

# Privacy Statement of Kaizen Automotive Group

THIS PRIVACY STATEMENT OF KAIZEN AUTOMOTIVE GROUP and ITS DEALERSHIPS, AND OUR OTHER ENTITIES and/or AFFILIATES. (Collectively KAIZEN AUTO GROUP “KAG”) provides you with information regarding our practices with respect to the collection, use, retention and storage of your Personal Information by us.

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We use the following defined terms;

**“We” or “us”** Kaizen Automotive Group “KAG” and our other Entities and/or Affiliates as listed below.

**“Site(s)”** means the Kaizen Automotive Group website (www.kaizenauto.com), the Summit Acceptance Corp website (www.summitacceptance.com), our other Entities and/or Affiliates and our dealership websites and our social media pages (for example, Twitter, Facebook, Yelp, Google, and YouTube).

**“Personal Information”** means information about you as an identifiable individual. This includes information such as your name, home address, telephone number, personal e-mail address, and personal Twitter or other social media address. In some cases, it may include demographic information such as your gender, age, nationality and other characteristics when that information is used in connection with other information about you. If you are an individual and not a business organization, Personal information may also include information such as your interests, purchasing history and financial information. Your business address, title and business telephone number are not Personal Information when used for business purposes.

**“Entities and/or Affiliates”** means other businesses or other members of the Kaizen Automotive Group family in Canada and the United States including our automotive dealerships. Currently they are; Shaw GMC Chevrolet Buick Limited Partnership by its General Partner Shaw GMC Chevrolet Buick Inc.,

CMP Automotive Limited Partnership by its General Partner CMP Automotive Inc. Sunridge Nissan Limited Partnership by its General Partner Sunridge Nissan Corp. Country Hills Automotive Limited Partnership by its General Partner Country Hills Automotive Ltd. Okotoks Chevrolet Buick GMC Limited Partnership by its General Partner Okotoks Chevrolet Buick GMC Ltd. Okotoks Nissan Limited Partnership by its General Partner Okotoks Nissan Ltd. Summit Chevrolet GMC Cadillac Buick Limited Partnership, by its General Partner Summit Chevrolet GMC Cadillac Buick Ltd. Summit Acceptance Limited Partnership by its General Partner Summit Acceptance Corp. and Summit Acceptance Corp in the USA.

**“Service Providers”** means other companies and individuals who provide us with services but who are not our employees and/or Affiliates.

We may update this Privacy Statement without prior notice to you, and any changes will be effective immediately upon the posting of the revised Privacy Statement on the Sites.

By providing information to us, you agree with the terms of this Privacy Statement. Whenever you submit information to us, for example via one our websites (Sites), you consent to the collection, use and disclosure of that information in accordance with this Privacy Statement. Please be sure to read this entire Privacy Statement before submitting information to us.

## 1. Application of the Privacy Statement

This Privacy Statement applies to Personal Information that we collect through the Sites and when you contact us.

## 2. Information we collect

We collect information when you provide it to us. We also may collect information about you through automated technologies on our Sites and from third parties. If we collect information from third parties, we endeavor to ensure that personal information is administered in accordance to KAG’s privacy statement and procedures and Canada’s Anti-Spam Legislation. When we link information to you that was collected through automated technology, we treat that information as Personal Information. Personal Information better helps us understand your automotive and related needs, allows us to communicate effectively with you, and allows us to provide you with services and products.

We may collect, use and disclose personal information for the following purposes;

- Verify identity and ensure accuracy of the information we have on record.
- To respond to your inquiries and provide you with information, such as information on Kaizen Auto Group (“KAG”) dealers or other inquiries, requests or comments that you want us to respond to.
- To assist you in scheduling a test drive of a vehicle;
- Advise of special offers, promotions, updates and other information.
- Communicate with manufacturers.
- Fulfill an deliver orders for goods or services in our parts, service, body shop, new, used, lease and rental operations, as well as administer transactions, including determining eligibility for financing, leasing and renting of vehicles.

- Provide services (such as warranty and extended service plants), and the booking of appointments.
- Analyze the performance of vehicles, service, maintain and repair vehicles operating systems, investigate accidents and systems and locating vehicles.
- To identify other products or services that we may provide.
- All other transportation goods and services.
- Notify you of any special events including promotional events taking place at or on behalf of "KAG".
- To provide, and/or assist, and/or coordinate legal notices, including, if required, any consumer safety notifications, product recalls etc.
- To provide you with features on our Sites, such as community forums or interactive features.
- To administer and identify participants in contests, promotions, surveys and website chat rooms or applications and bulletin boards (e.g. Facebook wall posts).
- Improve product and service offerings and to conduct surveys.
- Detect and prevent fraud.
- Manage, administer, collect and enforce accounts.
- Enable us to act responsibly in the events of a health or other crisis or emergency and to enhance workplace security.
- Compile statistics and report to regulatory agencies as required.
- Comply with all local, provincial and National laws.

If you submit a job application or resume to us, either directly or on-line, we will collect the information that you provide to us to determine whether you would be a suitable candidate for a job with us. We may retain this information in our files in the event a future position becomes available, unless you request us not to do so.

In addition, we may use information in order to learn about our customers in order to improve our Sites and to develop new products and services. For example, we use information received from automated technologies to determine how many visitors visit different areas of our Sites, how long they remain on our Sites, and whether they use the hyperlinks we provide.

"KAG" will limit collection and use of both the amount and the type of Personal Information to that which is necessary to fulfill the Identified Purpose at the time of collection or as identified above. We may also use your Personal Information for other purposes that are disclosed at the time of collection with your consent or as permitted or required by law.

We refer to these as our Identified Purposes.

If you do not want your Personal Information collected, please do not submit it.

### **3. Information that you provide and that we may collect:**

"KAG" and Service Providers collect Personal Information from you when you provide it. We collect information from customers in the following ways;

- Over the telephone, electronically or through face-to-face meetings. Including e-mail, facsimile, through any of our websites (Sites), by chat applications or by SMS/text messaging or other electronic means.
- Name, address, age, recorded information (such as video), photographic images, in connection with promotions such as contests;
- Information from individual visiting our premises such as their name and the name of the organization for which they work or which they represent. We may also post video cameras in areas on our premises for security purposes.
- User names used by consumers on social media Sites and comments/questions associated with those Sites.
- On the purchase of a new or used vehicle from a salesperson's customer information sheet.
- From the rental and/or lease agreement of any of our rental or leased vehicles to you.
- Through vehicle systems which record event data. For example, GPS locations servicing.
- On the trade-in information document.
- Through public sources to confirm addresses and phone numbers.
- On the purchase and sale agreement, and other purchase or repair order forms or invoices such as the application of insurance or purchase of a warranty or after-market products.
- On the purchase of mechanical repairs, body shop repairs and parts purchased from us either directly or through the Sites.
- From vehicle manufacturers, credit providers and/or credit reporting agencies.
- Through our call center communications.
- Through our internet sales communications.
- From credit applications that you fill out and sign for goods and services such as new, used, lease and rental of vehicles and for parts, service and body shop goods and services all from "KAG".
- We and third-party vendors, including Google, use first-party cookie and third-party cookies together to report how our online advertising impressions, other uses of ad services and interactions with these ad impression and ad services are related to visits to our Sites.
- Other information with your consent or as permitted or required by law.

Calls to and from "KAG" may be recorded and/or monitored for quality and training purposes. Recordings may also be used to help us develop and improve our products and services. Information may also be actively and passively collected by our websites (Sites).

Automated Information, Cookies and how we collect Aggregate Information through Technological Means;

When you visit our website, we may collect information that is automatically sent to us by your web browser or your internet service provider. To enhance your experience on our website, we may use a feature on your Internet browser called a cookie and/or other similar devices. Cookies are small files that your web browser places on your computer's hard drive. They are used for a variety of reasons, such as tracking click streams, and for load balancing. Information tracked through these mechanisms may include, but is not limited to: (i) your domain name; (ii) your IP address; (iii) the type of web browser and operating system being used; and (iv) the pages of our website a user visits or the files they request. Depending on the third party social media sites users participate in, we may obtain aggregate, statistical information regarding the gender and age range of visitors to our website. We use this information in the aggregate, and do not link it to your Personal Information. The amount of information that is sent by

your web browser or by third-party vendors depends on the browser and settings you use, including your cookie settings.

We use this anonymous information to better understand how visitors use our website, to deliver faster service, consistent, updated results, and a more personalized experience on our website and to improve our website to better meet your needs. We may also use cookies in order to help us or third parties display advertising to you when you visit our website or third party sites based on your interest in our website.

Your browser gives you the option to reject cookies. Please refer to the instructions provided by your browser if you want to learn more about how to disable cookies. You may also refer to <http://aboutads.info/choices/> for a better understanding of, as well as greater control over, the ads that are displayed to you based on your online behavior. However, setting your browser to reject cookies generally hinders the browser's performance and may adversely affect your experience while using our website.

This website uses Google Analytics, a web analytics service provided by Google, Inc. ("Google"). Google Analytics uses cookies to help the website analyze how users use the Sites. The information generated by the cookie about your use of the website (including but not limited to your IP address) will be transmitted to and stored by Google on servers in Canada and the United States. Google will use this information for the purpose of evaluating your use of the website, compiling reports on website activity for website operators and providing other services relating to website activity and internet usage.

Google may also transfer this information to third parties where and when required to do so by law, or where such third parties process the information on Google's behalf. Google will not associate your IP address with any other data held by Google. Your browser gives you the option to reject cookies. Please refer to the instructions provided by your browser if you want to learn more about how to disable cookies. You may also refer to <http://www.aboutads.info/choices/> for a better understanding of, as well as greater control over, the ads that are displayed to you based on your online behavior. However, setting your browser to reject cookies generally hinders the browser's performance and may adversely affect your experience while using our Sites.

Please also see cookies, advertising and how to opt-out for more information on how we use cookies and web beacons and how you may opt-out.

#### **Information from third parties:**

We may collect or receive information about you from third parties. For example, if you request financing, we may seek or receive consumer reporting information about you. If you rent a vehicle from us, we may obtain information about your driver record. If you are on another website and you opt-in to receive information from us, we may receive information about you. We may also obtain customer lists from other organizations to whom you have provided consent to disclose your personal information. If we obtain these customer lists for the purpose of sending you an electronic commercial message, then we will do so in accordance and compliance to Canada's Anti-Spam legislation. You will be given the option to unsubscribe to any commercial electronic message that you do not want to receive.

#### **4. Children and Minors;**

The Sites are not directed to or suitable for children under 13. We do not knowingly collect Personal Information from anyone under 13 years of age. If we become aware that we have unknowingly collected personally identifiable information from a child under the age of 13, we will delete this information from our records or, if that is not reasonable, we will take reasonable available steps to de-identify the information. Children who are over the age of 13 but under the age of majority in the jurisdiction in which they reside should not provide us with Personal Information without their parent's or guardian's consent.

#### **5. How we obtain your consent:**

Consent to the collection, use and disclosure of your Personal Information may be given in various ways. Consent can be express (express consent may be oral, in writing or electronic), implied (such as when you provide your name and address in order for us to send you products and/or services or information you have requested) and may be given by your authorized representative (such as a legal guardian or a person having a power of attorney). Generally, by providing us with your Personal Information, we will assume that you consent to our collection, use and disclosure of such information as described in this Privacy Statement and in conjunction with Canada's Anti-Spam Legislation. If applicable, or as otherwise identified at the time of collection.

You consent to the collection; storage and use of your Personal Information when you provide it to us or you provide it to a third party and give the third party permission to send that information to us. The purposes for the collection of Personal Information that you provide to us are usually stated or implicit in the context in which you gave it to us or a third party acting on our behalf. If we want to make additional uses of your Personal Information, we will ask you for your express consent. For example, if you provide us with your e-mail address so that we can provide you with our newsletters, we obtained your implied consent to use your e-mail address for providing you with our newsletters. If you provide us with your e-mail address when you make an inquiry, we obtained your implied consent to use it for the purposes of responding to your inquiry. We may ask you for your opt-in consent to use your email for other purposes, such as adding you to our newsletter list. If you provide information regarding eligibility for financing, you are consenting to our disclosure of such information to third party financing companies and/or credit agencies. Explicit consent is not required where your consent is deemed by law or not required by law. These situations may include an investigation by the police where personal information is publicly available or in situations where otherwise permitted by law.

We use opt-out consent for cookies and web beacons and other automated information. If you do not want us to collect or use this information, please do not visit our Sites. In addition, you may opt-out by using browser settings that will not accept cookies or setting your e-mail application to not download images. In addition, you may opt-out of certain on-line advertising. Please see Cookies, advertising and how to opt-out for more information.

#### **Opt In:**

In some cases you will, at the point of collection of the information, be given the option to "opt in". The act of "opting in" constitutes your express consent to receive future communications that may be of relevance to you. You can provide your express consent to our collection, use and disclosure of such

information by checking a box on a form, clicking on a specified icon on a website, or by doing some other specified action such as contacting us by telephone or by e-mail or by SMS/text messaging, or by signing a consent form on which your personal information is requested. Your personal information will in such case only be collected, used or disclosed for the purposes we describe at that time if you "opt in". You will for example, have the option to "opt in" to receive information about, or special offers for, the products and services of "KAG", in which case you will receive information relating to the products and services that we may believe are of interest to you. By "opting in" to offers from "KAG" you are indicating agreement to automatically receive information about those products and services that we believe may be of interest to you. Alternatively, for certain products and services, where offered, if you wish to receive information relating only to specific products and services and related programs or only to a specific product or service, you will have the option to "opt in" separately for these. After you "opt in" to receive offers or programs, you will have the option to "unsubscribe" or withdraw your consent if you no longer want to receive communications, either by following the instructions in an e-mail and/or SMS/text message that we send you or by contacting us by other means as described below.

When you wish to participate in a promotion, contest or survey, engage or participate in discussions, promotions or otherwise interact on our websites (Sites), or to purchase a product or service you will not be required, as a condition of your participation or purchase of the product or service, to provide more personal information than is necessary or legally required in order for us to administer the promotion, contest or survey, facilitate the discussion or to deliver the product and/or services you may be entitled or wish to receive. However, you may be provided with the option of providing additional personal information. You may, for example, choose to provide additional personal information by completing a questionnaire on a contest ballot relating to the use of our products and/or services, in which case we may then use that information to assist us in developing, improving, and selling our products and/or services or improve your interactions with our websites (Sites).

## **6. How we share your information:**

We may share information we collect about you in the following circumstances.

### **GM Canada.**

"KAG" will share your personal information with General Motors of Canada Company ("GM") and its affiliates, for the purposes described in and subject to GM's Privacy Policy, a copy of which can be found at [www.gm.ca](http://www.gm.ca), (or, as the case may be, subject to the relevant affiliate's privacy policy).

### **Entities, Affiliates and Service Providers providing services to us or on our behalf:**

We may share your Personal Information with your Affiliates to identify other products and services that we provide that may be of interest to you. In addition, our Entities, Affiliates and Service Providers provide services to us and may provide services to you on our behalf. We may share your Personal Information or information that we have collected through automated means on our Sites with our other entities, affiliates and Service Providers. For example, our Entities, Affiliates and Service Providers may host our Sites, analyze data collected from our Sites, provide customer service on our behalf, provide and manage social media sites on our behalf, administer our promotions, provide marketing or promotional assistance, post our advertisements, and collect your feedback on our Sites and advertisements.

**Aggregated or de-identified information:**

We may share information in aggregated statistics and de-identified form with third parties.

**When you specifically agree to us sharing your information:**

In some situations, you may specifically agree to us sharing your information. For example, if you provide us with your contact information, e-mail address, Facebook account, or Twitter account for purposes of signing up for information or marketing offers from an Entity, Affiliate or third party, we may share your Personal Information for that purpose. Your Personal Information will be subject to the privacy policy and business practices of our Entity, Affiliate or third party.

**Business Mergers or Acquisitions:**

We may sell or purchase assets. If another entity acquires us or all or a portion of our assets, information that we collected from you may be shared with that entity. The information will be shared for the purpose of that entity considering whether to enter into the transaction and also to complete the transaction. Should such a sale or transfer occur, we will use reasonable efforts to direct that entity to use your information in a manner that is consistent with this Privacy Statement and the purposes for which the information was originally collected.

**Other legally required or permitted disclosures:**

We may also disclose your Personal Information in the following circumstances: (a) if such disclosure is necessary for us to receive legal advice; (b) to collect a debt from you; (c) if we are required to disclose your Personal Information in order to comply with any legal obligation or the decision of a judicial authority; (d) if disclosure is requested by an investigatory body, law enforcement official or government authority which has lawful authority to request the disclosure of the information in respect of an investigation; (e) if we have reasonable grounds to believe that the information relates to a breach of an agreement or contravention of a law; (f) to advise you of a safety or service concerns on your vehicle; or (g) where we are otherwise permitted to do so by applicable law.

**7. How we store and protect your Personal Information:**

We retain your Personal Information to fulfil the purposes for which it was collected. We maintain and also require our Service Providers to maintain administrative, technical and physical safeguards to protect against loss, misuse or unauthorized access, disclosure, alteration or destruction of your Personal Information. For example, we use password protection where appropriate and limit access to staff; employees, our other Entities, Affiliates, and Service Providers who need to have access to it for the purpose for which it was collected and who have acknowledged their obligations to protect your Personal Information. When we transfer your Personal Information, we use encryption where appropriate. Please understand, that we do our best on a commercially reasonable basis, however we cannot and do not guarantee the security of your Personal Information. All third parties that obtain Personal Information from "KAG" and/or a dealership, Affiliate and/or our Entities (with respect to financing requests and insurance applications, or safety concerns, for example) are contractually required to protect customers' confidentiality in a manner consistent with this policy, and/or as required by law.

Personal Information will be kept at the offices of "KAG" and/or a dealership, or our Affiliate or our other Entities. All electronic and paper based information will be maintained under strict security systems appropriate to the sensitivity of the personal information to safeguard all personal information that is in



the custody or in the control of "KAG" and/or the dealership, Affiliate or our other Entities from unauthorized access, collection, use, disclosure, copying, modification, disposal, or similar risks.

If you are located in Canada, please be aware that information we collect may be transferred to and processed in the United States and other countries in which our Entities, Affiliates and Service Providers have operations, and will be subject to the laws of those jurisdictions, which may be different from Canada's laws.

### **The commitment we make to our customers when they share Personal Information:**

When you provide information to us, your personal information may be used or disclosed for the Identified Purposes among KAG, their entities, affiliates, automobile manufacturers, parts manufacturers and/or third parties, including third party financing companies and credit agencies. The KAG group of dealerships, entities and affiliates may verify such information or obtain additional personal information about you in question by checking with government agencies, credit bureaus, motor vehicle agencies and other fact collecting and verifying entities to assist us in the Identified Purposes.

We may establish and maintain a file of your Personal Information for the purposes of this Privacy Statement, which will be accessible at our offices, dealerships, our other Entities and/or Affiliates. Authorized employees, agents and mandatories' of "KAG" who require access to your Personal Information in order to fulfill their job requirements will have access to your Personal Information.

We take commercially reasonable steps to protect your Personal Information using physical, electronic or procedural security measures appropriate to the sensitivity of the information. "KAG" will take appropriate steps to ensure that Personal Information about you is protected from loss or theft, as well as unauthorized access, disclosure, copying use or modification.

Although we have enacted security measures, we cannot guarantee the security of any information that you submit via e-mail, SMS/text messaging, chat applications or over the Internet. Submission of such Personal Information using such networks is done at your own risk; since no Internet transmission is ever 100% secure or error-free (in particular e-mails sent to or from our Sites may not be secure). You should take special care in deciding what information you send to us via e-mail and/or SMS/text messaging or posting to our Sites. Moreover, where you use passwords, ID numbers or other special access features on our Sites, it is your responsibility to safeguard them. Our Sites may contain links or references to other websites to which this Privacy Statement does not apply. "KAG" is not responsible for the data collection and use practices of companies or organizations to which the "KAG" Sites may provide links. We encourage you to read the privacy statement/policy of every site you visit.

### **8. Links to external content:**

Our Sites may link or direct you to other websites, services or external content resources which are outside of our control. Once you have left our Sites, we cannot safeguard and are not responsible for the protection and privacy of any Personal Information which you provide on other websites. These other websites may send their own cookies to your device and may independently collect data or solicit Personal Information. Please review the applicable terms of use and privacy policies for those other websites.

## 9. Cookies, advertising and how to opt-out, withdrawing consent, and unsubscribing:

We, or our third-party advertising Service Providers, may use cookies, web beacons and other technologies. We use these technologies to gather statistics about your use of our Sites, whether you have opened e-mail advertising from us and for other marketing purposes, including delivering advertising to you.

If you would prefer not to accept cookies, most browsers will allow you to: (i) change your browser settings to notify you when you receive a cookie, which lets you choose whether or not to accept it; (ii) disable existing cookies; or (iii) set your browser to automatically reject any cookies. You may also set your e-mail options to prevent the automatic downloading of images that may contain technologies that would allow us to know whether you have accessed our e-mail and performed certain functions with it.

You may also opt-out of network advertising programs that track your activities across multiple websites to deliver personalized advertising content to you. Please visit the NAI Opt-Out Page.

[http://www.networkadvertising.org/managing/opt\\_out.asp](http://www.networkadvertising.org/managing/opt_out.asp) and the Ad Choices Opt-Out Page

<http://www.aboutads.info/choices/>. These websites provide tools that identify member companies that have cookies on your browser and provides mechanisms to opt-out of those cookies. You will still receive other types of advertising from participating companies; however, it will not be based on your interests. Deleting browser cookies can remove your opt-out preferences, so you should use these tools periodically to ensure that your preferences are up-to-date.

You may withdraw your consent to the collection, use or disclosure of your Personal Information at any time on reasonable notice, subject to legal or contractual restrictions (such as where we have arranged to extend credit to you and are required to collect or disclose your Personal Information on an ongoing basis from or to third parties). If you withdraw your consent, we may not be able to provide certain products and services to you.

You may withdraw your consent or unsubscribe to our Sites, subject to legal or contractual restrictions and reasonable notice. If you withdraw your consent to certain uses of your Personal Information, we may no longer be able to provide certain aspects of our products and/or services. Where we have provided or are providing services to you, your consent will be valid for so long as necessary to fulfill the purposes described in this Privacy Statement or otherwise at the time of collection, and you may not be permitted to withdraw consent to certain necessary uses and disclosures (for example, maintaining reasonable business records and disclosures to Canadian and foreign government entities where required by law).

You may withdraw from the above by contacting us as per below:

"KAG" Privacy Officer:  
Troy Paulence, CFO  
Kaizen Auto Group  
4620 Blackfoot Trail S.E.,  
Calgary, AB T2G 4G2  
Phone: (403) 287-5902  
E-mail: [Privacy@kaizenauto.com](mailto:Privacy@kaizenauto.com)

## 10. Accessing and Access Exceptions of your Personal Information

If you wish to verify, correct, or update any of your Personal Information collected by “KAG” or our Service Providers, our other Entities, or Affiliates acting on our behalf and that we have received from these Service Providers or Affiliates, you may do by contacting us at the following address:

“KAG” Privacy Officer:  
Troy Paulence, CFO  
Kaizen Auto Group  
4620 Blackfoot Trail S.E.,  
Calgary, AB T2G 4G2  
Phone: (403) 287-5902  
E-mail: [Privacy@kaizenauto.com](mailto:Privacy@kaizenauto.com)

Please note that we may request Personal Information from you in order to authenticate your identity before providing you with access to your Personal Information or complying with any request to correct or update your Personal Information.

Please also note that in some cases we may legally deny you access to the information that we have collected about you. For example, this may occur where the information is subject to solicitor-client privilege or consists of references to other persons or proprietary information that cannot be severed.

We may routinely delete certain records that contain Personal Information in accordance with our record-keeping practices. Although we will make efforts to comply with any request that you make to destroy Personal Information about you that is not otherwise required by us to fulfill legal requirements or to protect our interests, you should be aware that it is not always possible to completely remove or delete all of your Personal Information from our databases without some residual copies of data because of back-ups, archival systems and other reasons such as requirements for accounting purposes and/or by governmental agencies. We will not, however, continue to use your Personal Information for active purposes once you have requested us not to do so.

## 11. How to contact us:

If you have any questions or comments about this Privacy Statement, please contact us at:

“KAG” Privacy Officer:  
Troy Paulence, CFO  
Kaizen Auto Group  
4620 Blackfoot Trail S.E.,  
Calgary, AB T2G 4G2  
Phone: (403) 287-5902  
E-mail: [Privacy@kaizenauto.com](mailto:Privacy@kaizenauto.com)