

ERTH



CORPORATION

PRIVACY STATEMENT

Privacy

At ERTH Corporation, we respect your privacy and value our relationship with you. Your personal information will be protected, will never be sold, and unless we advise you in advance, will be used only by ERTH.

ERTH adheres to the privacy policy set out below (the Privacy Policy). The Privacy Policy is based on the ten fair information principles established in *Canada's Personal Information Protection and Electronic Documents Act* (PIPEDA).

"Personal Information", as used in this Privacy Policy, means information that personally identifies you or allows us to contact you, but does not include the name, title or business address or telephone number of an employee of an organization. Unless you otherwise inform us, by providing us with any of your personal information, you consent to our collection, use and disclosure of your personal information in accordance with this policy as may be permitted or required by applicable laws.

Policy Updates and Changes

Due to the fast-changing nature of online technologies, ERTH Corporation may change this policy from time to time. Changes may occur without warning and they will be reflected on this page.

Any questions with regard to this Privacy Policy, or the manner in which ERTH handles or manages personal information, should be directed to ERTH's privacy officer, whose contact information is listed in the Accountability section below.

Part 1 - Accountability

ERTH Corporation is responsible for all personal information under its control.

ERTH Corporation is responsible for maintaining and protecting personal information about you in our care or control. We have designated a privacy officer who is accountable for compliance with our policies and PIPEDA. The privacy officer can be reached at:

180 Whiting St
Ingersoll ON N5C 3B5
Telephone: 519-518-6117
Attention: Privacy Officer

We are responsible for personal information in our possession or custody, including information that has been transferred to a third party for processing. We will use reasonable contractual or other means to provide a reasonably comparable level of protection when the information is being processed by a third party.

Part 2 - Identifying Purposes

We will identify and document the purposes for which we collect, use, or disclose personal information at or before the time of collection. ERTH Corporation will attempt to document and clearly define the purpose or purposes intended for personal data before it is collected and will always ensure that it is present at the time of its collection. ERTH will only collect information that it views as a necessity in order to fulfill the identified purpose. Any secondary or optional uses of information by the organization will be identified and individuals will be provided with an opportunity to reject or accept such uses.

ERTH will make every attempt to ensure that the purposes and uses of information that it collects will be presented in easy and straightforward language. It will clearly identify why this information is needed and how it will be used. All materials used by ERTH or those designated to work for it on its behalf, to collect information will present the purpose, need and use in a manner that is understandable to whom it is intended.

We may share personal information with our affiliates and/or subsidiaries, or with third party processors in accordance with this Privacy Policy, as may be appropriate to carry out the identified purposes. It is also possible that we may share personal information in the event of a corporate transaction, such as a sale, merger, liquidation, dissolution, reorganization or acquisition of ERTH or one of our business units. However, we will ensure that any such persons involved in a corporate transaction maintain a level of privacy protection that is comparable to ERTH's own privacy practices.

Part 3 - Consent

Personal Information will only be collected, used, or disclosed with the knowledge and consent of the individual.

Consent may be express or implied dependent upon the particular situation. However, ERTH Corporation will attempt to obtain express consent, where possible.

You can withdraw consent to our use or disclosure of your personal information at any time, subject to reasonable notice. However, your decision to withhold particular details may limit the services that we are able to offer to you. Any refusal or withdrawal of consent may be subject to any overriding legal requirements or commitments.

We will not, as a condition of the supply of products or services, require an individual to consent to the collection, use, or disclosure of personal information beyond that required to fulfill the identified purposes.

In certain circumstances, as permitted or required by law, we may collect, use or disclose personal information without the knowledge or consent of the individual. These circumstances include: if personal information is subject to solicitor-client privilege or is publicly available as defined by regulation; 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 respect 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.



Part 4 - Limiting Collection

We will limit the amount and type of personal information collected to the level that is necessary for our identified purposes and we will only collect personal information by fair and lawful means.

ERTH Corporation will collect information in a straightforward and honest manner and with the individual's consent. It will not collect information in an indiscriminate manner. Information will not be collected from other individuals associated with the person, such as family members or friends without the consent and knowledge of the individual and only in situations that are deemed to be most compelling.

Part 5 - Limiting use, Disclosure, and Retention

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

Part 6 - Accuracy

Personal Information will be as accurate, complete, and up-to-date as is necessary for the purposes for which it is to be used. We will use reasonable efforts to ensure that personal information that is used on an ongoing basis, including information that is disclosed to third parties, and information that is used to make a decision about an individual, is accurate, complete and up-to-date.

Part 7 - Safeguards

We will protect personal information with safeguards appropriate to the sensitivity of the information.

ERTH Corporation shall take all reasonable means necessary to ensure that all personal information under its care is protected against loss or theft, unauthorized access, disclosure, copying, use or modification. This includes but is not limited to physical, organizational and technological means.

ERTH's employees are instructed to only use personal information in adherence with the principles set forth in this Privacy Policy and the applicable laws.

Part 8 - Openness

We will make specific information about our privacy policies readily available. ERTH Corporation will ensure that its policies and procedures regarding personal information are simple, clear and easily accessible. Access to this material, along with access to the individual or individuals responsible for compliance with the Privacy Policy, will remain readily available to those who inquire.

Part 9 - Access

Upon written request, we will inform an individual of the existence, use, and disclosure of his or her personal information and we will give the individual access to that personal information. An individual can challenge the accuracy and completeness of his or her personal information and have it amended as appropriate.

Requests by individuals regarding the type of information that ERTH Corporation maintains, its uses and to whom it has been disclosed, will be responded to in an honest and timely fashion.

If, in certain circumstances, ERTH is not able to provide certain information, an explanation outlining the reasons must be provided to the individual in writing. Exceptions to providing this information should be



limited and specific. These may include but are not limited to cost, references to other individuals or for reasons of legal, security or litigation privilege.

Part 10 - Challenging Compliance

Any individual can address a challenge concerning our compliance with the Privacy Policy to our privacy officer. If an individual wishes to challenge EARTH Corporation's compliance with the Privacy Policy, the individual can contact EARTH's privacy officer using the contact information set out above. We will investigate all complaints and, if found to be justified, we will take all appropriate measures, including, if necessary, amending our policies and practices.

In certain circumstances, where permitted or required by law, we may refuse a request or not be able to provide access to all the personal information that we hold about an individual. These circumstances include when the information: contains references to other individuals or contains confidential commercial information, and such information cannot be severed from the record; was collected in the course of investigating a breach of an agreement or a contravention of law; was generated in the course of a formal dispute resolution process; or is subject to solicitor-client privilege. Where permitted, the reasons for denying access will be provided to the individual.

