only as long as it remains necessary or relevant for the identified purposes or as required by law. Depending on the circumstances, where personal information has been used to make a decision about an individual, Siemens in Canada shall retain, for a period of time that is reasonably sufficient to allow for access by the individual, either the actual information or the rationale for making the decision. Personal information of Siemens in Canada personnel that has been used to make a decision about an individual shall be retained for a minimum period of one year after termination of employment or retainer with Siemens in Canada, or as otherwise required by law. All other personal information that has been used to make a decision about an individual shall be retained for a minimum period of one year.
- 5.3 Siemens in Canada shall maintain reasonable and systematic controls, schedules and practices for information and records retention and destruction which apply to personal information that is no longer necessary or relevant for the identified purposes or required by law to be retained. Such information shall be destroyed, erased or made anonymous.

## **Principle 6 — Accuracy of Personal Information**

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

- 6.1 Siemens in Canada shall use reasonable efforts to ensure that personal information used and disclosed by Siemens in Canada is sufficiently accurate, complete, and up-to-date to minimize the possibility that inappropriate information may be used to make a decision about an individual. However, Siemens in Canada generally does not independently verify information collected from third parties or from the subject individuals themselves.
- 6.2 Siemens in Canada shall update personal information about individuals as and when necessary to fulfill the identified purposes or upon notification by the individual. Siemens in Canada will not routinely update personal information, unless such process is necessary to fulfil the identified purposes.

## **Principle 7 — Security Safeguards**

Siemens in Canada shall protect personal information by security safeguards appropriate to the sensitivity of the information.

- 7.1 Siemens in Canada shall use reasonable efforts to protect personal information against loss or theft, as well as unauthorized access, disclosure, copying, use, modification, disposal or destruction, through appropriate security measures. Siemens in Canada shall protect personal information regardless of the format in which it is held.
- 7.2 Siemens in Canada shall protect personal information disclosed to third parties by contractual agreements stipulating the confidentiality of the information and the limited purposes for which it is to be used.
- 7.3 Siemens in Canada shall make Siemens in Canada personnel aware of the importance of maintaining the confidentiality of personal information.

## **Principle 8 — Openness Concerning Policies and Practices**

Siemens in Canada shall make readily available to individuals specific information about its policies and practices relating to the management of personal information. Siemens in Canada shall make information about its privacy policies and practices available on the Siemens Canada website at [www.siemens.ca](http://www.siemens.ca) and upon request to the Siemens in Canada Privacy Panel via the contact information provided in Principle 1.

## **Principle 9 — Individual Access to Personal Information**

Upon written request from an individual pursuant to Principle 8, Siemens in Canada shall inform the individual of the existence, use, and disclosure of his or her personal information and, subject to certain exceptions, shall give the individual access to that information. An individual shall be able to challenge the accuracy and completeness of the information and have it amended as appropriate.

- 9.1 Upon written request to the Siemens in Canada Privacy Panel, Siemens in Canada shall inform the requesting individual of whether or not Siemens in Canada holds personal information about the individual. Siemens in Canada shall allow the individual access to his or her personal information and shall provide an account of Siemens in Canada's use and disclosure of the requesting individual's personal information, and of third parties to which Siemens in Canada has disclosed such personal information. When it is not possible to provide an actual list of third parties, Siemens in Canada shall provide a list of organizations to which it may have disclosed personal information about the individual.
- 9.2 Any individual can obtain access to their personal information by contacting the Siemens in Canada Privacy Panel. Siemens in Canada will provide assistance in preparing an access request if advised by the requesting individual that he or she requires such assistance.
- 9.3 Siemens in Canada shall not give an individual access to personal information if doing so would likely reveal personal information about a third party and such third party has not consented to such access, or as otherwise permitted or required by law. However, if the information about the third party can be severed from the record containing the personal information about the individual, Siemens in Canada shall sever the information before giving the individual access. This exception does not apply if an individual needs the personal information because an individual's life, health or security is threatened.
- 9.4 Unless an individual needs the personal information because an individual's life, health or security is threatened, Siemens in Canada is not required to give access to personal information if:
  - a) the personal information is protected by solicitor-client privilege;
  - b) to do so would reveal confidential commercial information, and that information is not severable from the record containing any other information for which access is requested;
  - c) to do so could reasonably be expected to threaten the life or security of another individual, and that information is not severable from the record containing any other information for which access is requested;
  - d) it is reasonable to expect that the collection with the knowledge or consent of the individual would compromise the availability or the accuracy of the information and the collection is reasonable for purposes related to investigating a breach of an agreement or a contravention of the laws of

- e) Canada or a Province;  
the information was generated in the course of a formal dispute resolution process; or
  - f) as otherwise required or permitted by applicable law or regulation.
- 9.5 If access is denied, Siemens in Canada shall notify the requesting individual in writing, give reasons for the denial, and inform the individual of the recourses open to him or her.
- 9.6 If access is granted, Siemens in Canada shall afford the requesting individual a reasonable opportunity to review the personal information gathered by Siemens in Canada. Personal information shall be provided in understandable form within a reasonable time, generally within 30 days, and at no or a minimal cost to the individual. Siemens in Canada may extend such 30 day period by up to an additional 30 day period if meeting the time limit would unreasonably interfere with the activities of Siemens in Canada or the time required to undertake any consultations necessary to respond to the request would make the time limit impracticable to meet. The time limit may also be extended for a period that is necessary for the purpose of converting the personal information into an alternative format for individuals with a sensory disability.
- 9.7 In order to safeguard personal information, an individual may be required to provide sufficient identification or other information to permit Siemens in Canada to determine whether it holds personal information and to account for the existence, use and disclosure of personal information. Any such information shall be used only for this purpose.
- 9.8 Siemens in Canada shall promptly correct or complete any personal information that can be successfully demonstrated by the individual to be inaccurate or incomplete. Any unresolved differences as to accuracy or completeness shall be noted in the individual's file. Where appropriate, Siemens in Canada shall transmit to third parties having access to the personal information in question any amended information or the existence of any unresolved differences.

## **Principle 10 — Challenging Compliance**

An individual shall be able to address a challenge concerning compliance with this Privacy Code to the Siemens in Canada Privacy Panel.

- 10.1 Siemens in Canada shall maintain procedures for receiving and responding to inquiries or complaints from individuals about Siemens in Canada's handling of personal information.
- 10.2 Siemens in Canada shall inform individuals who make inquiries or lodge complaints about the existence of these complaint procedures.

- 10.3 Siemens in Canada's Privacy Panel may seek internal and external advice where appropriate before providing a final response to individual complaints.
- 10.4 Siemens in Canada shall investigate all complaints concerning compliance with the Siemens in Canada Privacy Code. If a complaint is found to be justified, Siemens in Canada shall take appropriate measures to resolve the complaint including, if necessary, amending its policies and procedures. An individual shall be informed of the outcome of the investigation regarding his or her complaint.

## Privacy and our Websites

**Cookies** - When you access the Siemens in Canada websites, we may use a browser feature called a 'cookie' to collect information that is not personally identifiable (such as the type of Internet browser and operating system you use, the domain name of the website from which you came, number of visits, average time spent on our website, and pages viewed). A cookie is a small text file containing a unique identification number that identifies your browser, but not you, to our computers each time you visit one of our websites that uses cookies. In addition to the identified purposes described in our Privacy Code, we may use this website information and share it with our affiliates and other organizations with whom we have a commercial relationship to measure the use of our websites and to improve the functionality and content of the websites. If you wish, you can reset your browser either to notify you when you have received a cookie or refuse to accept cookies. However, if you refuse to accept cookies, you may not be able to use some of the features available on our websites.

**Online Communications** – In order to provide you with a product, service or information, you may voluntarily submit personal information to us for purposes such as registration, queries and correspondence, making a purchase, obtaining a quote or other information, and participating in contests and surveys. If you are known to Siemens in Canada as a registered user of an online service, we may combine and store personal information about your use of our websites and the online information you have provided with certain other online and offline information we may have collected.

**E-Mail Communications** - Occasionally, we may send you e-mail communications with information that may be useful to you, including information about the products and services of Siemens in Canada, its affiliates and other third parties with whom we have a commercial relationship. We will include instructions on how to unsubscribe and inform us of your preferences if you decide you do not want to receive any future marketing or promotional e-mails from Siemens in Canada. However, if you are a customer, supplier or otherwise have a commercial relationship with Siemens in Canada, to ensure that you receive important information, you agree that we may send you non-marketing related information when necessary.

**Children** – Our websites are not, and are not intended to be, used by children nor are they used to knowingly collect information from or market to children. Siemens in

Canada encourages all parents and guardians to instruct children in the safe and responsible use of their personal information while using the Internet.

**Links** - Our websites may contain links to other websites which are provided to you as a convenience only. You are advised that other third party websites may have different privacy practices than Siemens in Canada, and Siemens in Canada has no responsibility for such third party websites. If you link to or otherwise visit any other site, please review the privacy policies posted at that site.

### **Changes to the Privacy Code**

Siemens in Canada reserves the right to modify or supplement this Privacy Code at any time. If we make any material change to this Privacy Code, we will post such changes on our website and will be available upon request to the Siemens in Canada Privacy Panel. However, Siemens in Canada will seek an individual's consent if it seeks to collect, use or disclose his or her personal information for purposes other than those to which the individual has consented unless otherwise required or permitted by law.

### **Further Information**

For more information on Siemens in Canada's privacy practices, please visit our website at [www.siemens.ca](http://www.siemens.ca) or contact the Siemens in Canada Privacy Panel at

Siemens Canada Privacy Panel  
c/o Data Privacy Officer  
1577 North Service Road East  
Oakville, ON L6H 0H7  
Canada

email: [privacy.panel.ca@siemens.com](mailto:privacy.panel.ca@siemens.com)