



# Notice of Information Respecting the Protection of Personal Information

Legal Affairs and Corporate Secretariat  
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## 1. Introduction of the Notice

The purpose of this Notice of information respecting the protection of Personal information ("**Notice**") is to inform you of Otéra's practices with respect to the confidentiality and protection of your Personal information, including how we collect, use, and disclose your Personal information. Otéra is a subsidiary of the CDPQ (the "**Group**").

This Notice pertains to this Site and all of our activities, unless we have provided you with a specific policy and/or guidelines for a particular product, service, or activity.

Terms that are not defined in the main text of this Notice are defined in Appendix 1.

By submitting your Personal information to us, registering for or using any of the services we offer, using our Site or voluntarily interacting with us, you consent to our collection, use and disclosure of your Personal information in accordance with this Notice, as revised from time to time. Our Notice sets out our standards for the collection, use, communication, and storage of your Personal information. As such, Otéra is committed to protecting your privacy and safeguarding your Personal information.

This Notice is prepared in accordance with our policies and guidelines issued under Applicable laws.

## 2. Your consent

We collect, use, and disclose your Personal information with your consent or as permitted or required by law. The approach we use to obtain your consent depends on the circumstances and the sensitivity of the information collected. Thus, subject to Applicable laws, your consent may be explicit or implied. If you choose to provide us with Personal information, we will assume that you consent to the collection, use and disclosure of your Personal information as set out in this Notice.

In general, we will ask for your consent at the collection of your Personal information.

Once you have provided us with a proof of identification, you may withdraw your consent to the collection, use or disclosure of your Personal information at any time by contacting us as indicated in the "**Contact Us**" section below.

If you provide us with Personal Information about another individual, it is your responsibility to obtain that individual's consent to allow us to collect, use and disclose their information as described in this Notice.

### 3. What Personal information do we collect?

#### 3.1. Information collected

The Personal information that we collect usually falls into one or more of the following categories:

Collection methods	Type of information	Information we may collect
When you contact us by phone, email, chat, via a form (e.g. media@oteracapital.com or <a href="mailto:communications@oteracapital.com">communications@oteracapital.com</a> ) or by any other means (including in person or via social networks).	Your contact information Your professional information Other	Name, address, phone number, email address Title, name of the company you work for Any other information you provide us
When you visit our Site.	Information about your activity on the Site	Technical and feature-related information about your use of our Site (which may include your IP address, information about your device, browser and operating system, and the date and time of your visit) We also use cookies, as further explained <b>below</b>
When you submit your application for a position through the "Careers" section of our Site.	Your contact information Your professional information Other	Name, email address Resume, cover letter Any other information you provide us
Following your recruitment at Otéra	Your contact information Your professional information Information about your activity on the Assets Other	Information on the use of the Information and Technology Assets (which may include access, activities, use of the Internet, geolocation of the Assets) Details more specifically addressed in the employment contracts
In the context of complaints about mortgage brokerage services.	Your contact information Other	Email address Any other information you provide us

Collection methods	Type of information	Information we may collect
Marketing	Your contact information Your professional information Other	Name, email address Interests/assignments of marketing list, registration of marketing authorizations or objections, Website data (including online account details and IP address) Company's name, address, phone number, and job title

### 3.2. Use of cookies

Our Site uses cookies to generate audience statistics. Cookies are files that are installed on your computer's hard drive or browser to collect information such as your language preference, browsing history, browser type and version. Their purpose is to optimize your experience on our Site. You can set your browser to refuse all cookies or to notify you when a cookie is being sent. Instructions to do so are provided by each browsing site.

For additional information, please consult our *Notice on the use of cookies*.

### 3.3. Analytical tools and other third-party technologies

We use analytical tools and other third-party technologies, such as Google Analytics.

For further information, you may consult our *Notice on the use of cookies*.

## 4. To what end do we use your Personal information and on what legal grounds?

We may use your Personal information and other information for the purposes set out below:

- To provide you with our services
- To improve our products, services and features of the Site, including through the use of statistical tools
- To respond to your questions and inquiries
- To detect and prevent fraud
- To protect the Assets of Otéra
- To comply with our legal obligations, for example in the event of a complaint or an injunction

- With your consent
- For purposes permitted or required by Applicable Law

We do not use the collected information to advertise third-party products and services, nor do we use it to engage in targeted advertising of Otéra products and services on third-party websites or service offerings.

More precisely, with respect to Otéra’s employees, we collect Personal Information for the following purposes:

Purpose	This includes, without limitation:	Applicable legal basis
Facilitate the hiring process	<ul style="list-style-type: none"> <li>• Verifying references provided by a candidate</li> <li>• Interviews with potential jobs candidates</li> <li>• Screening assessments or pre-employment assessments and other investigations that are reasonably required for the performance of the job</li> </ul>	Execution of a contract
Administer compensation plans and, as applicable, benefit plans, pension plans and other retirement benefits, termination benefits and other monetary benefits related to the employment	<ul style="list-style-type: none"> <li>• Work hours, pay rate or salary, in order to determine the base salary</li> <li>• Communication with third parties, including payroll consultants, benefits consultants, actuaries, pension trustees, fiduciaries and/or various mid-level officials, as required by legal and regulatory requirements</li> <li>• Internal management of the benefits plans</li> </ul>	Legal obligation
Protect the Assets of Otéra	<ul style="list-style-type: none"> <li>• Electronic monitoring, such as logging access and actions on the Assets and to the Internet; and geolocation of the devices, including personal devices used to access the Assets, as well as the use made of them</li> </ul>	Legitimate reason
Manage, develop and maintain the workforce and its well-being within the organization, in order to assist Otéra in achieving its business objectives	<ul style="list-style-type: none"> <li>• The collection of employee demographic data to ensure the success of various equity, diversity and inclusion (EDI) strategies and programs</li> <li>• Otéra may share this Personal Information with third parties who support Otéra, such as in the development of training programs, as well as with current and potential partners/clients who wish to obtain statistics on the diversity within Otéra as part of their decision making regarding the commercial real estate financing partner who will be working with them</li> </ul>	Employee's consent

## 5. How do we share your Personal information?

We may share your information with our service providers. In such instances, we use appropriate means to ensure that standards set out in this Notice are followed and we require that service providers maintain the confidentiality and security of your Personal information.

We also require them to only use your Personal information in accordance with the intended purpose. When our service providers no longer need your Personal information for such limited purpose, we require that they destroy it.

Under certain circumstances, we may authorize our service providers to retain information for legally permitted purposes or in aggregated, anonymous, or statistical form that does not identify you.

We do not allow service providers to disclose your Personal Information to unauthorized parties or to use your Personal information for direct marketing purposes.

For more information about our service providers, please contact us as indicated in the "**Contact Us**" section below.

Listed below are categories of third-party service providers that may process your Personal information:

- Other members of our Group and our designated representatives. Members of our Group who assist us in providing you with our services may use this information for statistical analysis, business reporting or business development purposes.
- Service providers who help manage our computer and back-office systems, or who provide platforms and portals for the administration of members policies and details.
- Our regulators, which may include the AMF, as well as other Canadian, U.S., European and international regulators, and enforcement agencies.
- Credit reference agencies and organizations involved in the prevention of fraud in financial services.
- Our advisors (who may be legal representatives to either you, us, or a third-party applicant) and other professional services firms (including our auditors).
- Marketing execution, webinar and customer satisfaction service providers acting on our behalf who facilitate online events, provide marketing communications, and gather feedback on our service levels from our customers.
- For information only, a list of contractors is available upon request.

In addition, we may use and disclose your Personal information when we believe such use or disclosure is authorized, necessary or appropriate:

- under Applicable laws, including laws outside your country of residence, whether to comply with any legal procedure or to respond to requests from public and government authorities, including public and government authorities outside your country of residence;
- to enforce the terms of agreements relating to our products and services;
- to protect our activities and those of members of the Group;
- to protect our rights, privacy, safety, or property, and/or those of members of the Group, yourself or others;
- to enable us to pursue available recourses and limit the damages we may suffer; and
- in the event of a restructuring, merger, sale, joint venture, assignment, transfer or other disposal of all or part of our business, brands, affiliates, subsidiaries, or other assets.

## 6. Retention of Personal information

We shall only use, disclose, or retain your Personal information for as long as necessary to fulfill the intended purpose of its collection and as permitted or required by law.

Should you require further information regarding the retention period of your Personal information, please contact us as indicated in the "**Contact Us**" section below.

## 7. Security of information

We have implemented physical, organizational, contractual, and technological security measures to protect your Personal information and other information from loss, theft, unauthorized access, disclosure, duplication, use or modification.

We have taken appropriate measures to ensure that the only employees authorized to access your Personal information are those who have a "need to know" or whose duties reasonably require access to such information.

Despite the measures described above, no method of transmission or storage of information is 100% secure or error-free; therefore, we cannot guarantee absolute security.

If you have reasons to believe that your interaction with us is no longer secure (for example, if you believe that the information you have provided us with has been compromised), please contact us immediately as indicated in the "**Contact Us**" section below.



## 8. Your rights

Applicable laws give you rights with respect to your Personal information. This section provides you with an overview of those rights and how they may be exercised. We shall take reasonable steps to ensure that your Personal information is accurate, complete, and up to date. We will not systematically update your Personal information unless such process is necessary.

We expect you to provide us with updates on your Personal information from time to time, as necessary.

### 8.1. Right of access

Otéra acknowledges that, in accordance with Applicable laws, you have the right to receive a confirmation regarding the Processing of your Personal information retained by Otéra and to access it (i.e., to examine it and get a copy) without delay.

### 8.2. Right to rectification

Otéra acknowledges that, in accordance with Applicable laws, you have the right to have any Personal information held by Otéra that is inaccurate or misleading corrected without delay, and, in any event, within one (1) month of Otéra's receipt of the request to correct inaccurate or misleading Personal information.

Otéra further acknowledges that, given the purpose of Processing, you have the right to have your incomplete Personal information completed, including by providing a supplementary statement.

### 8.3. Withdrawing your consent

In accordance with Applicable Laws, you have the right to withdraw your consent to the Processing of your Personal information at any time when such Processing is based on consent.

Otéra shall honour an individual's request to withdraw their consent, unless it is demonstrated that there are compelling legitimate grounds for the Processing that prevail over the interests and rights and freedoms of the individual or that the Processing is necessary for the establishment, exercise, or defence of Otéra's legal claims.

### 8.4. Right to Personal information portability

If the GDPR applies, you have the right to receive your Personal information provided to Otéra in a structured and commonly used format, when the Processing is based on direct consent or contract and when the Processing is carried out by automated processes.

## **8.5. Right to object to the Processing of your Personal information**

If the GDPR applies, you have the right to object at any time, on grounds pertaining to your particular situation, to the Processing of your Personal information based on the public interest or the legitimate interest of the data controller, including profiling.

Otéra shall honour the request, unless it is demonstrated that there are compelling legitimate grounds for the Processing that prevail over the interests and rights and freedoms of the individual or that the Processing is necessary for the establishment, exercise, or defence of Otéra's legal claims.

## **8.6. Right to restriction**

If the GDPR applies, you may avail yourself of the right to restrict the Processing of your Personal information under certain circumstances. This means that the data subject may restrict the way Otéra uses his Personal information when one of the following applies:

- the accuracy of the Personal Information held by Otéra is contested;
- the Processing of the Personal Information is unlawful, and the data subject prefers the restriction of its Processing to its erasure;
- the Personal Information is no longer required for the intended purpose, but is necessary for Otéra to establish, exercise or defend its legal claims;
- the data subject objects to the Processing of the Personal information pending the verification as to whether the legitimate grounds pursued by the data controller override those of the data subject.

## **8.7. How to submit an application?**

To exercise your rights, you must submit a written request to the Privacy Officer and attach an appropriate proof of identity, such as an employee identification card or a copy of a driver's licence or passport, which shall be used solely for the purpose of such request.

The person making the request is encouraged to complete the request form according to the template developed by Otéra. Otéra shall respond as soon as possible, but within a maximum of one (1) month of the receipt of all relevant information.

For more information about your rights and how to exercise them, you may contact the Privacy Officer.

You also have the right to file a complaint to the competent authority responsible for data protection.

## 9. International and interprovincial transfer

Your Personal Information is currently stored in Canada and the United States. For legitimate legal or commercial purposes, we may need to transfer or authorize access to your Personal Information to parties based abroad.

Moreover, where applicable, it may be stored and processed in any country where we or our Group have facilities or where we contract with service providers. In this latter case, your Personal Information may be transferred to countries other than your country of residence, which may have laws that differ from those of your country.

If such information is located outside of your country of residence, it is subject to the laws of that country and may be disclosed to governments, courts or law enforcement or regulatory agencies of that other country in accordance with its laws. Nonetheless, our practices with respect to your Personal Information shall at all times be governed by this Notice and, where applicable, we shall comply with requirements under Applicable laws regarding the transfer of Personal Information of data subjects to a third country, such as the conclusion of standard contractual clauses.

## 10. Third parties' websites and services

This Notice does not apply to websites, products or services provided by third parties. We are not liable for such third parties' privacy practices and encourage you to review their privacy policies before using their websites, products, or services.

## 11. Contact us

Should you have any questions about our Conditions of use and Notice or regarding Otéra's privacy practices in respect of this Website or to exercise your rights, please direct your inquiry to:

Privacy Officer: Chief, Ethics and Compliance

Otéra Capital  
Édifice Jacques-Parizeau  
1001, Square-Victoria Street, Suite C-200  
Montréal (Québec) H2Z 2B5 Canada  
[renseignementpersonnel@oteracapital.com](mailto:renseignementpersonnel@oteracapital.com)

## 12. Updates

The Privacy Officer reserves the right to modify this document at any time by making the new version available on the Site. Such changes, modifications, additions, or repeals shall be effective upon issuance of a notice of modification which may be communicated by posting on the Site or by any other means of transmission.

Your continued use of the Site after such notice shall constitute: (a) an acknowledgement of the new terms of the Notice; and (b) an agreement to be bound by and comply with them.

## Appendix 1: Definitions

For the purpose of this Notice:

“**CDPQ**” refers to the “*Caisse de dépôt et placement du Québec*”.

“**Information Asset**” means any resource providing information that is used by Otéra. This includes information, documents, databases and business software packages, or any combination thereof, acquired or developed within Otéra, whether or not hosted at Otéra or CDPQ.

“**Laws respecting the protection of personal information**” or “**Applicable laws**” refer to any laws, regulations, recommendations or notices applicable to matters relating to the protection of personal information including, to the extent applicable, the *Personal Information Protection and Electronic Documents Act* (“**PIPEDA**”), the *Act Respecting the Protection of Personal Information in the Private Sector* (the “**Quebec Private Sector Act**”), *European Union’s General Data Protection Regulation* (“**EU GDPR**”), United Kingdom’s GDPR and the *Data Protection Act 2018* (collectively, the “**UK GDPR**”) (the EU GDPR and the UK GDPR are collectively referred to as the “GDPR”), and any other laws, regulations, recommendations or notices that supersede, supplement, amend, extend, re-enact or codify the applicable Laws respecting the protection of personal information.

“**Otéra**”, “**we**”, “**us**” or “**our**” refers to Otéra Capital inc. and Otéra US inc.

“**Processing**” refers to any operation or set of operations carried out with or without the use of automated processes and applied to data or sets of Personal information (collection, use, recording, storage, modification, consultation, communication, dissemination, reconciliation, erasure, destruction, etc.).

“**Privacy Officer**”: In connection with its activities, Otéra has designated a person responsible for the protection of Personal information.

“**Personal information**” refers to information about individuals that can be used to identify them, such as their name, identification number, geolocation data, online username, or one or more factors specific to that individual’s physical, physiological, genetic, mental, economic, cultural, or social identity.

“**Site**” refers to Otéra’s Website: [Home | Otéra Capital](#)

“**Technology Asset**” means all computer hardware, software and services used to collect, process and transmit Information Assets. This includes workstations, phones, tablets, keyboards and other data input or output devices. Software includes word processing software, desktop, server and hardware operating systems, business software packages, network management tools, development tools, courseware and device drivers.