

## **GIBSON ENERGY PERSONAL INFORMATION PRIVACY POLICY**

Gibson Energy respects your privacy and we are committed to maintaining the accuracy, confidentiality and security of your personal information in our possession. This Privacy Policy describes the personal information that we collect from or about you in the conduct of our business, how we use it and to whom we disclose that information. It governs the behaviour of our employees and agents acting on our behalf when dealing with your personal information, and provides a procedure for you to access and amend personal information held by us.

All references in this policy to “Gibson Energy”, “Gibson”, “we”, “us”, “our” and like terms should be interpreted as meaning Gibson Energy ULC and its affiliated and subsidiary legal entities and partnerships.

Gibson is subject to federal and provincial personal information protection (i.e. “Privacy”) laws. This legislation governs the management of personal information collected, used and disclosed by Gibson in the course of conducting its business operations. Gibson will comply with the privacy legislation applicable within each jurisdiction in which we operate.

This Policy applies to the personal information of individuals, unless it is related to a potential, current or former employee of or contractor to Gibson. Detail concerning Employee or Contractor personal information handling is available from the Gibson Human Resources Department or through our Privacy Officer.

### **What is Personal Information?**

Personal information is any information about an identifiable individual, presented or collected in any form, such as home address, age, identification or account number(s), income, transaction history or credit records. Personal information does not include business title or business contact information, or anonymous or non-personal information (i.e., information that cannot be associated with or tracked back to a specific individual).

### **What Personal Information Do We Collect?**

We collect and maintain different types of personal information. These include, by way of illustration:

- ◆ Contact and identification information, such as your name, address, telephone number and e-mail address;
- ◆ Product and service related information concerning the products and services that we provide to, or receive from you, including the ordering, servicing, maintenance and repair of such products;
- ◆ Credit and financial information such as your payment methods and preferences, and billing and credit history;
- ◆ Business relationship information, including information related to agreements with you;
- ◆ Customer relationship information, such as customer service requests and feedback, and information requested by or from you or provided by or to you;

- ◆ Market related information, which may include personal information, concerning market trends and activities impacting our businesses. This information may include contract terms, financial information and other information for the purpose of market analysis and strategic planning;
- ◆ We may also collect information related to or resultant from our media and public relations activities.

As a general rule, Gibson usually collects personal information directly from you. This information may be collected in person, over the phone, through the mail, or through electronic medium such as over the Internet. Your consent to the collection, use and disclosure of information may be given directly by you or implied from your actions.

In most circumstances where your personal information we collect is held by a third party, we will obtain your permission before we seek out this information from such sources. An example of a third party that we may collect information from is a credit reporting agency, for the purposes of conducting a credit check where you wish to obtain credit from us.

From time to time we may use the services of third parties, including Gibson affiliates, in our business, and may also receive personal information collected by those third parties in the course of the performance of their services for us. Where this is the case, we will take reasonable steps to ensure that such parties have represented to us that they have the right to disclose your personal information to us.

When your internet browser accesses any website, that site can track which site you visited immediately prior, and it can store that information. When you send us an e-mail or you ask us to respond by e-mail, we may learn your exact e-mail address and any information you have included in the e-mail. We will use your e-mail address to acknowledge or respond to your comments or questions, and we store your communication and our response in case we correspond further. We will not sell your e-mail address.

### **Why Do We Collect Personal Information?**

Gibson collects personal information to enable us to manage and develop our business and operations, including, by way of illustration:

- ◆ To establish, maintain and manage relations with you so that we may provide you with, or receive from you, the products and services that have been requested. For example, we will use your personal information to establish your identity and location so that we may accurately deliver and bill you for the products and services that you have requested or received from us;
- ◆ To review the products and services that we provide to you so that we may understand your requirements and to improve our products and services;
- ◆ To review the products and services that we obtain from you so that we may work with you to understand our requirements;
- ◆ To inform you of products and services other than those which you have specifically requested;

- ◆ To comply with your requests. For example, should you prefer to be contacted at a residential telephone number and so advise us, we will use this information to contact you at that number;
- ◆ To protect us against error, fraud, theft and damage to our goods and properties;
- ◆ To enable us to undertake our environmental, health and safety activities, including incident/accident planning, response and investigation;
- ◆ To comply with applicable legal or regulatory requirements. For example, we may collect personal information to satisfy the obligations imposed upon us by various government authorities, regulatory boards or agencies, or to follow procedures mandated by such authorities, boards or agencies in respect of the provision of our products and services; and
- ◆ For any other reasonable purpose to which you consent.

### **How Do We Use Your Personal Information?**

We may use your personal information for the purposes described in this policy, or for any additional purpose for which we have obtained your consent. We may use personal information without your knowledge or consent where we are permitted or required by applicable legal or regulatory requirements.

### **Your Consent is Important to Us**

It is important to us that when we collect, use or disclose your personal information, we have your consent to do so. Your consent may be express, deemed (using an opt out mechanism) or implied. Express consent can be given orally, electronically or in writing. Implied consent is consent that can be reasonably inferred from your action or inaction. For example, when you accept our products or services, we will assume your consent to the collection, use and disclosure of your personal information for purposes related to your acceptance and use of those products or services.

Typically we will seek your consent when we collect the personal information. In certain circumstances, your consent may be obtained after collection but prior to our use or disclosure of your personal information. Under certain Privacy legislation, we also may be deemed to have your consent to the personal information that we hold about you. If we plan to use or disclose your personal information for a purpose not previously identified in this policy or separately to you, we will endeavour to advise you of that purpose before such use or disclosure.

### **When Do We Disclose Your Personal Information?**

We may disclose your personal information to affiliates, employees, contractors, suppliers or other parties who require such information to assist us with establishing, maintaining and managing our business relationships, including third parties that provide services to us or on our behalf; third parties that collaborate with Gibson in the provision of services to you or on your behalf; third parties to whom we are directly or through you providing products and services; and third parties we use in the performance of our services.

Further, your personal information may be disclosed:

- ◆ As permitted or required by applicable law or regulatory requirement;
- ◆ To comply with valid legal processes such as search warrants, subpoenas or court orders;
- ◆ As part of regular reporting activities to affiliates;
  
- ◆ To protect the rights and property of Gibson;
- ◆ During emergency situations or where necessary to protect the safety of a person or group;
- ◆ Where the personal information is public;
- ◆ To another party in the event of a change of ownership of, or a grant of a security interest in, all or part of Gibson or its assets, through, for example, an asset sale or share sale, or some other form of business venture; or
- ◆ With your consent.

We will endeavour to disclose only such personal information as is required under the circumstances, and to ensure such party is bound by appropriate obligations to use or disclose personal information in a manner consistent with the use and disclosure provisions of this Policy and the applicable legislation.

### **Opt-Out Provisions**

You may change or withdraw your consent at any time, subject to legal or contractual restrictions and reasonable notice, by contacting our Privacy Officer using the contact information set out below. In some circumstances, a change in or withdrawal of consent may severely limit our ability to provide products and services to, or acquire products and services from you. All communications with respect to such withdrawal or variation of consent must be in writing.

We assume, unless you advise otherwise, that by accessing or receiving a copy of this Privacy Policy, or by continuing to deal with us, you have consented to the collection, use and disclosure of your personal information as explained herein.

### **How Is your Personal Information Protected?**

Gibson endeavours to maintain physical, technical and procedural safeguards that are appropriate to the sensitivity of the personal information in question. These safeguards are designed to protect your personal information from loss and from unauthorized access, copying, use, modification or disclosure.

In the course of conducting its business, Gibson may monitor the activities of individuals in respect of its operations and its property. For example, some Gibson locations are equipped with surveillance cameras. These cameras are generally in high risk areas or plant sites. Where in use, surveillance cameras are there for the protection and security of employees and third parties, and to protect against theft, vandalism and damage to Gibson's goods and property. Generally video tape recording images are routinely destroyed and not shared with third parties unless there is an incident being investigated, or suspicion of a crime, in which case they may be turned over to the police or other appropriate authorities.

## **How Long Is your Personal Information Retained?**

Except as otherwise permitted or required by applicable law or regulatory requirement, Gibson endeavours to retain personal information only for as long as it believes necessary to fulfill the purposes for which the information was collected, including for the purpose of meeting any legal, accounting or other reporting requirements or obligations. We may, instead of destroying or erasing personal information, choose to make it anonymous such that it cannot be associated with or tracked back to a specific individual.

## **Updating Your Personal Information**

Since we use your personal information to provide products and services to you, or to obtain products and services from you, it is important that the information contained in our records is both accurate and current. If your personal information changes during the course of our relationship, please keep us informed of such changes.

## **Access to Your Personal Information**

You can ask to see the personal information that we hold about you at any time. If you wish to review, verify or correct your personal information, please contact our Privacy Officer using the contact information set out below. Any such communication must be in writing.

When you request access, please note that we may require specific information from you to enable us to confirm your identity and right to access, as well as to search for and provide you with the personal information that we hold about you. Privacy legislation provides for, and we may charge you, a fee to access your personal information.

Your right to access the personal information we hold about you is not absolute. There are and may in future be instances where applicable legal or regulatory requirements allow or require us to refuse to provide you some or all of the personal information that we hold about you. In addition, your personal information may have been destroyed, erased or made anonymous in accordance with our record retention obligations and practices, and may not be available to provide to you. If we cannot provide you with access to your personal information, we will try to tell you the reasons why, subject to any legal or regulatory restrictions.

## **Notification and Consent**

By accessing or receiving a copy of this Policy, or providing personal information to Gibson, unless you advise us otherwise, you will be deemed to have given consent, where such consent is required, to the collection, use, and disclosure of your personal information in accordance with and for the purposes stated in this Policy, including any other purposes stated or reasonably implied at the time the personal information was provided to Gibson, or for which you have subsequently or otherwise received notice, and, where your consent is required by law, we have obtained your consent.

**Privacy Officer Contact Information:**

Gibson Energy  
1700, 440 - 2<sup>nd</sup> Avenue SW  
Calgary, Alberta  
T2P 5E9  
Attn: Privacy Officer

Telephone: (403) 206-4111  
Fax: (403) 206-4011  
Email: [privacy@gibsons.com](mailto:privacy@gibsons.com)

If you have any questions about this Policy or concerns about how we manage your personal information, please contact our Privacy Officer in writing. We will try to answer your questions and advise you of any steps taken to address the issues raised by you in accordance with the applicable legislation. If you are unsatisfied with our response, you may be entitled to make a written submission to the Privacy Commissioner with authority in your jurisdiction.

This Privacy Policy is not intended to create or confer upon any individual any rights, or impose upon Gibson any rights or obligations outside of, or in addition to, any rights or obligations imposed by federal and provincial privacy laws. Should there be, in any specific case, any inconsistency between this Policy and the applicable federal and provincial Privacy laws, this Policy shall be interpreted to give effect to and comply with such Privacy laws.

**Revisions**

We will post our Privacy Policy and any revised versions of our Privacy Policy on our website at [www.gibsons.com](http://www.gibsons.com) and on the websites of our affiliated and subsidiary legal entities and partnerships. Any changes to this Privacy Policy will be effective from the time they are posted.