



**Capital Management Inc.**

## **PRIVACY POLICY SEPTEMBER 2023**

## INTRODUCTION

The privacy and security of personal information is very important to Lex Capital Management Inc. (“**Lex Capital**” or the “**Firm**”). It is Lex Capital’s policy to protect and respect the privacy of personal information in accordance with applicable privacy laws. This Privacy Policy explains Lex Capital’s privacy and security practices with respect to all personal information in its possession and control, and may be supplemented by specific policies, procedures, and practices.

**Residents of the European Union:** To comply with the requirements of the European General Data Protection Regulation (“**GDPR**”) for European users, this Privacy Policy outlines the legal basis on which we process your personal data (also referred to as ‘personal information’ herein) and provides other information required by the GDPR. We process personal data when we have a lawful basis to do so in accordance with the GDPR. Generally, this means that we process personal data only where we have consent, where necessary to provide you with information, products, or services, or to comply with our legal obligations. We may also process personal data where otherwise allowed by the GDPR for the purposes outlined in this Privacy Policy (i.e., to communicate with you and to respond to your requests). Please see below for further information.

## WHY DOES LEX CAPITAL COLLECT PERSONAL INFORMATION?

Lex Capital may collect personal information from investors for the following purposes:

- To administer, plan, manage the relationship and communicate with investors;
- To provide investors with requested information, products, and/or services;
- To better understand how Lex Capital may improve its products and services, to develop and conduct its business and operations, and for other internal business purposes;
- To provide individuals and entities with information on current and future products and services or other developments with respect to Lex Capital (in accordance with Canada’s Anti-Spam Legislation – see below); and/or
- To comply with applicable legal and regulatory requirements or to protect Lex Capital’s legal rights and property;

(collectively, the “**Authorized Purposes**”).

The type of information that Lex Capital may collect from individuals includes, for example, name, email address, physical address, phone number, occupation, employment, date of birth, marital status, spouse/dependants, tax residency, tax identification number, banking information, financial information including annual income, assets and liabilities, investment objectives and experience, copies of identification to verify the identity of clients, and other information individuals choose to provide.

Lex Capital may collect personal information for other purposes where it has a legal duty or right to do so or where Lex Capital has a good faith belief that it is necessary to protect the property or rights of Lex Capital.

Lex Capital does not collect personal information for any other purposes unless it has the consent of the individual to whom it relates.

## HOW DOES LEX CAPITAL COLLECT PERSONAL INFORMATION?

Lex Capital only collects personal information about an individual with its knowledge and consent. Generally, this means that Lex Capital collects personal information directly from the individual to whom it relates, whether via Lex Capital's website and portal (collectively, the "**Website**"), e-mail, telephone, fax, or in person or through documents such as subscription agreements, know your client forms, tax residency self-certification forms and other forms or agreements collected from time to time. Occasionally, Lex Capital may collect personal information from third party sources, but only with the knowledge and consent of the individual or where otherwise authorized by law.

Visitors to the Website should also be aware that technical information may be collected by Lex Capital as a result of a visit to the Website. For example, this information may include the visitor's IP address, browser type, operating system, domain name, access times and referring website addresses. Lex Capital uses this technical information for purposes such as diagnosing problems with its servers, improving the operation and content of the Website and compiling aggregate and statistical information.

Lex Capital may use "cookies" on the Website. Cookies are small text files placed on computers that can collect and store a variety of information. Permanent cookies are stored indefinitely on a user's hard drive unless manually deleted, while temporary cookies are automatically deleted from the user's browser upon logging out of a website. **Web browsers typically allow users to disable permanent and/or temporary cookies.**

Please note that the Website contains links to other websites. Lex Capital is not responsible for the privacy practices used or followed by other websites. You are encouraged to be aware of when you leave the Website, and to read the privacy statements of every website you may visit that may collect personal information from you.

## WHEN DOES LEX CAPITAL USE OR DISCLOSE PERSONAL INFORMATION?

Lex Capital only uses or discloses personal information as reasonably required to facilitate the Authorized Purposes listed above.

In some cases, Lex Capital may share personal information with third party service providers performing functions on its behalf, including, for example, vendors that provide information technology services, analytics and/or assessment services.

Lex Capital has a close working relationship with others to provide you with products and services, including professional advisors, financial institutions, and financial advisors or brokers. Personal information may be shared on a need-to-know basis between or among these entities to facilitate the Authorized Purposes listed above in accordance with this Privacy Policy.

Lex Capital does not otherwise use or disclose personal information unless it has an individual's consent, a good faith belief that disclosure of the information is necessary to protect its rights or property or has a legal duty or right to do so.

**Lex Capital does not rent, sell, or trade customer lists or other personal information.**

## **CONSENT – IS THERE A CHOICE?**

Individuals provide their consent to the collection, use, and disclosure of personal information by Lex Capital when they provide their information to it or use its products or services.

Individuals can deny or withdraw their consent to Lex Capital's collection, use and disclosure of their personal information at any time upon reasonable notice, subject to any legal or contractual requirements. However, if consent is denied or withdrawn, Lex Capital may not be able to provide certain products or services.

Lex Capital and its affiliates may use personal information to inform individuals of current and/or new products or services or other developments that it or its affiliates or partners believe will be of interest to individuals in accordance with applicable laws including Canada's Anti-Spam Legislation. Such communications may be made by way of telephone, electronic messages, e-mail, fax or regular mail. Individuals provide their consent to Lex Capital and its affiliates and partners contacting them in this manner when they use its products or services (for example, consent may be obtained as part of the subscription agreement and/or transfer agreement). Individuals may opt-out of receiving such communications by getting in touch with Lex Capital at the contact information below.

## **HOW DOES LEX CAPITAL PROTECT THE SECURITY OF PERSONAL INFORMATION?**

Lex Capital has in place reasonable policies, procedures, and safeguards (including physical, technological and organizational measures) designed to protect the security of personal information under its control.

The protection of personal information is paramount to Lex Capital, and it is prepared to take appropriate and timely steps in the event of any incidents involving personal information in accordance with applicable privacy laws.

Lex Capital makes every reasonable effort to ensure that personal information is accurate and complete. This may involve requesting further information or updates from individuals. Lex Capital relies on individuals to notify it if there is a change to their personal information that may affect their relationship with the Firm.

Lex Capital retains personal information only as long as is reasonable to fulfill the purposes for which the information was collected, or for legal or business purposes.

## **DOES LEX CAPITAL PROVIDE ACCESS TO PERSONAL INFORMATION?**

Lex Capital will provide individuals with access to the personal information it holds about them in accordance with applicable laws. Lex Capital reserves the right to require that any request for access to personal information be made in writing; and generally, there is no cost for such access. However, Lex Capital reserves the right to charge for such costs on a case-by-case basis in accordance with applicable laws. The individual will be notified in advance if charges apply.

Lex Capital will correct or amend the personal information in its files where it can be shown that the information is incorrect or incomplete.

## **STORAGE AND PROCESSING**

Lex Capital will store the personal information on its cloud-based servers and/or with its services providers.

Lex Capital's service providers may store and/or process personal information outside of Canada (including in the United States of America). When information is stored or processed outside of Canada, it may be subject to the laws of and be accessible by legal authorities in such other jurisdictions. Lex Capital has taken appropriate technical, organizational, and legal steps to secure this information.

## **GDPR INFORMATION**

The GDPR sets out obligations and rights with respect to the personal data of residents of the European Union. Lex Capital is committed to ensuring that it complies with the requirements of the GDPR. As such, this section outlines additional information relevant to residents of the European Union only. Please see the remainder of the Privacy Policy for more information on our privacy practices.

### *Your Rights relating to your Personal Data*

Subject to some exceptions, the GDPR provides you with the following rights:

- a. *Right of access:* You have the right to information about whether and why we process your personal data and related information (i.e., what personal data we are processing).
- b. *Right of rectification:* You have the right to correct any inaccurate or incomplete personal data that we hold about you.
- c. *Right to erasure:* You have the right to ask us to delete personal data that we hold about you (unless otherwise required to be retained in accordance with laws and regulations).
- d. *Right to restrict or object to processing:* You have the right to ask us to limit or stop our processing of your personal data in certain cases (i.e., if the personal data we are processing about you is inaccurate or is for direct marketing purposes).
- e. *Right to data portability:* You have the right to ask us for a copy of personal data we hold about you and to transfer such data to another entity.
- f. *Right to complain:* We encourage you to reach out to us at the contact information below if you have any questions or concerns with our personal data practices. However, you also have the right to complain to regulatory authorities in your jurisdiction. Please also get in touch with us if you need information about the appropriate authority.

You may exercise these rights or find out more about these rights by contacting Lex Capital at the contact information listed below.

### *Retention and Storage of Personal Data*

Lex Capital is based and processes personal data in Canada. The European Commission recognizes Canada as providing an adequate level of protection for personal data. Lex Capital's service providers may process your personal information outside of Canada (such as in the United States of America). When your information is processed outside of the European Union, it may be subject to the laws of and be accessible by legal authorities in such other jurisdictions. Lex Capital has taken appropriate technical, organizational, and legal steps to secure this information.

## CONTACT LEX CAPITAL

For further information about our privacy practices, to make a request for access to personal information or to exercise any other rights outlined in this Privacy Policy, please contact Lex Capital's Privacy Officer at the following:

Curtis Armstrong  
Managing Partner & CFO  
2530 Sandra Schmirler Way  
Regina, SK S4W 0M7  
Phone: (306)790-8676  
Email: [info@lexcapital.ca](mailto:info@lexcapital.ca)

The foregoing policy is effective as of September 22, 2023. Lex Capital reserves the right to change this Privacy Policy at any time in accordance with applicable laws – please check the Website for applicable updates.