



Fairmont Villa Management

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Fairmont Villa Management Privacy Policy

Fairmont Villa Management is committed to providing excellent service to all Mountainside timeshare owners, visitors and guests including respecting their concerns about privacy. We understand that our timeshare owners may have questions about whether and how we collect and use their information. We have prepared this statement to inform you of the privacy principles that govern our business. The statement has been prepared in accordance with the Federal Privacy Act "*Personal Information and Electronic Documents Act (PIPEA)*" and British Columbia's Privacy Act "*Personal Information Protection Act (PIPA)*".

Fairmont Villa Management's Privacy Policy contains ten principles that are observed by the company regarding the collection, use and disclosure of personal information.

Index

- Scope & Application
- Definitions
- Fairmont Villa Management's 10 Privacy Principles
 1. Accountability
 2. Identifying Purposes for collection of personal information
 3. Consent
 4. Limiting Collection of Personal information
 5. Limiting Use, disclosure and retention of personal information
 6. Accuracy
 7. Security safeguards
 8. Openness
 9. Individual access
 10. Inquiries

SCOPE AND APPLICATION

Each principle must be read in conjunction with the accompanying commentary. The commentary in the Fairmont Villa Management Privacy Policy has been tailored to reflect personal information issues specific to Fairmont Villa Management.

The scope and application of the Fairmont Villa Management Privacy Policy are as follows:

- The Policy applies to personal information about Mountainside timeshare owners that is collected, used or disclosed by Fairmont Villa Management.
- The Policy does not apply to information about Fairmont Villa Management's employees; however, such information is protected by other Fairmont Villa Management policies and practices.
- This Policy is subject to change, and may be supplemented or modified by additional terms applicable between Fairmont Villa Management and an individual.

DEFINITIONS

Collection - the act of gathering, acquiring, recording, or obtaining personal information.

Consent - voluntary agreement with the collection, use and disclosure of personal information for defined purposes. Consent can be either express, implied or deemed, and can be provided directly by the individual or by an authorized representative. Express consent can be given orally, electronically or in writing. Implied consent is consent that can reasonably be inferred from an individual's action or inaction. Deemed consent is consent that is deemed to be given pursuant to applicable legislation or other regulations.

Disclosure - making personal information available to a third party.

Personal information - information about an identifiable individual, but does not include aggregated information that cannot be associated with a specific individual. Personal information also excludes certain information as is excluded pursuant to applicable legislation or other regulations, such as publicly available information or business contact information, as and when applicable.

Fairmont Villa Management – Fairmont Financial Services doing business as Fairmont Villa Management, the resort management company that administers all aspects of the timeshare development known as Fairmont Mountainside Vacation Villas.

Third party - an individual or organization outside Fairmont Villa Management.

Use - the treatment, handling and management of personal information by and within an organization.

FAIRMONT VILLA MANAGEMENT'S 10 PRIVACY PRINCIPLES

Principle 1 - Accountability

Fairmont Villa Management is responsible for personal information under its control and shall designate one or more persons who are accountable for Fairmont Villa Management's compliance with the following principles.

1.1 Fairmont Villa Management shall designate one or more persons to be accountable for compliance with the Policy. The Privacy Officer is entitled to delegate day-to-day responsibility for administration of this Privacy Policy and related privacy policies and practices to other employees.

1.2 Fairmont Villa Management shall make known, upon request, the title of the person or persons designated to oversee Fairmont Villa Management's compliance with the Policy.

1.3 Fairmont Villa Management is responsible for personal information in its possession or under its control. Fairmont Villa Management shall use appropriate means to protect personal information while information is being processed by a third party on behalf of Fairmont Villa Management (see Principle 7).

1.4 Fairmont Villa Management shall implement policies and procedures to give effect to the Policy, including:

- a) implementing procedures to protect personal information and to oversee Fairmont Villa Management's compliance with the Fairmont Villa Management Privacy Policy;
- b) establishing procedures to receive and respond to inquiries or complaints;
- c) training and communicating to staff about Fairmont Villa Management's policies and

practices; and

d) developing public information to explain Fairmont Villa Management's policies and practices.

Principle 2 - Identifying Purposes for Collection of Personal Information

Fairmont Villa Management shall identify and document the purposes for which personal information is collected at or before the time the personal information is collected or, when appropriate, at or before the time the personal information is used for a new purpose.

2.1 Fairmont Villa Management collects personal information for the following purposes:

- a) to establish and maintain a responsible business relationship with Mountainside timeshare owners;
- b) for purposes identified to individuals or purposes obvious to individuals, in respect of particular collections of personal information;
- c) to meet legal and regulatory requirements;
- d) to understand needs and preferences of individuals;
- e) to manage and develop Fairmont Villa Management's business and operations.

Further references to "identified purposes" mean the purposes identified in this Principle.

2.2 Fairmont Villa Management shall, as appropriate, specify orally, electronically or in writing the identified purposes to the individual at or before the time personal information is collected. Upon request, persons collecting personal information shall explain these identified purposes or refer the individual to a designated person within Fairmont Villa Management who shall explain the purposes.

Principle 3 - Consent

The knowledge and consent of an individual are generally required for the collection, use or disclosure of personal information. In certain circumstances personal information can be collected, used or disclosed without the knowledge and consent of the individual, such as in the case of an emergency where the life, health or security of an individual is threatened.

Fairmont Villa Management may disclose personal information without knowledge or consent to a lawyer or other advisor representing Fairmont Villa Management, to collect a debt, to comply with a subpoena, warrant or other court order, or as may be otherwise required or authorized by law.

3.1 In obtaining consent, Fairmont Villa Management shall use reasonable efforts to ensure that an individual is advised of the identified purposes for which personal information will be used or disclosed. Purposes shall be stated in a manner that can be reasonably understood by the individual.

3.2 Generally, Fairmont Villa Management shall seek consent to use and disclose personal information at the same time it collects the information. However, Fairmont Villa Management may seek consent to use and disclose personal information after it has been collected, but before it is used or disclosed for a new purpose.

3.3 Fairmont Villa Management will require individuals to consent to the collection, use or disclosure of personal information as a condition of the supply of a product or service only if such collection, use or disclosure is reasonably required to fulfill the identified purposes.

3.4 In determining the appropriate form of consent, Fairmont Villa Management shall take into account the sensitivity of the personal information and the reasonable expectations of the individual.

3.5 Where consent is required for a particular use or disclosure, an individual may withdraw consent at any time, subject to legal or contractual restrictions and reasonable notice. Individuals may contact Fairmont Villa Management for more information regarding the implications of withdrawing consent.

Principle 4 - Limiting Collection of Personal Information

Fairmont Villa Management shall limit the collection of personal information to that which is necessary for the purposes identified by Fairmont Villa Management and as permitted by law.

4.1 Fairmont Villa Management collects personal information primarily from the individual to whom the information relates.

4.2 Fairmont Villa Management may also collect personal information from other sources that represent that they have the right to disclose the information, or as otherwise permitted by law.

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

Fairmont Villa Management shall not use or disclose personal information for purposes other than those for which it was collected, except with the consent of the individual or as required by law. Fairmont Villa Management shall retain personal information only as long as necessary for the fulfillment of those purposes or as required or permitted by law.

5.1 Fairmont Villa Management may disclose an individual's personal information to:

a) a person who in the reasonable judgment of Fairmont Villa Management is seeking the information as an agent of the individual;

b) another company or individual for the development, enhancement, marketing or provision of any of the Fairmont Vacation Villa's products and services;

c) an agent used by Fairmont Villa Management to collect the individual's account;

d) a credit reporting agency;

e) a public authority or agent of a public authority, if in the reasonable judgment of Fairmont Villa Management, it appears that there is imminent danger to life or property which could be avoided or minimized by disclosure of the information;

f) another entity as part of a merger, a sale of assets or all or part of a business, or any other corporate change or re-organization;

g) a third party or parties, where the individual consents to such disclosure or disclosure is required or permitted by law.

5.2 Only Fairmont Villa Management employees with a business need to know, or whose duties reasonably so require, are granted access to personal information about individuals.

5.3 Depending on the circumstances, where personal information has been used to make a decision about an individual, Fairmont Villa Management shall retain, for a reasonable period of time, either the actual information or the rationale for making the decision.

5.4 Fairmont Villa Management shall maintain reasonable and systematic controls and practices for information and records retention that apply to personal information that is no longer necessary or relevant for the identified purposes or required or permitted by law to be retained.

5.5 Where appropriate, Fairmont Villa Management may communicate updates of personal information to third parties such as but not limited to the Mountainside timeshare trustee or Interval International, the timeshare exchange company

Principle 6 - Accuracy

Fairmont Villa Management shall take steps to ensure that personal information is as accurate, complete and up-to-date as is appropriate for its purposes.

6.1 Personal information used by Fairmont Villa Management shall be sufficiently accurate, complete and up-to-date to minimize the possibility that inappropriate information may be used to make a decision about an individual.

6.2 Fairmont Villa Management shall update personal information about individuals as and when reasonably necessary to fulfill the identified purposes or as reasonably requested by the individual.

Principle 7 - Security Safeguards

Fairmont Villa Management shall protect personal information by security safeguards appropriate to the sensitivity of the information.

7.1 Fairmont Villa Management shall take appropriate and reasonable steps to protect personal information against such risks as loss or theft, unauthorized access, disclosure, copying, use, modification or destruction.

7.2 Fairmont Villa Management shall take appropriate and reasonable steps to protect personal information disclosed to third parties, for example by contractual agreements stipulating the confidentiality of the information and the purposes for which it is to be used.

Principle 8 - Openness

Fairmont Villa Management shall make readily available to individuals specific information about its policies and practices relating to the management of personal information.

8.1 Copies of the Policy will be made available upon request.

8.2 Fairmont Villa Management shall make information about its policies and procedures easy to understand, including:

- a) the title and addresses of the person or persons accountable for Fairmont Villa Management's compliance with the Policy and to whom inquiries or complaints can be forwarded;
- b) the means of gaining access to personal information held by Fairmont Villa Management; and
- c) a description of the type of personal information held by Fairmont Villa Management, including a general account of its use.

Principle 9 - Individual Access

Upon request, Fairmont Villa Management shall inform an individual of the existence, use and

disclosure of his or her personal information, at a minimal or no cost to the individual. An individual shall be able to challenge the accuracy and completeness of the information and have it amended as appropriate.

9.1 In certain situations, Fairmont Villa Management may not be able to provide access to all the personal information that it holds about an individual. For example, Fairmont Villa Management may not provide access to information if doing so would likely reveal personal information about a third party or could reasonably be expected to threaten the life or security of an individual. Also, Fairmont Villa Management may not provide access to information if disclosure would reveal confidential commercial information, if the information is protected by solicitor-client privilege, if the information was generated in the course of a formal dispute resolution process, or if the information was collected in relation to the investigation of a breach of an agreement or a contravention of a law. If access to personal information cannot be provided, Fairmont Villa Management shall, upon request, provide the reasons for denying access.

9.2 In order to safeguard personal information, an individual may be required to provide sufficient identification information to permit Fairmont Villa Management to authorize access to the individual's file.

9.3 Individuals can seek access to their personal information by contacting a designated representative at Fairmont Villa Management.

9.4 Fairmont Villa Management will endeavor to respond to all requests within 30 days or, in any event, as required or permitted by applicable law.

Principle 10 - Inquiries

An individual shall be able to address a challenge concerning compliance with the above principles to the designated person or persons accountable for Fairmont Villa Management's compliance with the Policy.

10.1 Fairmont Villa Management shall maintain procedures for addressing and responding to all inquiries or complaints from individuals about Fairmont Villa Management's handling of personal information.

10.2 Fairmont Villa Management shall inform its timeshare owners about the existence of these procedures as well as the availability of complaint procedures.

10.3 The person or persons accountable for compliance with this Policy may seek external advice where appropriate before providing a final response to individual complaints.