



**FACTS** **WHAT DOES DFS SERVICES LLC (DISCOVER NETWORK) NETWORK DO WITH MERCHANTS' PERSONAL INFORMATION? [EFFECTIVE 4/2012]**

**Who is providing this notice?** This privacy statement is provided by DFS Services LLC. In this statement, “we”, “our” and “Discover” mean DFS Services LLC; “you” and “your” mean merchants to whom we offer Card acceptance in Canada. “Card” means a valid payment card that is assigned a number supported by Discover and that may display a Discover®, Diners Club International® or third party acceptance mark.

**Why am I being provided with this notice?** We take steps intended to meet privacy principles and requirements with respect to personal information under applicable Canadian privacy legislation. The purpose of this statement is to tell you how we collect, use, disclose, and protect your personal information in connection with Card acceptance services in Canada. Please read this statement carefully to understand what we do.

**What personal information do you collect?** Personal information means information about an identifiable individual, as more particularly described in Canadian federal and provincial privacy legislation.

We, our agents, or our service providers may collect personal information from you in a number of instances including, for example, when you:

- Apply for Card acceptance products and services directly from us or through a third party including an acquirer;
- Accept a Card transaction as payment for goods or services;
- Contact us regarding your agreement governing Card acceptance;
- Give us your contact information; or
- Pay any amounts owed to us in connection with Card acceptance or we pay settlement amounts owed to you for your Card transactions.

We also collect your personal information from others, such as credit bureaus, our affiliates or other companies, including those with whom you purport to have or have had a business relationship, credit reports and third party databases. If your application for Card acceptance is approved, Discover may request credit reports in connection with the renewal or maintenance of the relationship.

The types of your personal information that we collect, use and disclose depend on the product or service you receive from us, and may include financial and related personal or business information including the following:

- Your name;
- Directors' names;
- Home address and home telephone number;
- Directors' addresses;
- Electronic mail address and contact information;
- Bank account information;
- Number of years in business;
- Social Insurance Number\*;
- Merchant account transactions, account balances, transaction history and payment history;
- Credit history including any bankruptcy filing(s) and credit reports; and
- Other information with your consent or as permitted or required by applicable law.

\*Provision of your Social Insurance Number is optional. However, many credit reporting agencies use the Social Insurance Number as a unique identifier to ensure proper identification when conducting credit reviews and preparing credit reports. If you provide your Social Insurance Number it will be used for matching your application to credit



reporting agency information and verifying your identity and may shorten the time to process your application.

**How do you use my personal information?**

All financial companies need to collect and use certain personal information to run their everyday business. We generally collect and use your personal information for the following purposes:

- Process your application for Card acceptance;
- Verify your identity;
- Assess and verify information provided to us about you including your current and on-going credit-worthiness;
- Support your acceptance and settlement of Card transactions;
- Service and support your agreement governing Card acceptance;
- Collect or enforce amounts payable by you;
- Send you marketing information regarding Card acceptance and other products and services\*\*;
- Maintain business records for reasonable periods;
- Report to commercial credit bureaus; manage and administer our business including to defend and bring legal actions;
- As necessary to meet legal, regulatory, industry self-regulatory, insurance, audit and security requirements; and
- Otherwise with your consent or as permitted or required by law.

\*\*You may opt-out of receiving marketing communications by contacting us as indicated in the section of this policy entitled "How do I consent to or opt-out of your use and sharing of my personal information?".

We, or service providers acting on our behalf, may contact you by telephone, cell phone, automated telephone dialing device, pre-recorded message, email, text message, postal mail or other means using contact information provided to us for the purposes outlined in this notice.

**Do you share my personal information with others?**

We may transfer personal information to agents or service providers (including our affiliates acting in this capacity) that perform services on our behalf, such as testing the ability of your terminals to accept Cards, services supporting Card acceptance, network services support including data processing services, customer service, statement production, call center services, information technology services, internal audit, management, billing or administrative purposes or otherwise to collect, use, disclose, store or process personal information on our behalf for the purposes described in this statement.

We may disclose your personal information to other parties in the following circumstances:

- To our affiliates to provide them with information about your Card transactions and our experiences\*\*\*;
- Your contact information to entities with whom we have joint marketing agreements for the purposes of marketing financial products or services\*\*\*
- To credit bureaus, credit reporting agencies, financial institutions and to other third parties as necessary to maintain your credit history, provide credit references, process payments, and otherwise manage our accounts and fulfill our legal and regulatory requirements; and
- Otherwise with your consent or as permitted or required by law.

\*\*\* You may opt-out of disclosure for these purposes by contacting us as indicated in the section of this policy entitled "How do I consent to or opt-out of your use and sharing of my personal information?".



	<p>We may disclose your personal information to third parties connected with the proposed or actual financing, securitization, insuring, sale, assignment or other disposal of all or part of Discover or our business or assets, for the purposes of evaluating and/or performing the proposed transaction. Our assignees or successors may use and disclose your personal information for the purposes described in this statement.</p>
<p>Where is my personal information stored?</p>	<p>Certain Card acceptance services are provided by us, or our service providers, from outside of Canada. Your personal information will be transferred to and processed in countries outside of Canada including the United States. Your name and address may be communicated to third party Card issuers worldwide for the purposes of completing Card transactions. While outside of Canada, your personal information is subject to legal requirements in those countries including lawful requirements to disclose personal information to governmental authorities in certain circumstances. To obtain more information about the way in which your personal information is handled outside of Canada, please contact us as described in the section of this statement entitled "How can I get more information or access or correct my personal information?"</p>
<p>How do I consent to or opt-out of your use and sharing of my personal information?</p>	<p>Generally, by providing us with the personal information that we require to provide to you the Card acceptance products and services, we will assume that you consent to our collection, use and disclosure of your personal information for the purposes of providing those products and services as described in this notice. You may opt-out of certain uses and disclosures of your personal information as indicated in this notice. If you wish to opt-out of these uses or disclosures of your personal information:</p> <ul style="list-style-type: none"><li>▪ Call 1-800-263-0104 – our menu will prompt you through your choices; or</li><li>▪ Write to us at the postal or email address in the section of this statement entitled "How can I get more information or access or correct my personal information?".</li></ul> <p><b>Please note:</b></p> <p>We can begin sharing your information upon receipt of your application for card acceptance.</p> <p>When you are no longer our customer, we may continue to use and disclose your personal information as described in this notice. However, you may exercise your right to opt-out of certain uses and disclosures at any time by contacting us as described above.</p>
<p>How do you protect my personal information?</p>	<p>We take reasonable steps to protect your personal information using measures appropriate to the sensitivity of the personal information in our custody or control, which include safeguards to protect against unauthorized access and use. These measures include computer safeguards and secured files and buildings. Our authorized employees, agents and service providers who require access to your personal information to perform their obligations will have access to your personal information.</p>
<p>How can I get more information or access or correct my personal information?</p>	<p>We maintain electronic records of your personal information for the purposes described in this notice, which will be accessible by contacting us at the address below.</p> <p>You may request access to or correction of your personal information, by making a written request to the address below. Your right to access or correct your personal information indicated in our records is subject to applicable legal restrictions including our right to retain documentation of our compliance with applicable legal requirements and your requests. We may take reasonable steps to verify your identity before granting access or making corrections to your personal information.</p>



	<p>For more information or if you have questions about your personal information, you may:</p> <ul style="list-style-type: none"><li>▪ Write to us at: Discover Merchant Services Centre P.O. Box 1500 Georgetown, ON L7G 0C3    Attention: Privacy Officer</li><li>▪ Call us at: 1-800-263-0104</li><li>▪ Email us at: <a href="mailto:discoversupport@caledoncard.com">discoversupport@caledoncard.com</a></li></ul>
<b>Changes to this Privacy Statement</b>	<p>This statement may be revised from time to time. You should contact us as described above to obtain a current copy of this statement. We urge you to request and review this statement frequently to obtain the current version. Your continued provision of personal information or use of our services following any changes to this statement constitutes your acceptance of such changes.</p>