

PRIVACY POLICY

Ivanhoé Cambridge



Prepared by: Legal Affairs
Approved by: Management Committee
Date: November 14th 2018

TABLE OF CONTENT

- 1. Introduction3
- 2. Definition of personal information3
- 3. What personal information do we collect?3
- 4. Why do we collect personal information?6
- 5. Electronic communications and notifications7
- 6. Your consent7
- 7. Right to withdraw consent.....8
- 8. Sharing of personal information8
- 9. Security9
- 10. Retention of personal information9
- 11. Location, storage and cross-border transfer 10
- 12. Children..... 10
- 13. Updating and accessing your information..... 10
- 14. Privacy policy of third parties 10
- 15. Contacting Ivanhoé cambridge 10
- 16. Changes to privacy policy 11

1. INTRODUCTION

Ivanhoé Cambridge Inc. (“Ivanhoé Cambridge”) welcomes you to our properties, websites, mobile applications and other digital channels. This privacy policy (the “**Privacy Policy**”) of Ivanhoé Cambridge generally applies to any personal information (as defined below in the section entitled Definition of Personal Information) collected by Ivanhoé Cambridge from or about guests, tenants (which includes retailers and occupants of our properties), services providers or business partners (hereinafter “**users**”).

The Privacy Policy is a statement of principles, guidelines and practices concerning the protection of personal information and of the choices you can make about the way your information is collected by Ivanhoé Cambridge and how that information is used and/or shared. Our websites and mobile apps are also governed by the *Website and Mobile App Terms and Conditions Of Use*, and the use of Wi-Fi is governed by the *Wi-Fi Terms and Conditions Of Use*. These documents can be accessed through each property website, mobile app or Wi-Fi portal.

2. DEFINITION OF PERSONAL INFORMATION

Personal Information. When used in this Privacy Policy, personal information means “any information about an identifiable individual”. This may include, for example, your name, contact information, home address, telephone number, email-address, information relating to your inquiry with us, any complaints documented in a file or other personal or demographic information. It may also include other types of more technical information such as online/users’ IP addresses, user IDs, browser history (pages accessed, date of access, location when accessed), but only when this information can identify you as an individual.

Non-Identifiable Information. Personal data that is de-identified and/or aggregated and cannot be associated with an identifiable individual is not considered to be personal information. Ivanhoé Cambridge reserves the right to conduct statistical analyses through the use of personal information and/or data collected, including the data collected from individuals who enter our properties, through our websites, mobile apps and/or Wi-Fi on an anonymous and/or aggregated basis in order to understand users’ interests, improve our services and measure interest in and use of our websites and/or mobile apps. Ivanhoé Cambridge reserves the right to provide its analyses based on such anonymous and/or aggregated data to third parties.

3. WHAT PERSONAL INFORMATION DO WE COLLECT?

Information Collected From or About You. In many cases, we collect personal information directly from you when you visit our premises, rent our premises or use our services, websites, mobile apps and/or Wi-Fi. You will therefore know when we collect this information. In some other cases, we may collect personal information from third parties (for example, from credit score companies or when conducting a background check) but at all times, with your prior consent and/or as authorized by law. More specifically, we may collect personal information from you in the following situations:

- **Guests.** We may collect your name, contact information, e-mail address and other similar type of information when you are interacting with us, for instance when you make an inquiry or contact us in person or through our websites, when you register to receive our newsletter, when you enter a contest or promotion, when you use our websites or Wi-Fi (if you chose to provide your information) or when you download and/or use our mobile apps or any of our applications. When you use our chat services, we will also collect your messaging content. When you use our guest services desks, for example when you are renting chariots or equipment from us, booking stylist services or purchasing gift cards, payment information may also be collected, although your credit card will not be stored on our systems.

- **Tenants, as individuals:** We may collect the name, address, telephone numbers (office, home, cell), email addresses, credit report, government issued identification, banking information, insurance policy number and other information regarding insurance, photograph for access card purposes as well as details regarding the existence of a dispute between a consumer and a merchant from our tenants;
- **Suppliers and other business partners, as individuals.** We may collect the name, address, telephone numbers (office, cell), email addresses, and in certain circumstances, personal information collected in the context of a background check (such as employment records, credit records and criminal records) from our suppliers or business partners;
- **Employment Applications.** We may collect the information which you have included in your resume when you submit a job application or when you apply for employment with Ivanhoé Cambridge.

Information Collected Automatically. In some cases, we may collect information automatically which may not necessarily identify you as an individual. For instance, we may collect the following type of information:

- **Video surveillance.** As a security measure and in order to ensure the safety of our guests, tenants and retailers and occupants of our properties, we may use video surveillance at various locations on our premises in order to maintain the security of our properties. This collection is subject to applicable privacy laws and may be shared in limited circumstances, as detailed in section [Sharing of Personal Information](#) of this Privacy Policy.
- **Browser, Device and Technical Information.** When you visit our websites, use our mobile apps and/or Wi-Fi, we may collect, using electronic means such as cookies, technical information. This information may include information about your visit or usage, including the IP address of your device/computer and which browser you used to access our websites, mobile apps or Wi-Fi, your operating system, resolution of screen, location, language settings in browsers, the site you came from, keywords searched (if arriving from a search engine), the number of page views, as well as information you entered and advertisements you have seen. We may also collect your gender, age group and interests, but such information is always aggregated and is not associated with any identifiable individual. For information on how you can limit the type of information that we collect, use or share about you when you visit and/or use our websites, mobile apps or Wi-Fi, please refer to the [Right to Withdraw Consent](#) section of this Privacy Policy. We may also collect and use the following type of information:
 - **Google Analytics:** We use Google Analytics which allows us to see information on user online activities including, but not limited to, page views, source and time spent on our websites and/or mobile apps. This information is depersonalized and is displayed as numbers, meaning that it cannot be tracked back to individuals. You may opt-out of our use of Google Analytics by visiting the [Google Analytics opt-out page](#).
 - **Google AdWords:** We use Google AdWords Remarketing to advertise Ivanhoé Cambridge across the Internet and to advertise on third party websites (including Google) to previous visitors to our websites. AdWords remarketing will display ads to you based on what parts of the Ivanhoé Cambridge websites you have viewed by placing a cookie on your web browser. It could mean that we advertise to previous visitors who haven't completed a task on our site or this could be in the form of an advertisement on the Google search results page, or a site in the Google Display Network. This cookie does not in any way identify you or give access to your computer or mobile device. The cookie is only used to indicate to other websites that you have visited a particular page on our websites, so that they may show you ads relating to that page. If you do not wish to participate in our Google AdWords Remarketing, you can opt out by visiting [Google's Ads Preferences Manager](#).

- Geolocation Information.** If you chose to use our mobile apps, some functionality or service (for example the “Never Get Lost” or “Live Mall Stream” services) may depend on the use of your geolocation information. We will only collect such information if you chose to use such functionality. We may send you notifications that you chose to receive, such as reminder alerts, deals, recommendations, weekly digests and parking prompt notifications. You may manage your notification preferences directly in the mobile apps. When you use our Wi-Fi, we may gather position data. You should note that your use of our Wi-Fi is also subject to our Wi-Fi Terms and Conditions of Use.
- Traffic, Anonymous Video Analytics and Device Count.** In some cases, we may use cameras and other technologies in our malls to conduct anonymous video analytics (“AVA”) and anonymous traffic analysis. This allows us to track the number of individuals in our properties but does not allow us to identify any guests. We do not take or store any photo or video records of our guests. These technologies allow us to consider certain demographic information about our guests (such as gender and age) and their location within our properties, on an anonymous basis for the purpose of improving the mall experience of our guests. We may also track devices which have accessed and/or visited our properties or used our services, websites, mobile apps and/or Wi-Fi, on an anonymous basis, for similar purposes. We may use statistical data about traffic in our properties to help us manage our properties, including choosing the most appropriate tenants, and we may share this statistical information with our business partners, including our tenants.
- SMS and Webchat.** When you use our chat services, we may collect meta data, such as your mobile phone number and date time stamps, linked to your interactions. We may also gather certain information automatically from electronic communications with you and stores it in log files. This information may include IP addresses as well as browser, internet service provider, referring/exit pages, operating system, date/time stamp and click stream data.
- Social Media.** If you sign into one of our websites, mobile apps or Wi-Fi using a social media account such as Facebook, we will collect information that you have added in your registration profile from those accounts and which is made available to us by default by Facebook. We may also collect personal information about you from your use of social media networks you participate in (“Social Media Channels”), although at all times, in compliance with applicable privacy laws. You may also choose to participate in a third party application or feature (such as one of our Facebook or Twitter applications or a similar application or feature on a third party website) through which you allow us to collect (or the third party to share) information about you, (including personal information) such as details of your friends/connections, “likes”, comments you have shared, groups and location. In addition, we may receive information about you (including your personal information) if other users of a third party website give us access to their profiles and you are one of their friends/connections or information about you is otherwise accessible through your friends’/connections’ web page, profile page, or similar page on a Social Media Channel or other third party website or interactive service. We may supplement the information we collect about you directly with the information we receive from third parties in order to enhance our ability to serve you, to tailor our content to you and send you details of promotions and/or offers which we believe may be of interest to you, although at all times, in compliance with applicable privacy laws.
- Vehicle Information.** If you park on one of our properties, we may collect information about your vehicle for the purposes of managing our parking facilities, providing parking services to you, and enforcing our parking regulations.

4. WHY DO WE COLLECT PERSONAL INFORMATION?

Ivanhoé Cambridge collects personal information for general business related purposes such as to help prevent fraud, unauthorized activities, claims and other liabilities and to ensure the security of our properties. We may also use personal information to authenticate the identity of individuals contacting us by telephone, electronic means or otherwise, for internal training and quality assurance, and purpose to manage our business and ensure the efficiency, reliability and security of our systems and networks. We may also collect personal information for the following purposes:

- **Guests:** We collect personal information from guests to provide you with the information requested or to contact you in order to answer your questions, requests or inquiries, to administer the contest or promotion which you have entered, or to send you our newsletter if you have registered to receive a newsletter through one of our websites or our mobile apps, or if we have your implied consent to send you such communications. If you visit our websites, use our mobile apps and/or Wi-Fi, we will use the technical information collected to measure, to monitor traffic to the websites and/or the mobile apps and improve the effectiveness of our websites and/or apps or enhance the experience for our guest. Moreover, we may use the personal information collected from our guests to understand and assess their interests and changing needs with a view to improving our products and services and developing new ones, as well as to evaluate potential improvements or other modifications to the functionality of our websites and mobile apps;
- **Tenants:** We collect personal information from tenants to evaluate their creditworthiness, evaluate and process applications for tenancy, prepare leases and to provide tenants with relevant information and services throughout the term of the lease (including specialized services and memberships, such as for parking and fitness facilities). We may also use tenants' personal information for emergency, security or incident reporting involving video, swipe card and other surveillance method, for insurance, security and risk management purposes, and generally speaking, to establish, manage and terminate our business relationship;
- **Suppliers and other business partners:** We collect personal information from suppliers and other business partners to evaluate and select them, to initiate orders, process payments, maintain our business relationship, to establish and maintain responsible business relations with clients and partners, to provide ongoing service and manage risk;
- **Applicants:** We collect personal information from applicants for recruitment and other customary human resources purposes. For example, we may send you information about new job opportunities within Ivanhoé Cambridge as well as other career development resources;

Subject to our users' [Right to Withdraw Consent](#) provided in this Privacy Policy, we may use your information to contact you regarding future services and/or to conduct surveys on the quality of our products, services or customer service or to provide you with offers for additional products and services that we feel may be of interest to you. For more details on the type of commercial electronic messages that you may receive from us, please refer to section [Electronic Communications and Notifications](#) of this Privacy Policy. Unless required or authorized by law, Ivanhoé Cambridge will not collect or use personal information for any other or new purpose without obtaining further consent.

5. ELECTRONIC COMMUNICATIONS AND NOTIFICATIONS

You may receive the following type of electronic communications and notifications from Ivanhoé Cambridge:

- **Electronic Notifications.** You may receive electronic notifications for various purposes including to facilitate or confirm a transaction such as your subscription to our services, to provide you with information about your ongoing use of our services or your ongoing subscription or accounts, to inform you of any incident regarding the security of your information or in order to enforce a legal right or obligation.
- **Commercial Electronic Messages.** You may receive commercial electronic messages (CEMs) from Ivanhoé Cambridge if we have your consent to send you CEMs:
 - **Express Consent:** You can verify that you have provided consent to Ivanhoé Cambridge (or verify the status of your consent) by reviewing your preferences in the Preference Center. To access your profile in the Preference Center, you must click on the link provided in the Ivanhoé Cambridge communications which you receive.
 - **Implied Consent:** Ivanhoé Cambridge may infer your implied consent if: (i) we have an existing business relationship with you or had a business relationship with you which terminated less than two years ago (for instance, you have purchased our services, you have entered into a lease with us, you have registered to use our Wi-Fi, etc.); (ii) we have received an inquiry from you within the last 6 months; and/or (iii) you have provided your electronic address to Ivanhoé Cambridge and the CEM sent by Ivanhoé Cambridge complies with the Canadian Anti-Spam Legislation.

For more information on how you may unsubscribe from receiving such commercial electronic messages (CEMs) please refer to the section [Right to Withdraw Consent](#) of this Privacy Policy.

6. YOUR CONSENT

In general, by interacting and/or doing business with us, visiting our properties, subscribing to our newsletter to and/or submitting information to us in connection with using Ivanhoé Cambridge services, visiting, interacting with and/or using our websites, mobile apps and/or Wi-Fi, you are providing your consent to the collection, use and disclosure of personal information as set out in this Privacy Policy and in the *Ivanhoé Cambridge Website and Mobile app Terms and Conditions Of Use* (and/or the *Wi-Fi Terms and Conditions of Use*, as the case may be).

Exceptions to consent requirement. In certain circumstances, your personal information may be collected, used or disclosed without consent. These exceptional circumstances may include:

- where it is clearly in the interest of the individual and consent cannot be obtained in a timely way, such as in emergencies, where the life, health or safety of the individual is threatened, or where legal, medical or security reasons make it impossible or impractical to obtain consent;
- when information is being collected, used or shared for the detection, prevention of or remediation to, the breach of an agreement, fraud or other illegal activity, and the collection of consent might defeat the purpose of collecting the information; and
- to comply with a subpoena, warrant or other court order, requests received from law enforcement authorities, or as may be otherwise required or authorized by law or by any regulatory bodies having jurisdiction.

For more information on how Ivanhoé Cambridge may share your personal information, please refer to the section [Sharing of Personal Information](#) of this Privacy Policy.

7. RIGHT TO WITHDRAW CONSENT

Consent may be withdrawn at any time, subject to legal or contractual restrictions and reasonable notice; however, without such consent, Ivanhoé Cambridge may in some cases limit the services it is able to provide you and/or Ivanhoé Cambridge may be prevented from entering into a business relationship, maintaining such relationship and/or interacting with you. You may also withdraw your consent as follows:

- **Mail marketing, Telephone marketing and Quality control communications.** You may decide that you prefer Ivanhoé Cambridge not to use your personal information to promote new and/or additional products and/or services which may be of interest to you, not to share your information with our affiliates, subsidiaries and retailers from our properties and refuse that we contact you by mail or telephone for marketing purposes or by email or telephone for quality control purposes. If this is the case, you may advise us by emailing us at privacy@ivanhoecambridge.com.
- **Commercial Electronic Messages.** You can always limit the commercial electronic communications that Ivanhoé Cambridge sends to you. To opt-out of commercial communications, simply click the link labeled “unsubscribe” or “opt-out” at the bottom of any commercial electronic communication we send you. Please note that even if you opt-out of promotional communications, we may still contact you when authorized by law, for instance with important information about our services, your information or account.
- **Choice with Cookies.** When visiting or using our websites and/or mobile apps, you can always block the use of cookies by activating the settings in your browser. The “Help” feature on most browsers will tell you how to prevent your browser from accepting new cookies, how to have the browser notify you when you receive a new cookie, or how to disable cookies altogether. If you choose to withhold consent, or subsequently block cookies, you may not be able to access all or part of the content of our websites and/or mobile apps. Additionally you can disable or delete similar data used by browser add-ons, by changing the add-on’s settings or visiting the website of its manufacturer.

8. SHARING OF PERSONAL INFORMATION

Personal information about our users will not be sold or otherwise transferred to unaffiliated third parties without your approval, except Ivanhoé Cambridge reserves the right to disclose personal information when authorized by law or as follows:

- **Affiliates and business partners.** Subject to our users’ [Right to Withdraw Consent](#) provided in this Privacy Policy, Ivanhoé Cambridge may share personal information with its affiliates, subsidiaries and retailers (which may include our tenants) from our properties for purposes related to marketing the services offered by Ivanhoé Cambridge, its affiliates, subsidiaries and such retailers, at all times in compliance with applicable privacy laws.
- **Third party service providers.** We may hire service providers, which may be affiliates, to perform services on our behalf. This may include, without limitation, a person or an organization retained by Ivanhoé Cambridge to perform work on its behalf. We provide them with a limited amount of information which is necessary in order for them to provide the services required. They are prohibited from using the information for purposes other than to facilitate and carry out the services they have been engaged to provide. These service providers are not permitted to disclose this information to others.

- **As permitted or required by law.** From time to time, Ivanhoé Cambridge may disclose your personal information if such disclosure is necessary for the establishment, exercise or defense of legal claims, as part of the administration of our loss prevention program, or as otherwise permitted by law, for instance if Ivanhoé Cambridge is compelled to disclose personal information in response to a law, regulation, court order, subpoena, valid demand, search warrant, government investigation, other legally valid request or enquiry or if reasonably necessary to protect the rights, property and safety of others and ourselves. We may also disclose information to our accountants, auditors, agents and lawyers in connection with the enforcement or protection of our legal rights. We also reserve the right to report to law enforcement agencies any activities that we, in good faith, believe to be unlawful or to law enforcement and emergency services providers, in an emergency or where required or permitted by law.
- **Business transactions.** We may disclose personal information to a third party in connection with a corporate merger, acquisition, consolidation, the sale of a portion of our business, business unit or property, or other fundamental corporate change, whatever form it may take. However, in the event the transaction is completed, your personal information will remain protected by applicable privacy laws. In the event the transaction is not completed, we will require the other party not to use or disclose your personal information in any manner whatsoever and to completely delete such information.
- **Applicants.** If you complete and submit an employment application (including an online application found on our websites), you hereby consent to the disclosure of your completed on-line employment application to: (a) Ivanhoé Cambridge personnel; and to (b) the retailer who is a tenant of our properties and to whom such application is being made.

Only those employees of Ivanhoé Cambridge or trusted third party contractors, who need access for business reasons, or whose duties reasonably so require, will be granted access to personal information about our users.

9. SECURITY

Ivanhoé Cambridge maintains reasonable administrative, technical and physical safeguards in an effort to protect against unauthorized access, use, modification and disclosure of personal information in our custody and control. Unfortunately, no collection or transmission of information over the Internet or other publicly accessible communications networks can be guaranteed to be 100% secure. You acknowledge that: (i) there are security and privacy limitations of the Internet which are beyond the control of Ivanhoé Cambridge; (ii) the security, integrity and privacy of any and all information and data exchanged between you and Ivanhoé Cambridge through our websites and mobile apps or when using our Wi-Fi cannot be guaranteed; and (iii) any such information and data may be viewed or tampered with in transit by a third party. Because of that we cannot ensure or warrant the security of any such information. In the event there is a security incident concerning any of your personal information collected and retained by Ivanhoé Cambridge as set out in our Privacy Policy, we may contact you by e-mail, letter, telephone or through other secure form of communication.

10. RETENTION OF PERSONAL INFORMATION

We have personal information retention processes designed to help ensure that we retain personal information of our users for no longer than as reasonably necessary for the purposes stated in this Privacy Policy or to otherwise meet our legal requirements.

11. LOCATION, STORAGE AND CROSS-BORDER TRANSFER

Your personal information is stored in secured locations and on servers controlled by Ivanhoé Cambridge or its service providers, located either at our facilities or at the facilities of our service providers. Notwithstanding the foregoing, Ivanhoé Cambridge and its third-party service providers may process or store your personal information outside of Canada. In accordance with the laws of those countries, in certain circumstances your personal information may be accessible by foreign law enforcement, regulatory bodies or other authorities. For more information about our practices and policies regarding the use of foreign service providers, please contact us as described below.

12. CHILDREN

Ivanhoé Cambridge recognizes the importance of safeguarding the privacy of children and encourage parents to check and monitor their children's use of online activities regularly. Our services (including our websites, mobile apps and/or Wi-Fi) are not aimed at nor intended for children under the age of thirteen (13). If you are under the age of thirteen (13), please do not use our services (including our websites, mobile apps and/or Wi-Fi), and if you are over the age of thirteen (13) but under the age of majority in the province in which you reside, you should use our services (including our websites, mobile apps and/or Wi-Fi) only with the involvement and permission of a parent or legal guardian. No personal information is purposefully or knowingly collected from children under the age of thirteen (13) by Ivanhoé Cambridge without parental consent.

13. UPDATING AND ACCESSING YOUR INFORMATION

At your request, Ivanhoé Cambridge will: (a) provide reasonable access to your information that is in Ivanhoé Cambridge's records; and (b) use reasonable efforts to allow you to update/correct personal information which you state is incorrect to the extent that the information has been maintained by Ivanhoé Cambridge and if so, that such updating/correction will not compromise Ivanhoé Cambridge's privacy or security interests, subject to legal or contractual restrictions as well as the understanding that it may be impossible to completely delete your information without some residual information because of backups. You may access your profile in the Preference Center to update your communications preferences by clicking on the link provided in the Ivanhoé Cambridge communications which you receive. For access to your personal information, please contact our privacy officer at the contact number or e-mail address provided in the [Contacting Ivanhoé Cambridge](#) section of this Privacy Policy.

14. PRIVACY POLICY OF THIRD PARTIES

This Privacy Policy only addresses the use and disclosure of information by Ivanhoé Cambridge. Other websites that may be accessible through our websites have their own privacy policies and data collection, use and disclosure practices. We encourage you to familiarize yourself with the privacy statements provided by all third parties prior to providing them with information or taking advantage of an offer or promotion.

15. CONTACTING IVANHOÉ CAMBRIDGE

If you have any questions about this Privacy Policy or the privacy practices of Ivanhoé Cambridge in respect of how we collect, use and share your personal information, please direct your inquiry to the Communications and Public Affairs Service of the Society, Ivanhoé Cambridge, 1001, square Victoria, Suite C-500, Montreal (QC) H2Z 2B5 Canada or contact us privacy@ivanhoecambridge.com or at (514) 841-7600.

16. CHANGES TO PRIVACY POLICY

Ivanhoé Cambridge reserves the right to change this Privacy Policy at any time by notifying you of the existence of a new Privacy Policy. Such changes, modifications, additions or deletions shall be effective immediately upon notice thereof, which may be given by means including, but not limited to, posting on our websites and our mobile apps, or by any other means by which you obtain notice thereof. If the changes are significant, we will provide a more prominent notice. Your continued use of our services, websites, mobile apps and/or Wi-Fi after such modifications will constitute your acknowledgement of the modified Privacy Policy and agreement to abide and be bound by the modified Privacy Policy.

Please note that this version does not substantively change the way we treat personal information compared to the previous version of the Privacy Policy.