

# NORTHWESTEL CODE OF FAIR INFORMATION PRACTICES

Effective January 1, 2001

The Northwestel Code of Fair Information Practices complies fully with the Personal Information Protection and Electronic Documents Act and incorporates the ten principles of the Canadian Standards Association (CSA) Model Code for the Protection of Personal Information (CAN/CSA-Q830-96), which was published in March 1996 as a National Standard of Canada. Certified by Quality Management Institute (QMI), a division of CSA, November, 2000

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## INTRODUCTION

Northwestel Inc. and its affiliated companies provide a broad range of telecommunication services to approximately 110,000 northern Canadians who live in the Yukon, the Northwest Territories, Nunavut, and northern British Columbia. Our operating area encompasses nearly four million square kilometres of some of the most beautiful and forbidding land in the world. Canada's longest river, highest peak, deepest lake and biggest island are all found in Northwestel's operating area.

Northwestel's operations include local telephone service, long distance communications via microwave radio and satellite, and data communications. Cellular and satellite communication services are offered through Northwestel Mobility Inc., a wholly-owned subsidiary. Our other subsidiary, Northwestel Cable Inc., provides cable TV service to a number of northern communities in the Northwest Territories and Yukon.

Northwestel Inc. and its affiliated companies have long been committed to maintaining the accuracy, confidentiality, security and privacy of customer and employee personal information. This is reflected in existing privacy and confidentiality provisions found in various Company policies and in applicable service rules approved by regulatory agencies over the years. It is also reflected in the high regard and trust with which customers and employees view the management of personal information by Northwestel Inc. and its affiliated companies.

In March 1996, the new Canadian Standards Association Model Code for the Protection of Personal Information, CAN/CSA-Q830-96 (the "CSA Code"), was published as a National Standard of Canada. Northwestel Inc. and its affiliated companies have adopted the Northwestel Code of Fair Information Practices, to describe in detail how we subscribe to the principles of the CSA Code and the requirements of the Personal Information Protection and Electronic Documents Act.

The Northwestel Code of Fair Information Practices (the "Northwestel Code") is a formal statement of principles and guidelines concerning the minimum requirements for the protection of personal information provided by Northwestel Inc. and its affiliated companies to our customers and employees. The objective of the Northwestel Code is responsible and transparent practices in the management of personal information, in accordance with the National Standard and Federal legislation.

Northwestel Inc. and its affiliated companies will continue to review the Northwestel Code at least every five years to make sure it is relevant and remains current with changing technologies and laws and the evolving needs of Northwestel Inc. and its affiliated companies, our customers and employees.

## SUMMARY OF PRINCIPLES

### ***Principle 1 - Accountability***

Northwestel Inc. and its affiliated companies are responsible for personal information under their control and shall designate one or more persons who are accountable for compliance with the following principles.

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

Northwestel Inc. and its affiliated companies shall identify the purposes for which personal information is collected at or before the time the information is collected.

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

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

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

Northwestel Inc. and its affiliated companies shall limit the collection of personal information to that which is necessary for the purposes identified. Northwestel



Inc. and its affiliated companies shall collect personal information by fair and lawful means.

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

Northwestel Inc. and its affiliated companies shall 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. Northwestel Inc. and its affiliated companies shall retain personal information only as long as necessary for the fulfillment of those 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***

Northwestel Inc. and its affiliated companies shall protect personal information by security safeguards appropriate to the sensitivity of the information.

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

Northwestel Inc. and its affiliated shall make readily available to customers and employees specific information about its policies and practices relating to the management of personal information.

***Principle 9 - Customer and Employee Access to Personal Information***

Northwestel Inc. and its affiliated companies shall inform a customer or employee of the existence, use and disclosure of his or her personal information upon request and shall give the individual access to that information. A customer or employee shall be able to challenge the accuracy and completeness of the information and to have it amended as appropriate.

***Principle 10 - Challenging Compliance***

A customer or employee shall be able to address a challenge concerning compliance with the above principles to the designated person or persons accountable for the compliance of Northwestel Inc.

and its affiliated companies with the Northwestel Code.

## SCOPE AND APPLICATION

The 10 principles that form the basis of the Northwestel Code are interrelated and Northwestel Inc. and its affiliated companies shall adhere to the 10 principles as a whole. Each principle must be read in conjunction with the accompanying commentary. As permitted by the CSA Code, the commentary in the Northwestel Code has been tailored to reflect personal information issues specific to Northwestel Inc. and its affiliated companies.

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

- The Northwestel Code applies to personal information about customers and employees of Northwestel Inc. and its affiliated companies that is collected, used or disclosed by these companies.
- The Northwestel Code applies to the management of personal information in any form whether oral, electronic or written.
- The Northwestel Code does not impose any limits on the collection, use or disclosure of the following information by Northwestel Inc. and its affiliated companies:
  - information that is publicly available, such as a customer's name, address, telephone number and electronic address, when listed in a directory or made available through directory assistance;
  - the name, title or business address or telephone number of an employee of an organization ; or
  - information that is not "Personal Information".
- The application of the Northwestel Code is subject to the requirements or provisions of any applicable legislation, regulations, tariffs or agreements (such as collective agreements), or the order of any court or other lawful authority.



## DEFINITIONS

**Northwestel Inc.** and affiliated companies – all companies providing services that are affiliated with Northwestel Inc., including:

- Northwestel Inc.
- Northwestel Mobility Inc.
- Northwestel Cable Inc.

And any successor company or companies of the above, as a result of corporate reorganization or restructuring.

**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 for defined purposes. Consent can be either express or implied and can be provided directly by the individual or by an authorized representative. Express consent can be given orally, electronically or in writing but is always unequivocal and does not require any inference on the part of Northwestel Inc. and its affiliated companies. Implied consent is consent that can reasonably be inferred from an individual's action or inaction.

**Customer** - an individual who

- a) uses, or applies to use, the products or services of Northwestel Inc. or its affiliated companies;
- b) corresponds with Northwestel Inc. or its affiliated companies; or
- c) enters any contest sponsored by Northwestel Inc. or its affiliated companies.

**Disclosure** - making personal information available to a third party.

**Employee** - an employee or pensioner of Northwestel Inc. or its affiliated companies.

**Personal information** - information about an identifiable individual but not aggregated information that cannot be associated with a specific individual.

For a customer, such information includes a customer's credit information, billing records, service and equipment, and any recorded complaints.

For an employee, such information includes information found in personal employment files, performance appraisals and medical and benefits information.

**Third party** - an individual other than the customer or his agent or an organization other than Northwestel Inc. or its affiliated companies

**Use** - the treatment, handling, and management of personal information by Northwestel Inc. or its affiliated companies.

## THE NORTHWESTEL CODE IN DETAIL

### ***Principle 1 - Accountability***

Northwestel Inc. and its affiliated companies are responsible for personal information under their control and shall designate one or more persons who are accountable for the companies' compliance with the following principles.

- 1.1 Responsibility for ensuring compliance with the provisions of the Northwestel Code rests with the senior management of the Northwestel Inc. and its affiliated companies, which shall designate one or more persons to be accountable for compliance with the Northwestel Code. Other individuals within Northwestel Inc. and its affiliated companies 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 Northwestel Inc. and its affiliated companies shall make known, upon request, the title of the person or persons designated to oversee their compliance with the Northwestel Code.
- 1.3 Northwestel Inc. and its affiliated companies are responsible for personal information in their possession or control, including information that

has been transferred to a third party for processing. Northwestel Inc. and its affiliated companies shall use appropriate means to provide a comparable level of protection while information is being processed by a third party (see Principle 7). Northwestel Inc. has designated its Regulatory Manager to oversee compliance with the Northwestel Code. The Regulatory Manager may be contacted at:

Northwestel Inc.  
P.O. Box 2727  
Whitehorse, Y.T.  
Y1A 4Y4  
Attention: Regulatory Manager  
Or telephone: 1-877-349-8222

Northwestel Cable Inc. has designated its General Manager to oversee compliance with the Northwestel Code. The General Manager may be contacted at:

Northwestel Cable Inc.  
P.O. Box 1469  
Yellowknife, N.T.  
X1A 2P1  
Attention: General Manager  
Or telephone: 1-800-661-0834

Northwestel Mobility Inc. has designated its Director of Finance to oversee compliance with the Northwestel Code. The Director of Finance may be contacted at:

Northwestel Mobility Inc.  
2093 Second Avenue  
Whitehorse, Y.T.  
Y1A 1B5  
Attention: Director of Finance  
Or telephone: 1-800-268-7049

1.4 Northwestel Inc. and its affiliated companies have implemented policies and procedures to give effect to the Northwestel Code, including:

- implementing procedures to protect personal information and to oversee the company's compliance with the Northwestel Code;
- establishing procedures to receive and respond to inquiries or complaints;
- training and communicating to staff about the company's policies and practices; and
- developing public information to explain the company's policies and practices.

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

Northwestel Inc. and its affiliated companies shall identify the purposes for which personal information is collected at or before the time the information is collected.

2 Northwestel Inc. and its affiliated companies shall collect personal information only for the following purposes:

- To establish and maintain responsible commercial relations with customers and to provide ongoing service;
  - To understand customer needs;
  - To develop, enhance, market or provide products and services;
  - To manage and develop their business and operations, including personnel and employment matters; and
  - To meet legal and regulatory requirements.
- Further references to "identified purposes" mean the purposes identified in this Principle 2.

2.2 Northwestel Inc. and its affiliated companies shall specify orally, electronically or in writing the identified purposes to the customer or employee at or before the time personal information is collected. Upon request, persons collecting personal information shall explain these identified purposes or refer the individual to a designated person within Northwestel Inc. or its affiliated companies who shall explain the purposes.

2.3 Unless required by law, Northwestel Inc. and its affiliated companies 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 customer or employee.

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

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

Note: In certain circumstances personal information can be collected, used or disclosed without the knowledge and consent of the individual. For example, Northwestel Inc. and its affiliated companies may collect or use personal information without knowledge or consent if it is clearly in the interests of the individual and consent cannot be obtained in a timely way, such as when the individual is a minor, seriously ill or mentally incapacitated.

3.1 Northwestel Inc. and its affiliated companies may also collect, use or disclose personal information without knowledge or consent if seeking the consent of the individual might defeat the purpose of collecting the information such as in the investigation of a breach of an agreement or a contravention of a federal or provincial law.

Northwestel Inc. and its affiliated companies may also use or disclose personal information without knowledge or consent in the case of an emergency where the life, health or security of an individual is threatened, or appears to be threatened.

Northwestel Inc. and its affiliated companies may disclose personal information without knowledge or consent to a lawyer representing the companies, to collect a debt, to comply with a subpoena, warrant or other court order, or as may be otherwise required by law.

3.2 In obtaining consent, Northwestel Inc. and its affiliated companies shall use reasonable efforts

to ensure that a customer or employee 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 by the customer or employee.

3.3 Generally, Northwestel Inc. and its affiliated companies shall seek consent to use and disclose personal information at the same time it collects the information. However, Northwestel Inc. and its affiliated companies 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.

3.4 Northwestel Inc. and its affiliated companies will require customers to consent to the collection, use or disclosure of personal information as a condition of the supply of a product or service only if such collection, use or disclosure is required to fulfill the identified purposes.

3.5 In determining the appropriate form of consent, Northwestel Inc. and its affiliated companies shall take into account the sensitivity of the personal information and the reasonable expectations of its customers and employees.

3.6 In general, the use of products and services by a customer, or the acceptance of employment or benefits by an employee, constitutes implied consent for Northwestel Inc. or its affiliated companies to collect, use and disclose personal information for all identified purposes.

3.7 A customer or employee may withdraw consent at any time, subject to legal or contractual restrictions and reasonable notice. Customers and employees may contact Northwestel Inc. or its affiliated companies for more information regarding the implications of withdrawing consent.



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

Northwestel Inc. and its affiliated companies shall limit the collection of personal information to that which is necessary for the purposes identified by the company. Northwestel Inc. and its affiliated companies shall collect personal information by fair and lawful means.

- 4.1 Northwestel Inc. and its affiliated companies collect personal information primarily from their customers or employees.
- 4.2 Northwestel Inc. and its affiliated companies may also collect personal information from other sources including credit bureaus, employers or personal references, or other third parties that represent that they have the right to disclose the information.

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

Northwestel Inc. and its affiliated companies shall 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. Northwestel Inc. and its affiliated companies shall retain personal information only as long as necessary for the fulfillment of the purposes for which it was collected.

- 5.1 In certain circumstances personal information can be collected, used or disclosed without the knowledge and consent of the individual. (See Note - Principle 3)
- 5.2 In addition, the Northwestel Inc. and its affiliated companies may disclose a customer's personal information to:
  - another telecommunications company for the efficient and effective provision of telecommunications services;
  - a company involved in supplying the customer with communications or communications directory related services;
  - another person for the development, enhancement, marketing or provision of any

- of the products or services of Northwestel Inc. and its affiliated companies;
- an agent retained by Northwestel Inc. or its affiliated companies in connection with the collection of the customer's account;
- credit grantors and reporting agencies;
- a person who, in the reasonable judgment of Northwestel Inc. or its affiliated companies, is seeking the information as an agent of the customer; and
- a third party or parties, where the customer consents to such disclosure or disclosure is required by law.

- 5.3 Northwestel Inc. and its affiliated companies may disclose personal information about its employees:

- for normal personnel and benefits administration;
- in the context of providing references regarding current or former employees in response to requests from prospective employers; or
- where disclosure is required by law.

- 5.4 Only those employees of Northwestel Inc. and its affiliated companies who require access for business reasons, or whose duties reasonably so require, are granted access to personal information about customers and employees.

- 5.5 Northwestel Inc. and its affiliated companies 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 a customer or employee, Northwestel Inc. and its affiliated companies shall retain, for a period of time that is reasonably sufficient to allow for access by the customer or employee, either the actual information or the rationale for making the decision.

- 5.6 Northwestel Inc. and its affiliated companies 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 Personal information used by Northwestel Inc. and its affiliated companies shall be sufficiently accurate, complete and up-to-date to minimize the possibility that inappropriate information may be used to make a decision about a customer or employee.
- 6.2 Northwestel Inc. and its affiliated companies shall update personal information about customers and employees as and when necessary to fulfill the identified purposes or upon notification by the individual.

**Principle 7 - Security Safeguards**

Northwestel Inc. and its affiliated companies shall protect personal information by security safeguards appropriate to the sensitivity of the information.

- 7.1 Northwestel Inc. and its affiliated companies shall protect personal information against such risks as loss or theft, unauthorized access, disclosure, copying, use, modification or destruction, through appropriate security measures. Northwestel Inc. and its affiliated companies shall protect the information regardless of the format in which it is held.
- 7.2 Northwestel Inc. and its affiliated companies shall protect personal information disclosed to third parties by contractual agreements stipulating the confidentiality of the information and the purposes for which it is to be used.

- 7.3 All employees of the Northwestel Inc. and its affiliated companies with access to personal information shall be required as a condition of employment to respect the confidentiality of personal information.

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

Northwestel Inc. and its affiliated companies shall make readily available to customers and employees specific information about its policies and practices relating to the management of personal information.

- 8.1 Northwestel Inc. and its affiliated companies shall make information about its policies and practices easy to understand, including:
  - The title and address of the person or persons accountable for the companies' compliance with the Northwestel Code and to whom inquiries or complaints can be forwarded;
  - The means of gaining access to personal information held by the companies; and
  - A description of the type of personal information held by the companies, including a general account of its use.
- 8.2 Northwestel Inc. and its affiliated companies shall make available information to help customers and employees exercise choices regarding the use of their personal information and the privacy-enhancing services available from the company.

**Principle 9 - Customer and Employee Access to Personal Information**

Northwestel Inc. and its affiliated companies shall inform a customer or employee of the existence, use and disclosure of his or her personal information upon request and shall give the individual access to that information.

A customer or employee shall be able to challenge the accuracy and completeness of the information and have it amended as appropriate.



- 9.1 Upon request, Northwestel Inc. and its affiliated companies shall afford to a customer or an employee a reasonable opportunity to review the personal information in the individual's file. Personal information shall be provided in understandable form within a reasonable time and at minimal or no cost to the individual.
- 9.2 In certain situations, Northwestel Inc. and its affiliated companies may not be able to provide access to all of the personal information that they hold about a customer or employee. For example, Northwestel Inc. or its affiliated companies may not provide access to information if doing so would likely reveal personal information about a third party or could reasonably be expected to threaten the life or security of another individual. Also, Northwestel Inc. or its affiliated companies may not provide access to information if disclosure would reveal confidential commercial information, if the information is protected by solicitor-client privilege, if the information was generated in the course of a formal dispute resolution process, or if the information was collected in relation to the investigation of a breach of an agreement or a contravention of a federal or provincial law. If access to personal information cannot be provided, Northwestel Inc. or its affiliated companies shall provide the reasons for denying access upon request.
- 9.3 Upon request, Northwestel Inc. and its affiliated companies shall provide an account of the use and disclosure of personal information and, where reasonably possible, shall state the source of the information. In providing an account of disclosure, Northwestel Inc. or its affiliated companies shall provide a list of organizations to which it may have disclosed personal information about the individual when it is not possible to provide an actual list.
- 9.4 In order to safeguard personal information, a customer or employee may be required to provide sufficient identification information to permit Northwestel Inc. or its affiliated companies

to account for the existence, use and disclosure of personal information and to authorize access to the individual's file. Any such information shall be used only for this purpose.

- 9.5 Northwestel Inc. and its affiliated companies shall promptly correct or complete any personal information found to be inaccurate or incomplete. Any unresolved differences as to accuracy or completeness shall be noted in the individual's file. Where appropriate, Northwestel Inc. or its affiliated companies shall transmit to third parties having access to the personal information in question any amended information or the existence of any unresolved differences.
- 9.6 A customer can obtain information or seek access to his or her individual file by contacting a designated representative at Northwestel Inc. or affiliated company, wherever the said file is located.
- 9.7 An employee can obtain information or seek access to his or her individual file by contacting his or her immediate supervisor within Northwestel Inc. or affiliated company, wherever the said file is located.

### ***Principle 10 - Challenging Compliance***

A customer or employee shall be able to address a challenge concerning compliance with the above principles to the designated person or persons accountable for the compliance of Northwestel Inc. and its affiliated companies with the Northwestel Code.

- 10.1 Northwestel Inc. and its affiliated companies shall maintain procedures for addressing and responding to all inquiries or complaints from its customers and employees about the companies' handling of personal information.
- 10.2 Northwestel Inc. and its affiliated companies shall inform their customers and employees about the existence of these procedures as well as the availability of complaint procedures.



10.3 The person or persons accountable for compliance with the Northwestel Code may seek external advice where appropriate before providing a final response to individual complaints.

10.4 Northwestel Inc. or its affiliated companies, as the case may be, shall investigate all complaints concerning compliance with the Northwestel Code. If a complaint is found to be justified, the company shall take appropriate measures to resolve the complaint including, if necessary, amending its policies and procedures. A customer or employee shall be informed of the outcome of the investigation regarding his or her complaint.

## INQUIRES

For more information on the commitment of Northwestel Inc. and its affiliated companies to privacy, contact them at the number shown on your monthly bill, or contact us through the following website: [www.nwtel.ca](http://www.nwtel.ca).

For copies of the CSA Model Code for the Protection of Personal Information contact:

Canadian Standards Association  
178 Rexdale Blvd.  
Etobicoke, Ontario  
M9W 1R3

