

FUJIFILM CANADA INC. PRIVACY POLICY

1. PURPOSE

FUJIFILM Canada Inc. (“**FUJIFILM**”) is a growing and dynamic company whose goal since 1979 has been to gain prominence in the imaging and information industry.

It is consistent with the core values of, and thus constitutes the policy of FUJIFILM to protect the Personal Information of Employees and other Individuals in its custody and control. FUJIFILM recognizes that effective systems and measures to protect such Personal Information are important to safeguarding the interests of Individuals who share their information with FUJIFILM. The purpose of this privacy policy (the “**Policy**”) is to establish common rules to govern the collection, use and disclosure of Personal Information by FUJIFILM, in a manner that balances an Individual’s right to privacy with the need of FUJIFILM to collect, use or disclose Personal Information for purposes that a reasonable person would consider appropriate in the circumstances, in accordance with applicable privacy laws and regulations (“**Privacy Laws**”).

FUJIFILM is a wholly-owned subsidiary of FUJIFILM Corporation, whose corporate headquarters are located in Tokyo, Japan. FUJIFILM’s head office is located in Mississauga, Ontario. FUJIFILM also has branch offices located in Saint-Laurent, Quebec and Delta, British Columbia. As a national employer, wholesaler of imaging and information products and provider of associated services, FUJIFILM will transfer Personal Information across the borders of Canadian provinces and between and amongst any and all of its offices. Therefore, FUJIFILM must comply with the Canadian federal private sector privacy legislation (the *Personal Information Protection and Electronic Documents Act*) and the regulations thereunder (the “**Act**”), and with provincial privacy legislation, including the *Personal Information Protection Act* (Alberta) and the regulation thereunder (the “**Alberta Act**”), the *Personal Information Protection Act* (British Columbia) and the regulation thereunder (the “**BC Act**”), and An Act respecting the protection of personal information in the private sector (Quebec) (the “**Quebec Act**”), as well as any other provincial privacy legislation as it is enacted.

This Policy sets a comprehensive privacy standard for FUJIFILM as a whole. FUJIFILM believes that this Policy, as supplemented by additional requirements of provincial jurisdictions where FUJIFILM conducts business, meets the requirements set out in the Act and other applicable legislation.

2. SCOPE

Role of the Policy

- (a) This Policy is the corporate privacy policy for FUJIFILM Inc.
- (b) FUJIFILM collects, uses and discloses Personal Information for different purposes, and, as a result, the purposes are set out in a schedule attached to this

Policy. Also attached as a schedule is the contact information for the Chief Privacy Officer and Local Delegates, a representative sampling of exceptions to the general principle that FUJIFILM will not collect, use or disclose Personal Information without the knowledge and consent of the Individual and a list of the jurisdictions that provide an exception for publicly available information. The following lists the attached schedules which form part of this Policy:

Schedule “A”	Purposes
Schedule “B”	Chief Privacy Officer and Local Delegates
Schedule “C”	Examples of Exceptions to Consent Requirement for Collection, Use and Disclosure
Schedule “D”	Publicly Available Information Exceptions for Applicable Jurisdictions
Schedule “E”	Fees for Access to Personal Information

Other Scope Issues

- (a) This Policy is current as of the “Last modified date” set out above. FUJIFILM will continue to review the Policy to ensure that it is relevant and remains current with changing laws, regulations and technologies. Most importantly, FUJIFILM wants to ensure it continues to meet the evolving privacy needs of Individuals, including Employees. While the Policy may therefore change, FUJIFILM will treat Personal Information in a manner consistent with the Policy under which it was collected, unless FUJIFILM has the consent of the Individual to treat it differently.
- (b) Individuals whose Personal Information has been provided to FUJIFILM shall be able to address a challenge concerning compliance with the principles expressed herein to the Chief Privacy Officer or one of the local delegates, who are accountable for FUJIFILM’s compliance with the Policy, and whose contact information is set out in Schedule “B”.
- (c) The Policy applies to Personal Information provided to FUJIFILM that is collected, used, or disclosed by FUJIFILM.
- (d) The Policy applies to the management of Personal Information in any form whether oral, electronic or written.
- (e) The Policy does not impose any limits on the collection, use or disclosure of:
 - (i) the name, title, business address or business telephone number of any employee of FUJIFILM or any other organization, to the extent that such information is collected, used or disclosed for the purpose of contacting an individual in that person’s capacity as an employee or

official of FUJIFILM or any other organization (note that a business e-mail address or business fax number will be considered to be personal information);

- (ii) publicly available information, depending on the relevant jurisdiction and applicable Privacy Law, as set out in Schedule “D”;
- (iii) in the province of British Columbia, Personal Information that was collected on or before January 1, 2004 and that is used or disclosed solely in the province of British Columbia in order to fulfil the reasonable purposes for which it was collected. However, after January 1, 2004, if an organization wishes to use such information for a new purpose, consent must be obtained from the affected Individuals; or
- (iv) in the province of Alberta, Personal Information that was collected on or before January 1, 2004 and is used or disclosed solely in the province of Alberta for the purposes for which the information was collected. However, after January 1, 2004, that information is to be treated in the same manner as information collected under the Alberta Act.

3. DEFINITIONS

“collection” - the act of gathering, acquiring, recording, or obtaining Personal Information from any source, including sources other than the Individual to whom the Personal Information belongs, by any means.

“Consent” - voluntary agreement to the collection, use or disclosure of Personal Information for defined purposes. Consent can be either express or implied and can be provided directly by the individual or by an authorized representative. Express consent can be given orally, electronically or in writing, but is always unequivocal and does not require any inference on the part of FUJIFILM. Implied consent is consent that can reasonably be inferred from an individual’s action or inaction.

“disclosure” - making Personal Information available outside FUJIFILM including without limitation to other Fujifilm affiliates.

“Employee” - an employee, independent contractor or ex-employee of FUJIFILM.

“identified purposes” - the purposes identified in Section 5.2 and Schedule “A”.

“Individual” - any person who directly or indirectly provides their Personal Information to FUJIFILM as described in Section 5.2(e) of the Policy.

“Local Delegates” - the local Delegates accountable for compliance with this Policy and applicable Privacy Laws in certain FUJIFILM offices as set out in Schedule “B”.

“Personal Information” - information about an identifiable Individual (other than the information described under Section 2(e) above), which therefore does not include information that cannot be associated with a specific individual and, for greater certainty, includes a business e-mail address and a business fax number.

“Chief Privacy Officer” - the Chief Privacy Officer of FUJIFILM as set out in Schedule “B”.

“FUJIFILM Website” - the website of FUJIFILM Canada Inc.

“use” - the treatment, handling, management and retention of Personal Information.

4. SUMMARY - PRIVACY PRINCIPLES

- **Accountability.** FUJIFILM is responsible for Personal Information under its control and has designated a Chief Privacy Officer who, along with the Local Delegates, is generally accountable within the organization for assisting FUJIFILM in being compliant with this Policy and applicable Privacy Laws.
- **Identifying Purposes.** FUJIFILM identifies the purposes for which it collects Personal Information at or before the time of collection from an Individual and in any case, prior to use or disclosure of the Personal Information for the identified purposes (see Section 5.2).
- **Consent.** The knowledge and Consent of the Individual are required for the collection, use, or disclosure of Personal Information, except where the collection, use or disclosure of Personal Information without such knowledge and Consent is permitted by law or a recognized authority. In appropriate circumstances, Consent may be implied.
- **Limiting Collection.** FUJIFILM limits the collection of Personal Information to that which is necessary for the purposes that it has identified. Such information is collected by fair and lawful means.
- **Limiting Use, Disclosure and Retention.** Personal Information is not used or disclosed for purposes other than the identified purposes, except with the Consent of the Individual or as otherwise permitted by law. Personal Information is retained only as long as is set out in Section 5.5.
- **Accuracy.** FUJIFILM keeps the Personal Information as accurate, complete, and up-to-date as is necessary for the identified purposes.
- **Safeguards.** FUJIFILM adopts security safeguards appropriate to the sensitivity of the Personal Information to protect such Personal Information.

- **Openness.** FUJIFILM makes readily available to Individuals specific information about this Policy, and other policies and practices relating to the management of Personal Information.
- **Individual Access.** Upon written request, FUJIFILM will inform an Individual of the existence, use, and disclosure of his or her Personal Information, will provide such Individual with access to that information, and will permit the Individual to challenge the accuracy and completeness of the Personal Information, as set out in Section 5.9.
- **Challenging Compliance.** An Individual shall be able to address a concern regarding FUJIFILM's compliance with the principles expressed herein to the FUJIFILM Chief Privacy Officer.

PRIVACY POLICY

5.1. Principle 1 - Accountability

- (a) FUJIFILM is responsible for Personal Information under its control and has designated one person as its Chief Privacy Officer (see contact information in **Schedule "B"**), who, along with the Local Delegates is generally accountable within the organization and is responsible for FUJIFILM's compliance with this Policy, and for ensuring that the Policy complies with the then-current applicable Privacy Laws.
- (b) Comments and questions regarding this Policy or its administration should be forwarded to the attention of the Chief Privacy Officer or one of the Local Delegates.
- (c) FUJIFILM is responsible for Personal Information in its possession or custody or control, including information that has been transferred to a third party for processing. In order to provide a comparable level of protection while a third party is processing the information, FUJIFILM ensures that (i) to the extent the Personal Information is received by an affiliate of FUJIFILM, FUJIFILM has obtained appropriate consent, and (ii) through contractual means, that each third party (other than FUJIFILM affiliates) receiving such Personal Information is bound to protect such information.
- (d) FUJIFILM has implemented policies and practices to give effect to the principles of the Act and other applicable Privacy Laws, including:
 - (i) procedures to protect Personal Information;
 - (ii) procedures to receive and respond to:
 - (a) requests for access in accordance with Section 5.9 of this Policy; or

- (b) inquiries and complaints in accordance with Section 5.10 of this Policy;
 - (iii) training staff and communicating information to staff about FUJIFILM's policies and practices; and
 - (iv) publishing materials, including on the FUJIFILM Website, to explain FUJIFILM's Policy and procedures.
- (e) The FUJIFILM Chief Privacy Officer will review on a periodic basis (and if necessary amend) this Policy, and review other issues in connection with same.

5.2. **Principle 2 - Identifying Purposes for collection of Personal Information**

- (a) FUJIFILM identifies the purposes, through either direct explanation or use of other notification means, for which it collects Personal Information at or before the time of collection from an Individual, and collects only that information necessary for such identified purposes.
- (b) When FUJIFILM wishes to use or disclose the Personal Information for a purpose other than an identified purpose, it will identify the new purpose prior to such use or disclosure. The Individual whose Personal Information is at issue must consent before FUJIFILM can use or disclose the information for this new purpose, unless such use or disclosure without consent is permitted or required by law.
- (c) When collecting Personal Information directly from an Individual, FUJIFILM personnel explain the identified purposes to the applicable Individual.
- (d) When collecting Personal Information, other than from an Individual (i.e., from a third party) and doing so without the direct consent of that Individual in circumstances where consent is required, FUJIFILM shall:
 - (i) provide the disclosing organization with sufficient information regarding the purpose of the collection to allow the disclosing organization to determine whether the disclosure would be in accordance with applicable legislation; and
 - (ii) obtain representation from the third party either (a) that it has obtained the consent of the Individual for the collection, use and disclosure of the Personal Information by FUJIFILM for that purpose, or (b) that such consent is not required by law.
- (e) FUJIFILM collects Personal Information from the persons and for the purposes set out in Schedule "A".
- (f) FUJIFILM ensures that such purposes are limited to purposes that a reasonable person would consider appropriate in the circumstances.

5.3. Principle 3 – Obtaining Consent for collection use or disclosure of Personal Information

- (a) Subject to (b) below, the knowledge and Consent of the Individual are required for the collection, use, or disclosure of Personal Information by FUJIFILM, except where the collection, use or disclosure of Personal Information without such knowledge and Consent is permitted or required by law. In appropriate circumstances, Consent may be implied.
- (b) The applicable legislation sets out specific circumstances under which FUJIFILM may collect, use, or disclose Personal Information without the knowledge or Consent of the Individual. Schedule “C” sets out a representative sampling of those circumstances which are most likely to have application to FUJIFILM, wherein FUJIFILM may, without knowledge or Consent, collect, use, or disclose Personal Information.
- (c) FUJIFILM uses reasonable efforts to ensure that Individuals are advised of the purposes for which their Personal Information will be used. To make the Consent meaningful, the purposes are stated in such a manner that the Individual can reasonably understand how the Personal Information will be used or disclosed. Note that in the province of Alberta, an Individual can make his/her consent subject to reasonable terms, conditions or qualifications that are established, set, approved by or otherwise acceptable to the Individual.
- (d) Typically, FUJIFILM seeks Consent for the use or disclosure of Personal Information at the time of its collection. In certain circumstances, Consent for the use or disclosure may be sought after the information has been collected, but before it is so used or disclosed (for example, when FUJIFILM wants to use Personal Information for a purpose not previously identified).
- (e) FUJIFILM does not, as a condition of the supply of a product or service, require an Individual to Consent to the collection, use, or disclosure of Personal Information beyond that required to fulfill the explicitly specified and legitimate identified purposes.
- (f) In determining the appropriate form of Consent, FUJIFILM takes into account the sensitivity of the Personal Information involved. FUJIFILM generally seeks express Consent when the Personal Information is likely to be considered sensitive, and implied Consent when the information is less sensitive.
- (g) In obtaining Consent, FUJIFILM also takes into account the reasonable expectations of the Individual.
- (h) FUJIFILM may seek Consent in various ways, depending on the circumstances and the type of information collected, including, for example, using an application form and/or a check-off box, or collecting oral consent - in particular, when information is collected over the telephone.

- (i) An Individual may withdraw Consent at any time, on reasonable notice, subject to legal or contractual restrictions. FUJIFILM will inform the Individual of the implications of such withdrawal. For example, where an Individual withdraws Consent to the uses of their Personal Information as such uses are set out in Section 5.2(d) and Schedule “A”, such withdrawal may result in FUJIFILM being unable to provide its services to such Individual. Note that in the province of Alberta, an Individual is permitted to vary his/her Consent to the collection, use and disclosure of his/her Personal Information.

- (j) Notwithstanding the foregoing, where (i) Employee Personal Information is collected, used and disclosed for the purposes of establishing, managing or terminating an employment relationship between FUJIFILM and the Employee, including for the purposes set out in Schedule “A”, and (ii) FUJIFILM notifies the Employee of same prior to such collection, use and disclosure, FUJIFILM will not obtain the consent of the Employee for such collection, use and disclosure.

5.4. Principle 4 - Limiting Collection of Personal Information

- (a) FUJIFILM limits the collection of Personal Information to that which is necessary to fulfil the identified purposes. FUJIFILM collects the Personal Information by fair and lawful means.
- (b) FUJIFILM does not collect Personal Information at random without regard to an identified purpose or in a misleading manner. Both the amount and the type of Personal Information collected is limited to that which is necessary to fulfill the identified purposes. FUJIFILM specifies the type of Personal Information collected as part of its information-handling policies and practices (see Section 5.2(d) and Schedule “A” for a description of the type of Personal Information collected).

5.5. Principle 5 - Limiting Use, Disclosure, and Retention of Personal Information

- (a) FUJIFILM does not use or disclose Personal Information for purposes other than those identified purposes for which it was collected, except with the Consent of the Individual or as necessary for the fulfillment of those purposes, or as permitted by applicable law.
- (b) FUJIFILM may disclose Personal Information to the persons and for the purposes set out in Schedule “A”.
- (c) Only FUJIFILM personnel with a business “need-to-know”, or whose duties reasonably so require, in order to fulfil the identified purposes, are granted access to Personal Information.
- (d) FUJIFILM has developed guidelines and implemented procedures for the retention of Personal Information, which include minimum and maximum retention periods. FUJIFILM keeps Personal Information only as long as remains necessary or relevant for the identified purposes; as required by law (for example, FUJIFILM is subject to various legislative, regulatory, and auditing requirements concerning retention periods); where the Personal Information has been used to make a decision about an Individual, long enough to allow the Individual access to the information for a reasonable period of time after the decision has been made, and in any case, for at least one year after such decision has been made; and where the Personal Information is the subject of a request from an Individual, for as long as is necessary to allow the Individual to exhaust any recourse under the Act generally or other applicable Privacy Laws.
- (e) FUJIFILM destroys, erases, or makes anonymous Personal Information that is no longer to be retained pursuant to (d) above. FUJIFILM has developed guidelines and implemented procedures to govern such destruction, erasure and anonymization of Personal Information.
- (f) If all or part of FUJIFILM is to be sold, merged or otherwise transferred to another organization in a business transaction, the Personal Information associated with that part of the company may be transferred in connection with that transaction for:
 - (i) due diligence if:
 - (A) the Personal Information is necessary for the prospective party to determine whether to proceed with the business transaction; and
 - (B) FUJIFILM and the prospective party have entered into an agreement that requires the prospective party to use or disclose the personal information solely for purposes related to the prospective business transaction; and

- (ii) the completion of the transaction. However, FUJIFILM will at the time of the transaction take reasonable steps to receive assurances from the receiving organization, in the applicable agreement, that the transferred Personal Information will be used for the purposes collected and in the manner contemplated under this Policy and will notify those Individuals whose Personal Information was disclosed that the business transaction has taken place, and the Personal Information about them has been disclosed to the party.
- (g) If, however, the business transaction is not completed, FUJIFILM will require the receiving organization to either destroy the Personal Information in its possession or return it to FUJIFILM.

5.6. Principle 6 - Accuracy of Personal Information

- (a) FUJIFILM keeps Personal Information as accurate, complete, and up-to-date as is necessary for the identified purposes.
- (b) Personal Information used by FUJIFILM is kept accurate, complete, and as up-to-date as possible to minimize the possibility that inappropriate information could be used to make a decision about the Individual. To ensure the foregoing with respect to Personal Information, FUJIFILM requires each Individual and Employee to ensure that the Personal Information, which he or she has provided to FUJIFILM, is accurate and remains current.
- (c) FUJIFILM does not routinely update Personal Information, unless such a process is necessary to fulfill the purposes for which the information was collected (for example, the periodic updates set out in (b) above).
- (d) Personal Information that is used continually, including information that is disclosed to third parties, is generally kept accurate and up-to-date, unless limits to the requirement for accuracy are clearly set out.

5.7. Principle 7 - Safeguards

- (a) FUJIFILM has implemented security safeguards to protect Personal Information, regardless of the format in which it is held, against loss or theft, unauthorized access, collection, disclosure, copying, use, or modification, through safeguards which are appropriate to the sensitivity of the information that has been collected, the amount, distribution, and format of the information, and the method of storage. A higher level of protection is used to safeguard more sensitive information.
- (b) The methods of protection used include:
 - (i) physical measures, for example, locked filing cabinets and restricted access to offices;
 - (ii) organizational measures, for example, limiting access on a “need-to-know” basis; and
 - (iii) technological measures, for example, the use of passwords and encryption.
- (c) FUJIFILM protects Personal Information disclosed (i) to FUJIFILM affiliates, by ensuring that FUJIFILM obtains consent for each FUJIFILM Corporation affiliate to receive such Personal Information, and (ii) to third parties (other than FUJIFILM Corporation affiliates), by contractual agreements stipulating the confidentiality of the Personal Information and the purposes for which it may be used and disclosed.
- (d) FUJIFILM makes its employees aware of the importance of maintaining the confidentiality of Personal Information.
- (e) FUJIFILM uses care in disposing of or destroying Personal Information to prevent unauthorized parties from gaining access to the information.

5.8. Principle 8 - Openness

- (a) FUJIFILM makes readily available to Individuals specific information about this Policy and other policies and practices relating to the management of Personal Information, in a form that is generally understandable.
- (b) The information made available includes:
 - (i) the name or title, and the address, of the Chief Privacy Officer, who is generally accountable within the organization for FUJIFILM's policies and practices and who receives inquiries or complaints with respect to FUJIFILM's treatment of Personal Information, including the name and contact information of the Local Delegates who are responsible for privacy matters in the FUJIFILM regional offices;
 - (ii) the means of gaining access to Personal Information held by FUJIFILM;
 - (iii) a description of the type of Personal Information held by FUJIFILM, including a general account of its use;
 - (iv) on the FUJIFILM Website, other information that explains FUJIFILM's privacy policies and standards; and
 - (v) what Personal Information is made available to other organizations (e.g. subsidiaries), the identity of those organizations, and for what purposes those organizations will use or disclose such Personal Information.

5.9. Principle 9 - Individual Access

- (a) FUJIFILM shall, upon the written request of an Individual:
- (i) inform such Individual of the existence (including the source of the Personal Information), use, and disclosure (including a list of the organizations to which FUJIFILM has, or may have, disclosed such Individual's Personal Information) of his or her Personal Information, except as set out in (e) and (g) below;
 - (ii) provide such Individual with access to that Personal Information except as set out in (e) and (g) below; and
 - (iii) provide such Individual with a process to be able to express a concern regarding the accuracy and completeness of the Personal Information (see Section 5.10) and where an Individual successfully demonstrates the inaccuracy or incompleteness of Personal Information, FUJIFILM will amend the Personal Information as required as soon as reasonably possible. Where reasonably appropriate, FUJIFILM will transmit the amended information to third parties having access to the Personal Information in question.

Where an Individual informs FUJIFILM that they require assistance in making such written request, FUJIFILM will provide that Individual with assistance. FUJIFILM may require an Individual to provide sufficient information to permit FUJIFILM to respond to such request, and shall use and disclose the information provided only for this purpose.

- (b) FUJIFILM will respond to each such Individual and Employee request not later than thirty (30) days after receipt of a written request. Notwithstanding the foregoing, where:
- (i) a large amount of Personal Information is requested and meeting the time limit would unreasonably interfere with the activities of FUJIFILM;
 - (ii) the time required to undertake any consultations necessary to respond to the request would make the time limit impracticable to meet; or
 - (iii) additional time is required to convert the Personal Information into an alternative format that has been requested by the Individual;

then FUJIFILM shall within such thirty (30) day period send a notice to the Individual, advising them of the new time limit (which shall be no more than an additional thirty (30) day period), the reasons for extending the time limit and their right to make a complaint to the federal Privacy Commissioner or other applicable Privacy Law authority in respect of the extension (the “**Notice of Time Extension**”). Where the request is being made under the Québec Act,

FUJIFILM shall respond within thirty (30) days after receipt of a written request with no extensions for such time limit.

- (c) FUJIFILM will respond to each such request:
 - (i) at no cost to the Individual for access; or
 - (ii) in accordance with Schedule “E”.
- (d) Where FUJIFILM is making the requested Personal Information available, the information shall be in a form that is generally understandable, and shall include an explanation of any abbreviations or codes.
- (e) Notwithstanding the foregoing, FUJIFILM may choose not to provide access to the Personal Information only if the information:
 - (i) is protected by solicitor-client privilege;
 - (ii) would reveal confidential commercial information that has the potential, in the opinion of a reasonable person, to harm the competitive position of FUJIFILM;
 - (iii) was collected without the knowledge and Consent of the Individual (as to do otherwise would have compromised the availability or the accuracy of the Personal Information, and the collection was reasonable for purposes relating to investigating the breach of an agreement or a contravention of the laws of Canada or a province); or
 - (iv) was generated in the course of a formal dispute resolution process, including without limitation such a process between (A) FUJIFILM, or affiliates of FUJIFILM Corporation, and (B) the Individual; provided that where the Personal Information requested by the Individual is needed because the life, health or security of an individual (who may or may not be the requesting Individual) is threatened, then FUJIFILM will provide access to such Personal Information.
- (f) Under no circumstances shall FUJIFILM provide access to the Personal Information if:
 - (i) the information could reasonably be expected to threaten the safety or physical or mental health of an Individual other than the Individual who made the request;
 - (ii) the information could reasonably be expected to cause immediate or grave harm to the safety or physical or mental health of the Individual who made the request; or
 - (iii) the information would reveal the identity of an Individual who has provided Personal Information about another Individual and the

Individual providing the Personal Information does not consent to the disclosure of his or her identity.

- (g) Notwithstanding (e) and (f) above, if FUJIFILM is able to remove the information listed in (e)(ii) and (f)(i), (ii) and (iii) from a document or record that contains Personal Information about the Individual who requested it, FUJIFILM must provide the individual with access to the Personal Information after the information referred to above has been removed.
- (h) Where access to the Personal Information would likely reveal Personal Information about a third party:
 - (i) FUJIFILM shall not provide access to such Personal Information, provided that if the Personal Information of the third party is severable from the Personal Information of the requesting Individual, FUJIFILM shall sever such third party Personal Information and shall provide the requesting Individual with their remaining Personal Information; but
 - (ii) notwithstanding (h)(i) above, FUJIFILM shall provide such access, and need not sever third party Personal Information, where such third party consents or where the Personal Information requested by the Individual is needed by the Individual because the life, health or security of an individual (who may or may not be the requesting Individual) is threatened.
- (i) In addition, in the case of sensitive medical information, FUJIFILM may refer the Individual to the Individual's physician to disclose such Personal Information to the Individual.
- (j) Where FUJIFILM refuses a request from an Individual under Section 5.9 of this Policy within the thirty (30) day response period, FUJIFILM will notify that Individual of (i) the reasons for refusing the request, (ii) the recourse for the Individual under the Act generally or other applicable Privacy Laws, and (iii) the contact information, as set out in Schedule "B", of the Chief Privacy Officer or the local delegate who can answer any questions about the refusal to provide access to the information.
- (k) If an Individual or Employee makes a request to FUJIFILM (which request must be in writing) to inform him or her about any disclosure of his or her Personal Information to a government institution, the Chief Privacy Officer shall be informed, and FUJIFILM shall not respond to such request until the Chief Privacy Officer has determined whether FUJIFILM must notify the government institution and otherwise comply with the procedures set out in Sections 9(2.1) to 9(2.4) of the Act.

5.10. Principle 10 – Challenging Compliance

- (a) An Individual can submit a complaint in writing to the Chief Privacy Officer or to the Local Delegates responsible for privacy matters in the FUJIFILM regional offices concerning FUJIFILM’s compliance with the above principles.
- (b) FUJIFILM has put procedures in place to receive and respond to inquiries or concerns/complaints about its policies and practices relating to the handling of Personal Information.
- (c) FUJIFILM informs Individuals who make inquiries or lodge concerns/complaints of the existence of relevant complaint procedures.
- (d) FUJIFILM investigates all concerns/complaints pursuant to its complaint procedures. If it concludes that a complaint is justified, FUJIFILM will take appropriate measures, including, if necessary, amending its policies and practices. FUJIFILM will inform each Individual of the outcome of the investigation regarding his or her concerns/complaint.
- (e) When a concern /complaint is not resolved to the satisfaction of the Individual, FUJIFILM records the substance of the unresolved concern/complaint, and where appropriate transmits the existence of the unresolved concern/complaint to third parties having access to the Personal Information in question.

Contacting FUJIFILM in respect of Personal Information and privacy inquiries

All inquiries should be in writing and addressed to the Chief Privacy Officer or to the Chief Privacy Officer, Local Representative at the applicable FUJIFILM regional office, as set out in Schedule “B”.

Individuals making a request in respect of Personal Information holdings, or making any inquiry as to the procedure for making such request should be as specific as possible with respect to what information is requested.

SCHEDULE "A"

PURPOSES

A. Collection & Use

Non-Employee Information:

FUJIFILM collects Personal Information in respect of Individuals other than Employees, from the persons and for the purposes set out below:

- (i) from Individuals for the purpose of responding to requests for product and service information;
- (ii) from Individuals, either directly or indirectly from FUJIFILM's authorized dealers, for the purpose of administering FUJIFILM's equipment repair and warranty programs;
- (iii) from Individuals, either directly or indirectly through a professional photographer, for the purpose of advertising FUJIFILM and administering contests;
- (iv) from Individuals who have contact with FUJIFILM during a given month, via customer satisfaction surveys, for the purposes of analyzing customer satisfaction as part of FUJIFILM's ISO 9000 initiative, and to improve its internal processes;
- (v) from Individuals using specific functions of the Fujifilm Website for the purposes of administering those specific functions for which the Personal Information was collected, as such purposes are identified to such Individuals (e.g., to allow Individuals to contact FUJIFILM through the FUJIFILM Website to request information, or to allow Individuals to request delivery of – and to allow FUJIFILM to deliver – its e-newsletter(s));
- (vi) from Individuals, either directly or indirectly through a list broker, for targeted marketing purposes;
- (vii) from Individuals who are sole proprietors or members of a partnership and are applying to become distributors or authorized dealers of FUJIFILM, or are applying for equipment financing, for the purpose of authenticating their identity and evaluating their creditworthiness as a sole proprietor, partner or guarantor in respect of their application;
- (viii) from credit reporting agencies, credit bureaus and other financial institutions, for the purpose of authenticating the identity and evaluating the creditworthiness of an Individual identified in (viii), above;
- (ix) from non-Employee Individuals at the FUJIFILM facilities, from time to time, to administer the physical security of the FUJIFILM facilities, in the

form of images of the Individual captured on the security video surveillance system and the names of such Individuals recorded with the purpose of their visit and contact person on the visitors record book in accordance with FUJIFILM's policies and procedures regarding same;

- (x) such other collections and uses of Personal Information from such persons and for such purposes for which FUJIFILM may obtain consent from time to time; and
- (xi) as otherwise required or permitted by law.

Employee Information:

FUJIFILM collects Personal Information in respect of Employees from the persons and for the purposes set out below:

- (xii) from Employees for the purposes of assessing and facilitating the implementation of opportunities and social and charitable programs for Employees;
- (xiii) from Employees, including information about their families, for the purpose of organizing and holding Employee-related social functions;
- (xiv) from Employees and third party providers of benefits, pension arrangements and insurance and other related Employee services, for the purpose of providing compensation and such services and fulfilling taxation requirements in respect of same;
- (xv) from non-Employee Individuals and Employees for the purpose of recruitment for positions in FUJIFILM;
- (xvi) from employment references for the purpose of assessing a prospective Employees application for employment with FUJIFILM;
- (xvii) from Employees for the purpose of the administration of FUJIFILM policies and procedures regarding the training, retention and evaluation of Employees;
- (xviii) from Employees to administer the physical security of the various access points at each of the FUJIFILM facilities, through the collection of Personal Information in the form of images of the Employee captured on the security video surveillance system, in accordance with FUJIFILM policies and procedures regarding same;
- (xix) from Employees, indirectly via monitoring of email by the Information Systems Department acting on the direction of a Vice President or General Manager of FUJIFILM, for the purpose of ensuring the appropriateness and legality of all internal and external email, in accordance with the FUJIFILM Corporate Policy and Procedure – Electronic Mail Usage;

- (xx) from Employees for the purpose of assisting in the administration of health care for FUJIFILM Employees who become ill or injured while working at FUJIFILM;
- (xxi) from Employees to comply with other requirements imposed by law, including without limitation collecting personal information as required by applicable workplace insurance and safety legislation, occupational health and safety legislation, and employment equity legislation;
- (xxii) from various government bodies (e.g. the Canada Revenue Agency, or the garnishment authorities) for the purpose of complying with garnishment orders;
- (xxiii) such other collections and uses of Personal Information from such persons, including the Employees themselves, and for such purposes for which FUJIFILM may obtain consent from time to time; and
- (xxiv) as otherwise required or permitted by law.

B. Disclosure

Non-Employee Information:

FUJIFILM discloses Personal Information in respect of Individuals other than Employees, to the persons and for the purposes set out below:

- (xxv) to redemption houses for the purposes of administering FUJIFILM's rebate program;
- (xxvi) direct marketing firms and market research organizations for the purpose of engaging in target marketing;
- (xxvii) to FUJIFILM's authorized dealers for the purpose of administering FUJIFILM's equipment repair and warranty programs;
- (xxviii) to credit reporting agencies, credit bureaus and other financial institutions for the purpose of authenticating an Individual's identity, credit reporting, and evaluating the Individual's creditworthiness as a distributor, an authorized dealer, or an applicant for equipment financing;
- (xxix) to insurance companies for the purpose of responding to a claim filed against FUJIFILM by that Individual;
- (xxx) to banks, trust companies, credit unions and credit card companies for the purposes of authenticating account information;
- (xxxi) to collection agencies for the purposes of skip tracing and debt collection;

- (xxxii) to third party service providers for the purpose of performing such functions as data processing, database services, information technology support, data storage and data disposal;
- (xxxiii) to third parties with whom FUJIFILM enters into a business transaction that necessitates the disclosure of the information, provided that FUJIFILM shall comply with Section 5.5(f) of this Policy;
- (xxxiv) to such parties for which FUJIFILM may obtain consent to disclose from time to time; and
- (xxxv) as otherwise required or permitted by law.

Employee Information:

FUJIFILM discloses Personal Information in respect of Employees to the persons and for the purposes set out below:

- (xxxvi) to service providers of FUJIFILM to the extent required to provide administrative or technological support services to FUJIFILM. Examples of service providers include (but are not limited to) insurance companies processing employee claims, website support companies, information storage companies, payroll administration and pension scheme implementation companies, actuaries and employee assistance plan organizations;
- (xxxvii) to medical practitioners for the purpose of administering health care to Employees who become ill or injured while working at FUJIFILM;
- (xxxviii) to various government entities (e.g. the CRA, the FRO) for purposes related to the administration of required payroll deductions and remittance;
- (xxxix) to banks for the purpose of administering direct deposit of wages, through FUJIFILM's payroll service provider;
- (xl) such other disclosures of Personal Information to such persons and for such purposes for which FUJIFILM may obtain consent from time to time; and
- (xli) as otherwise required or permitted by law.

SCHEDULE “B”

**CHIEF PRIVACY OFFICER
and
PROVINCIAL DESIGNATES**

Chief Privacy Officer

Janet Ethier
Executive Administrator & Chief Privacy Officer
FUJIFILM Canada Inc.
600 Suffolk Court
Mississauga, Ontario, L5R 4G4

Telephone: 905-755-2727
Fax: 905-890-0050
Email: cpo@fujifilm.ca

Local Designate

British Columbia

Gordon Wilson
Director, Operations
Privacy Officer, Regional Representative
6805 Dennett Place
Delta, British Columbia, V4G 1N4

Telephone: 604-946-9766
Fax: 604-946-9733

Local Designate

Quebec

Manon Lapiana
Credit Representative
Privacy Officer, Regional Representative
Fuji Photo Film Canada Inc.
5960 Henri-Bourassa,
Ville St-Laurent, QC, H4R 3A6

Telephone: 514-333-8070
Fax : 514-333-1027

SCHEDULE “C”**EXAMPLES OF EXCEPTIONS TO CONSENT REQUIREMENT
FOR COLLECTION, USE AND DISCLOSURE**

The following is a representative sampling of those circumstances that are most likely to have application to FUJIFILM. FUJIFILM may, without knowledge or Consent:

- (xlii) **collect** Personal Information:
 - (A) where the collection is clearly in the interests of the Individual and Consent cannot be obtained in a timely way; or
 - (B) where it would be reasonable to expect that the collection with the knowledge and consent of the individual would compromise the availability or the accuracy of the information and the collection is reasonable for purposes related to investigating a breach of an agreement or a contravention of the laws of Canada or a province.

- (xliii) **use** Personal Information:

- (A) where the information was collected in accordance with paragraphs (i)(A) or (B);
- (B) where FUJIFILM becomes aware of information it has reasonable grounds to believe could be useful in investigating or preventing a contravention of the laws of Canada, a province, or another country, that has been, is being, or is about to be committed, the use with consent would compromise the investigation and the information is used to investigate that contravention; or
- (C) where the information is used to act in an emergency that threatens the life, health or security of an Individual; and

- (xliv) **disclose** Personal Information:

- (A) where the disclosure is made to an advocate or notary in Québec, or, in any other province, to a barrister or solicitor who is representing FUJIFILM;
- (B) where required to comply with a subpoena or warrant issued or an order made by a body with jurisdiction to compel the production of information, or to comply with court rulings relating to the production of records. However, in the province of Québec, FUJIFILM may have to re-apply to the courts for such disclosure;
- (C) where made to a government institution or part of a government institution that has requested the information, identified its lawful authority to obtain the information, and indicated that

- (I) to the extent the Act applies, it suspects that the information relates to national security, the defense of Canada, or the conduct of international affairs,
 - (II) the disclosure is requested for the purpose of enforcing any law of Canada, a province or, to the extent the Act applies, another country, carrying out an investigation relating to the enforcement of any such law, or gathering intelligence for the purpose of enforcing any such law, or
 - (III) the disclosure is requested for the purpose of administering any law of Canada or a Canadian province.
- (D) where made on the initiative of FUJIFILM to an investigative body, a government institution, or a part of a government institution, and FUJIFILM has reasonable grounds to believe that the information relates to a breach of an agreement or a contravention of the laws of Canada, a province or, to the extent the Act applies, another country, that has been, is being or is about to be committed;
- (E) where made to a person who needs the information because of an emergency that threatens the life, health, or security of an Individual and, if the Individual whom the information is about is alive, FUJIFILM informs that Individual of the Disclosure in writing without delay; or
- (F) where the disclosure is required by law.

This is not an exhaustive list of such circumstances, and upon written request the FUJIFILM Chief Privacy Officer can describe other circumstances where FUJIFILM is permitted by law, without knowledge and consent, to collect, use or disclose Personal Information.

SCHEDULE "D"

PUBLICLY AVAILABLE INFORMATION EXCEPTIONS FOR APPLICABLE JURISDICTIONS

This Policy does not impose limits on the collection, use or disclosure by FUJIFILM of the following publicly available information within the following jurisdictions:

(a) Federal - *Personal Information Protection and Electronic Documents Act*

Personal Information that is an individual's name, address and telephone number, when (i) listed in a public directory (where the Individual can refuse to have the Personal Information appear in the directory); (ii) available in a publication, in printed or electronic form, that is available to the public; or (iii) where the individual has provided the information appearing in:

- (A) a professional or business directory, listing or notice;
- (B) a registry collected under a statutory authority and to which a right of public access is authorized by law; or
- (C) a record or document of a judicial or quasi-judicial body,

in which case the collection, use and disclosure of the Personal Information must relate directly to the purpose for which the information appears in, as applicable, the directory, listing or notice; the registry; or the record or document.

(b) Alberta - *Personal Information Protection Act*

Personal Information that is:

- (i) contained in a telephone directory but only if:
 - (A) the information consists of the name, address and telephone number of a subscriber to the directory,
 - (B) the directory is available to the public, and
 - (C) the subscriber can refuse to have the personal information appear in the directory;
- (ii) contained in a professional or business directory, listing or notice, including, but not limited to, the name, title, address, telephone number and e-mail address of an individual, but only if:
 - (A) the directory, listing or notice is available to the public, and
 - (B) the collection, use or disclosure of the personal information relates directly to the purpose for which the information appears in the directory, listing or notice;

- (iii) contained in a registry that is
 - (A) a Government registry, or
 - (B) a non-governmental registry,
 but only if the collection, use or disclosure of the information relates directly to the purpose for which the information appears in the registry and that purpose is an established purpose of the registry;
- (iv) contained in a record of a quasi-judicial body but only if:
 - (A) the record is available to the public; and
 - (B) the collection, use or disclosure of the information relates directly to the purpose for which the information appears in the record;
- (v) contained in a publication, including, but not limited to, a magazine, book or newspaper, whether in printed or electronic form, but only if:
 - (A) the publication is available to the public, and
 - (B) it is reasonable to assume that the individual that the information is about provided that information;
- (vi) under the control of an organization and that has been collected from outside of Alberta, that if collected within Alberta would have been collected under the authority of clause (a), (b), (c), (d) or (e), or any 2 or more of those clauses.

(c) **British Columbia - *Personal Information Protection Act***

Personal Information that is:

- (i) the name, address, telephone number and other personal information of a subscriber that appears in a telephone directory or is available through Directory Assistance if
 - (A) the directory or the directory assistance service is available to the public, and
 - (B) the subscriber is permitted to refuse to have his or her personal information included in the directory or made available by directory assistance;
- (ii) appearing in a professional or business directory, listing or notice that is available to the public, if the individual is permitted to refuse to have his or her personal information included in the above;
- (iii) appearing in a registry to which the public has a right of access, if the personal information is collected under the authority of an enactment,

the laws of the government of Canada or a province or the bylaws of a municipality or other similar local authority in Canada; or

- (iv) appearing in a printed or electronic publication that is available to the public, including a magazine, book or newspaper in printed or electronic form, unless a court has prohibited the publication or the continued publication of that personal information by the source, or the commissioner has made an order stating that the personal information from the source has been published contrary to the Act.

(d) **Québec - *An Act respecting the Protection of Personal Information in the Private Sector***

No exception for publicly available information exists.

SCHEDULE “E”

FEES FOR ACCESS TO PERSONAL INFORMATION

A. Access to Employee Personal Information

FUJIFILM shall not charge an Employee any type of fee for responding to that Employee’s request for access to his or her Employee Personal Information.

B. Access to Personal Information pursuant to the Quebec Act

Where an Individual makes a request for access to his or her Personal Information pursuant to the Quebec Act (i.e., an access request that originates in Quebec), FUJIFILM shall permit the Individual to view his or her Personal Information at no cost to the Individual, however FUJIFILM may charge the Individual a reasonable fee for any transcription, reproduction or transmission of the information that the Individual requests.

C. Access to Personal Information outside the Province of Quebec

In all cases other than those outlined above, FUJIFILM may charge a minimal cost for responding to exceptional requests, subject to the following requirements:

- (i) FUJIFILM shall provide the Individual with a written estimate of the approximate cost of providing access, and shall request that the Individual inform FUJIFILM within twenty-five (25) days (the “**Notice Period**”) as to whether he or she accepts the cost estimate and thereby consents to the continuation of the access request, and;
- (ii) If at any time during the Notice Period the Individual informs FUJIFILM that he or she accepts the cost estimate and thereby consents to the continuation of the access request, FUJIFILM shall grant the Individual access to his or her Personal Information, subject to the exceptions enumerated in Section 5.9(e)-(i) of this Policy. FUJIFILM will only proceed with the access request with the individual’s consent to the minimal cost requirement