

APPENDIX 'C'

CODE OF PRIVACY

I. Declaration

- A. Canadian Independent Adjusters' Association hereby declares that every Member of the Association and their employees respects individual privacy and recognizes an obligation to use best efforts to protect individual privacy to the greatest extent possible in the course of carrying out licensed activities under the applicable provincial or territorial Insurance Acts (the ACTS).
- B. Every Member conducting an investigation shall use the means least intrusive to individual privacy under the circumstances of a particular case.

II. Collection of Information

- A. No Member or their employees shall collect information on behalf of a client unless the collection is:
 - 1. expressly authorized by law, including the ACT, or
 - 2. necessary to the performance of a lawfully authorized activity, including an authorized activity under the ACT, or
 - 3. to preserve, protect, or defend the legal rights of a client under contract, policy of insurance, common law, Federal or Provincial statutes.
- B. Members and their employees shall obtain personal information only to the extent relevant to the purposes for which that information is to be used, and only to the extent necessary for those purposes.

III. Use of Information

- A. No Member or their employees shall use personal information in his/her custody or control except:
 - 1. for the purpose for which it was obtained or a consistent purpose;
 - 2. to perform a lawfully authorized activity;

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IV. Disclosure of Information

- A. No member shall disclose personal information in his/her custody or control except:
 - 1. to the client, or pursuant to the direction of the client that retained the adjuster, to legal counsel, another investigative body as defined by the regulations of the Personal Information Protection and Electronic Documents Act or to the Canadian Independent Adjusters' Association.
 - 2. to an officer or employee of the Canadian Independent Adjusters' Association who needs the personal information in the performance of his/her duties;
 - 3. as required by law

V. Client Agreement

- A. When accepting an assignment from a client, Members and their employees shall advise the client of the terms of the Privacy Code and of the responsibility of Members and their employees to conduct all inquiries in accordance with the Code.

VI. Security of Personal Information

- A. Personal Information shall be protected by reasonable security safeguards against such risk as loss, unauthorized access, destruction, use, modification or disclosure of data.