Policy.

Protection of Personal Information Policy.

Purpose and scope

The purpose of this Policy is to:

- direct Personnel and Excluded Contractors on how to:
  - protect Personal Information and comply with privacy laws in the jurisdictions where the Company operates;
  - identify and report a Privacy Incident;
  - make requests for access to, correction, deletion or, in Mexico only, opposition of Personal Information; and
  - raise concerns regarding Personal Information.
- identify TC Energy's expectations for assessing the privacy risk for new and modified systems, solutions, applications, and surveys.

Policy

1 General provisions

1.1 TC Energy is committed to protecting the Personal Information of those who have a business relationship with the Company, including but not limited to Personnel, Excluded Contractors, landowners, and job applicants.

1.2 To abide by applicable privacy laws and to help meet the Company's commitment to Personal Information protection:

a) Personnel and Excluded Contractors must manage Personal Information in accordance with this Policy; and

b) the Privacy Office must:

- provide privacy training to Personnel;
- assess privacy risks;
- recommend access and security measures to protect and restrict Personal Information;
- direct business units on how to obtain and manage individuals' consent;

- investigate Privacy Incidents and assess the risk of significant harm;
- adhere to jurisdictional Privacy Breach reporting requirements;
- notify, if required, individuals who are affected by a Privacy Breach; and
- respond to:
  - questions or concerns involving Personal Information;
  - requests for access to, correction, deletion or, in Mexico only, opposition of Personal Information; and
  - complaints, inquiries or, in Mexico only, opposition regarding the treatment of Personal Information within TC Energy's control or custody.

2 Personnel's use of the Privacy Office Submission Process

2.1 Personnel must follow the instructions in the Privacy Office Submission Process:

a) to obtain answers to a question or concern involving collection, use, storage, access, transmission or disclosure of Personal Information;

b) to report a Privacy Incident;

c) to make a request for access to, correction, deletion or, in Mexico only, opposition of Personal Information;

d) to report complaints regarding the treatment of Personal Information;

e) to request a review or inclusion of contractual privacy provisions for new or renegotiated contracts, agreements, or purchase orders; and

f) before implementing a new or modified system, application, solution, or survey regardless of whether that system, application, solution or survey is owned and operated by TC Energy, and that may involve technology, software or data storage located and secured on or off TC Energy's premise or maintained in a cloud environment.

3 Excluded Contractors' communication with the Privacy Office

3.1 Excluded Contractors must contact the Privacy Office to:

a) obtain answers to a question or concern involving collection, use, storage, access, transmission or disclosure of Personal Information;

b) report a Privacy Incident;

c) make a request for access to, correction, deletion or, in Mexico only, opposition of Personal Information; and

d) report complaints regarding the treatment of Personal Information.

4 Privacy assessments

4.1 Personnel who wish to implement a new or modified system, application, solution, or survey must complete the Privacy Office Submission Process at the time that contract negotiations with an identified vendor begin. The Privacy Office must be included in contract negotiation discussions where Personal Information is involved in a new or modified system, application, solution, or survey, as determined by the Privacy Office Submission Process.

4.2 For any new or modified system, application, solution, or survey, regardless of whether that system, application, solution, or survey is owned and operated by TC Energy, the Privacy Office may conduct either a Simplified Privacy Assessment (SPA) or a Privacy Impact Assessment (PIA), as determined by the Privacy Office Submission Process. The Privacy Office uses the SPA and PIA tools to determine and address various risks related to the collection, use, storage and/or distribution of Personal Information.

4.3 Where the Privacy Office determines that a SPA or a PIA is required, the assessment must be completed before the new or modified system, application, solution, or survey goes live in a production environment. Where test phases or pre-production environments of a system, application, solution, or survey are used, and actual Personal Information will be incorporated, a SPA or a PIA must be completed prior to beginning testing.

5 Privacy Incidents

5.1 A Privacy Incident occurs when Personal Information is known or suspected of being:

a) misdirected;

b) lost or stolen;

c) accessed without authorization;

d) used for a purpose that is different from the business reason the Personal Information was originally collected, unless the change in use is permitted by privacy or other laws or an individual's consent; or

e) inappropriately disclosed to others who do not have a legitimate business reason to see the Personal Information.

5.2 Personnel who learn of a Privacy Incident must report it to the Privacy Office via the Privacy Office Submission Process within 24 hours of becoming aware of it.

5.3 Excluded Contractors who learn of a Privacy Incident related to their work for TC Energy must report it to the Privacy Office within 24 hours of becoming aware of it or within the timeline stated in the applicable contract(s).

5.4 The Privacy Office will determine required next steps, which may include without limitation notifying leaders of the parties involved in the Privacy Incident.

5.5 Personnel and Excluded Contractors must cooperate with the Privacy Office during investigations and follow recommendations made by the Privacy Office.

5.6 The Privacy Office may determine that a Privacy Incident is a Privacy Breach. Depending on the jurisdiction, a Privacy Breach may require mandatory reporting to applicable regulatory bodies and/or notifying affected individuals.

5.7 The Chief Privacy Officer, in consultation with the Legal department, will abide by applicable reporting requirements and determine whether and how to notify affected parties.

5.8 When required by law, the Chief Privacy Officer or designate will liaise with the following regulatory bodies:

a) the Privacy Commissioner of Canada or relevant provincial authority in Canada;

b) the U.S. Department of Health and Human Services (for Personal Health Information) in the U.S. or relevant state authority;

c) the Federal Institute of Access to Information and Data Protection in Mexico; and

d) any combination of the above.

6 Personal Information access requests

6.1 For requests to access their own Personal Information, Personnel must contact the Privacy Office via the Privacy Office Submission Process. The Privacy Office will review Personal Information requests in accordance with applicable privacy laws.

6.2 Requests for Personal Information will be processed only if the Personal Information aligns with an Identified Purpose and applicable privacy laws. Requests to access Personal Information not collected, used, or disclosed by TC Energy for an Identified Purpose, including personal electronic files (e.g., contacts, photos, voicemail, documentation, email) saved on Company's digital assets, may be denied at the sole discretion of the Privacy Office.

6.3 When Personnel or Excluded Contractors receive a Third-Party request for Personal Information that is within TC Energy's custody or control:

a) Personnel must submit the request via the Privacy Office Submission Process; and

b) Excluded Contractors must submit the request via an email to the Privacy Office.

6.4 Personal Information requests that originate from non-TC Energy email addresses require verification of identity.

7 Retention, disposition and accuracy of Personal Information

7.1 Personnel and Excluded Contractors must keep Personal Information accurate, complete and up-to-date for the purpose it was originally collected.

7.2 Personnel must retain and dispose of Personal Information in accordance with TC Energy's Records Retention Schedule.

7.3 Excluded Contractors must retain and dispose of Personal Information in accordance with applicable laws in the jurisdictions they operate and, if applicable, with the direction provided by TC Energy.

7.4 The Privacy Office is responsible for assessing proposed retention and disposition practices as part of its assessment process for a new or modified system, application, solution, or survey to determine the adequacy of the proposed practices.

8 Consumer protection and anti-spam compliance requirements

8.1 The Privacy Office is responsible for overseeing all procedures and practices for consumer protection and anti-spam requirements.

8.2 Personnel and Excluded Contractors must adhere to consumer protection and anti-spam legislation for the jurisdictions where TC Energy conducts business.

8.3 Before communicating with recipients, TC Energy must be able to demonstrate that:

a) TC Energy has an existing business relationship with the recipient(s) and the communication is deemed necessary for business purposes;

b) the communication is due to a regulatory or legal requirement; or

c) TC Energy has obtained the recipients' Express Consent or Implied Consent for the communication and the recipient has an option to unsubscribe or opt-out of receiving future communications.

8.4 Written consent for Use of Personal Information does not constitute consent to communicate electronically with that individual. Please refer to the Communications Policy for information about anti-spam legislation and commercial electronic messages that applies to TC Energy.

9 Recording of meetings and calls

9.1 Except for those situations identified in TC Energy's emergency response and control centre business units or Company-wide or departmental town-hall meetings, Employees and Contractors must not record any meeting, impromptu discussion, or any other form of conversation (in person, over the phone or online) without prior verbal consent from all participants.

a) Before a recording may start, the Employee or Contractor who intends to record the meeting, impromptu discussion or any other form of conversation must ask

whether everyone participating consents to being recorded. In the event unanimous consent is not obtained, the meeting may not be recorded.

b) Recordings of calls and meetings in TC Energy's emergency response and control centre business units require a prior notification that the call or meeting will be recorded, but do not require consent from participants.

9.2 Access to the recordings referenced in paragraph 9.1(a) must not be given to anyone who did not attend the meeting, impromptu discussion or any other form of conversation (in person, over the phone or online) unless all participants have provided prior consent for wider dissemination.

Your responsibility

Employees and Contractors must follow all applicable provisions and the spirit and intent of this corporate governance document and support others in doing so. Employees and Contractors must promptly report any suspected or actual violation of this corporate governance document through available channels so that TC Energy can investigate and address it appropriately. Employees and Contractors who violate this corporate governance document or knowingly permit others under their supervision to violate it, may be subject to appropriate corrective action, up to and including termination of employment or contract, as applicable, in accordance with the Company's corporate governance documents, employment practices, contracts, collective bargaining agreements and processes.

Interpretation and administration

The Company has sole discretion to interpret, administer and apply this corporate governance document and to change it at any time to address new or changed legal requirements or business circumstances.

Non-retaliation

TC Energy supports and encourages Employees and Contractors to report suspected violations of corporate governance documents, applicable laws, regulations, and authorizations, as well as hazards, potential hazards, incidents involving health and safety or the environment, and near hits. Such reports can be made through available channels. TC Energy takes every report seriously and investigates it to identify facts and, when warranted, makes improvements to our corporate governance documents and practices. All Employees and Contractors making reports in good faith will be protected from retaliation, and all Employees and Contractors must report if they or someone they know is being or has been retaliated against for reporting. Good Faith Reporting will not protect Employees and Contractors who make intentionally false or malicious reports, or who seek to exempt their own negligence or willful misconduct by the act of making a report.

Definitions

Aggregated Information means using Personal Information to produce a result for analytics or reporting purposes, where the information or data cannot be re-engineered, reversed, decoded or manipulated to reidentify original personal attributes, which can be used to identify an individual.

Chief Privacy Officer means the TC Energy Employee designated to be accountable for the application of and organizational adherence to applicable privacy laws in the jurisdictions that TC Energy operates. The Chief Privacy Officer may delegate various duties and functions to members of the Privacy Office.

Contingent Workforce Contractor (CWC) means an individual who:

- is employed by a third party to work on behalf of TC Energy;
- uses TC Energy's assets (e.g., workstation, email, phone) and corporate services;
- is compensated on an hourly or daily rate basis (Canada and the U.S.) and monthly (Mexico); and
- works under the direction of a TC Energy leader.

Contractor means a third party hired by TC Energy to perform services for or supply equipment, materials, or goods to the Company. Contractors include, without limitation, Contingent Workforce Contractors and Excluded Contractors.

Employee means full-time, part-time, temporary and student employees of TC Energy.

Excluded Contractor means a third party or individual employed by a third party who:

- delivers services, equipment, materials, or goods to the Company using their own tools and assets (e.g., work station, laptop, email, phone, PPE, vehicle);
- does not increase TC Energy corporate headcount and overhead costs;
- does not use TC Energy's assets and corporate services; and
- directs their own work or receives direction from their employer.

Express Consent means that an individual has consented to receive communications from TC Energy by filing out or agreeing to accept conditions via a subscription form or privacy notice.

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

Implied Consent means that a relationship for a specific business purpose exists between the Company and an individual, and therefore the use of Personal Information and communication between the parties may be conducted without having to obtain consent.

Personal Information means any information on its own or when combined with other information, which can be used to identify an individual. Personal Information may include but is not limited to: employee number, name, contact information (personal and business addresses, phone numbers and emails), date of birth and age, gender or sex, sexual orientation, race, religious affiliation, ethnic origin, marital or family status, political belief, disability, medical information, health care identification number, biometrics, voice recording, photographs, video, salary, benefits, banking information (credit card and bank accounts), Social Security Number (SSN) or Social Insurance Number (SIN), National Identification Number, licenses (including membership numbers), passport numbers, training records, employment history, resumes, opinions about the person (including references, interview notes, performance appraisals, and succession plans) and identifying remarks, and any similarly sensitive or private information. Personal Information includes Protected Health Information (PHI) and sensitive financial information, which might be subject to enhanced protection and disclosure requirements depending on the jurisdiction. Personal Information excludes Aggregated Information.

Personnel means full-time, part-time and temporary Employees and Contingent Workforce Contractors of TC Energy.

Privacy Breach means a Privacy Incident that has been deemed by the Privacy Office or Chief Privacy Officer to carry the risk of causing imminent or significant harm as defined by privacy laws for one or more individuals.

Privacy Incident means any accidental or intentional misuse of Personal Information.

Privacy Office means the TC Energy business unit designated to assist and support the duties and obligations of the Chief Privacy Officer.

Privacy Office Submission Process means the communication, assessment and response protocol required to demonstrate due diligence and privacy compliance.

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

References

Related corporate governance and supporting documents

- Acceptable Use Policy
- Code of Business Ethics Policy
- Communications Policy
- Corporate Security Policy
- Cybersecurity Policy
- Information Management Policy

- Records Retention Schedule

Other references

- Internal or External references or links, Q&As or related *1TC* pages.

How to contact us

- Policy Questions and Comments
- Privacy Office
- Privacy Office Submission Process

TC Energy's reporting channels

- Ethics Helpline
- Corporate Compliance
- Internal Audit
- Human Resources
- Legal department
- Compliance Coordinators