



Privacy Code

November 2020

## ***Privacy Code***

Digital Commerce Bank (the “Bank”, “we” or “our”) knows the importance of keeping your personal information confidential. We have developed a Privacy Code that explains the types of personal information we collect, how it is used, and the steps we take to ensure that it is handled appropriately.

This Privacy Code may be revised from time to time. If we intend to use or disclose personal information for purposes materially different than those described herein, we will make reasonable efforts to notify affected individuals, if necessary, including by revising this Privacy Code. If you are concerned about how your personal information is used, you should contact us as described below or checking at our website periodically at [dcbank.ca/privacy-policy](http://dcbank.ca/privacy-policy) to obtain a current copy of this Privacy Code. We urge you to request and review this Privacy Code frequently to obtain the current version. Your continued provision of personal information or use of our services following any changes to this Privacy Code constitutes your acceptance of any such changes.

The Privacy Code applies to personal customers, including business customers carrying on business as sole proprietors. While the Privacy Code does not apply to information about business customers carrying on business as corporations, partnerships or in other forms of association, the Bank protects the confidentiality of such information in accordance with the Bank’s policies and the law.

### **I. Accountability**

We are accountable for all personal information in our control. The term personal information refers to information that identifies you as an individual. Personal information includes information that you have provided to us or was collected by us from other sources. It may include details such as your name and address, age and gender, personal financial records, identification numbers including your Social Insurance Number, personal references, and employment records. Every one of our employees is responsible for respecting and protecting the personal information to which the employee has access.

In order to comply with this Privacy Code, we have designated our Chief Privacy Officer to oversee the Bank’s privacy practices.

### **II. Collecting Personal Information**

The Bank will collect most of your personal information directly from you through applications for our products or services and any supporting documentation and information you provide. We also collect your personal information from sources you have identified in your product or service applications with the Bank, including references you have provided, credit bureaus and from third parties or sources that are available to the public.

The personal information we collect may include:

- Contact Information
  - Name, address, telephone number and email address.
- Identity
  - Information for identity matching and credit check purposes, such as your Social Insurance Number, date of birth, occupation, and government-issued identification; this

information is also collected to allow the Bank to meet legal and regulatory obligations as well as Canada Revenue Agency's reporting requirements.

- Financial
  - Information used by the Bank to assess the eligibility for the Bank's products or service (which may include information about your current and historical account information, balances and indebtedness, or account transaction history).
- Transactional
  - Payment-related information, such as banking information and how you use different products or services with the Bank (which may include purchase and payment history).
- Other
  - Such other information that will be collected with your consent or as permitted or required by law.

The Bank may monitor or record telephone calls between you and our representatives to ensure accuracy and to enhance customer service. If you do not wish to have your call recorded, you have the option to conduct business online or by contacting us in writing.

### **III. Use of Personal Information**

The Bank will limit the collection of personal information to what we determine we need for the purposes set out below.

The Bank may use your personal information for a variety of purposes, including:

- to verify your identity;
- to evaluate your application, understand your financial position and to assess your eligibility for requested products and services from the Bank;
- to set up, administer, service and manage your products or services;
- to communicate with you by various methods regarding products and services that may be of interest to you;
- to protect you from error, fraud and any other unauthorized or illegal activities;
- to maintain business records for legal and regulatory compliance;
- to manage your relationship with the Bank, including measuring the quality of customer service;
- to analyze the Bank's business results, compile statistics and conduct market research to better manage the Bank's business and to develop new products and services;
- to understand our customers and to develop and tailor our products and services;
- to comply with tax, legal and regulatory obligations;
- to respond to any questions you may have;
- to evaluate and improve our websites and other electronic offerings; and
- for any other purpose to which you consent or that is permitted by privacy law or any other applicable law.

### **IV. Disclosure of Personal Information**

We will only use or disclose your personal information for the purpose(s) it was collected and as otherwise identified in this Privacy Code.

Under certain circumstances, the Bank may disclose your personal information to third parties, including the following:

- a) Administration  
We may share your personal information with our affiliates who perform administrative and processing services on our behalf.
- b) Business Processes  
The Bank may disclose your personal information to third parties for the protection of our assets (for example, collection of overdue accounts). We may also share your information with third parties as reasonably necessary in connection with audits or for the purposes of detecting and preventing fraud.
- c) Legal and Regulatory  
The Bank may disclose your personal information as necessary to meet legal, regulatory, industry self-regulatory, insurance, audit and security requirements, including any requirements under Canadian and foreign law that are applicable to the Bank and our service providers.
- d) Business Transactions  
The Bank may use personal information and disclose it to third parties connected with the evaluation or in the performance of an actual sale, financing, assignment, insuring or any disposals of all or part of the Bank or our business or assets. Personal information may also be transferred as part of a corporate reorganization or other change in corporate control of the Bank.
- e) Service Providers  
The Bank may transfer personal information to outside agents or third-party service providers that perform services on our behalf, such as card production, statement preparation, mailing, customer service, marketing, collections, information technology and/or data hosting or processing services. Such outside agents or third-party service providers will be given only the personal information needed to perform those contracted services and we do not authorize such service providers to use or disclose personal information for their own marketing or other purposes. We have contracts in place holding these service providers to the same standards of confidentiality by which we are governed. In some cases, these other companies may be located outside of Canada (such as in the United States) and may be required to disclose information to courts, government authorities, regulators or law enforcement in accordance with applicable law in that country.
- f) Marketing  
Unless you have opted out, the Bank may share your personal information with affiliates of the Bank, with our partners that provide our customers with benefits and services and with service providers to enable them to offer you with additional products and services of the Bank and other organizations.

Unless you have opted-out, in addition to the above uses and disclosures, we may consult and use your personal information (such as your contact information, gender, information relating to the transactions on your account and your payment and purchase details) from time to time in order to determine your suitability for and occasionally offer you additional products or services of the Bank and/or those of our affiliates and partners that may be relevant or of interest to you. We may also disclose the above types of information to our affiliates or partners for their use for similar purposes and to send you information

about their products and services. If you no longer want your personal information used or disclosed for these purposes, you may contact us at any time by mail or by phone at the address or telephone number provided in the “*Complaints and Questions*” section below.

#### **V. Obtaining Consent**

By applying for a new Bank product or service and providing us with personal information, we obtain your consent to our collection, use and disclosure of such personal information for the purposes identified or described in this Privacy Code.

Subject to legal or contractual restrictions and reasonable notice, you may withdraw your consent to our collection, use and disclosures of personal information at any time. Note that if you withdraw your consent to certain use of your personal information, we may no longer be able to provide you with the products and services you request.

Note that you may not be permitted to withdraw consent to certain necessary uses and disclosures (for example, where we are legally required to collect, use or disclose your personal information).

#### **VI. Limits on Use, Disclosure, and Retention**

We will only use or disclose personal information for the reasons it was collected and as otherwise identified in this Privacy Code. The Bank will only keep your personal information for as long as reasonably necessary to fulfill its intended purpose or to satisfy legal requirements.

We do not sell the names or other personal information of our customers.

#### **VII. Accuracy**

We will keep personal information as accurate, complete and up-to-date as necessary for the identified purposes. You must play an active role in helping us do this by providing prompt notification of any changes to your personal information, such as your address or telephone number. If you find any error in our information about you, please notify us so that we can make the necessary changes. Failure to notify us of changes to your personal information may negatively impact the way we communicate or provide services to you. Where appropriate, we will advise others of any material amendments to your personal information that we may have released to them. If we do not agree to make the changes you request, you may challenge our decision as described in the “*Complaints and Questions*” section below.

#### **VIII. Safeguarding Personal Information**

We will protect personal information with safeguards and security measures appropriate to the sensitivity of the personal information. We use physical, electronic and procedural security measures to protect against the unauthorized use, access, modification, destruction, disclosure, loss or theft of your personal information. Only those authorized Bank employees who require access to your personal information will have access to your personal information and they are aware of the importance of keeping it confidential.

We carefully select service providers who may have access to your personal information and require that any information we provide to them must be safeguarded and used only for the purpose of providing the service we have requested the company to perform.

## **IX. Access**

When requested in writing, we will tell you what personal information of yours we have, what it is being used for and to whom it has been disclosed. When requested, we will give you access to your personal information. There may be a small charge for us providing this information to you; however, you will be notified of the approximate cost in advance.

In certain situations, we may not be able to give you access to all of your personal information. These situations include when it is prohibitively costly to provide the information, when access would reveal information about a third party (i.e. joint account), when access would reveal confidential commercial information, when access would threaten the life or security of another individual, when access would reveal information generated in the course of a formal dispute resolution process, or when access would reveal information gathered for purposes related to investigating a breach of an agreement or a contravention of the law. If we are unable to provide you with some of the personal information, we will tell you why.

If you would like to review or verify your personal information, you may contact us at:

Digital Commerce Bank  
736 Meridian Road NE  
Calgary, Alberta  
T2A 2N7  
1.844.836.6040

## **X. Complaints and Questions**

If you have any questions about our Privacy Code, you may contact the Bank's Privacy Officer at:

Digital Commerce Bank  
Attn: Chief Privacy Officer  
736 Meridian Road NE  
Calgary, Alberta  
T2A 2N7  
1.844.836.6040

If you are not satisfied with how your question or complaint has been handled, you may follow the Bank's dispute resolution process by visiting <http://www.dcbank.ca/legal> and review the "Resolving Your Complaint" information.

Finally, if the Bank was unable to adequately address your complaint, concern or question, you may also contact The Office of the Privacy Commissioner of Canada at:

Office of the Privacy Commissioner of Canada  
30, Victoria Street  
Gatineau, Quebec  
K1A 1H3  
1-800-282-1376