



## JOEYINSIDER PRIVACY POLICY

### 1.0 Purpose

Joey Tomato's (Canada) Inc. (the "**Joey Tomato's**") is committed to protecting the privacy of individuals (the "**Respondents**") who provide personal information to Vision Critical Communications ("**Vision Critical**") in the course of participating in a survey or the community formed on JoeyInsiders.com (the "**Website**").

The purpose of this Privacy Policy ("**Policy**") is to inform Respondents how Joey Tomato's gathers and uses their personal and non-personal information when they visit this Website which is administered for Joey Tomato's by Vision Critical. Joey Tomato's reserves the right to change, add, or remove portions from this Policy at any time. However, if any change involves a plan to use personal information in a way that differs from this privacy policy, Joey Tomato's will first obtain the Respondent's prior consent.

### 2.0 Scope

2.1.1 This Policy applies to Joey Tomato's collection, use, and disclosure of personal information in connection with the Website, but does not limit our collection, use or disclosure of:

- (a) business contact information; and
- (b) certain publicly available information.

2.1.2 This Policy is intended to comply with the applicable federal and provincial privacy legislation in all the jurisdictions that it operates.

### 3.0 Collection, Use and Disclosure of Personal Information

#### 3.1 Personal Information

3.1.1 "**Business Contact information**" is information to enable an individual at a place of business to be contacted and includes the name, position name or title, business telephone number, business address, business email or business fax number of the individual.

3.1.2 "**Personal information**" is information about an identifiable individual but does not include business contact information. Examples of information that could be personal information include your name, address, gender, date of birth, language preference, email address, telephone number, credit card information, personal opinions, Twitter Respondent name or other social media Respondent identification.

#### 3.2 Collection and Use of Personal Information

3.2.1 Except where otherwise required or permitted by law, Joey Tomato's will inform Respondents of the purposes for the collection, use or disclosure of the



Respondent's personal information, prior to collecting, using or disclosing that personal information.

3.2.2 Joey Tomato's collect and use personal information for the following purposes:

- (a) to conduct quantitative or qualitative marketing and social research;
- (b) to understand the Respondent's opinions to establish suitability for further quantitative and qualitative marketing and social research;
- (c) to comply with legal and regulatory requirements;
- (d) to create aggregated information that does not individually identify the Respondent; and
- (e) for additional purposes that may be identified at or before the time that the information is collected.

**[NTD: Britt to confirm the accuracy of these purposes.]**

### **3.3 Disclosure of Personal Information**

3.3.1 Joey Tomato's will not use or disclose personal information for purposes other than those for which it was collected, except with the consent of the Respondent or as required or permitted by law.

3.3.2 Joey Tomato's will disclose certain personal information to third party service providers, in particular, Vision Critical, and to affiliated entities in order to carry out the purposes set out in Article 3.2 of this Policy. Prior to making this disclosure, Joey Tomato's will take appropriate steps to ensure that such recipients safeguard the personal information and use the information only for authorized purposes.

### **4.0 Consent**

4.1.1 Requirements for consent to collection, use, or disclosure of personal information vary depending on circumstances and on the type of personal information that is intended to be collected, used or disclosed. In determining whether consent is required and, if so, which form of consent is appropriate, Joey Tomato's will take into account both the sensitivity of the personal information at issue and the purposes for which Joey Tomato's will use the information. Consent may be express, implied, or deemed.

4.1.2 The Respondent's participation in surveys, quantitative or qualitative marketing or social research, and other activities ("**Activities**") on the Website is voluntary.

4.1.3 By submitting personal information to Joey Tomato's or its service providers, such as Vision Critical, and agents, the Respondent agrees that Joey Tomato's may collect, use and disclose such personal information in accordance with this



Policy and as permitted or required by law. In particular, where a Respondent agrees to participate in the Activities on the Website, the Respondent consents to collection, use, and disclosure of the personal information submitted in the course of those Activities.

4.1.4 Subject to legal and contractual requirements, the Respondent may refuse or withdraw his or her consent to certain identified purposes at any time by:

- (a) declining to participate in the Activities; or
- (b) contacting the Privacy Officer.

## 4.2 Use of Cookies

4.2.1 Cookies are small data files that are sent to the Internet browser, and can be one of two types. Persistent cookies are stored on the Respondent's computer's hard-drive when they visit certain websites, while session cookies expire when they close their browser. Joey Tomato's may use either or both types of cookie. Session cookies facilitate the use and navigation of the Website, while persistent cookies identify the Respondent's browser and IP (Internet Protocol) address, but do not collect personally identifiable information such as your name, address, and credit card data.

4.2.2 Joey Tomato's uses web analytics tools to analyze the information generated through the use of cookies to look at statistically aggregate information that may be used for operational purposes.

4.2.3 Respondents can set their Internet browser to refuse to accept cookies from the Website. However, the refusal to accept the cookies from the Website may disable certain features of the Website.

**[NTD: Britt to confirm that cookies are used.]**

## 5.0 Accuracy

5.1.1 Joey Tomato's will make reasonable efforts to ensure that the personal information collected, used, or disclosed is accurate and complete.

5.1.2 It is the responsibility of the Respondent to provide Joey Tomato's with any changes in personal information, where necessary.

5.1.3 Respondents may request in writing that Joey Tomato's correct an error or omission in personal information. If Joey Tomato's is satisfied that a correction should be made, it will amend the information as requested and, where appropriate, will send the corrected information to the third parties to which it has disclosed that information.



5.1.4 Requests to correct an error or omission should be made, in writing, to the Privacy Officer. The written request must also provide sufficient detail so that the Privacy Officer can properly and efficiently respond to the request.

5.1.5 Joey Tomato's will respond to the written requests within 30 days, or alternatively, the timeframe prescribed by the relevant legislation.

## **6.0 Access**

6.1.1 Respondents may request in writing access to his or her personal information and information regarding the collection, use and disclosure of that personal information. Joey Tomato's will provide appropriate access to personal information requested. A written explanation will be provided if the requested access is not granted. Access requests should be made, in writing, to the Privacy Officer.

6.1.2 Joey Tomato's will respond to the written requests within 30 days, or alternatively, the timeframe prescribed by the relevant legislation.

## **7.0 Personal Information Retention**

Joey Tomato's retains personal information in accordance with its legal or business practices. Once the personal information is no longer required to fulfill the purpose for which it was collected and no longer required or permitted to be retained for legal or business purposes, it will be destroyed or made anonymous.

## **8.0 Protection of Personal Information**

Joey Tomato's takes appropriate steps to protect personal information whether in paper or electronic form from unauthorized access disclosure, use or modification. These steps include but are not limited to:

- (a) protecting the confidentiality of your personal information when doing business internally or externally with other organizations;
- (b) protecting your personal information with appropriate and effective security safeguards, including physical, administrative, and technology safeguards, against such risks as loss or theft, unauthorized access, disclosure, copying, use or destruction, regardless of the format in which it is held; and
- (c) retaining personal information only as long as necessary for the fulfilment of the identified purposes, or as required by law, and will maintain reasonable and systematic controls, schedules and practices for the retention and destruction of such information.



## **9.0 Concerns of a Non-Compliance**

- 9.1.1 Respondents may direct a complaint concerning compliance with the Policy to Joey Tomato's Privacy Officer.
- 9.1.2 The complaint must be in writing. Within a reasonable time of receipt of the complaint, the Privacy Officer will conduct an investigation into the complaint. The format of this investigation will vary depending on the circumstances and may or may not involve an interview of the complainant and/or Joey Tomato's employees' conduct by the Privacy Officer.
- 9.1.3 After the investigation into the complaint, Joey Tomato's will take appropriate measure necessary to rectify the source of the complaint if it is necessarily required.
- 9.1.4 Within a reasonable time of conclusion of the investigation, the Privacy Officer will inform the complainant, either verbally or in writing, of:
  - (a) the result of its investigation; and
  - (b) any appropriate measures Joey Tomato's will take to rectify the source of the complaint if necessarily required.

## **10.0 Privacy Officer**

Any concern, inquiry or request regarding personal information should be directed in writing to the Privacy Officer:

[Name]  
[Position]  
Suite 950-505 Burrard Street – P.O. Box 90  
Vancouver, BC, V7X 1M4  
Tel. (604) 699-5639  
Fax. (604) 699-5690  
Email [privacy@joeyrestuarnts.com](mailto:privacy@joeyrestuarnts.com)

## **11.0 Changes to the Policy**

Joey Tomato's may from time to time make changes to this Policy to reflect changes in its legal or regulatory obligations or in the manner in which Joey Tomato's deal with the personal information of the Respondents.

Joey Tomato's will communicate any revised version of this Policy by providing reasonable notice of the revised Policy on its Website.