

**Tripoint Intermodal Services**  
**Website Collection of Personal Information and Privacy Policy**  
**(the "Privacy Policy")**

This Privacy Policy was last amended May 26, 2022.

Tripoint Intermodal Services ("**Corporation**") considers matters relating to the protection of your personal information and your privacy to be extremely important. The Corporation has created and implemented this Privacy Policy so that you understand how your personal information may be utilized and how it is protected. The Corporation encourages you to review this Privacy Policy.

By providing personal information to us and by dealing with the Corporation with knowledge of this Privacy Policy, you acknowledge that you have consented to the collection, use and disclosure of your personal information in accordance with the terms set out in this Privacy Policy unless you advise us otherwise.

If you have questions regarding this Privacy Policy or our privacy practices then please contact our Privacy Officer, whose contact information is set out at the end of this Privacy Policy.

### **Our Commitment**

Except as otherwise provided in this Privacy Policy, the Corporation will not sell, rent, loan, trade, lease, transfer or otherwise disclose your personal information, including e-mail addresses, to any third party.

### **Amendments to this Privacy Policy**

Corporation reserves the right to amend this Privacy Policy from time to time. The first paragraph of this Privacy Policy indicates when the Privacy Policy was last amended. Please check back regularly for changes.

### **Definitions**

In this Privacy Policy, the following term has the following meaning:

**"personal information"** means information about you. Personal information does not include information that cannot be attributed to you. For example, information of an aggregate or anonymous nature is not personal information under this Privacy Policy and, therefore, is not subject to the terms of this Privacy Policy.

### **Consent**

When you voluntarily provide information for a specific purpose, you acknowledge your implied consent to the collection, use or disclosure of your personal information for that particular purpose. If we wish to use your personal information for a different use or disclosure, we will obtain your additional consent.

### **Changing Consent**

You may change or withdraw your consent at any time on reasonable notice, subject to pre-existing legal and contractual obligations, by sending an e-mail to [privacy@mullen-group.com](mailto:privacy@mullen-group.com). However, if you withdraw certain consents, it may limit the manner in which you can make use of the Corporation's services.

## **Collection**

When obtaining your consent we will inform you of the uses and disclosures that we wish to make of your personal information unless those uses and disclosures are readily apparent at the time we collect the personal information or are set out in this Privacy Policy.

## **Use**

Except as otherwise provided in this Privacy Policy, we will obtain your explicit consent or use your implied consent, as applicable, to use your personal information in a particular manner. Set out below are certain circumstances where we may use your personal information without obtaining your further consent. These are:

using identification information and contact information, such as your name, address, telephone number and e-mail address so that we can identify you and deliver the services that you request and to communicate with you regarding those services;

using information relating to your preferences so that we are able to deliver our services to you in accordance with those preferences;

using customer relationship information such as your service requests, comments and feed back to assist us in delivering services in accordance with your wishes;

using personal information for the purpose for which it was provided and certain other activities that are reasonably ancillary to that purpose. For example, if you apply for a job, we will review the information provided to assess your suitability for the job. As well, we will use your contact information to contact you if we need further information or if we would like to set up an interview.

using your postal and/or e-mail address to provide to you information about the Corporation's services and other items (including the services of third parties) that the Corporation believes that you may be interested in notwithstanding that your address may have been provided for a different purpose;

analyzing your personal information to assist us in developing and enhancing our services and our website; and

analyzing your personal information to assist us in conducting market analysis and strategic planning.

Except as otherwise provided in this Privacy Policy, the Corporation will not use your personal information for any other purpose.

## **Disclosure**

Except as otherwise provided in this Privacy Policy, we will obtain your explicit consent or use your implied consent prior to disclosing your personal information to a third party. Set out below are certain circumstances where we may disclose your personal information without obtaining your further consent. These are:

In the event the Corporation transfers or is considering transferring control of any or all of its operations or services to another organization, the Corporation reserves the right to transfer and disclose your personal information to that organization. However, the Corporation will require that the organization agree that it will be similarly bound by the provisions of this Privacy Policy and that it will only use and disclose your personal information as the Corporation is similarly entitled under this Privacy Policy;

In the event the Corporation amalgamates with another organization, the Corporation reserves the right to permit that amalgamated organization to continue to use and disclose your personal information. However, the Corporation will require that the amalgamated organization agree that it will be similarly bound by the provisions of this Privacy Policy and that it will only use and disclose your personal information as the Corporation is similarly entitled under this Privacy Policy; and

The Corporation may work with other organizations towards some common purpose consistent with the objectives of the Corporation. In that case, it may be necessary for the Corporation to disclose your personal information to these organizations. However, the Corporation will require that these organizations agree that they will only use and disclose your personal information as necessary for the common purpose and that they will adhere to the terms of this Privacy Policy.

### **Service Providers**

The Corporation may engage certain service providers. Those service providers may provide services to the Corporation to assist the Corporation in its activities. Other service providers may provide services directly to you at the request of the Corporation. As such, it may be necessary for the Corporation to disclose your personal information to these service providers. However, the Corporation will take steps to ensure that these service providers will only use and disclose your personal information as necessary to provide the services and that they will adhere to the terms of this Privacy Policy or their own similar privacy policy.

As well, some of these service providers may assist the Corporation in the collection of your personal information. The Corporation will ensure that they will not use or disclose your personal information for any other purpose and that they will adhere to the terms of this Privacy Policy or we will require that they have a similar privacy policy.

### **Other Collection, Use and Disclosure**

As well, privacy legislation permits or requires the collection, use and disclosure of personal information without the knowledge or consent of the individual in some specific and limited circumstances. We reserve the right to collect, use and disclose your personal information in these limited circumstances without your knowledge or consent.

The Corporation may monitor your use of its services to ensure the proper use and operation of those services.

As well, we may collect, use and disclose your personal information without your knowledge or consent when that personal information is relevant to an actual or potential legal proceeding or when we are required or permitted to do so by court order, applicable law or regulatory requirements.

### **Use of the Website**

In order to use some of the features of the Corporation's website, the Corporation may require that you provide some personal information.

Our web server collects the domain names, IP addresses and routing information of visitors. This information is aggregated for the purposes of measuring the number of visits, average time spent on the website, pages viewed, and other similar purposes. The Corporation uses this information to measure the use of our website and to improve the content of our website.

A technology called cookies may be used on certain pages of our website. A cookie is a tiny element of data that a website can send to your browser, which may then be stored on your hard drive so the website can recognize you when you return. Cookies allow us to provide you with tailored information and to provide services to you via the Internet. If your browser permits, you may set your browser to notify you when you receive a cookie or to reject cookies altogether. (See the documentation provided with your Internet browser for more information on cookies and how to disable them.)

### **Other Websites**

Our website may contain links to other third party sites that are not governed by this privacy policy. Although we endeavour to only link to sites with high privacy standards, our privacy policy will no longer apply once you leave our website. Additionally, we are not responsible for the privacy practices employed by third party websites. Therefore, we encourage that you examine the privacy statements of those sites to learn how your information may be collected, used, shared and disclosed.

### **Accuracy and Completeness**

When we collect, use or disclose personal information, we will make a reasonable effort to ensure that it is accurate, up to date and complete. To do so, we may need to request additional information from you or have you verify your information. If your personal information does change, please advise us of those changes so that your personal information in our possession remains accurate. We are not responsible for inaccurate or incorrect personal information.

### **Retention and Destruction**

For legal and business purposes we may retain your personal information for as long as it is reasonably needed. Upon expiry of the appropriate retention period, bearing in mind our reasonable legal and business requirements, your personal information will either be destroyed in a secure manner or made anonymous. You should be aware that there are legally required minimum retention periods, which the Corporation must and does observe.

### **Security of Personal Information**

The Corporation recognizes its obligation to protect personal information in its possession and will make reasonable arrangements to secure that personal information against unauthorized access. These measures will be reasonable in the circumstance and may include providing access to only those individuals with a need to know the information, locked doors and/or filing cabinets and other physical and electronic security measures as well as contractual measures, such as non-disclosure or confidentiality agreements.

### **Requests for Access to Personal Information**

Upon your written request we will provide you with:

access to your personal information (if any) under our custody or control;

information about the purposes for which your personal information under our custody or control has been and is being used by us; and

the names of persons to whom, and the circumstances in which, your personal information has been and is being disclosed by us.

All requests may be subject to reasonable fees and disbursements. Where appropriate to do so, we may require advance payment of a deposit or the entire costs of responding to a request for access to personal information. As well, all requests must be in writing. We will also require sufficient information and detail from you in order to verify your identity and to properly locate the information.

Your ability to access your personal information is not absolute. The Corporation reserves all rights to not provide access to personal information in the circumstances permitted by law.

### **Requests for Correction of Personal Information**

We will correct errors or omissions in your personal information where that information is in our custody or control. We require that all such requests be in writing and signed by you. We may require sufficient information and detail from the individual in question in order to verify their identity and properly locate the information and provide a response.

If you make such a request, we will either:

correct the personal information and, if reasonable to do so, send correction notifications to any third party to whom we disclosed the incorrect information; or

decide not to correct the personal information but we will annotate the personal information that a correction was requested but not made.

Corrections or amendments will rarely, if ever, be made to opinions, including expert or professional opinions, as opposed to factual information, which may be corrected if in error.

### **Limited Nature of this Privacy Policy**

Nothing contained in this Privacy Policy is intended to create a contract or agreement between you and the Corporation and you may not rely on it as such.

### **Contacting or Communicating With Us**

If you:

have any questions with respect to our privacy policies or practices;

have any questions with respect to our handling of your personal information;

wish to request access to or correction of your personal information under our care or control; or

are dissatisfied with our handling of your personal information,

please contact our Privacy Officer at:

| <b>Attention: Privacy Officer</b> |                                                                              |
|-----------------------------------|------------------------------------------------------------------------------|
| Address:                          | Mullen Group Ltd.<br>121A-31 Southridge Drive<br>Okotoks, Alberta<br>T1S 2N3 |
| Fax:                              | 403-995-5297                                                                 |
| E-mail:                           | <a href="mailto:privacy@mullen-group.com">privacy@mullen-group.com</a>       |