

Effective as of September 22, 2023

Privacy Policy – Tims Financial Services

The TDL Group Corp. (“**TDL**”), the proud owner of the TIM HORTONS® brand, knows that your privacy is important. This Privacy Policy sets out TDL’s privacy practices in connection with your Tims credit card (the “**Tims Credit Card**”) and/or any other Tims financial services that may be offered from time to time (collectively, “**Tims Financial Services**”). For information about how we manage personal information in connection with products and services offered outside of Tims Financial, please see the [Tim Hortons® Privacy Policy](#).

1. Accountability

Outline of accountability for the processing of your personal information in connection with Tims Financial

Tims Financial Profile

TDL has overall responsibility for the information about you (“**personal information**”) that TDL collects, uses, or discloses in connection with the Tims Financial profile that you create to apply for Tims Financial Services, the personal information disclosed to TDL by our Financial Services Providers (as more particularly outlined below), your Tims Financial-related usage activity collected through the Tim Hortons iOS and Android applications (“**App**”), your Tims Financial website activity, as well as our other interactions with you, including on third-party platforms such as social media. Subject to certain exceptions described below, this does not include personal information related to your application for or use of a Tims Financial Service (see *Tims Financial Services* below).

Tims Financial Services

Tims Financial Services are made available in association with Neo Financial Technologies Inc. (“**Neo**”) and other financial services providers (e.g., ATB Financial issues the Tims® Credit Card). When used throughout this Privacy Policy, the term “**Financial Services Providers**” means Neo and the financial services provider associated with the relevant Tims Financial Service.

Subject to certain exceptions described below, our Financial Services Providers have overall responsibility and are directly accountable to you for managing and protecting the personal information you provide in connection with your application for and use of a Tims Financial Service, including information generated in the course of your use of a Tims Financial Service. To the extent that TDL collects personal information on behalf of our Financial Services Providers (for example, in connection with an application for a Tims Financial Service) or displays information associated with your Tims Financial Service to you within TDL’s App or website, TDL does this as a service provider to our Financial Services Providers. For more information about the privacy practices of our Financial Services Providers, please see their privacy policies:

[Neo Financial™](#)

[ATB Financial](#)

2. Collection and Use of Personal Information

Personal information collected and used to administer your Tims Financial profile

Creating a Tims Financial Profile

We collect and use personal information when you create a Tims Financial profile.

- *Tims Financial Profile:* To use Tims Financial, you must have and maintain a [Tims Rewards](#) account. We will use the email address you provided for your Tims Rewards account to create a new Tims Financial Profile. This profile will also include basic information such as your name, a username you choose, your phone number and a new password.

Security: We *strongly* recommend that you use a long and unique password, and that you not disclose your password to anyone. If you become aware of any unauthorized access to or use of your account, you must notify us immediately. On an optional basis and with a compatible device, you may also choose to use a facial recognition system to access your account (e.g., Face ID or TouchID on the iOS platform). If you choose to use such a feature, the biometric information associated with this feature will be stored and processed locally on your device, and we do not collect or have access to this information.

Personal information collected and used in connection with an application for or use of a Tims Financial Service

Applying for and Using a Tims Financial Service

Our Financial Services Providers collect and use personal information when you apply for or use a Tims Financial Service, such as the Tims® Credit Card.

- *Applying for a Tims Financial Service:* When you apply for a Tims Financial Service, such as the Tims® Credit Card, our Financial Services Providers will collect information from your Tims Financial profile along with information you provide such as your legal name, date of birth, residential address, employment status and related information including field of study, occupation type, role, time at job, living arrangements, monthly housing expenses, annual income (and, for residents of Quebec, name of employer, monthly credit or loan payments, and source of income) for the purpose of assessing your application, determining your eligibility, detecting and preventing fraud, and setting your credit limit for a Tims Financial Service.
 - With your consent, Neo will run a credit check to help assess your eligibility for and the credit limits of the Tims® Credit Card. Neo may also collect, use, and otherwise process certain credit, financial, personal, and business information contained in your credit report, to the extent provided by a credit bureau, for the purpose of assessing your creditworthiness. This information will be treated in accordance with the Tims® Credit Card Cardholder Agreement and the Neo privacy policy.

- With your consent, our Financial Services Providers may collect an image of your government-issued identification (either driver's license, passport, or other government-issued photo identification card), as well as a real-time image (i.e., a "selfie") that you provide for the purposes of helping to verify your identity, prevent fraud, and comply with applicable legal and regulatory obligations, including those relating to money laundering, terrorist financing and financial dealings with certain sanctioned individuals and entities.
- With your consent, Neo may enable you to connect your Tims Financial Service with an account you hold at another Canadian financial institution. You may be required to complete this step in connection with an application for a secured Tims® Credit Card for account verification purposes and to facilitate the transferring of funds.

For more information about how our Financial Services Providers treat your personal information, please see their privacy policies.

- *Administration of your Tims Financial Service:* Our Financial Services Providers will administer your Tims Financial Service, including generating your monthly account statements, accepting your payments, processing your transactions, adjusting your credit limit(s), and otherwise managing your account(s).
- *Accessing Tims Financial Services through the App:* Tims Financial Services are made available, in part, through the App. In its capacity as a service provider to its Financial Services Providers, TDL facilitates the display of account-related information, transaction history, financial statements and similar information through the App.

Tims Rewards

Tims Rewards. One of the key benefits of Tims Financial is earning Tims Rewards. For the purposes of crediting your Tims Rewards account with the appropriate points (including applicable bonus earning offers) and administering the Tims Rewards program, TDL receives from its Financial Services Providers information about transactions processed using a Tims Financial Service.

Marketing Communications

Emails. You may consent to receive marketing communications from us about Tims Financial, including about services, events, programs, promotions, and special offers that may interest you. You can unsubscribe at any time by clicking the "unsubscribe" link included at the bottom of each email or text or changing your settings in the Preferences section of your account through the App. Please note that if you unsubscribe, you may continue to receive transactional or account-related communications from us.

Push Notifications. You may choose to receive push notifications on your iOS or Android device about Tims Financial, including about services, events, programs, promotions, and special offers. If you wish to stop receiving push

notifications from us, you can change your settings in the Preferences section of your account through the App.

Personalized Marketing and Offers

With your consent, TDL will tailor the Tims Financial messages you receive and send you personalized marketing communications and offers based on your Tims Financial activity, your transactions and the Tims Financial products you may be eligible for. For example, if you have never purchased gas using your Tims® Credit Card, we might send you a bonus Tims Rewards offer related to your next fill-up. Similarly, if you apply for a credit card, we may send you information about alternate products you may qualify for.

Personalized marketing is entirely optional. You can manage your preferences, including withdrawing your consent to personalization under the Tims Financial Preference section of the App. If you do not consent, or withdraw your consent, you may continue to receive standard communications, including incomplete application reminders, and offers related to Tims Financial as a Tims Rewards member unless you unsubscribe from such communications as well. You may also control the commercial messages you receive from us using the Preference section of the App. You may change your message preferences separately from your personalization preferences.

Customer Service

Responding to You. When you contact us with a question or concern regarding a Tims Financial Service, we may collect information that identifies you (such as your name, address, and a phone number) along with any information you provide in your communications and additional information we need to help us promptly answer your question or respond to your comment. We retain this information to assist you in the future and to improve our customer service. Depending on the specific request, we may also route your question to one of our Financial Services Providers where appropriate.

Performance & Risk Management

Performance Analysis & Risk Management. We receive certain de-identified information from our Financial Services Providers, including information provided in service applications, account information, cards issued to you, transaction history, account balances, and account collections-related information, to assist with analyzing the performance of and managing risk associated with Tims Financial Services.

Other information collected with your consent

Other Information We Collect. We may also collect and use other information about you, your device, or your use of a Tims Financial Service in ways that we describe to you at the point of collection or otherwise with your consent.

3. Sharing of Personal Information

The following provides information about purposes for which we may share your personal information. Our practices vary depending on the type of information and sharing.

With our Financial Services Providers

Financial Services Providers. Tims Financial Services are made available through our Financial Services Providers. In its role as a service provider to our Financial Services Providers, TDL will share personal information that you provide through the App with our Financial Services Providers in order to facilitate your application for and use of a Tims Financial Service.

We may also share certain limited information related to your Tims Rewards account, such as the age of your account and information regarding your points balance, with Neo for the purposes of assessing fraud risk and determining credit limit.

With our business partners

Business Partners. With your consent, we may share personal information with business partners to provide you with services. For example, if you sign up for a promotion that runs on our App that is sponsored or co-sponsored by a business partner, we may share the personal information specified in our request for consent to help deliver the promotion. For more information about the privacy practices of any one of our business partners, please see the privacy policy made available when we request your consent.

With our service providers

Service Providers. We may transfer information to companies providing services on our behalf, such as our affiliates, hosting vendors, call centres, advertising service providers, data analytics companies, marketing service companies, and list managers. Our service providers are given the information they need to perform their designated functions, and we do not authorize them to use or disclose personal information for their own marketing or other unrelated purposes. Our service providers may be located across Canada, in the U.S., or other foreign jurisdictions.

When required by law or to protect our customers or legal interests

Other Parties When Required or Permitted by Law, or as Necessary to Protect Our Customers or Services. We, and the third parties we engage (including affiliates), may use and share your personal information as we believe necessary or appropriate to protect, enforce, or defend the legal rights, privacy, safety, or property of TDL or its affiliates, our employees or agents, or customers or business partners, to detect, suppress or prevent fraud or where otherwise required or permitted by applicable law or legal process, including responding to a search warrant or other legally valid requests from public and government authorities (which may include lawful access by U.S., Canadian, or other governmental authorities, courts or law enforcement agencies).

Where necessary in connection

Other Parties in Connection with a Corporate Transaction. We reserve the right to transfer any information we have about you in the event that we seek to sell or transfer all or a portion of our business or assets to a third-party,

with a corporate transaction

such as in the event of a merger, acquisition, or in connection with a bankruptcy reorganization or other change in corporate control.

With other parties, with your consent

Otherwise With Your Consent or at Your Direction. In addition to the sharing described in this Privacy Policy, we may share information about you with third parties whenever you consent to or direct such sharing.

4. Digital Advertising

Types of digital technologies we may use

Digital Technologies. We and other companies that provide us with advertising and other services may use cookies, web beacons, and similar technologies (“**digital technologies**”) to facilitate administration and navigation, to better understand and improve Tims Financial Services, to determine and improve the advertising shown to you regarding Tims Financial Services on our App and website or elsewhere, and to provide you with a customized online experience, including by providing you with personalized content and ads that are more relevant to you.

Interest-based advertising practices, including sharing with social media and other platforms

Interest-Based Advertisements. Interest-based advertising involves the tailoring of ads you see based on your personal information, including your activity in our App or on our website. TDL may use third parties to serve advertisements about Tims Financial Services on our App, website and on other websites and digital platforms. These third parties may use digital technologies to collect and use information about your visits to our App or website and other websites (including usage information, such as web pages or other content you interact with and your response to ads) to measure the effectiveness of our and our third-party advertiser marketing campaigns, and to deliver ads that are more relevant to you and others, both on and off our App and website.

We may also use services provided by third parties (such as social media platforms) to serve targeted ads to you and others on such platforms. For example, we may provide a hashed version of your email address, device ID or other information to the platform provider to facilitate the delivery of tailored advertising. To learn more or to opt out of having your information used for interest-based advertising purposes, please see “Privacy and Access Choices Available to You” below.

Information about beacons

Beacons. We, along with third parties, also may use technologies called beacons (or “pixels”) that communicate information from your device to a server. Beacons can be embedded in online content, videos, and emails, and can allow a server to read certain types of information from your device, know when you have viewed particular content or a particular email message, determine the time and date on which you viewed the beacon, and the IP address of your device. We and third parties use beacons for a variety of purposes, including to analyze the use of our website and (in conjunction with

cookies) to provide content and ads that are more relevant to you both on and off our website.

Our use of do-not-track signals

Do-Not-Track Signals and Similar Mechanisms. Some web browsers may transmit “do-not-track” signals to the websites with which the user communicates. Due to the differences in how web browsers incorporate and activate this feature, it is not always clear whether guests intend for these signals to be transmitted, or whether they even are aware of them. As there is currently no industry standard concerning what, if anything, websites should do when they receive such signals, our website currently does not take action in response to these signals. If and when a final standard is established and accepted, we will reassess how to respond to these signals.

Our use of other technologies

Local Storage & Other Tracking Technologies. We, along with third parties, may use other kinds of technologies in connection with our App and website. These technologies are similar to the cookies discussed above in that they are stored on your device and can be used to store certain information about your activities and preferences. However, these technologies may make use of different parts of your device from standard cookies, and so you might not be able to control them using standard browser tools and settings.

5. Privacy and Access Choices Available to You

Your choices regarding cookies and interest-based advertising

Choices With Respect to Interest-Based Advertising. You can manage your preferences regarding interest-based advertising (including opting out) by visiting the Preferences section of your account in the App.

Please note that even if you opt out of interest-based advertising, tracking technologies may still collect data for other purposes, including analytics, and you will still see ads from us, but the ads will not be interest-based ads.

Choices With Respect to Cookies and Similar Technologies. A banner will appear on our website allowing you to manage your consent to collect cookies (“Cookies Banner”). The Privacy Preference Center section of the Cookies Banner provides a description of the categories of cookies collected on our website. You can also manage your preferences, including disabling cookies within the Privacy Preference Center. However, if you disable cookies, it may interfere with the functioning of our website. If you prefer not to be recognized when you visit our website, you can always connect using an incognito browser window. You can also remove traces of your visit by clearing your browser history.

You may block digital technologies in your browser or device settings, as and if permitted by your device, but in some circumstances, disabling these features may interfere with your ability to access Tims Financial.

How to exercise your privacy rights

Your Rights. Subject to certain exceptions prescribed by law, you may have the right to access, update, and correct inaccuracies in your personal information in our custody and control and withdraw your consent to our collection of your personal information. As required or permitted by law, you may be entitled to additional rights, including: (i) the right to control the dissemination of your personal information; (ii) the right to receive computerized personal information collected from you in a structured, commonly used and technological format and to have this information transferred directly to another organization; (iii) the right to be informed of and submit observations regarding automated decision-making; and (iv) the right to request information about data processing.

As indicated above, and subject to certain exceptions described above, our Financial Services Providers are responsible for the protection and management of the personal information you provide in connection with your application for and use of a Tims Financial Service. To exercise any privacy rights available to you with respect to such personal information, please contact Neo Privacy Officer at privacy@neofinancial.com.

You can exercise any privacy rights available to you in connection with your Tims Financial profile by writing to us at the contact information set out below. We may request certain personal information for the purposes of verifying the identity of the individual seeking access to their personal information records.

If you believe that applicable data protection laws have not been complied with, you may lodge a complaint with us by using the contact information provided below. You also have the right to complain directly to the appropriate data protection authority.

How to change your marketing message preferences

Marketing Communications. You may opt out of receiving commercial email and other electronic messages from us (excluding transactional messages) by following the instructions contained in those messages or by changing your preferences in the Preferences section of your account in the App. You can also contact us as set out below.

6. Data Security

Our data retention and security practices

We have record retention processes designed to retain personal information for no longer than necessary for the purposes set out in this Privacy Policy or as otherwise required to meet legal or business requirements.

We have in place physical, electronic, and managerial procedures in an effort to safeguard personal information in our custody and control against loss, theft and unauthorized access, use, modification and disclosure. We restrict access to personal information on a need-to-know basis to employees and authorized service providers who require access to fulfil their job requirements.

7. Other Important Information

Third-party sites

Links to Third-Party Sites. Our App and website may link to third-party websites and services that we do not operate and are outside of our control. For example, advertisements appearing in the App or on our website may direct you to third parties. We are not responsible for the security or privacy of any information collected by other websites or other services. We are not responsible for the products or services offered by any third parties. Please exercise caution and review the privacy statements applicable to the third-party websites and services you use.

We transfer your information outside of your home jurisdiction

International Transfers. We are headquartered in Canada; however, please be aware that information you provide to us or that we obtain as a result of your use of a Tims Financial Service may be collected in your jurisdiction and subsequently transferred to, maintained and processed outside of your jurisdiction (including for residents of the province of Quebec, outside of Quebec), including the United States or another jurisdiction by us or our service providers for the purposes mentioned above, in accordance with applicable law. Personal information processed and stored in another jurisdiction may be subject to disclosure or access requests by the governments, courts or law enforcement or regulatory agencies in that jurisdiction according to its laws. We take reasonable steps to ensure that your personal information will only be used for purposes mentioned above or communicated to service providers with your consent, except where authorized by law.

Updates to this privacy policy

Changes to Our Privacy Policy. We may modify this Privacy Policy from time to time. We will notify you of changes by posting changes here, or by other appropriate means. Any changes to the Privacy Policy will become effective when the updated policy is posted on our App or the website. Your use of our services or your provision of personal information to use our services following such changes indicates your acceptance of the revised Privacy Policy.

How to contact us about privacy-related matters

Contact Us. Please contact our Privacy Officer at privacy@timhortons.com with any questions, concerns or complaints about this Privacy Policy or the manner in which we or our service providers treat your personal information in connection with Tims Financial. We may ask that you confirm and verify your identity.