



notarius

A PORTAGE CYBERTECH COMPANY

*Public Release*

# NOTARIUS™ PRIVACY POLICY

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**By the Notarius DPO**

## **Intellectual Property Rights**

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## 1 Purpose and scope

Notarius’s mission is to provide digital and electronic signature solutions that ensure the long-term reliability of documents. Information security is therefore the very core of Notarius’s operations.

Notarius adheres to rigorous standards for information security, privacy protection, and the protection of all personal information in its custody and control and considers the need to ensure the security and confidentiality of all personal information you provide its highest priority. In this regard, Notarius is a “data controller.” This means that we collect Personal Information directly from you and determine the purpose and means of by which Personal Information is “processed.”

“Processing” is a broad term that means the collection, use, storage, transfer or other action related to your Personal Information and is used in this policy in this manner.

It is our responsibility to ensure that any information we collect is handled securely. Our Privacy Policy therefore informs you of our privacy practices with respect to our collection of your Personal Information through your use of Notarius products, whether through our website at [www.notarius.com](http://www.notarius.com) or otherwise, and the use and disclosure of your Personal Information. This Policy explains why we collect it, how we handle it and how we protect it. This Policy applies for as long as we retain your information, including after the end of our business relationship.

Note that this Privacy Policy also applies to the Personal Information of Notarius employees and all other individuals or organizations who do business with Notarius.

This Privacy Policy supplements the Terms of Use of our products and the Notarius Code of Ethics and Conduct.

Our Chief Executive Officer is our Data Protection Officer (hereinafter “DPO”), who is responsible for ensuring compliance and implementation of legal requirements and compliance with this Policy. If you have any questions about this Policy, you may contact him or her at the address indicated in section 9 hereof.

## 2 Definition of Personal Information

According to the terms of the *Act to modernize legislative provisions respecting the protection of personal information* and to make major amendments to the *Act respecting the protection of personal information in the private sector*, personal information is “any information which relates to a natural person and allows that person to be identified” (1993, c. 17, s. 2.).

The types of Personal Information we may collect on occasion include your first name, last name, contact information (mailing address, phone number, or personal email address), date of birth,

professional association membership number, and all other identifiable Personal Information (the “Personal Information”).

## 3 Collection, use, and disclosure of Personal Information

### 3.1 Collection

Notarius is particularly vigilant with respect to preserving the confidentiality of the data of users who visit its websites ([www.notarius.com](http://www.notarius.com) & [www.consignocloud.com](http://www.consignocloud.com)). This is why, while the servers hosting these sites identify the internet (IP) address of your connection, the information that may be transmitted between computers for site operations does not personally identify you.

Personal Information may be collected if, when using our website:

- you voluntarily subscribe to a specific product or service that requires you to provide such information
- You send us an email via <https://notarius.com/contact/>
- You access your account online (self-service) at <https://certifio.notarius.com/certifio/secure/account/> or at <https://cloud.consigno.com/#/login> for the Consigno Cloud product.

Such information may also be collected as needed by our employees when, for example, you verify your identity with our identity verification agent or contact our customer service by phone.

The Personal Information that Notarius obtains from you, therefore, comes from you.

We have very strict technical and organizational procedures in place to ensure that, by default, we only process Personal Information that is necessary for each specific purpose of processing. These procedures prevent the loss of your Personal Information, its use or unauthorized access to it.

Notarius only collects this Personal Information if you voluntarily decide to provide it.

Notarius uses HubSpot, MailChimp, Amazon SES and Mailjet to manage its mailing lists and send various emails (collectively, the “Mailbox Providers”). Personal Information is forwarded to the Mailbox Providers to manage mailing lists and send emails as appropriate depending on the situation. Your information is used only for sending emails; Mailbox Providers do not use your Personal Information for any other purpose and do not transfer or sell your personal information to any other third party.

You may unsubscribe from Notarius’s mailing lists at any time by clicking on the link at the bottom of Notarius’s emails.

Notarius's email practices are designed to comply with anti-spam laws, including, but not limited to, *Canada's Anti-Spam Legislation* (S.C. 2010, c. 23).

If you believe you have received an email in violation of these laws, please contact our privacy officer using the contact information listed below in the Policy.

Please note that in certain sections of our website you may submit **credit card information to make a purchase**. Your online transactions are secure. As a client, you will be redirected to a secure payment platform. Information such as your full credit card number, which may be submitted for the purposes of making payments, including pre-authorized payments, will never be shared with Notarius. If your payment is not pre-approved, or the transaction otherwise fails, you will be prompted to complete the payment process again, and again redirected to the secure payment platform. This secure payment platform adheres to the Payment Card Industry Data Security Standards (PCI DSS). Your transactions are always routed, processed, and securely stored by the manager of the said secure payment platform. For accounting purposes, Notarius retains the confirmation number of your transaction(s) and the last four (4) digits of your credit card number. This information is kept in your client file.

## 3.2 Use

Notarius may use and/or disclose your Personal Information for the following purposes only:

- Create and maintain your client account;
- Authenticate your identity;
- Provide products, services, or information, at your request;
- Notify you of updates, actions taken, or renewals pertaining to your digital signing certificates;
- Provide client service;
- Supply information on products and services you have requested and respond to your requests or questions;
- Establish your needs and preferences;
- Inform you of new offers and promotions;
- Comply with applicable legislation; and/or
- Any other purpose for which you provide express consent.

## 3.3 Notarius internal communications

When you provide Personal Information for the purposes of a [job opportunity](#) including but not limited to your resume, we will treat all such Personal Information as confidential and use it only either (i) to evaluate your application for current or future job opportunities or ii) to contact you concerning said employment opportunities. We will retain your Personal Information for future employment opportunities with Notarius unless you ask us not to do so.

If you wish to communicate with us by email, you must provide your first name, last name, and email address, or write your message in the space provided for this purpose on the [Contact Us](#) page.

Notarius staff treats all electronic communications received as confidential.

If you choose to voluntarily transmit personal or otherwise confidential information to us via email or using an unsecured digital form, please be aware that we cannot guarantee its protection, integrity, or confidentiality during transmission.

When you complete the **identity verification** process face-to-face with an agent or using a secure point-to-point videoconferencing service with a camera-equipped smart phone or webcam-equipped computer, we will treat this Personal Information as confidential, and use it only for its intended purposes. All recordings and images collected in this manner will be encrypted, stored on a restricted access directory accessible only to select employees, and archived in accordance with our in-house retention schedule.

When you **speak** with Notarius customer service agents over the phone, your calls may be recorded and monitored for quality assurance and training purposes. We will treat any Personal Information you may provide to us as confidential and use it only for its intended purposes.

## 4 Consent

Notarius may collect, use, and disclose your Personal Information, either with your consent or as permitted or required by law.

Consent can be express or implied, depending on the circumstances, processes, and applicable laws. You may be asked to provide consent one or more times during the identity verification process. This request may take multiple forms including checkboxes and a recorded oral statement.

When you provide us with another person's Personal Information, we assume that you have obtained that person's valid consent to collect, use, and disclose such information in accordance with this Privacy Policy.

You may suspend or withdraw your consent to collect, use, and disclose Personal Information, provided there is no valid legal or contractual reason prohibiting you from doing so. However, depending on the circumstances, withdrawing your consent may prevent us from continuing to provide the products and services you requested from us.

## 5 Non-disclosure of Personal Information

Notarius does not share the Personal Information collected on its website or by any other means with any third party without your consent; it does, however, reserve the right to disclose such Personal Information in the course of legal proceedings or as required by law.

Except as provided herein, Notarius will not monitor, modify, or deliberately disclose the contents of your private communications or records unless it is required by law to do so or it believes in good faith that such disclosure is necessary to comply with the law or a legal proceeding, to protect itself, to defend its rights or property, or to assist in the detection or prevention of unlawful activities.

## 6 Other information collected for statistical purposes

Notarius automatically collects certain information using the "Third-Party Analytics Programs" Google Analytics and HubSpot, for example, to help us better understand our website's visitors and users and how they use the website, but none of this information personally identifies you except by an alphanumeric string.

For example, each time you visit our website, we automatically collect (if applicable) your IP address, browser and type of computer or device, access times, the web page you have come from, the web page(s) or content you are accessing, and other related information.

We use the information collected in this way only to better understand your needs and those of visitors and users of the website as a whole. Notarius also uses the information collected for statistical purposes to track the number of visits to the website, specific pages of the website and users in order to make improvements to the website and our marketing activities.

Your IP address and other relevant information that we collect using Third-Party Analytics Programs may be used to track fraudulent or criminal activity, or any activity that violates the terms of use of Notarius's website.

### 6.1 Cookies

Even if you can visit our website without telling Notarius who you are and without revealing any Personal Information about you, by accessing our website an exchange of information takes place automatically between your computer and Notarius servers. This exchange of information does not allow Notarius to identify you personally, or to know your name or email. However, as mentioned above, this exchange allows Notarius to obtain your IP address, the type of browser and operating



system you used, the date and time you accessed the pages visited, and the address of the referrer site if applicable.

The operating systems behind Notarius’s websites may use cookies to automatically collect this information about your visit. Cookies are small text files that are transmitted to your browser when you access a website.

These cookies are used to collect information about how you interact with our website and allow us to remember you. We use this information to improve and personalize your browsing experience, as well as to analyze and measure visitors to both this website and on other supports.

Notarius uses cookies to personalize the user’s experience by remembering their navigation preferences. In addition, cookies allow Notarius to improve the quality of the services it offers.

If you refuse use of the cookies, your information will not be tracked during your visit to our website, including your language preference. Only one cookie will be used in your browser to remember not to follow your preferences. You may opt to refuse cookies by selecting the “Refuse” field below your browser (note that disabling cookies may prevent you from using all the features of our website to their full potential).

## 6.2 Chatting

Notarius provides chat rooms you may choose to use.

Note that Personal Information voluntarily disclosed while in these chat rooms is not governed by this Privacy Policy.

No confidential information should ever be transmitted via this communication channel. As a result, Notarius cannot be held responsible for any information shared through these chat rooms, and all such voluntary communications are deemed to be of a public nature and are at your own risk.

## 6.3 Hyperlinks

The Notarius website may contain hyperlinks enabling users to visit other websites, such as those operated by other companies or professional associations. When you click on these hyperlinks, you will be redirected from the Notarius website to another third-party site, which may be subject to different privacy policies and practices. Once you leave the Notarius website, this Privacy Policy ceases to apply. It is your responsibility to review the privacy policies of these other entities before providing Personal Information on their sites. Any and all hyperlinks are provided exclusively for the user’s convenience. Notarius does not control, recommend, or guarantee in any manner whatsoever any website accessed via hyperlinks, nor can Notarius be held responsible for the content of these other sites or the practices of their operators, particularly with regard to protection of Personal Information and privacy.

## 7 Security

Notarius has adopted this Privacy Policy in accordance with the requirements of WebTrust, ISO 27001, eIDAS standards and the new Quebec legal obligations, among others. Notarius implements measures to ensure the protection of Personal Information in its custody by guarding against its theft, loss and unauthorized access, use and disclosure by means of reasonable technical, administrative or physical security measures, taking into account, in particular, the sensitivity of the information, the purpose for which it is to be used, its quantity, distribution and its support.

For example, Notarius uses encryption or authentication tools, or both, and other methods to protect certain Personal Information stored on its servers when it considers it appropriate.

Personal information collected is processed in accordance with our Information Security Policy. All Notarius employees agree in writing to abide by the Information Security Policy, and access to documents containing Personal Information is restricted to authorized employees.

Notarius periodically reviews its policies and adopts additional security parameters in response to technological developments and new threats and capabilities.

Notwithstanding the foregoing, complete privacy and security cannot currently be guaranteed on the internet. Any unencrypted electronic communication transmitted over the internet is neither secure nor confidential, and is liable to be intercepted, lost, or modified.

You acknowledge and agree that Notarius and its employees and officers are not responsible or liable to you or any third party for direct, indirect, incidental, special, or consequential damages, or for damages of any other kind, resulting from the dissemination of confidential or Personal Information over the internet, and that any such communications are at your own risk.

## 8 Accuracy of Personal Information

We make reasonable efforts to ensure that your Personal Information remains accurate, complete, and as up-to-date as possible. We also have procedures in place to address any suspected breach of Personal Information security. We will notify you and any applicable supervisory authority of a suspected security breach of Personal Information security where required by Data Protection Laws within the period required by the applicable Data Protection Act.

To help us ensure that your Personal Information is accurate and up-to-date, please visit “My Account” at <https://certifio.notarius.com/certifio/secure/account> or at <https://cloud.consigno.com/#/login> and update your Personal Information.

If you believe that we have inaccurate, incomplete, or misleading personal information about you, you have the right to request that the information be corrected by emailing [dpo@notarius.com](mailto:dpo@notarius.com). We will process your request within thirty days, or longer as per the laws and regulations in force. You will be notified if the timeframe is longer than 30 days.

## 9 Request for access, questions and handling of complaints

Notarius is responsible for the Personal Information in its custody and control and has appointed an internal information security manager, our DPO, to oversee compliance with this Privacy Policy and all applicable legislation governing privacy and the protection of Personal Information.

If you have concerns, questions, queries, or complaints about this Privacy Policy or the management of your Personal Information, please contact the person in charge by email at [dpo@notarius.com](mailto:dpo@notarius.com).

You can also contact us by mail at the following address:

Data Protection Officer  
Solutions Notarius Inc.  
465 Rue McGill, Suite 300  
Montreal, QC H2Y 2H1

Please include your name and contact information, the nature of your request, the name of the product or person you have contacted, and any other relevant information.

If you wish, you may also contact the appropriate provincial or federal privacy agency

We keep your Personal Information for as long as we use it to conduct our business and provide you with your services. Your Personal Information will be stored in accordance with the Notarius retention schedule. This additional time is provided to enable us to fulfil certain legislative or regulatory requirements or to produce such information as evidence in the event that we are a party to a claim or lawsuit.

If a photocopy of your personal information is requested, a reasonable fee may be charged; you will be notified in such cases.

## 10 Privacy Policy: Legal framework

This Privacy Policy will be applied and interpreted in accordance with the laws, regulations, directives, and standards applicable in Quebec and Canada, including:

- *Civil Code of Québec* (CQLR-1991, c.64), specifically sections 36 and 37, which relate, respectively, to personal privacy and the communication of confidential information;
- *Act to establish a legal framework for information technology* (CQLR c C-1.1);
- *Act respecting the protection of personal information in the private sector* (CQLR c P-39.1);
- *An Act to modernize legislative provisions as regards the protection of personal information, SQ 2021, c 25*
- *Privacy Act (RSC 1985, c P-21)*.

### ***Legal requirements to be applied as of September 22, 2022***

In accordance with the new Quebec legal requirements applicable on September 22, 2022, Notarius undertakes (if applicable in its business context) to:

- Designate a person responsible for the protection of personal information and publish the title and contact information of the person responsible on the company's website or, if it does not have a website, make it accessible by any other appropriate means.
- In the event of a privacy incident involving personal information, to:
  - take reasonable steps to minimize the risk of harm to individuals and to prevent further incidents of the same nature;
  - notify the *Commission d'accès à l'information du Québec* (the "Commission") and the individual concerned if the incident presents a risk of serious harm; and
  - Maintain an incident log, a copy of which must be provided to the Commission upon request.
- Comply with the new framework for disclosing personal information without consent for study, research, or statistical purposes and in the course of a commercial transaction.
- Conduct a Privacy Impact Assessment (PIA) before disclosing personal information without consent for study, research or statistical purposes.
- Disclose verification or confirmation of identity using biometric characteristics or measurements in advance to the Commission.

## 11 Amendments and validity of the Privacy Policy

Notarius reserves the right to amend this Privacy Policy at any time. In such an event, all changes to the Privacy Policy will be posted on the Notarius websites and will take effect immediately upon posting. We will take reasonable steps, when necessary, to inform affected individuals of any major changes to the Policy.

This document is reviewed annually and when significant changes are made.

Any and all amendments resulting in the publication of a new official version signed and filed on the Notarius network must be approved by the Notarius DPO.