

## **TeleCheck Services Canada, Inc. Privacy Statement**

Thank you for obtaining and reviewing the privacy statement of TeleCheck Services Canada, Inc. (“TeleCheck”, also referred to in this statement as “we”, “us” or “our”). Protecting consumer privacy is very important to us and we take step to meet the privacy principles and requirements with respect to personal information under applicable Canadian privacy legislation. The purpose of this statement is to inform our customers and other individuals we deal with, including consumers and other individuals that make payments by cheque (“you” or “your”) as to how we collect, use, disclose and protect your personal information. Personal information is information about an identifiable individual, as more particularly described under applicable privacy legislation. This statement applies to our collection, use and disclosure of personal information in Canada. This statement does not apply to information about our employees or to information that is not personal information.

### **Personal Information We Collect**

TeleCheck collects personal information about individuals that pay by cheque in the course of providing cheque risk management, acceptance and collection services to our merchant and other business customers (“Merchant/Business Customers”). We obtain this information from payment transactions and related interactions in which TeleCheck, consumers and our Merchant/Business Customers are involved. Personal information we collect includes:

- Identifying information that may be printed or written on an individual’s cheque, including name, telephone number, street address, and bank account number.
- Information derived from the identification provided in connection with payment by cheque, such as social insurance, driver's license or other identification numbers you provide.
- Transaction information relating to payments by cheque, including parties to the transaction, time, date, and dollar amount of transaction and cheque usage.
- Such other information we may collect with consent or as permitted or required by law.

### **Use and Disclosure of Personal Information**

TeleCheck generally uses personal information for the following purposes:

- TeleCheck uses the personal information it collects to provide our Merchant/Business Customers with cheque risk management and authentication services. TeleCheck gathers, stores and compiles information in a database about your cheque payments made to our customers and your cheque usage, such as cheque acceptance or non-acceptance, payment, non-payment and collection history. When you elect to pay by cheque, personal identifiers, such as your account number, driver’s licence or other identification or information provided to a Merchant/Business Customer on the cheque or in connection with payment by cheque, if provided, is used to match you with our database records. Information gathered in this manner enables us to evaluate your cheque usage history, for risk assessment purposes and to detect and prevent fraud, and assists our customers in deciding whether to accept payment by cheque.

- TeleCheck may also use personal information it collects to provide payment collection and enforcement services on behalf of our Merchant/Business Customers, for example in the event a cheque is subsequently dishonoured. TeleCheck may also take assignment of your payment obligation, in which case we may use your personal information for payment collection and enforcement on our own behalf.
- We may also generally use personal information as necessary in connection with managing and administering our business, maintaining business records for reasonable periods, meeting legal, regulatory, security and processing requirements, and otherwise with consent or as permitted or required by law.

TeleCheck may disclose personal information in the following circumstances:

- In connection with providing cheque risk management, authorization and collection services, we may disclose certain risk-related information about your cheque-writing history to the Merchant/Business Customer that receives your payment by cheque.
- We disclose personal information to our U.S. affiliates that provide similar cheque risk management, acceptance, collection and enforcement services in the United States, for the purposes of enabling our affiliate to provide such services in respect of cheque-payment transactions initiated in the United States (for example, by travelling Canadian residents).
- We may disclose personal information as necessary to collect or enforce on payments owed to our customers or to TeleCheck.
- We may disclose personal information to third parties (including our affiliates acting in this capacity) that perform services for TeleCheck or perform functions on behalf of TeleCheck, as further described under “Service Providers” below.
- We may also generally disclose personal information as necessary to meet legal, regulatory, security and processing requirements, and otherwise with consent or as permitted or required by law.

*Service Providers.* Some of our services (for example, processing, billing, debt collection, warehousing of personal information and help desk services) may be provided through facilities operated by our affiliates or third party service providers, some of which are located in the United States. Personal information we collect is maintained and processed on the systems of our United States parent company, TeleCheck Services, Inc, located in Houston, Texas and at other facilities in the United States operated by our affiliates and service providers. We take reasonable measures to protect your personal information that may be collected, used, disclosed or otherwise processed by our affiliates or other service providers on our behalf so that such personal information is not used or disclosed for purposes other than the provision of our cheque acceptance and collection activities and as otherwise directed by TeleCheck. Measures we take to protect your personal information are subject to legal requirements in foreign jurisdictions applicable to those organizations, for example lawful requirements to disclose personal information to government authorities in those countries.

*Business Transactions.* Personal information may be used by TeleCheck and disclosed to parties connected with the contemplated or actual financing, insuring, sale, assignment or other disposal

of all or part of TeleCheck or our business or assets, for the purposes of evaluating and/or performing the proposed transaction. These purposes may include, as examples:

- permitting those parties to determine whether to proceed or continue with the transaction
- fulfilling reporting, inspection or audit requirements or obligations to those parties

Assignees or successors of TeleCheck or our business or assets may use and disclose your personal information for similar purposes as those described in this Privacy Statement.

## **Your Consent**

Consent to the collection, use and disclosure of personal information may be given in various ways. Consent can be express (for example, orally, electronically or on a form you may sign describing the intended uses and disclosures of personal information) or implied (for example, when you provide information necessary for a service or transaction you have requested). You may provide your consent in some circumstances where notice has been provided to you about our intentions with respect to your personal information and you have not indicated your refusal of consent for an identified purpose, to the extent applicable. Consent may be given by your authorized representative (such as a legal guardian or a person having a power of attorney).

**Generally, by providing personal information to us or our Merchant/Business Customers in connection with payment by cheque, we will assume that you consent to our collection, use and disclosure of such information for the purposes identified or described in this privacy statement, if applicable, or otherwise at the time of collection.** Note that if you refuse consent to the collection, use or disclosure of personal information as described in this statement, Merchant/Business Customers with whom you are dealing may request a different form of payment. TeleCheck may retain, use and disclose personal information it collects about cheque-writers as described in this statement for so long as necessary to fulfil the purposes identified in this statement and as otherwise identified to you at the time of collection.

We may be required or permitted under statute or regulation to collect, use or disclose personal information without your consent, for example to comply with a court order, to comply with local or federal regulations or a legally permitted inquiry by a government agency, or to collect a debt owed to us.

## **Security**

TeleCheck uses reasonable technical, administrative and physical security measures to protect your personal information against unauthorized access, disclosure, alteration or destruction. We regularly review and, as appropriate, enhance our security systems, policies and procedures to take into account emerging threats, as well as emerging technological safeguards and precautions. Authorized employees, agents and mandataries of TeleCheck who require access to your personal information in order to fulfil their job requirements will have access to your personal information.

In the event that a security breach occurs involving unauthorized access to personal information on our system or a system of our affiliates, we will comply with applicable laws requiring

notification of security breaches, and with our obligations under our business contracts. As appropriate or required, we will also notify law enforcement authorities and/or regulators.

### **Access, Correction and Contacting Us**

TeleCheck may establish and maintain a file of your personal information for the purposes described above, which will be accessible at 5251 Westheimer, Houston, Texas. TeleCheck endeavours to obtain and maintain personal information that is accurate, timely and complete. Pursuant to applicable privacy law, upon a consumer's request, TeleCheck permits a consumer to have access to the information TeleCheck maintains with respect to the consumer, and to dispute or correct inaccurate or incomplete information. If you wish to request access or correction of your personal information in our custody or control, you may write to:

TeleCheck Services Canada, Inc.  
1100 Cremazie East, Suite 701  
Montreal, Quebec H2P 2X2  
Attention: General Manager

Your right to access or correct your personal information is subject to applicable legal restrictions. If you wish to make inquiries or complaints or have other concerns about our personal information practices or this Privacy Statement, you may write to us as described above or telephone us at 1-800-361-8199. To protect your privacy and security, we will require proper identification before granting access or making corrections. We reserve the right to assess a minimal service charge for providing you with this information, subject to applicable law.

### **Website Personal Information Practices**

TeleCheck's website through which this Privacy Statement may be accessed and provide links to third party websites. TeleCheck is not responsible for the content or privacy practices employed by any such websites, and we suggest you review the privacy statements of those third party websites. This Privacy Statement will not apply to those websites. TeleCheck does not collect information about consumers who access this website other than information provided by a consumer who may complete a product information request forms.

### **Privacy Statement Changes**

TeleCheck reserves the right to amend or modify this statement from time to time. We suggest that you periodically review this statement by checking our website at [www.firstdata.com/support](http://www.firstdata.com/support), and click on TeleCheck Consumer Assistance in order to obtain the most current statement. This Privacy Statement is effective as of January 1, 2007.