

LAWPRO[®] Personal Information Statement for Canadian Lawyers¹ **(Ongoing Collection, Use and Disclosure by LAWPRO of Personal Information)**

Lawyers' Professional Indemnity Company ("LAWPRO") uses the information provided in the application forms for its optional insurance programs (or which may be provided verbally or in writing at other times prior to or after commencement of policy coverage) for a number of purposes fundamental to operating LAWPRO's optional insurance programs. The information may be provided by the lawyer, any Law Society/regulator where the lawyer practises, has practised or intends to practise, or by a law firm with whom the lawyer has, had or intends to have a relationship, such that the lawyer is, was or is to be named as an insured in the insurance policy of such law firm.²

All personal information provided to and/or maintained by LAWPRO is used in respect of LAWPRO optional programs, to the extent needed for the purposes stated below:

Optional insurance programs

For optional insurance programs operated by LAWPRO in which the lawyer:

- participates or has participated; or
- applies to be, is, was or is to be named as an insured,

personal information may be collected, used or disclosed (as applicable) to:

- establish insurance coverage;
- determine and collect premiums and other amounts owing;
- underwrite and rate the insurance programs, including the development of statistics for underwriting and risk management purposes;
- detect and prevent fraud; or
- handle claims, including determining the extent of insurance coverage (if any) and investigating, evaluating, negotiating, litigating and/or resolving claims.

Risk management

Personal information may be used to provide information to or contact the lawyer, the law firm and/or its staff regarding:

- the insurance programs and other loss control programs/initiatives operated by LAWPRO; or
- methods of reducing or managing risk associated with legal practice.

Passwords

Personal information may be used to establish passwords that enable the lawyer, the law firm and/or its staff to access secure technology systems operated by LAWPRO, its partners or agents.

Regulatory requirements

Personal information may be collected, used or disclosed (as applicable) by LAWPRO to:

- obtain reinsurance and comply with reporting and auditing requirements of reinsurers; or
- fulfill LAWPRO's regulatory, other legal, and accounting obligations.

In particular, in respect of LAWPRO's optional programs, LAWPRO may disclose the lawyer's personal information to the following entities from time to time:

- the Law Society/regulator of any provinces/territories in which the lawyer practises, has practised, or intends to practise,
 - to enable the Law Society/regulator to fulfill its regulatory obligation to maintain membership status records, undertake audits, and regulate the profession, insofar as the personal information relates to insurance status and transaction levy information, if applicable; or
 - to apprise the Law Society/regulator of any activities considered by LAWPRO to be dishonest or criminal or which may have had, or may have, the effect of causing serious damage as a consequence of an apparent breach of the applicable *Rules of Professional Conduct* or their equivalent, or in any circumstances that a lawyer would be mandated to report to the Law Society/regulator in respect of other lawyers pursuant to the applicable *Rules of Professional Conduct* or their applicable equivalent;
- third parties involved in a claim (including counsel, adjusters, experts, mediators and adjudicators, other insurers and any Law Society's compensation fund) reported to LAWPRO as the insurer, where the lawyer and/or the law firm is a party to the claim and to the extent disclosure of the personal information is necessary for handling of the claim;
- regulatory bodies having jurisdiction over insurance and financial service companies, to the extent they require disclosure of, or access to, personal information;
- a law firm (or its insurance representative, administrator or reciprocal, or representative or administrator thereof) where the lawyer is, has been, or intends to be a partner, associate, employee, sole practitioner, "of counsel" or in association (or officer, director or shareholder of the management company of such law firm), to the extent that the personal information is relevant to any optional insurance coverage of such law firm in which the lawyer is, was or is to be named as an insured; or
- with respect to name and contact details only, members of the public, lenders and real estate agents seeking names of TitlePLUS[®] eligible lawyers, if the lawyer is a TitlePLUS eligible lawyer and has not advised LAWPRO in writing that he/she does not wish to receive referrals.

If previously, now or in the future the lawyer:

- participates or has participated; or
- applies to be, is, or is to be named as an insured,

in any optional LAWPRO program, the lawyer consents to the collection, use and disclosure of personal information as set out in this Statement. This consent is an ongoing consent in respect of the current and all future policy years for information previously, now or in the future provided to and/or maintained by LAWPRO as set out in this Statement, and binds heirs and estate trustees. If LAWPRO intends to collect, use or disclose the personal information in any manner other than as set out in this Statement in respect of the LAWPRO optional programs, it will, if required by law:

- communicate such change to this Statement by broadcast e-mail, letter or posting on the LAWPRO Website and consent to such change will be implied; or
- for use or disclosure situations unique to an individual lawyer, communicate directly with such lawyer and obtain appropriate consent.

*For a copy of the most current version of the **LAWPRO Personal Information Statement for Canadian Lawyers** or the **LAWPRO Privacy Code**, please visit our website at www.lawpro.ca/privacy or contact our Customer Service Department at (416) 598-5899 or 1-800-410-1013, or e-mail service@lawpro.ca.*

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¹ Applicable to lawyers in British Columbia, Alberta, Saskatchewan, Manitoba, New Brunswick, Nova Scotia, Prince Edward Island, Newfoundland & Labrador, Yukon, Northwest Territories and Nunavut. For lawyers in Ontario and notaries/lawyers in Quebec, please consult the Personal Information Statement applicable to your province, available at www.lawpro.ca/privacy

² In this Statement, "law firm" includes all forms of partnerships, associations and law corporations, and includes the plural version, where applicable.