

# **Privacy Laws Compliance Policy**

## **PRIVACY STATEMENT**

MGE Niagara Entertainment Inc., its subsidiaries and affiliates (collectively “MGE”) are committed to ensuring you have the very best experience at Casino Niagara, Niagara Fallsview Casino Resort and Niagara Falls Entertainment Centre (the “Casinos of Niagara”). You have a right to know how your personal information is collected and what we do with it, so that you can make informed choices. We have created this Privacy Statement to explain in plain terms what we do, and what we will not do, with your personal information.

As part of its conduct and management of lottery schemes and operation of gaming sites in Ontario (including the Casinos of Niagara), the Ontario Lottery and Gaming Corporation (“OLG”) collects your gaming-related personal information under the authority of section 3 of the Ontario Lottery and Gaming Corporation Act, 1999, S.O. 1999, c.12, and manages your gaming-related personal information in accordance with the Ontario Freedom of Information and Protection of Privacy Act, R.S.O 1990, c. F31, and OLG’s Records Classification Scheme and Retention Schedule. MGE obtains gaming-relating personal information from you on behalf of OLG.

The Casinos of Niagara are also subject to Canada’s Personal Information Protection and Electronic Documents Act, S.C. 2000, c.5, which governs how MGE may collect, use and disclose your non-gaming-related personal information.

In this Privacy Statement, the term “Applicable Privacy Laws” will refer to the privacy and freedom of information laws as they apply to MGE.

For the purposes of this Privacy Statement, personal information does not include business contact information (to the extent that it is excluded from the application of Applicable Privacy Laws), or aggregate and de-identified data that does not relate to an identifiable individual and cannot be reverse engineered alone or in combination with other available information.

## **I – COLLECTION AND USE OF PERSONAL INFORMATION**

### **A. TYPE OF PERSONAL INFORMATION COLLECTED AND USED**

MGE only collects personal information that we require for reasonable business purposes, including:

#### **1. Identification (“ID”) Verification and Identification Verifiers**

At casino entrances, casinos are required to verify the government-issued photo ID of all

individuals who appear to be under 30, to ensure that no one under the legal gambling age of 19 is permitted entry. Security Officers posted at the entrance of the Casinos of Niagara may use “identification verifiers” to scan any ID, including IDs they believe may have been tampered with or altered. Identification verifiers display the date of birth and recognize IDs that have been falsified. MGE does not keep a permanent record of any information displayed as a result of scanning information through an identification verifier.

Casinos are also required, under provincial and federal laws, to verify government-issued photo ID and to record certain information, including, but not limited to, name, date of birth, address, type of ID, place of issuance of ID, expiration date and ID reference number, before conducting certain types of transactions. These transactions include, but are not limited to, foreign exchange transactions of \$3,000 CDN or more, cash transactions of \$10,000 CDN or more (see Large Cash Transaction Records), casino disbursement transactions of \$10,000 CDN or more, credit extensions of any amount, and opening a front money account in any amount.

MGE also requires government-issued photo ID before issuing or permitting use of a loyalty card for its Players Advantage Club to protect customers who may lose or misplace their cards and to ensure customers are of legal age to gamble and are not part of the self-exclusion program.

## **2. Photography**

When you register for contests, tournaments or promotions, or win a jackpot, you may be asked to sign a consent authorizing MGE to photograph you and to use, exhibit, display, print and/or publish your name, photograph or likeness for advertising, publicity, or other lawful purposes.

## **3. Video Surveillance**

In order to comply with Alcohol and Gaming Commission of Ontario (“AGCO”) Registrar’s Standards for Gaming, MGE is required to have surveillance systems to monitor all gaming and sensitive areas of the Casinos of Niagara.

We also have surveillance systems that monitor other areas for safety and security purposes. Video surveillance cameras are used to protect MGE, its customers and employees against potential violations of criminal and/or civil laws. Surveillance camera output is monitored by MGE’s surveillance personnel, authorized MGE officers or directors, Ontario Provincial Police and regulatory authorities.

## **4. Self-Exclusion and Facial Recognition**

Self-exclusion is a voluntary program offered by MGE and the OLG to individuals who choose to be included in the program because they wish to limit or stop their gambling. In addition to the information collected directly from individuals who have completed the Self-Exclusion Form (as described below), the self-exclusion program also uses an automated facial recognition technology system to identify self-excluded individuals. This technology captures facial images of Casino customers at a distance and compares such images to the images of those who have

voluntarily provided their photograph to the self-exclusion program. This technology only identifies possible matches with those registered with the self-exclusion program and does not identify or retain the images of other individuals. Access to the information gathered as part of the self-exclusion program, including facial recognition information, is limited to the individuals who require the information in order to operate the self-exclusion program. All information gathered as part of the self-exclusion program, including all facial recognition information, is protected by the appropriate technological systems including encryption algorithms.

The description of the self-exclusion program and facial recognition technology as set out in this Privacy Statement does not amend or supersede the terms and conditions that any individual agreed to when registering for the self-exclusion program and, specifically, does not provide any kind of representation or guarantee with respect to the effectiveness of the self-exclusion program.

## **5. Involuntary Exclusion**

To protect the safety or security of our customers and employees, and to comply with MGE's commitment to responsible gaming and a safe and secure gaming environment, you may be involuntarily excluded from Casinos of Niagara (by Notice of Trespass or otherwise) if we believe that you have difficulty gaming responsibly, if you have been involved in a safety or security incident at Casinos of Niagara, another Ontario Casino or another Casino owned, operated or managed by MGE, or if you have otherwise demonstrated behaviour that we believe puts you, other customers or our employees at risk. We will collect and retain information relating to the circumstances leading to our determination that you should be excluded from the premises.

## **6. Manual and Electronic Forms**

During your visit to Casinos of Niagara, you may be asked to provide information for various forms, requiring different types of personal information. The forms you may be asked to complete fall in the following categories:

### **a. Customer Tracking and Reward Programs**

From time to time MGE has established and may in the future establish various player tracking and reward programs. For example, you may choose to become a member of our Players Advantage Club ("PAC"), or a successor program, so that you can redeem your gaming points for rewards, or qualify for complimentary, and many other promotional offers. If you choose to join the PAC, or similar programs, and have your play rated, we may collect certain information about you including name, address, telephone number, e-mail address, interests, gaming history, number of visits to the Casino, and level of play. MGE uses this information to better understand the interests of its customers, to provide you with valuable marketing information, to assess your eligibility for rewards and in order to protect the health and safety of patrons.

## **b. Credit Applications**

As a service to eligible customers, MGE may extend you credit to facilitate gaming. To assess your eligibility for credit and determine a line of credit that corresponds with your financial means, we will first have to obtain information about you and verify your financial history. You will be required to provide us with your name, address, income, banking information and credit history. To determine your eligibility for credit, we may disclose your personal information to credit reporting agencies, financial institutions and other casinos (which may be located outside of Canada). The information on our credit application is required under regulations made under provincial gaming laws and is similar to the type of information a bank would require before extending a consumer loan.

## **c. Other Financial Services**

As a service to customers, MGE may open a front money account for you, advance you cash on your credit card, or transfer your funds by wire to a financial institution. Before we can facilitate these services, we will require certain personal information. Depending on the type of service you are interested in, the personal information may include your name, address, date of birth, signature, and other information of a similar nature. This information may be shared with credit reporting agencies, financial institutions and other casinos (which may be located outside of Canada). Where these transactions amount to \$10,000 CDN or more in a consecutive 24-hour period, a Large Cash Transaction Record or a Large Casino Disbursement Record is required under law.

## **d. Large Cash Transaction, Large Casino Disbursement, and Multiple Transaction Records**

Under provincial and federal laws, Casinos are required to complete a Large Cash Transaction or Casino Disbursement Record before conducting any transactions of \$10,000 CDN or more (including multiple transactions, where cash is received from the same person, amounting to \$10,000 CDN or more in a consecutive 24-hour period) and Multiple Action Logs before conducting certain transactions of \$2,500 CDN or more in a consecutive 24-hour period.

These records include personal information such as your name, address, date of birth, and business or principal occupation. Where we determine that a reportable transaction is being conducted on behalf of a third party, personal information on the third party is also required, including the third party's name, address, date of birth, business or principal occupation and the nature of the relationship between you and the third party.

In addition, we are required to report to the Financial Transactions Reports Analysis Centre of Canada ("FINTRAC"), transactions where \$10,000 CDN or more in cash is received (including multiple cash transactions, by the same person, amounting to \$10,000 CDN or more in a consecutive 24-hour period) or when the total amount disbursed is \$10,000 CDN or more

(including multiple transactions amounting to \$10,000 CDN or more in a consecutive 24-hour period). The recording and reporting requirements for large cash transactions and large casino disbursements apply not only to all casinos/slot facilities in the country, but also to all financial institutions, foreign exchange dealers and other regulated financial service providers.

#### **e. Electronic Funds Transfers Records**

Under provincial and federal laws, casinos are required to report to FINTRAC all electronic funds transfers amounting to \$10,000 CDN or more internationally during a consecutive 24-hour period.

The Electronic Funds Transfer report includes personal information such as your name, address, date of birth, and business or principal occupation.

#### **f. Suspicious Transaction Reports**

Under federal law, when an employee suspects, on reasonable grounds, that a transaction (regardless of the amount) or attempted transaction is related to the commission of, or attempted in the commission of, a money laundering offence or a terrorist activity financing offence, a Suspicious Transaction Report must be filed with FINTRAC.

Certain personal information about the person conducting the transaction is required on these reports. Federal law prohibits us from disclosing that a Suspicious Transaction Report has been completed or reported, or the content of such a report.

#### **g. Self-Exclusion Forms**

If you wish to limit or stop your gambling, or for whatever reason, you may wish to complete a Self-Exclusion Form. The form requires that you disclose your name, address, date of birth, and a piece of ID, and that you allow us to take a photograph of you. This information is shared with OLG, all gaming premises in the Province of Ontario and all casinos owned, operated or managed by MGE, for purposes of the self-exclusion program.

#### **h. Ticket Purchases**

When you purchase tickets for concerts or other events at MGE's entertainment venues through Ticketmaster, Ticketmaster releases certain of your personal information to MGE, including your name, address and telephone number. MGE may use this information to notify you of other concerts or events at our entertainment venues.

When you accept complimentary tickets to a concert or event at MGE, you may provide us with certain personal information including your name, address and telephone number. MGE or Ticketmaster may use this information to notify you of other concerts or events at our entertainment venues.

#### **i. Resort Amenities**

When making a reservation or when utilizing one of our amenities, such as the Hotel or Spa, it is

necessary to have information in order to identify you, contact you and to process your purchase and requests. This information usually includes your name, address, telephone number, e-mail address, credit card number and expiration date, and language preference. It may also include, if you choose to share that information with us, your preferences regarding the delivery of your service such as type of room, type of treatment, and the like.

### **Security Incidents**

Details of security incidents, such as assaults, thefts, drunkenness or disorderly conduct, etc., are recorded. If you are involved in or witness a security incident, you may be asked to provide us with your name, address, and telephone number.

### **7. Health and Safety**

If you or a family member become ill or are involved in an accident while visiting Casinos of Niagara, we may ask you to provide us with your contact information, health history, physician and next of kin. Other information may be documented depending on the nature of the medical incident or accident.

### **8. Other**

#### **a. Name, address or e-mail address, telephone number**

This information is collected when you register for contests, promotions, our newsletter, or services that require registration or subscription, and will be used only for the purpose that it is collected and consistent purposes (e.g., to communicate the results of the contest or provide the requested service). We will not send you electronic advertising or marketing messages without your consent. [1] If you no longer want to receive e-mail from us, you can let us know by using the unsubscribe mechanism that will be included in each electronic message.

#### **b. Information submitted by you and telephone recordings**

We collect information that you submit to us in connection with your inquiries, complaints and other feedback (e.g., via phone, e-mail, mail or our website). Such information is used for the purposes of responding to you and for customer research purposes. We may also monitor and record phone calls for customer service and training as well as record keeping purposes.

#### **c. Information relevant to employment relationships**

This information is collected when you apply for a position (through our website or otherwise) and/or work for MGE and will be used for reasonable purposes related to establishing, managing or terminating the employment relationship.

#### **d. Information required under applicable laws**

We may also collect and use your personal information as authorized or required under other

applicable laws, including without limitation Canada's Proceeds of Crime (Money Laundering) and Terrorist Financing Act, S.C. 2000, c.17.

**e. Use of Personal Information to Generate De-Identified and/or Aggregated Information**

We may use any of the Personal Information collected by us to generate de-identified and/or aggregated Personal Information that we may use for our own business purposes or disclose to our trusted third party business partners (which may be located outside of Canada).

**C. OTHER INFORMATION COLLECTED THROUGH OUR WEBSITE**

MGE also collects certain information through our websites. For example, when you visit our web pages, we gather the date and time of your visit as well as your browser type, ISP, referring site, pages requested, and IP address. Typically, this information will not allow us to identify you personally. We use this information for our internal security audit log, trend analysis and system administration, and to gather broad demographic information about our user base for aggregate use. This information may be shared with third parties in order to provide services to us or to analyze, store or aggregate the information.

**(i) Cookies**

Our web pages may employ the use of "cookies". A cookie is a small line of data that is sent to your Internet browser from a web server and stored on your computer's hard drive. Cookies can track how and when you use a site, and which site you visited immediately before. A cookie does not damage your system and identifies your browser, not you personally. We use cookies to identify which areas of our network you have visited, so the next time you visit, those pages may be readily accessible.

If you wish to disable cookies, please set the options in your web browser accordingly. You can consult your browser's help function for information on how to disable cookies. Please note, however, that this may affect the functioning of some aspects of our websites, and/or make it impossible to offer you customized services.

**(ii) Links**

To the extent that our websites contain links to other, third party websites, the owners of those sites are responsible for the privacy practices or content of those other sites.

We do not endorse and do not assume responsibility for the data collection, use and disclosure practices of third party websites linked to MGE's websites. We therefore encourage you to review the privacy policies of these websites before disclosing your information to any third party.

## **II – DISCLOSURE OF PERSONAL INFORMATION**

Generally, MGE will only disclose your personal information with your informed consent. We do not sell your personal information to third parties. However, subject to Applicable Privacy Laws, we may disclose your personal information without your knowledge and/or consent in the following circumstances:

- To provide our services and/or comply with our contractual obligations to third parties. We may share personal information with the Ontario Lottery and Gaming Corporation and other government bodies or institutions, provided they are authorized to collect such information under applicable laws.
- To our service providers – In some cases we share personal information with other companies who provide services to us or perform services on our behalf, and in these instances we provide them only with the information needed to perform those services. In such cases we will enter into contractual or other arrangements to protect the security and confidentiality of your personal information. Some of our service providers rely upon cloud computing, which means that some customer information will be stored in multiple countries outside Canada, and may be subject to the laws and lawful disclosure requirements in the recipient jurisdictions. By submitting your personal data, you agree to this transfer, storing and processing and you understand and expressly agree that your personal information may be transferred outside of Canada to jurisdictions whose data protection laws may differ from Canada. If you do not agree to the transfer of your personal data outside of Canada, do not provide us with personal information.
- To comply with our legal obligations – Casino gaming is a highly regulated activity and is subject to oversight by provincial and federal regulatory bodies. Personal information may be disclosed in response to a subpoena or search warrant, or otherwise for compliance with legal processes or regulatory obligations. Personal information may also be disclosed to the Alcohol and Gaming Commission of Ontario, as well as regulators in other jurisdictions.
- To assist law enforcement to investigate illegal activity, and for other purposes related to law enforcement – Information related to security incidents and other potentially unlawful activities may be disclosed to police and other law enforcement authorities upon request to aid in investigations.
- To Ontario Public Health Authorities, if they require it for contact tracing purposes.
- Otherwise as required or permitted by Applicable Privacy Laws.

In addition to the above, from time to time we may be involved in transactions to sell or



restructure parts of our business or assets or merge with other businesses. Where permitted by Applicable Privacy Laws, some personal information may be disclosed as required to facilitate such transactions. In such cases, the information that is shared is limited to what is necessary to accomplish the transaction, and we take appropriate steps to protect the information from improper use or disclosure.

### **III – BEING ACCOUNTABLE**

We will take reasonable physical, technical and organizational steps to secure and safeguard your personal information. Access to personal information is restricted to only those with a legitimate business need. We provide appropriate orientation and training to our employees so that those handling your personal information understand how to protect it. We have appointed employees who are specifically responsible for the management of information privacy and privacy matters. While we use data encryption, identity authentication and other means to ensure security of your personal information, neither the Internet nor network based systems are 100% secure and our safeguards may be subject to human and operational error as well as malicious attacks. We cannot guarantee that personal information provided by you whether online or offline will not be misappropriated, modified, intercepted or used by others. We will not contact you for personal information in e-mail communications initiated by us and you should not provide us with your personal information via e-mail.

### **IV – RETENTION OF PERSONAL INFORMATION**

Personal information is generally only retained as long as it is needed for business or legal purposes. If such information is used by MGE, it will be retained for at least one year in order to give you a reasonable opportunity to obtain access to it. In addition, information that is subject to an access request will be retained even if access is denied in accordance with Applicable Privacy Laws until the requestor has exhausted all recourses and/or appeal mechanisms under such laws. Certain personal information collected by OLG is retained in a personal information bank, as required under the Ontario Freedom of Information and Protection of Privacy Act.

### **V – ACCESS**

Subject to restrictions and exceptions under Applicable Privacy Laws, upon request we will provide you with access to your non-gaming personal information as well as information about the collection, use and disclosure of your non-gaming personal information and a listing of the individuals or organizations to which your information has been disclosed. To review records containing your personal information, you will be required to submit a formal, written request to our Privacy Officer at:

Casinos of Niagara  
Legal Department  
Attention: Chief Privacy Officer

October 20, 2020

P.O. Box 300  
Niagara Falls, Ontario  
L2E 6T3

Such requests should include sufficient information to allow us to locate the records that you are seeking. Reasonable fees may apply to access requests, where permitted under Applicable Privacy Laws.

We will generally respond to access requests within 30 days, except where an extension is permitted under Applicable Privacy Laws. If access is denied, we will provide you with a written explanation in accordance with Applicable Privacy Laws.

You may also be able to access your gaming-related personal information collected by MGE on behalf of the Ontario Lottery and Gaming Corporation under the authority of the Ontario Lottery and Gaming Corporation Act, 1999 and held under the Ontario Freedom of Information and Protection of Privacy Act. Such requests should be submitted to OLG at:

OLG Support Centre  
70 Foster Drive, Suite 800  
Sault Ste. Marie, Ontario P6A 6V2  
Attention: Program Coordinator, Freedom of Information and Privacy Office  
1-800-387-0098  
privacy@olg.ca

## **VI – INQUIRIES AND COMPLAINTS**

If you have questions or concerns about OLG's collection of your gaming-related personal information under the authority of the Ontario Lottery and Gaming Corporation Act, 1999, compliance with the Ontario Freedom of Information and Protection of Privacy Act, or the handling of your gaming-related personal information, you may contact OLG at:

OLG Support Centre  
70 Foster Drive, Suite 800  
Sault Ste. Marie, Ontario P6A 6V2  
Attention: Program Coordinator, Freedom of Information and Privacy Office  
1-800-387-0098  
privacy@olg.ca

If any concerns are not resolved to your satisfaction, you may contact the applicable privacy regulator, as follows:

Information and Privacy Commissioner of Ontario

October 20, 2020

2 Bloor Street East, Suite 1400  
Toronto, Ontario M4W 1A8

If you have questions or concerns about MGE's collection of your non-gaming personal information, compliance with this Privacy Statement, or the handling of your non-gaming personal information, you may contact MGE's Privacy Officer at [privacy@niagaracasino.com](mailto:privacy@niagaracasino.com), or at the address listed above under Access. If any concerns are not resolved to your satisfaction, you may contact the applicable privacy regulator, as follows:

Office of the Privacy Commissioner of Canada  
30 Victoria Street  
Gatineau, Quebec  
K1A 1H3

## **VII – AMENDMENTS**

MGE reserves the right to modify this Privacy Statement at any time by notifying customers through the websites of Casino Niagara and Niagara Fallsview Casino Resort. Please check the websites periodically for changes.

[1] Express consent unless consent may be implied pursuant to an Act to promote the efficiency and adaptability of the Canadian economy by regulating certain activities that discourage reliance on electronic means of carrying out commercial activities, and to amend the Canadian Radio-television and Telecommunications Commission Act, the Competition Act, the Personal Information Protection and Electronic Documents Act and the Telecommunications Act, S.C. 2010, c.23.