

## REPSOL OIL & GAS CANADA INC. CANADIAN PRIVACY POLICY

Repsol Oil & Gas Canada Inc. ("Repsol") is headquartered in Calgary, Alberta. This Policy applies to the operations of Repsol in Alberta and throughout Canada and is to be read in conjunction with the ten Fair Information Principles contained in the Repsol Privacy Statement and the applicable provincial or federal privacy legislation, including Alberta's Personal Information Protection Act ("PIPA"). This policy applies to all Personal Information (defined below) collected, used, or disclosed by Repsol, except information in the public domain.

This policy is intended to provide guidance to all individuals in any sort of engagement with Repsol, including permanent and temporary employees, directors, officers, office holders, managers, supervisors, contract staff and volunteers, and to provide a clear understanding of the mutual obligations required to support Repsol's commitment to privacy compliance.

### Definitions

#### Business Contact

**Information:** Name, job title, business address, business telephone or facsimile number, and business email address.

**Collection:** To gather, acquire, obtain or record Personal Information from any source, including Third Parties.

**Consent:** Voluntary agreement to the collection, use and disclosure of Personal Information for defined purposes. Consent can be either express or implied:

- **Express consent** is given explicitly, either verbally or in writing.
- **Implied consent** arises where consent can be reasonably inferred from the action or inaction of the subject individual, or where legislation or regulation have authorized collection.
- **Opt-out consent** occurs when an organization indicates that it will collect, use or disclose information unless the individual indicates otherwise.

**Disclosure:** Making Personal Information available to a Third Party.

**Employee:** An individual employed by an organization and includes an individual who performs a service for or in relation to or in connection with an organization; including as a director, officer, officer holder, apprentice, volunteer, participant, student, or under a contract or an agency relationship with the organization ("Employee").

**Personal Information:** Information including opinions and evaluations recorded in any form, about an identified individual, or an individual whose identity may be reasonably determined from the information, excluding Business Contact Information. Personal Information includes information such as name, date of birth, marital status, dependents, beneficiaries, home or mailing address, personal telephone numbers, personal email addresses, emergency

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contact information, social insurance number, bank account numbers, other ID numbers, income, employment or education history and financial history ("Personal Information").

Some Personal Information, such as religious beliefs, medical conditions, ethnic origin and sexual orientation, is considered sensitive and warrants more stringent safeguards.

**Record:** Information in any form or in any medium whether in written, printed, photographic or electronic form or any other form, not including a computer program or other mechanism that can produce a record.

**Third Party:** Any individual or organization outside Repsol, including parent companies, subsidiaries and affiliates ("Third Party" or "Third Parties").

**Use:** Treatment, handling and management of Personal Information by Repsol. Use may also include the treatment, handling and management of Personal Information by Repsol's Third Party service providers.

## **Policy**

### **1. Accountability**

Repsol's Privacy Coordinator serves as the primary contact for privacy issues related to Repsol's operations. All managers and supervisors are expected to become familiar with and support and oversee privacy compliance.

Repsol's Privacy Coordinator and other individuals within Repsol may be delegated to act on direction from management or take responsibility for the day-to-day collection and processing of Personal Information. When required, other Repsol individuals may be appointed by senior management to act in the place of the Privacy Coordinator.

Repsol is responsible for information in its possession or control including information that has been transferred to a Third Party. All persons and organizations collecting information on Repsol's behalf are expected to adhere to privacy principles, applicable laws and this Policy.

Repsol may, from time to time, use Third Party service providers outside of Canada to process and store Personal Information and Business Contact Information. Such Third Party service providers will generally be located in the United States of America and Spain. In all instances, any Personal Information and Business Contact Information involved will be transferred securely and their use and disclosure will be restricted to the stated purpose for which they were collected, unless otherwise mandated by applicable law. All Third Party service providers will be expected to adhere to privacy principles, applicable laws and this Policy with respect to such information.

Please be aware that any Personal Information or Business Contact Information that is transferred over the Canadian border will be subject to the applicable laws of the foreign jurisdiction. Please contact Repsol's Privacy Coordinator if you have any questions or require further information about this matter.

## **2. Identifying Purposes**

Unless it is obvious, Repsol identifies the purposes for which Personal Information is collected and specifies verbally, electronically or in writing, the identified purposes at or before the time the Personal Information is collected.

When Personal Information is collected for purposes not previously identified, the new purposes are communicated in advance or at the time and prior to any new use or disclosure, unless the new purposes are required or authorized by law.

### **2.1 Employee Information**

Repsol collects Personal Information about its Employees for the following purposes:

- Employment/Work- development, administration, management and termination of the employment relationship, services relationship or volunteer-work relationship, including management of the sharing or seconding of Repsol employees to partners, affiliates or other entities, and vice versa;
- Performance Management and Development- to manage, develop and retain a skilled, professional, and productive workforce that supports our business success;
- Business Development - to manage performance of the business and promote business development;
- Health and Wellness - to support the personal health, safety and wellness of our Employees;
- Safety - to provide a safe and respectful workplace as required by law and Repsol policies;
- Manage Corporate Assets - to protect our assets. For example, we log Employee use of our networks (e-mail, Intranet and Internet) and we employ video surveillance in some building and work site locations to enhance security;
- Legal Compliance - to meet legal and regulatory requirements. For example, we may collect Personal Information in response to a court order or for emergency response; and
- Other Personal Information that is reasonably necessary and/or required for proper administration, management and termination of the employment relationship, services relationship or volunteer-work relationship.

### **2.2 External Stakeholder Information**

Repsol collects Personal Information about individuals including landowners, leaseholders, residents and royalty holders. The collection of Personal Information is for legitimate business purposes such as:

- Administration - to execute agreements, facilitate payments and file land registry requirements;

- Safety - Emergency Response Plans;
- Legal Compliance- as required by law or regulation (for example Energy Resources Conversation Board (ERCB), land titles, environmental and government regulations);
- Development- to manage and foster relationships necessary to conduct business; and
- External stakeholder considerations reasonably necessary and/or required.

### **2.3 Other Information**

Repsol may collect Personal Information about individuals not falling within the above two categories, and such collection, use or disclosure will be subject to this Policy. For example:

- a shareholder may contact Repsol and seek information. Their name and contact information would be retained, used and disclosed as necessary to respond to the request; and
- an Employee might provide information such as a credit card number for reimbursement of an invoice or as part of an expense sheet.

## **3. Consent**

Repsol uses reasonable efforts to ensure that individuals understand how their Personal Information will be handled. Repsol will obtain consent as required for the collection, use and disclosure of Personal Information, except in certain circumstances, such as where the collection is for journalistic, artistic, literary or related purposes, business contact purposes, the information is publically available, or where circumstances make it inappropriate, impossible or impractical, such as investigative, legal, security or medical reasons. When applicable, Repsol will obtain consent for the collection, use or disclosure of Personal Information through written, verbal or electronic means or other appropriate processes.

Repsol generally seeks to obtain consent before or at the same time Personal Information is collected. Repsol may, however, seek consent to use and disclose Personal Information after it has been collected, but before it is used or disclosed for a new purpose.

### **3.1 Consent Not Required**

In certain circumstances, Repsol may collect, use and/or disclose Personal Information without the knowledge or consent of the individual. For example:

- It is clearly in the interests of the individual and consent cannot be obtained in a timely manner (e.g. when the individual is seriously ill).
- Obtaining prior consent would defeat the purpose of collecting the information (e.g. in the investigation of a breach of an agreement or policy, or a contravention of law).
- In the case of an emergency where the life, health or security of the individual is threatened.
- Where the information is publically available.

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- Where the information is required or authorized by law.
- Where the information is used for artistic, journalistic, literary or related purposes.
- Where the information is being used as business contact information.

When determining the form of consent, Repsol considers the sensitivity of the information and the reasonable expectation of the individual. For example, Repsol will obtain express consent when the information is considered to be sensitive; implied consent may be appropriate when information is less sensitive.

### **3.2 Previously Collected Information**

Personal Information that was collected prior to 2004 is deemed to have been collected with the consent of the individual. Such Personal Information may be used and disclosed for the purposes for which it was collected. Any other use or disclosure of such Personal Information will be dealt with in accordance with the terms of this Policy.

### **3.3 Withdrawal of Consent**

Consent may be withdrawn at any time, subject to legal or contractual restrictions and reasonable notice. In such cases, Repsol will inform individuals of the implications for withdrawing consent. Contact the Repsol Privacy Coordinator for more information regarding the specific implications of withdrawing consent.

## **4. Collection**

Repsol limits the amount and type of Personal Information collected to that which is necessary for the identified purpose.

### **4.1 Employee Information**

Examples of the types of Personal Information Repsol collects from Employees are:

- Demographic and contact information including home and mailing addresses, email addresses, personal telephone numbers, date of birth, social insurance number, emergency contacts, and gender;
- Education and employment history, including at Repsol (e.g., performance evaluations);
- Banking or financial information;
- Health information, including medical conditions or disabilities where regulated,
- required by law, for safety related reasons, to determine eligibility to receive benefits or as part of the administration of Repsol's Alcohol and Drug Policy (Canada);
- Security background checks, as appropriate;
- Other information such as marital status, driver's license information, dependants, beneficiaries, emergency contact information and citizenship.

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## 4.2 External Stakeholder Information

Examples of the types of Personal Information collected from landowners, leaseholders, residents, shareholders, royalty holders and others are:

- Name and contact information plus additional information as required (e.g. information required for emergency response procedures);
- Banking information to make payments directly to bank accounts;
- Leaseholder preferences, as appropriate.

## 4.3 Protection of Repsol Property and Facilities

In the course of conducting business, Repsol may monitor the access to and use of its property and facilities including premises, computers, telephones, office and communications equipment, as well as software applications including email and Internet. Individuals may use these resources with the understanding that it is considered the property of Repsol and usage may be reviewed by Repsol if it is considered necessary to protect its business interests.

Employees must recognize that they have no reasonable expectation of privacy when using Repsol property such as technology (e.g., computers, telephones, smartphones, copiers, facsimiles) or storage facilities (e.g., lockers, desks and worksites) whether such use is during work or on personal time such as breaks.

Repsol may monitor its resources to limit damage or inappropriate or illegal use of those resources through such means as:

- Reporting on usage of security access cards;
- Video surveillance in its offices and some work sites;
- Monitoring of Internet and email usage; and
- Searches conducted in accordance with the Alcohol and Drug Policy (Canada).

Repsol does not monitor voicemail or incoming telephone calls, unless it is deemed reasonably necessary and justified as part of an investigation into a breach of agreement or policy, or contravention of law. Outgoing telephone calls are logged for long distance charge costing.

Repsol has no intention to subject individuals to constant surveillance. It is meant to bring to attention the fact that such monitoring **may occur** and **may** result in the collection of Personal Information from individuals using Repsol's resources. **When using Repsol equipment or resources, individuals should not have any expectation of privacy with respect to their use of such equipment or resources.** Any collection of Personal Information held or used in the course of monitoring will not be more than is necessary for the purpose of the monitoring.

For more information pertaining to use of company computers, networks and software, please refer to the IT Digital Security Policy.

Monitoring is or will be done on an "as required" basis in proportion to the risks that Repsol faces. In some instances, Repsol may supplement this monitoring notice with more specific ones as appropriate (e.g. video surveillance).

## **5. Limiting Use, Disclosure and Retention**

Repsol will not use or disclose Personal Information for purposes other than those for which it was collected, except with the consent of the individual or as required or authorized by law.

### **5.1 Common Use or Disclosure**

There are a variety of circumstances where Personal Information is used and/or disclosed.

For example:

- To develop, administer, manage and terminate Employee and labour relations, compensation, benefits, pension, incentive and termination programs. Repsol discloses relevant Employee information to financial institutions, program administrators, governments and government agencies (e.g. Canada Revenue Agency), United Way, outplacement or recruitment service providers, unions if applicable and current or potential supervisors;
- To health professionals to administer personal health and wellness programs and provincial worker's compensation agencies;
- For staffing purposes, Personal Information may be exchanged within Repsol between current and potential supervisors and with consulting, recruiting, or executive search firms and/or Third Party service providers;
- Where required by law, lawful contractual obligations, court order, or competent authority, or for the purposes of a business transaction such as mergers, acquisitions, consolidations, or the sale of Repsol's assets; and
- Where the information is public.

As noted above, Repsol may disclose Personal Information and Business Contact Information to Third Party service providers outside of Canada for data storage and processing purposes. Such Third Party service providers will generally be located in the United States of America and Spain.

### **5.2 Limiting Use and Disclosure**

Where obliged or permitted to use or disclose information without consent, Repsol will use and/or disclose only the information that is required.

Only Repsol Employees and contractors with a business reason or whose duties so require are granted access to Personal Information. Our policies strike a balance between trusting the professionalism of our Employees and the need to comply with the law.

### **5.3 Retention**

Repsol will retain Personal Information only as long as it is necessary for the identified purpose, or as authorized or required by law.

Personal Information that is no longer required to fulfil the identified purposes or required by law to be retained is destroyed by confidential means (e.g. shredding, erasure, made anonymous).

## **6. Accuracy**

Repsol endeavours to ensure that any Personal Information in its possession is as accurate, current and complete as necessary for the intended purpose and requires individuals to notify Repsol of any changes to their Personal Information so that the information remains accurate and up to date. Failure or delay could result in the inability to fulfil the purpose for which the information was provided, such as the interruption of benefits or similar services being provided.

Employees are responsible to ensure their Personal Information located on-line and in self-service facilities is kept current. Former Employees are responsible to notify the company of any updates to their Personal Information as stated above.

## **7. Safeguards**

Repsol endeavours to protect Personal Information against such risks as loss, theft, unauthorized access, disclosure, copying, use, modification or destruction. In the event of a security breach affecting Personal Information, Repsol will take all appropriate and required action to minimize and otherwise respond to the breach without delay, including making notifications to the applicable privacy commissioner(s) and/or individual(s) affected by the breach as required by law. Repsol Employees and Third Party service providers are also required to notify Repsol, without delay, of any real or suspected breach affecting Personal Information under their control or of which they are otherwise aware.

Repsol has developed and implemented security policies and procedures to protect Personal Information as appropriate to the sensitivity of the information. These methods include:

- Physical measures (e.g. locked filing cabinets and desks, restricted access to floors and offices);
- Organizational measures (e.g. security clearance; access by authorized individuals only); and
- Technological measures (e.g. passwords and encryption; restricted and secure online access; refer to the IT Digital Security Policy for more information).

Repsol will use contractual agreements to provide an acceptable level of protection when Personal Information is accessed, used by or disclosed to Third Parties.

Repsol will ensure that Employees are informed of the importance of maintaining the confidentiality of Personal Information. Repsol provides Employees with information about its policies and procedures for protecting Personal Information and the importance of maintaining the confidentiality of Personal Information.

Care is taken in the disposal/destruction of Personal Information to prevent unauthorized parties from obtaining access to the information.

## **8. Openness**

Repsol establishes and maintains procedures to facilitate the organization's commitment to privacy, including:

- Procedures to protect Personal Information and to oversee compliance;
- Procedures to receive and respond to complaints and inquiries;
- Communications and education programs to provide information to Repsol's workforce about privacy policies and procedures; and
- Publication of Repsol's Privacy Statement and this Policy on Repsol's public and internal websites and availability of hard copy on request by contacting the Repsol Privacy Coordinator.

To make an inquiry or lodge a complaint about Repsol's Personal Information handling and privacy policies and procedures, contact the Repsol Privacy Coordinator.

## **9. Individual Access**

### **9.1 Employee Access**

Repsol upholds the reasonable right of access and review of Personal Information. Employees can access and review their own Personal Information by:

1. Review of Personal Information contained in on-line self-service applications such as Workday, Solium and Sun Life.
2. Contacting their Supervisor or Human Resources Business Partner to arrange to view and/or obtain a copy of the Employee file kept in the Human Resources department. The original file must not be removed from the Human Resources department.
3. Contacting Occupational Health to arrange to view and/or obtain a copy of the file kept in the Occupational Health department. The original file must not be removed from Occupational Health.

In addition to the Personal Information described in the three sources above, if necessary, Employees can request access to any remaining Personal Information by completing a Request for Access to Personal Information form. All requests must be in writing and provide sufficient detail so that Repsol can reasonably identify the documents requested.

### **9.2 General Access**

A request can be made by completing and submitting a Request for Access to Personal Information form.

To guard against fraudulent requests, Repsol requires sufficient information to confirm the person making the request is authorized to do so. Repsol normally responds to written requests for access to Personal Information within 45 days, unless an extension has been granted by the applicable privacy office or on consent, or as may be specified in the applicable legislation.

A nominal fee may be charged in certain circumstances for general access.

### **9.3 Limitations to Access**

Repsol provides individuals with access to their Personal Information subject to limited and specific exceptions. Repsol may refuse access to Personal Information if:

- It would reveal Personal Information about another person;
- Doing so could reasonably be expected to threaten the life or security of another individual;
- The disclosure would reveal confidential commercial information;
- The information is protected by legal privilege;
- The information was collected or disclosed for an investigation or legal proceeding;
- The information was generated as part of a dispute resolution process; or
- The request is not in writing and/or does not provide sufficient detail to enable Repsol to respond to the request with reasonable effort.

### **9.4 Correction/ Amendment of Personal Information**

Repsol will correct or amend Personal Information as required when an individual successfully demonstrates the inaccuracy or incompleteness of the information. Amendment may involve the correction, deletion, or addition to any Personal Information found to be inaccurate or incomplete. Employees are responsible to ensure their Personal Information located on-line in self-service facilities is kept current. Requests for correction/amendment of Personal Information should, in the case of Repsol employees or staff, be directed to the individual's Human Resources Business Partner. Alternatively, employees, staff and external stakeholders may make a request for correction/amendment of Personal Information directly to the Privacy Coordinator with a description of the Personal Information sought to be corrected or amended.

Any unresolved differences as to accuracy or completeness will be appended to an individual's file. Where appropriate, Repsol shall inform any Third Parties having access to the Personal Information in question as to any corrections or amendments, or the existence of any unresolved differences between the individual and Repsol.

## 10. Challenging Compliance

Repsol investigates all complaints concerning compliance with its privacy policies and the applicable legislation, and such investigations will be conducted fairly and confidentially to the greatest extent possible. A complaint can be made by completing and submitting the Privacy Compliance Complaint form.

If a complaint is found to be justified, Repsol will take appropriate measures to resolve the complaint including, if necessary, amending its policies and procedures. Individuals shall be informed of the outcome of the investigation regarding their complaint. Retaliation against anyone who in good faith makes a report or participates in an investigation is strictly prohibited and will not be tolerated. At the same time, reports knowingly made without merit or with malicious intention will also not be tolerated and may lead to discipline in accordance with Repsol's Progressive Discipline Policy.

For more information or questions about Repsol's privacy statement, Policy or procedures, please contact the Repsol Privacy Coordinator by email ([PrivacyCoordinator@repsol.com](mailto:PrivacyCoordinator@repsol.com)), or by mail:

Repsol Privacy Coordinator  
Repsol Oil & Gas Canada Inc.  
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Information about privacy can also be accessed by contacting the privacy office local to your area.

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