



# Bengal Energy Ltd.

## PRIVACY POLICY

Effective date: March 28, 2018

Bengal Energy Ltd. ("**Bengal**", "the Corporation", "our", "we", "us", etc.) carries on business as an international oil and gas exploration and production company based in Calgary, Alberta, Canada.

Bengal is committed to maintaining the privacy of individuals and protecting personal information in its custody or control in accordance with privacy legislation applicable to Bengal.

This Privacy Policy ("**Policy**") describes and summarizes the practices of Bengal and its subsidiaries and affiliates with respect to our collection, use and disclosure of personal information. References to Bengal in this Policy therefore include Bengal's subsidiaries and affiliates unless otherwise stated.

Among other things, this Policy describes the Corporation's obligations and practices under the *Personal Information Protection Act* (Alberta) ("PIPA") and the *Personal Information Protection and Electronic Documents Act* (Canada) ("PIPEDA"), as applicable. Personal information the Corporation collects, uses and discloses is generally processed in Alberta, so in most, if not all cases, PIPA will be the applicable legislation.

This Policy applies only to individuals and does not apply to information about corporations or other legal entities other than individuals. While Bengal respects its obligations of confidence to legal entities other than individuals, only individuals have rights of privacy.

### Definitions

In this Policy, the following terms have the following meanings:

- **Business contact information** means an individual's name and position or title as an official or employee of an organization, as well as their business telephone number, business address, business e-mail, business fax number and other business contact information.
- **Collection of personal information** means obtaining personal information from any source, including the individual themselves and any third party.
- **Disclosure of personal information** means allowing or providing access to all or part of the information. Disclosure will generally be external to Bengal.

- **Employee** means any individual who provides a service to Bengal, and includes full-time and part-time employees, consultants, temporary employees, volunteers, students, and those in a contract or agency relationship with us.
- **Personal information** means information about an identifiable individual, which does not include information of an aggregate or anonymous nature where a specific individual or individuals cannot be identified. Personal information also does not include **business contact information**, as long as business contact information is used to contact an individual in their capacity as an employee or official of an organization, and for no other purpose.
- **Personal employee information** refers to personal information about a current or former individual employee, or a prospective employee, that is collected, used or disclosed by Bengal, and that is reasonably required by us for the purposes of establishing, managing or terminating an employment, consultant, or volunteer relationship, but does not include personal information about an employee that is not related to the employment or independent contractor relationship. Personal employee information is therefore a sub-set of personal information about an employee.
- **Use of personal information** means processing or utilizing such information in any manner, including but not limited to using such information to contact the individual. Use includes accessing the information, retaining the information, and how long the information is retained. Use will generally be internal to Bengal.

### Privacy and our website

The Corporation does not collect any personal information from you when you simply visit our website at <http://www.bengalenergy.ca/>. However, you should be aware that most web servers do collect some information about visitors, such as the browser and version you are using, your operating system, and your "IP" or internet address, which may identify your Internet Service Provider or computer but not the person using it.

If you do proceed to provide us with personal information, such anonymous information may no longer be anonymous, and it may then become personal information subject to this Policy.

If you voluntarily submit personal information to us by email or other online means for purposes of obtaining information or other interaction or communication with us, we will consider that you have done so with your consent for purposes reasonably related to your providing the information. If reasonable to do so, after our initial response, we may send further information to you with information that may be useful. Where we are legally required to do so, we will include instructions on how to terminate receiving such further information.

Please be advised that the Internet and email are inherently insecure media, and we cannot take responsibility for the security or privacy of personal information in transit over the Internet.

Please note that our website may contain links to other websites which are provided as a convenience for visitors to our website only. Any third party websites will have their own privacy policies and practices, and we cannot be, and are not, responsible for such third parties or their websites.

### **Sources and subjects of personal information**

Bengal generally collects, uses and discloses personal information about the following types of individuals:

- Employees and independent contractors (where such contractors are individuals) of Bengal for the purposes of establishing, managing and terminating employment and contractor relationships.
- Shareholders and investors in Bengal, both current and prospective or potential;
- Customers and clients of Bengal, both current and prospective or potential;
- Directors and officers of Bengal, both current and prospective or potential;
- Suppliers to Bengal, both current and prospective or potential, where such suppliers are individuals; and
- Other individuals who may voluntarily choose to provide Bengal with personal information.
- Individuals specified as emergency contacts by employees or directors of Bengal, for the purpose of maintaining an internal emergency contact list

Except in the case of employees, Bengal does not knowingly collect, use or disclose personal information about individuals under the age of eighteen years. Bengal may enter into employment relationships with students or other employees under the age of eighteen.

Where practical, the Corporation will try to collect personal information directly from the person to whom the information pertains. Where necessary, we collect personal information from other sources—for example, emergency contact information for a spouse given by an employee for use in our internal emergency contact list.

When collecting personal employee information from other sources, or when using or disclosing the personal information the Corporation has collected, we will, where legally required, first obtain the consent of the individual.

### **Notification and consent**

Where required by applicable legislation, the Corporation will identify the purposes for collection, use and disclosure in advance of collection, and will notify the individual of the purposes for collection, use or disclosure at or before the time of collection. It is the policy of Bengal to obtain consent of individuals at or before the time their personal information is collected, unless applicable law provides otherwise.

It is the general policy of Bengal to not use or disclose personal information in its custody or control except with the consent of the individual and then only for identified purposes. However, individuals should be aware that there are exceptions to consent as described in this Policy.

In certain circumstances, specifically those set out in applicable legislation, the law does not require that Bengal obtain consent or provide notification. Bengal reserves all its rights to rely on any available statutory exemptions and exceptions.

### **Exceptions to the requirement for consent**

Bengal may collect, use or disclose personal information without consent in circumstances that include, but are not limited to, the following:

- Where a reasonable person would consider that the collection, use or disclosure of the information is clearly in the interests of the individual and consent of the individual cannot be obtained in a timely way or the individual would not reasonably be expected to withhold consent;
- Where the collection, use or disclosure of the information is pursuant to a statute or regulation of either Alberta or Canada that authorizes or requires the collection, use or disclosure;
- Where the collection of the information is from a public body and that public body is authorized or required by an enactment of Alberta or Canada to disclose the personal information to Bengal, and, with respect to use or disclosure by the Corporation, we are then authorized or required to use or disclose the personal information;
- Where the collection, use or disclosure of the information is reasonable for the purposes of an investigation or a legal proceeding;
- Where the information is publicly available;
- Where the collection, use or disclosure of the information is necessary in order to collect a debt owed to Bengal or for Bengal to repay to an individual money owed by Bengal;
- With employees, there are certain circumstances related to personal employee information where consent is not necessary but notification may be required. See the section entitled "Employees" below.
- In certain circumstances, where the information may be disclosed without consent, it may also be used without consent.

Bengal will in all cases collect, use and disclose personal information as required by applicable law, which includes, but is not limited to, the laws related to shareholders in corporations, and directors and officers of corporations. It is also the policy of Bengal to cooperate to the full extent permitted or required by law with law enforcement and

governmental agencies requesting disclosure of personal information in the custody or control of Bengal.

In addition to the above, the law generally provides that an individual is deemed to consent to the collection, use or disclosure of personal information about that individual for a particular purpose if the individual voluntarily provides the information for that purpose, and it is reasonable that a person would voluntarily provide that information. If you provide personal information to the Corporation voluntarily, we will rely on deemed consent and consider that you consent to our collection, use or disclosure of your personal information as necessary to carry out the purposes for which you provided the information.

Where a new purpose for the use or disclosure of personal information previously collected arises, Bengal will contact the individual in question to obtain any required consent or to provide any required notification for use and/or disclosure for such new purpose or purposes.

Where practical, Bengal will try to collect personal information directly from you. Where necessary, Bengal will collect personal information from other sources. When Bengal collects personal information about individuals directly from them, except when their consent to the collection is deemed or has otherwise been previously and lawfully obtained, or is not legally required, we will tell them the purpose for which the information is collected, and the name of a person who can answer questions about the collection.

## **Employees**

### Personal employee information:

The law generally provides that Bengal can collect, use, and disclose an individual's personal employee information without consent if the individual is an employee of Bengal or if it is for the purpose of recruiting a potential employee, but only if:

- the collection, use, or disclosure is reasonable for the purposes for which it is being collected, used, or disclosed;
- the information is related to the employment relationship with us; and
- in the case of current employees, we have provided reasonable notification to them before collecting, using or disclosing the information that the Corporation is doing so and our purposes for doing so.

### Information about employees other than personal employee information:

There may be personal information about a Bengal employee that is not personal employee information, in which case consent may be required. Therefore, in cases where personal information about an employee may be in addition to what Bengal reasonably believes to be personal employee information, it is our policy to obtain consent from the employee in situations where we have any doubt as to whether or not consent is required. The provisions of this Policy related to consent would apply where consent from an employee is required.

### Notification to employees:

It is the policy of Bengal to provide reasonable notification to our employees of the activities of Bengal with respect to the collection, use or disclosure of personal employee information and of the purposes for such collection, use or disclosure. In the event a new purpose for the use or disclosure of previously collected personal employee information arises or is identified, and those purposes are not the subject of a prior notification, we generally provide notification of such use or disclosure before commencing the new use or disclosure.

Purposes generally for collection, use and disclosure of personal employee information:

Following is a summary of personal employee information generally gathered and the purposes for doing so. This list is not exhaustive and other purposes may be identified and subject to specific notifications.

- *Name and business contact information:* collected, used and disclosed for business contact purposes;
- *Home address:* required to provide T-4 slips and other information both during and following employment, also required for payment by providers of benefits and insurance, used to send company related material while on leave or after employment ends, and used for emergency contact purposes;
- *Home telephone:* used for emergency contact purposes;
- *Emergency contact information:* includes home address and phone number, cell phone number, emergency contact person, used only in the event of an emergency to contact you or your family;
- *Provincial Health Care number:* used for purposes of providing benefits, disclosed to provincial Health Care authorities to calculate premiums and make payments;
- *Social Insurance Number:* required information by Canada Revenue Agency for all statutory remittances and correspondence related to T4 Information, termination notices, etc.
- *Date of birth:* disclosed to Canada Revenue Agency as required and as some deductions are dependent on age, disclosed to insurance carriers to provide benefits, disclosed to financial institutions with respect to pension and RRSP plans;
- *Marital status and dependents:* required for providers of benefits and disclosed to them;
- *Employment commencement date:* used for internal managerial purposes, may be disclosed to providers of benefits if required;
- *Banking account information:* used to pay employee salary, remuneration and any allowable expenses;
- *Gender:* required for providers of benefits and disclosed to them;

- *Internal forms*: various forms and records with management purposes, forms signed by you or by supervisors or evaluators, performance and other appraisals; bonus or disciplinary action forms and documents, identification numbers, incident reports, and related documentation of an internal nature;
- *Workers Compensation forms and documents*: used for the purposes of the Workers Compensation Board;
- *Income*: used internally in setting future income levels; may be disclosed to insurance providers as necessary (disability/income replacement insurance), provided to Canada Revenue Agency as required by law;
- *Resume*: these may be retained on file while you are employed with us and for as long as we reasonably require such information, and are used to determine past work experience which is a factor in setting income levels.
- *Drivers' license abstracts*: collected, used and disclosed for purposes of evaluating the ability of employees to operate company vehicles and to obtain insurance.
- *Other*: Copies of Driver's Licenses are also collected for Authorized Signatories with the Corporate Bank and Employee Share Purchase Plan as well as copies of Passports for employees who travel on company business in order to obtain travel visas. Dependents' age, sex, and name are required for health benefit providers. Personal Information Forms (PIF) collects detailed personal information regarding personal residences, jobs and any bankruptcy or criminal charges. A criminal record check and copy of passport must accompany PIF filing with the ASC/TSX.

### **Why and how we collect, use and disclose personal information**

Bengal generally collects, uses and discloses personal information for the following purposes:

- Employees: To establish, maintain, manage and terminate an employment or contractor relationship.
- Shareholders and investors: Bengal is required by applicable laws and regulatory authorities to collect, use and disclose certain information with respect to its shareholders. Bengal also collects, uses and discloses personal information about its investors and shareholders to establish, maintain and terminate relationships with them, and to communicate with and interact with its investors and shareholders.
- Directors: Bengal is required by applicable laws and regulatory authorities to collect, use and disclose certain information with respect to its directors. Bengal also collects, uses and discloses personal information about its directors and officers in order to manage its business and establish, maintain and terminate its relationships with those individuals.
- Other individuals: Personal information from other individuals may be collected when such individuals contact Bengal for a variety of reasons personal to them.

For example, if you contact us with an inquiry, we will use the information you provide to assist us in responding to you and communicating with you. Bengal may also use the information in order to establish relationships, manage relationships, and manage the end or termination of relationships.

### **Retention and destruction of personal information**

Alberta law allows us, for legal or business purposes, to retain personal information for as long as is reasonable. Upon expiry of an appropriate retention period, bearing in mind reasonable legal and business requirements, personal information will either be destroyed in a secure manner or made anonymous.

Should consent, where consent is required, to the Corporation's collection, use, disclosure or retention of personal information be revoked by the individual in question, the law also allows us to continue to retain the information for as long as is reasonable for legal or business purposes. In the event that revocation of consent may have consequences to the individual concerned, Bengal will advise the individual of the consequences of revoking their consent where it is reasonable in the circumstances to do so.

### **Accuracy and Completeness**

When Bengal collects, uses or discloses personal employee information, we will make reasonable efforts to ensure that it is accurate, up to date, and complete. This may involve requesting further information or updates from the individual in question. Employees, consultants and directors are expected to advise us of changes to their personal information so that our records may remain current.

### **Outsourcing and data hosting**

Bengal may use third party service providers to process or deal with records, documents, data and information on behalf of Bengal, and such records, documents, data and information may include personal information. In order to protect the confidentiality and security of personal information processed on behalf of Bengal by its service providers, Bengal will use contractual and similar measures with such service providers, including contractual non-disclosure provisions.

Bengal may use "cloud computing" or other third party information technology service providers, and those providers may be either in or outside Canada, and the data housed, hosted and processed by such providers may reside in or outside of Canada, and may include personal information about individuals. Where consent or notification is legally required, it is our policy to notify individuals about such service providers outside of Canada, and such notification will include the way in which the individual may obtain access to written information about our policies and practices with respect to service providers outside of Canada and the name or title of a person who can answer any questions about the collection, use, disclosure or storage of personal information by any service providers outside Canada.

### **Security**

We recognize the importance of protecting the personal information we have gathered about individuals. We have therefore made arrangements to secure against unauthorized



access, collection, use, disclosure, copying, modification, disposal or destruction of personal information. These arrangements may include physical security measures, network security measures, and organizational measures such as non-disclosure agreements and need-to-know access.

### **Amendment of this Policy**

Bengal may amend this Policy from time to time as required and without notice, in order to better meet our obligations under the law.

### **Contacting or communicating with us**

If you have any questions with respect to our policies concerning the collection, use, disclosure or handling of your personal information, or if you wish to request access to, or correction of, your personal information under our care and control, or if you are dissatisfied with how we handle your personal information, please contact our Privacy Officer at:

Pamela Turner  
Bengal Energy Ltd.  
Suite 1110, 715 5th Ave SW  
Calgary, AB T2P 2X6  
Phone: (403) 205-2526  
Fax: (403) 263-3168  
Email: [privacy@BengalEnergy.ca](mailto:privacy@BengalEnergy.ca)

If you remain dissatisfied after our Privacy Officer has reviewed and responded to your concern, or have other concerns or questions, you have the right at any time to contact the Office of the Information and Privacy Commissioner at:

410, 9925 - 109 Street  
Edmonton, AB T5K 2J8  
Telephone (780) 422-6860 or Fax (780) 422-5682