



Protection of personal information policy.

Purpose and scope

This Policy governs TC Energy's Use of Personal Information, and complies with federal, provincial, and state privacy and Personal Information protection statutes and regulations.

This Policy applies to all Personnel, Third-Party Suppliers and other individuals to whom TC Energy's Use of Personal Information applies.

The Policy works in conjunction with and does not replace, amend, or supplement any collective bargaining agreement a union has with TC Energy. It is not intended to restrict communications or action protected or required by any law.

TC Energy's Privacy Officer is accountable for this Policy. People may contact the Privacy Office for all matters related to TC Energy's Use of Personal Information.

Policy

Collection of personal information

Personal Information will be collected in accordance with applicable law.

TC Energy and, where applicable, Third-Party Suppliers must identify the reasons for collecting Personal Information prior to collection and obtain consent when required for Use of Personal Information.

The amount and type of Personal Information collected must be limited to what is needed to fulfill Identified Purposes.

Written consent for PHI

Written consent must be obtained to collect, use or disclose PHI except in the event such consent is not required by law.

PHI consent forms must be written in plain language, describe PHI to be used or disclosed, identify whose PHI is being disclosed, identify which person or organization is receiving PHI, include the expiry date of consent, notify the person that they may in writing revoke consent to the PHI pertaining to them and contain any other relevant data.

Use and disclosure of personal information

Use of Personal Information must be for Identified Purposes only. Exceptions may be made only with the person's consent or if authorized by law.

Personal Information about Identifiable Individuals must be disclosed only to those people with a reasonable need to see it.

If Personal Information was collected as part of a Canadian investigation of a breach of agreement or contravention of law, TC Energy will notify the Canadian Privacy Commissioner in writing. In the U.S. and Mexico, it will be managed according to federal and state law.

Use and disclosure of PHI

PHI may be disclosed to Third-Party Suppliers for benefits administration and as authorized by law.

In the U.S., TC Energy is required to disclose PHI to the U.S. Department of Health and Human Services when undertaking a compliance investigation or review or enforcement action, regardless of the person's consent. People in the U.S. may request TC Energy restrict use or disclosure of PHI. If TC Energy agrees to the request, the Company must comply with the agreed restrictions except for treating people in medical emergencies.

Access to personal information

People may contact the Privacy Officer to request access to their Personal Information. Requests must be made in writing and be related to TC Energy's Use of Personal Information for Identified Purposes. For requests that originate other than from a TC Energy email address, or for any third-party requests, additional verification information will be required.

Please refer to the Acceptable Use Policy regarding Personal Information (e.g., personal contacts, pictures) stored on TC Energy devices.

Response to Requests for Access to Personal Information

TC Energy responds to written requests for access to Personal Information within thirty calendar days or as required by law. A fee for costs incurred may be charged for complex requests, however people will be informed of fees in advance.

People will be informed of the Use of their Personal Information and be given access to such Personal Information as required by law. Requested Personal Information will be provided in the form in which it is kept. Where Personal Information has been collected by a Third-Party Supplier on TC Energy's behalf, the Company will direct people to such Third-Party Supplier regarding requests for access.

TC Energy will be as specific as possible when describing Third-Party Suppliers to whom it has disclosed Personal Information.

People may either view original records or request copies as permitted or required by law. To preserve the integrity of records and ensure documents are not removed from TC Energy, people viewing original records will be supervised by designated Personnel.

Limitations to Access

In some situations, TC Energy may be unable to provide access to all Personal Information it holds about people.

TC Energy will inform people in writing of the Company's reasons for such inability, if applicable, and any recourse people may have to challenge TC Energy's decision.

Maintenance of personal information

Personal Information must be kept as accurate, complete and up-to-date as needed for Identified Purposes.

Amendment of Personal Information

People may update or amend incorrect Personal Information by making a written request to the Privacy Officer.

Security and Retention of Personal Information

Personal Information will be retained only while needed for Identified Purposes and will be disposed of in a manner appropriate for the sensitivity of the Personal Information. Please refer to the Records Classification System and Retention Schedule for more information.

Personal Information must always be protected by security safeguards appropriate to the sensitivity of information. Please refer to the Information Security Policy for additional information.

Personal information and anti-spam legislation

Written consent for Use of Personal Information does not constitute consent to communicate electronically with people. Please refer to the Communications Policy for information about Canada's Anti-Spam Legislation (CASL). CASL applies to any electronic messages received within Canada.

Privacy impact assessments

TC Energy conducts Privacy Impact Assessments (PIAs) to evaluate solutions related to Use of Personal Information. PIAs enable TC Energy to comply with legal obligations, to identify and minimize privacy-related risks and to manage Personal Information effectively. Solutions include (1) development or acquisition of new systems or applications or (2) updates or modifications to existing systems or applications. These solutions may be TC Energy-based, supplier-based or cloud-based.

PIAs are initiated via standard processes established with Information Services and Supply Chain. Internal requests for PIAs outside these processes must be submitted to the [Privacy Officer](#).

Compliance and privacy breaches

The Privacy Officer will report Privacy Breaches to government authorities and notify affected people of a breach, in accordance with applicable legal requirements.

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Should a Privacy Breach happen at TC Energy, Personnel must stop the Privacy Breach if possible. Real or suspected breaches must be reported immediately to both the Information Services Service Desk and the [Privacy Officer](#).

The Privacy Officer manages Privacy Breach investigations with involvement of the Law Department. People must cooperate in an honest and forthright manner with Privacy Breach investigations and resolutions.

Inquiries or complaints about compliance with this Policy may be submitted in writing to the [Privacy Officer](#), or alternatively, in Canada to the Privacy Commissioner of Canada or relevant provincial authority; in the U.S. to the U.S. Department of Health and Human Services (for PHI); and in Mexico to the Federal Institute of Access to Information and Data Protection.

Compliance

Personnel must comply with all aspects of this document and support others in doing so. Personnel are responsible for promptly reporting suspected or actual violation of this document, applicable law, or any other concern, through available channels so that it can be appropriately investigated, addressed and handled. Personnel who fail to comply, or knowingly permit Personnel under their supervision to not comply, may be subject to appropriate corrective disciplinary action in accordance with the company's policies and process. Please refer to the TC Energy Corporate Policies website for more information.

Non-retaliation

We support and encourage Personnel to report suspected incidents of non-compliance with applicable laws, regulations, and authorizations, as well as hazards, potential hazards, incidents involving health and safety or the environment, and near hits. We take every report seriously, investigate each report to identify facts, and effect improvements to our practices and procedures when warranted. All Personnel making reports in good faith will be protected. Good Faith Reporting is intended to remove protection for Personnel making intentionally false or malicious reports, or who seek to exempt their own negligence or willful misconduct by the act of making a report. We ensure immunity from disciplinary action or retaliation for Personnel for the Good Faith Reporting of such concerns. Reports can be made to management, a compliance coordinator, or anonymously to the ethics helpline.

Definitions

Contractors means Contract Workers, Independent Contractors, and Independent Consultants as defined in the Contingent Workforce Policy.

Good Faith Reporting means an open, honest, fair and reasonable report made without malice or ulterior motive.

Identifiable Individuals means, but is not limited to, individual Personnel, stakeholders, customers, and landowners in accordance with this Policy.

Identified Purposes means the reason(s) Personal Information is required by TC Energy to fulfill business needs or comply with applicable laws.

Personal Health Information (PHI) means all individually identifiable health and medical information held or transmitted by TC Energy or a third-party stakeholder. PHI includes people's past, present or future physical or mental health; any healthcare provided; past, present or future payment for the provision of healthcare to people; or people's accommodation requests for medical reasons.

Personal Information means any information TC Energy has collected that identifies or could identify people and is protected by law. Personal Information protected by law includes but is not limited to age, date of birth, gender, race, ethnicity, religious affiliation, disabilities, family details, marital status, salary, benefits, social security numbers, social insurance numbers, national identification numbers, licenses, home addresses, personal phone numbers, personal email addresses, training records, employee numbers, employment history, resumes, photographs, opinions about other people (e.g., references, interview notes, performance appraisals), identifying remarks and other sensitive or private information. People's names, job titles, business addresses, business email addresses and business phone numbers are not protected by law.

Personnel means full-time and part-time employees and Contractors of TC Energy.

Privacy Breach means loss of, unauthorized access to, or unauthorized disclosure of Personal Information. Privacy Breaches occur when Personal Information is stolen, lost or inappropriately shared, either inadvertently or purposely.

Privacy Office means the TC Energy group designated to assist and support the duties and obligations of TC Energy's Privacy Officer.

Privacy Officer means the TC Energy employee designated to receive requests to access or amend Personal Information as well as complaints about Use of Personal Information, notifications about possible Personal Information breaches, and questions or concerns about TC Energy's Use of Personal Information. TC Energy's Privacy Officer may delegate various duties and functions to members of the Privacy Office as appropriate.

Third-Party Supplier means an external supplier providing materials or services under an agreement with TC Energy.

Use of Personal Information means Personal Information TC Energy collects, maintains, transmits, holds, stores, discloses, retains, destroys or otherwise uses while doing business.

TC Energy or the Company means TC Energy Corporation and its wholly owned subsidiaries and/or operated entities.

References and links

Supporting or related governance documents

- [Acceptable Use Policy](#)
- [Code of Business Ethics Policy](#)
- [Communications Policy](#)
- [Corporate Security Policy](#)
- [Information Management Policy](#)
- [Information Security Policy](#)

References

- [Privacy Officer](#)
- [Records Classification System and Retention Schedule](#)

How to contact us

- [Policy Questions and Comments](#)

Appendix A: TC Energy USA PAC background information

Background

The operation of the TC Energy USA PAC, like all corporate-sponsored U.S. political action committees, is subject to the restrictions and requirements of the *Federal Election Campaign Act* of 1971 as amended (FECA), and the rules and regulations of the Federal Election Commission (FEC) which administers the statute. The TC Energy USA PAC is also subject to the laws and regulations of any state in which they make contributions in connection with state or local elections.

Because TC Energy USA Services Inc. is a U.S. subsidiary of TC Energy Corporation, a Canadian-based company, the TC Energy USA PAC is subject to certain special restrictions and requirements applicable to U.S. subsidiaries of non-U.S. companies. Under the FECA, “foreign nationals” are prohibited from making political contributions in connection with any federal, state or local elections in the United States. The term “foreign national” is defined by the statute to include:

- any entity organized under the laws of any country other than the United States or having its principal place of business outside the United States; and
- any person who is not a citizen of the United States or who has not been lawfully admitted for permanent residence in the United States.

The FEC permits U.S. subsidiaries of non-U.S. companies to sponsor, and pay for the administrative costs of, employee-funded political action committees which make political contributions in connection with a federal, state or local elections only so long as:

- the non-U.S. parent company or a non-U.S. affiliate does not provide funding for the political action committee’s establishment, administration or fund-raising costs;
- no foreign national participates in the operation or administration of the political action committee or in any decisions to make political action committee contributions; and
- the political action committee exclusively uses for its political contributions funds donated by individuals who are not foreign nationals.

The FEC permits the boards of directors of U.S. subsidiaries of non-U.S. companies, with any board members (regardless of their citizenship or residency status) participating, to make the decision to establish a political action committee and to establish a special committee, whose membership is limited to U.S. citizens or permanent U.S. residents, to make decisions regarding the administration of the political action committee. The FEC also permits the U.S. subsidiary board, with any board members participating, to set a specific budget level for the administrative costs of the political action committee. All other decisions concerning the administration of the political action committee must be made by people who are U.S. citizens or permanent U.S. residents.

Standards

The following is an overview of some of the key legal requirements and restrictions applicable to the TC Energy USA PAC:

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- All personnel involved in the administration of the TC Energy USA PAC shall familiarize themselves with the laws and regulations applicable to its operation. They shall administer the TC Energy USA PAC in full compliance with these laws and regulations.
- Only persons who are U.S. citizens or permanent U.S. residents may participate in TC Energy USA PAC activities, the administration of the TC Energy USA PAC, or decisions relating to its solicitation of donations or the making of political contributions.
- Subject to FEC regulations, TC Energy USA may pay from its own corporate funds the costs of administering the TC Energy USA PAC; however, the TC Energy USA PAC may use only personal, non-corporate funds donated by individuals to make political contributions.
- As a general rule, the TC Energy USA PAC may solicit at any time donations from individuals within the “restricted class” of TC Energy USA and its affiliated entities as the term is defined by the FEC. The “restricted class” includes executive and administrative personnel, stockholders and the families of those groups. The “restricted class” does not include employees who are also members of labor organizations. Employees outside the “restricted class” may be solicited only subject to the FEC’s special requirements for such solicitations.
- Donations to the TC Energy USA PAC may only be accepted from persons who are U.S. citizens or permanent U.S. residents.
- Decisions by individuals to donate their personal funds to the TC Energy USA PAC must be voluntary. Persons solicited have a right to decline to make donations without reprisal. All solicitations for donations must be conducted pursuant to the regulations of the FEC relating to such solicitations.
- All TC Energy USA PAC funds must be handled and accounted for in accordance with FEC requirements. Records must be kept as required by the FEC’s regulations.
- Political contributions made with TC Energy USA PAC funds must be in amounts permitted by applicable federal or state law.
- The TC Energy USA PAC may make political contributions in connection with state or local elections only in those states which allow such contributions.
- The TC Energy USA PAC must timely file any and all registrations and disclosure reports which may be required by the FEC and by any states in which state or local contributions are made.

Appendix B: TC Energy USA PAC governance

The Board of Directors of TC Energy USA Services Inc. shall delegate to a special committee of its members, with the committee comprised exclusively of U.S. citizens or permanent U.S. residents, the ability to:

- select persons to serve as members of a TC Energy USA PAC Board; and
- designate the officers of the TC Energy USA PAC.

All members of the TC Energy USA PAC Board and all officers of the TC Energy USA PAC will serve at the will of the TC Energy USA Board's special committee and may be removed at any time by the special committee. Those persons selected for the TC Energy USA PAC Board and the TC Energy USA PAC officer positions shall be either U.S. citizens or permanent U.S. residents.

The TC Energy USA PAC Board shall manage the affairs of the TC Energy USA PAC. The TC Energy USA PAC Board's authority shall include, but not be limited to, the making of decisions on solicitations of donations from employees and on the amounts and recipients of Political Contributions to be made using these donated funds.

The TC Energy USA PAC officers shall include the following officers:

- a Chairman;
- a Vice Chairman;
- a Secretary;
- a Treasurer;
- and Assistant Treasurer; and
- such other officers or assistant officers as may be appointed by the TC Energy USA Board's special committee.

The Chairman shall be a member of the TC Energy USA PAC Board and will preside at its meetings. The Treasurer shall be responsible for the handling of funds and the making of disclosure filings required by federal or state law. In the event of a vacancy in the office of Chairman, the Vice Chairman will automatically and immediately succeed to the Chairman's position. In the event of a vacancy in the office of treasurer, the Assistant Treasurer will automatically and immediately succeed to the Treasurer's position.