

## **Rosedale's Commitment to Canada's Anti-Spam Legislation**

Rosedale Transport Limited as well as its subsidiaries, affiliates and direct and indirect operating subsidiaries and controlled entities and strategic partners (hereinafter "Rosedale") is committed to providing transparency to outside parties with respect to the compliance of the organization's electronic communication with Canada's Anti-Spam Legislation, in effect as of July 1st, 2014, and its relevant rules and regulations (hereinafter "CASL"). To that end, the Rosedale Anti-Spam Commitment is a formal statement of rights and obligations which is made available to outside parties. It is intended to inform outside parties of the type of responsible and transparent practices adopted by Rosedale when electronically communicating with outside parties, to inform outside parties about who they may contact at Rosedale for any concern pertaining to electronic communications, and to inform such outside parties of where and how they may unsubscribe to any electronic communications from Rosedale. This document also includes a series of answers to questions about spam and Rosedale's practices that are frequently asked by outside parties that Rosedale may communicate with.

### **APPLICATION AND SCOPE**

This Anti-Spam Commitment generally applies to any electronic communications sent by Rosedale to outside parties and is protected by a range of business procedures, processes and policies to ensure that such communications are done in compliance with CASL. Rosedale, in its electronic communications with outside parties, has to comply with the rules established by CASL and enforced by the Canadian Radio-television and Telecommunications Commission, Industry Canada, the Competition Bureau and the Privacy Commissioner of Canada. CASL regulates all commercial electronic messages ("CEM"), which are messages that include among their purposes, the encouragement of participation in a commercial activity.

### **WHAT IS ROSEDALE DOING TO COMPLY WITH CASL?**

Rosedale has undertaken various initiatives in order to make sure that it is compliant with CASL. It has adopted this Anti-Spam Commitment to provide transparency to outside parties with respect to the compliance of the organization's electronic communication practices with CASL, as well as undertaken, amongst others, the following initiatives:

- Rosedale has implemented CASL compliant consent forms

The consent of outside parties is necessary in order for Rosedale to send a CEM. This consent typically must be "express", but in certain circumstances consent can be "implied" and in others, messages are specifically exempt from consent requirements. Rosedale has modified certain consent forms in order to ensure that the express consent obtained from recipients is in compliance with CASL. You can have your email address removed from Rosedale's mailing lists at any time, although even if you unsubscribe to receiving CEM from Rosedale, you may still receive electronic messages from Rosedale which relate to an ongoing business relationship or which are exempt under CASL.

#### 🔍 Rosedale has modified its email footers

Rosedale has modified its email footers to manage CASL's consent requirements. Under CASL, all CEM sent must include certain prescribed content. For example, Rosedale must clearly identify Rosedale as the party sending the CEM, provide a method whereby the recipient can readily contact Rosedale, such as a mailing address and one of (i) a telephone number with active response voicemail, (ii) an email address, or (iii) a web address; and provide a working unsubscribe mechanism. In consequence, CASL compliant email footers have been updated on all email communications (emails and mass mailings) sent from Rosedale, in order to ensure compliance with CASL.

#### 🔍 Rosedale has incorporated Unsubscribe Mechanisms

Rosedale has incorporated unsubscribe mechanisms into all electronic communications, in order to manage CASL's consent requirements. Under CASL, each CEM must provide a working unsubscribe mechanism (functional for 60 days), which must be processed without delay, within a maximum of 10 business days.

In consequence, Rosedale has set up a uniform process in order to ensure that all unsubscribe requests will be complied with. You may at any time unsubscribe from receiving CEM from Rosedale by following the process laid out in the electronic message you receive, or contact Rosedale's CASL Compliance Advisor at [CASL\\_Compliance@rosedale.ca](mailto:CASL_Compliance@rosedale.ca) although even if you unsubscribe to receiving CEM from Rosedale, you may still receive electronic messages from Rosedale which relate to an ongoing business relationship or which are exempt under CASL.

#### **WHY ARE YOU RECEIVING AN ELECTRONIC MESSAGE FROM ROSEDALE?**

The types of CEM Rosedale may send from time to time could include the following:

- 🔍 CEM sent to Rosedale's current or potential clients (whether individuals or businesses), by Rosedale's marketing department or Rosedale's sales, business development or operation team. For example, this may be for prospecting purposes or in order to answer a request for information or an inquiry.
- 🔍 CEM sent to Rosedale's current or potential service providers by various Rosedale business units. For example, Rosedale may outsource part of its activities to a third party (such as a maintenance company, a translation service provider, etc.) or, Rosedale HR department may contact potential employees electronically for recruitment purposes.
- 🔍 CEM sent to Rosedale's current or potential business partners. For example, Rosedale has various partnerships with recruitment agencies, strategic partners and preferred partners, etc.

If you have received a CEM from Rosedale and you believe that you should not have, please assess as to whether you have provided implied or express consent to receive CEMs from Rosedale, or if an exemption applies.

**Express Consent:** You may have provided your express consent upon selecting an email hyperlink from our website or other CEM sent from us.

**Implied Consent:** Rosedale may infer your implied consent if:

- ☛ Rosedale has an existing business relationship with you or has a former business relationship with you which terminated less than two years ago (for instance, if you are a former client);
- ☛ Rosedale received an inquiry from you within the last 6 months;
- ☛ You disclosed your electronic address to a Rosedale employee (for example you provided your business card to a Rosedale employee) or you conspicuously published your electronic address (for example, via a corporate website or in a brochure) and the CEM sent is in connection with your business role and function.

When is a CEM regarded as being sent in connection with your business role and function?

**Selling Rosedale services:** A CEM would be regarded as being sent in connection with your business role and function if, for instance, the message was sent to you by Rosedale to sell its services and you operate a business which may be interested in the Rosedale specific service promoted.

**Retaining a service provider or business partner:** A CEM would also be regarded as being sent in connection with your business role and function if the message was sent to you by Rosedale to retain your services and is directly linked to your business. For example, Rosedale may contact you to perform portions of a contract in the context of a response to a RFP.

When is an electronic message exempt under CASL?

If you are receiving an electronic communications from Rosedale, it may be a message that is exempt under CASL. This would be the case if the message is one the following:

- ☛ you have a personal relationship with the Rosedale employee who contacted you, meaning that you have previously had a direct, voluntary, two-way communication;
- ☛ you have a family relationship with the Rosedale employee who contacted you;
- ☛ the CEM is sent within Rosedale (between employees of Rosedale);
- ☛ the CEM is sent between Rosedale and another business (including Rosedale's strategic partners), where there is an ongoing relationship between

Rosedale and this other business;

- ☛ the CEM was sent by Rosedale to you, in order to respond to your request or inquiry; or

- ✦ the CEM was sent by Rosedale to you, in order to enforce a legal right or obligation (for instance, if you have an outstanding debt, or breached a contract that you have with Rosedale or an obligation toward Rosedale, etc.).

In certain situations, your consent is not required for certain types of messages sent by Rosedale, although you may still unsubscribe from future transmission of similar messages. The type of messages where Rosedale does not need your consent is an electronic message that:

- ✦ is sent once, following a referral by a current Rosedale client, service provider, business partner or employee who also has a personal or business relationship with you;
- ✦ only provides you with a request for a quote or an estimate;
- ✦ only facilitates or confirms a transaction;
- ✦ only provides information about:
  - your ongoing use of Rosedale services;
  - a Rosedale service purchased (including updates).

If you have received a CEM, and you believe that you should not have, please contact us immediately at [unsubscribe@Rosedale.ca](mailto:unsubscribe@Rosedale.ca) and we will promptly remove your address from our list (within 10 business days).

## **SOCIAL MEDIA**

You may be contacted by a Rosedale employee via social media, such as LinkedIn, if you are connected on the social network with the Rosedale employee, or if you have indicated through your preference settings the fact that you are open to receiving messages about new business opportunities or ventures. You may also be contacted if you have conspicuously published your electronic address (for instance, on a social media website), have not indicated that you did not wish to receive CEM, and the CEM sent is in connection with your business role and function.

## **WHAT TO YOU DO IF YOU NO LONGER WISH TO RECEIVE CEM FROM ROSEDALE?**

At Rosedale, we take the respect of laws very seriously. You may unsubscribe at any time from receiving CEM, by contacting us at [unsubscribe@rosedale.ca](mailto:unsubscribe@rosedale.ca), and we will remove you from our list within ten (10) business days.

## **AMENDMENT OF THIS ANTI-SPAM POLICY AND GUIDELINES**

From time to time, Rosedale will review and update this Anti-Spam Commitment as required to keep current with rules and regulations, new technologies, standards, our business practices and outside

parties' concerns. We will post any Anti-Spam Commitment changes on this page and, if the changes are significant, we will provide a more prominent notice (including, as the case may be, email notification of Anti-Spam Commitment changes).

#### **QUESTIONS OR CONCERNS ABOUT THIS ANTI-SPAM COMMITMENT?**

Rosedale has designated its CASL Compliance Advisor as the person who may answer any question or concern:

Name: Mike Hembruff

By toll-free phone: (877) 588-0057 ext. 4613

By e-mail: [CASL\\_Compliance@rosedale.ca](mailto:CASL_Compliance@rosedale.ca)

If you require further assistance, please contact the Rosedale CASL Compliance Advisor by emailing at [CASL\\_Compliance@rosedale.ca](mailto:CASL_Compliance@rosedale.ca)

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**THE  
ROSEDALE  
GROUP**

... Our people make it happen.