

**Privacy Policy**  
**Mercedes-Benz Canada Inc.**  
**Version 2.0**



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A Daimler AG Company

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## Introduction

At Mercedes-Benz Canada Inc. (MBC), we demonstrate our commitment to protecting the personal information of our customers through the MBC Privacy Policy. This Policy describes how we protect the privacy, confidentiality, accuracy, and security of customer personal information that we collect, use, disclose, or retain at MBC, including at our corporately owned dealerships.

MBC is part of the Daimler AG Group of companies, one of the world's leading automotive manufacturers. MBC and our affiliated businesses are required to comply with the Daimler Code of Conduct for Data Protection and Privacy<sup>1</sup> and to communicate and enforce this Privacy Policy. The MBC Privacy Policy complies with the Daimler Code of Conduct for Data Protection and Privacy, the *Personal Information Protection and Electronic Documents Act (PIPEDA)*, the Canadian Marketing Associations' Code of Ethics and Standards of Practice, and applicable provincial privacy laws. To ensure consistency with privacy policy best practices, the MBC Privacy Policy is organized around ten internationally recognized privacy principles, which are codified into law in Schedule I of PIPEDA.

At MBC, we reserve the right to change this Policy from time to time and provide notice of any significant changes, and the proposed effect, on the MBC website. We obtain consent from customers if the changes involve and new uses or disclosures of customer personal information.

## Definitions

The following definitions apply in this Privacy Policy:

***Affiliated Businesses:*** Our affiliated lines of businesses and programs that develop, enhance, market, and/or provide MBC consumer products, services, and marketing. Affiliated businesses include Daimler AG, Mercedes-Benz Financial Canada, independent Mercedes-Benz Canada dealerships, and all worldwide subsidiaries of Daimler AG.

***Business Partners:*** Organizations with which we have an alliance or arrangement to provide our customers with products or services that may be of interest to them, but which we do not offer directly. Business partners also include organizations with which we partner in order to conduct market research so that we may better understand our customers' interests and automotive needs.

***Collection:*** Gathering, acquiring, or obtaining customer personal information from any source.

***Consent:*** A customer's voluntary agreement with what is being done or proposed. Consent may either be implied or express. *Express* consent is given in an explicit

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<sup>1</sup> [http://www.daimler.com/Projects/c2c/channel/documents/916654\\_daimler\\_codeofconduct\\_en.pdf](http://www.daimler.com/Projects/c2c/channel/documents/916654_daimler_codeofconduct_en.pdf).



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manner, either orally or in writing. *Implied* consent may be reasonably inferred by the action or inaction of the individual (e.g. customer presenting a driver's license so we can authorize a test drive).

**Customer:** An individual, business, or organization that purchases, or expresses an interest in, an MBC product or service. This includes potential customers for whom we have established, or are in the process of establishing, a customer profile by collecting personal information.

**Disclosure:** Making personal information available to other individuals or organizations outside of MBC, including to our affiliated businesses.

**Personal Information:** Information that identifies, or which could be used either alone or with other information to identify a customer, such as name, address, birth date, financial information, computer IP address, etc. In accordance with legal requirements, if customers identify themselves as employees of an organization, their name, title, business address, or business telephone number is not considered personal information.

**Contractors:** Organizations or individuals that perform services on our behalf and for our purposes. For the purpose of this policy, references to MBC include contractors.

**Use:** Handling or processing of personal information within MBC.

## Principle 1: Accountability

At MBC, we are responsible for all personal information in our custody or control, including personal information that we share with contractors operating on our behalf (e.g. information technology providers). We require all of our employees and contractors to sign confidentiality agreements to ensure that they protect personal information in compliance with this Policy.

We have designated a Privacy Officer who is ultimately responsible for ensuring our compliance to this Privacy Policy. Customers and MBC employees can contact the MBC Privacy Officer with questions, comments, or complaints by email at [PrivacyOfficer@Mercedes-Benz.ca](mailto:PrivacyOfficer@Mercedes-Benz.ca), by phone at 1-800-387-0100, or by mail at 98 Vanderhoof Ave, Toronto, ON M4G 4C9. Customers and MBC employees should direct all correspondence to the attention of the Privacy Officer.

We have also established a Privacy Committee at MBC. The Privacy Committee includes representatives from various departments, including Retail Sales, Marketing, Information Technology, Communications, and Public Relations. Chaired by the MBC Privacy Officer, this committee is responsible for:

- Reviewing, and responding to, customers' privacy questions and complaints;
- Approving new uses or disclosures of personal information to ensure that they occur in a privacy-protective manner; and
- Ensuring that this Privacy Policy remains up to date.



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To ensure the effectiveness of our Privacy Policy, we:

- Adopt privacy procedures and processes to protect personal information;
- Respond to privacy complaints and inquiries in a timely manner;
- Conduct privacy training for all employees concerning the MBC Privacy Policy;
- Make information available to customers to explain our privacy policies and procedures (e.g. privacy notices, statements, brochures); and
- Monitor legislative and industry developments in privacy and security on an on-going basis to ensure we are meeting or exceeding our privacy and security responsibilities.

## **Principle 2: Identifying Purposes**

At MBC, we identify to our customers the purposes for which we collect their personal information at or before the time of collection. We make this information available to customers through this Privacy Policy, our website, privacy notices, and other informational materials available at our dealerships.

We do not collect, use, or disclose personal information for a new purpose that was not previously identified without, first, explaining the new purpose to the customer and, second, obtaining consent.

We collect and use personal information directly from our customers, our affiliated businesses, insurance providers, and data brokerage firms for the following purposes:

- Provide our customers with MBC products or services and related activities – including vehicle warranty programs, customization, financing, leasing, recalls, test drives, and customer loyalty programs;
- Initiate, maintain, and improve our relationship with our customers by providing them with information on special offers and promotions;
- Improve our products and services through quality assurance and improvement activities;
- Investigate and respond to inquiries or complaints;
- Comply with legal and contractual requirements; and
- Enable our customers to opt out of the use or disclosure of their personal information for certain purposes, such as marketing or quality assurance.

At MBC, we disclose personal information to:

- Mercedes-Benz Financial, government institutions (e.g. departments of motor vehicles or other relevant agencies), and insurance providers in order to process the purchase, lease, finance, or maintenance of a vehicle;



- Business partners, such as SIRIUS Satellite Radio and Roadside Assistance, so that they can provide our customers with products and services on a trial or fee-for-service basis from these businesses; and
- Business partners, such as Maritz and JD Power, so that these businesses may request information from customers concerning the quality of our services and products as well as conduct market research so that we can better understand our customers and their needs.<sup>2</sup>

A list of business partners and affiliated businesses with which we share customer information at MBC is available upon request.

### Principle 3: Consent

We obtain the consent of customers for the collection, use, or disclosure of their personal information, except where it is inappropriate to do so. For sensitive uses and disclosures of personal information, such as disclosing financial information to MBC Financial for the purpose of processing a request to lease or finance a vehicle, we obtain the express consent of customers. In addition, we obtain the implied consent of our customers by providing notice of our privacy practices through the MBC Privacy Statement, located throughout MBC dealerships and on our website. At MBC, we do not, as a condition of sale or service, require a customer to consent to the collection, use, or disclosure of personal information beyond that required to fulfill the specified purposes.

Customers may choose to withdraw their consent for certain uses and disclosures of their information by us at MBC, subject to legal or contractual restrictions and reasonable notice. Customers can opt out of these uses and disclosures by contacting our [MBC Privacy Officer](#).

Customers can withdraw their consent to our use and disclosure of their personal information for the following purposes:

- Providing our customers with information on special offers, events, and promotions offered by us at MBC or our business partners;
- Contacting our customers directly or through a business partner, such as JD Power or Maritz, in order to survey our customers' level of satisfaction with our products and services and to enable us to better understand our customers' interests and needs; or
- Enrolling our customers to receive a 6 month free trial of SIRIUS Satellite Radio.<sup>3</sup>

Once we receive the customer's opt-out request, we process it within 10 days.

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<sup>2</sup> Disclosures to business partners such as Maritz and JD Power only occur with the personal information of existing customers – not potential customers (i.e. individuals, businesses, or organizations that purchase an MBC product or service – not those who only express an interest in purchasing an MBC product or service).

<sup>3</sup> In order to activate customers' SIRIUS Satellite Radio free trial, MBC provides SIRIUS with a customer's name, address, phone number, vehicle identification number, and SIRIUS Satellite Radio serial number. If customers do not want their information to be provided to SIRIUS, they must opt out of the free trial within 48 hours of the time of vehicle delivery.



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If customers choose to withdraw their consent for any of the above-mentioned reasons, the MBC Privacy Officer will identify the implications of such refusals when the request is received and, if applicable, inform customers of any restrictions on their withdrawal of their consent.

At MBC, we cannot process opt-out requests on behalf of our affiliated businesses and business partners. Customers must contact these businesses directly.

#### **Principle 4: Limiting Collection**

At MBC, we limit the collection of personal information to that which is necessary for the purposes identified to our customers, and collect personal information through fair and lawful means. For example, we limit the information we collect from drivers' licenses for the purpose of test driving a vehicle by only recording the information required to verify the driver's license and to identify the driver in case of vehicle theft, accident, ticket, or other liability. We also limit the collection of customer financial and contact information by only collecting information deemed necessary to process a transaction and for business development purposes.

#### **Principle 5: Limiting Use, Disclosure, and Retention**

We do not use or disclose customer personal information for purposes that are not identified at the time of collection, except with the consent of the customer or as required by law.

Customers may request a complete list of the organizations to which we disclose their personal information by contacting the [MBC Privacy Officer](#).

At MBC, we do not share, sell, or rent the personal information of our customers to business partners, affiliated businesses, or any other organization without customer consent. When we engage in joint marketing promotions with business partners, we only disclose the personal information of our customers to these business partners with customer consent.

We follow established procedures concerning the retention of personal information. Personal information that is no longer required to fulfill the specified purposes is destroyed (e.g. shredded) or erased (e.g. sanitized for electronic media).

#### **Principle 6: Accuracy**

At MBC, we make reasonable efforts to ensure that personal information we use or disclose is as accurate, complete, and up-to-date as is necessary for the specified purpose. This depends on the use of the information and takes into account the interests of the customer. For example, accuracy of information is particularly important if MB Financial Canada is using this information to make a judgment or evaluation about a customer, such as for credit checks. Customers are also encouraged to contact us should their information (e.g. address, vehicle ownership information) change by contacting customer service by phone at 1-800-387-0100.



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## Principle 7: Safeguards

We protect personal information against loss, theft, and unauthorized access, disclosure, copying, use, or modification with security safeguards appropriate to the sensitivity of the personal information. We protect personal information regardless of the format in which it is held.

At MBC, we comply with industry best practices and employ current security procedures to protect personal information in our custody and control. These include, but are not limited to, the following safeguards:

- *Administrative Safeguards:* We employ administrative safeguards, such as this Privacy Policy, our MBC Security Policy, confidentiality agreements, and contracts, to ensure that all MBC employees and contractors access personal information for authorized purposes only. We train our employees to understand and follow the practices outlined in this Privacy Policy, and regularly remind employees of their privacy responsibilities through email bulletins, brochures, and meetings.
- *Technical Safeguards:* We employ technical safeguards, such as passwords, encryption, clear screen policy, the use of closed networks, and role-based access controls, for information systems from which personal information may be accessed.
- *Physical Safeguards:* We employ physical safeguards to protect personal information by locking filing cabinets, restricting physical access to offices and data centres, and ensuring our employees follow a clear desk policy.

We also protect the personal information we destroy and dispose of in order to prevent unauthorized parties from gaining access to the information during this process. This includes shredding paper documents and erasing electronic data.

## Principle 8: Openness

At MBC, we make available to our customers specific information about our policies and practices that relate to the management of customer personal information. We make this information available to our customers:

- In this Privacy Policy and our privacy statement found on the MBC website;
- Through our privacy notices that we post and make available at MBC dealerships; and
- By contacting the [MBC Privacy Officer](#).

This information describes:

- What personal information is in our custody or control;
- How we collect, use, and disclose personal information, and for what purposes;
- What legislation governs such activities;
- How we protect personal information in our custody and control;



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- How customers may gain access to and correct the personal information we have about them;
- How to opt out of specific uses and disclosures of personal information; and
- How to contact the MBC Privacy Officer with an inquiry or complaint.

The management of customer personal information by our affiliated businesses and business partners is governed by the privacy policies of those businesses and is not the responsibility of MBC. Please contact these businesses directly for information about their respective data management practices.

### **Principle 9: Individual Access**

Upon request, we inform customers of the existence, uses, and disclosures of their personal information and give them access to that information, except where we are restricted by law.

Customers can request access to their personal information in our custody or control by contacting customer service by phone at 1-800-387-0100 or by mail at 98 Vanderhoof Ave, Toronto, ON M4G 4C9. If MBC is unable to provide access to all of the personal information that we hold about a customer, we provide the reasons for denying access to the customer.

A customer will be required to provide sufficient information so that we can confirm the customer's identity and process the customer's request. We only use the information provided to accurately locate the customer's personal information.

At MBC, we will respond to all requests for access to information within 30 business days from the receipt of request and at minimal or no cost to the individual. In the case where there is a cost associated with processing the request, we notify the customer in advance. The customer may then choose to withdraw his/her request.

If a customer finds that the information provided to him/her is inaccurate or incomplete, the customer may contact our Privacy Officer and we will amend this information, as appropriate. When appropriate, we will also transmit the amended information to the organizations to which we originally shared the information so that the information is correct and complete within the organizations' records.

If we determine that it is inappropriate to amend a customer's information, we will note this within our records.

### **Principle 10: Challenging Compliance**

Individuals may challenge our compliance with this Privacy Policy by submitting the challenge in writing to the [MBC Privacy Officer](#).

The MBC Privacy Officer reviews all concerns and complaints within 5 business days. If a complaint is found to be justified, our Privacy Officer will conduct an investigation and take



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appropriate measures to remediate the issue, including, if necessary, amending our policies and procedures, safeguards, and information management practices. The MBC Privacy Officer will inform the complainant of the results of the investigation within 30 business days. When investigations require more time in order to thoroughly review the issue, our Privacy Officer will provide the complainant with a schedule upon which the investigation will be completed.

In the event that we are not able to address a complaint to the satisfaction of the complainant, he/she may contact the Office of the Privacy Commissioner of Canada by phone (1-800-282-1376) or by filling out a complaint form available at [http://www.priv.gc.ca/I\\_1/form\\_e.cfm](http://www.priv.gc.ca/I_1/form_e.cfm) and submitting the completed form by mail to:

Office of the Privacy Commissioner of Canada  
112 Kent Street  
Place de Ville, Tower B  
3rd Floor  
Ottawa, ON K1A 1H3