



## Employee Privacy Policy

### Purpose and Scope

From time to time, New Gold Inc. and its subsidiaries (together “New Gold”) may collect, use and disclose personal information obtained from individuals, including its current and prospective employees. For the purposes of this policy the term “employee” (including full time, part time and contract employees) any individual who is on New Gold’s payroll.

This policy outlines New Gold’s practices for collecting, using and disclosing employee personal information. It is subject to the provisions of applicable privacy laws and does not seek to replace or over-ride those laws.

### Personal Information

Personal information in this Privacy Policy means information about an identifiable individual and as defined from time to time in applicable privacy legislation. This may include your name, email address, phone number and mailing address. Personal information does not include business contact information such as your name, title or position, business address, telephone number, or email address.

### Accountability

We have designated a Privacy Officer who is accountable for our compliance with this policy. The Privacy Officer’s contact information is below.

### Collection

New Gold may collect your personal information to establish, manage or terminate your employment relationship, and for other purposes authorized or required by law. For example, New Gold may collect your personal information:

- to make hiring or other employment related decisions (including employment history, reference checks, academic history, criminal record checks, credit checks, driving abstracts or other specific background checks as required);
- to administer and maintain payroll, employment benefits, IT accounts and other employee records;
- to authenticate your identity;
- to monitor your compliance with any of your agreements with New Gold and New Gold’s policies, including managing performance and investigating misconduct, and to administer the provision or receipt of products or services under those agreements;
- to determine eligibility for, provide, administer and document leaves or absences from work;
- to manage or transfer New Gold assets or liabilities, for example in the case of an acquisition, disposition or merger;
- to protect New Gold, yourself and others from fraud and error and to safeguard New Gold’s business interests;
- to collect debts owed to New Gold;

- to comply with legal and regulatory requirements; and
- to assist the Company in any dispute, mediation, arbitration or litigation involving the Company or you in any capacity.

We may collect the above information: from you directly; from your references; and from third parties and other data sources. When required by law and otherwise reasonable, New Gold gives employees notification of the specific purposes for which it collects their personal information at or before the time of collection.

New Gold may transfer your personal information across provincial or national borders to fulfil any of the above purposes (including both the necessary and optional purposes), including to service providers located in the United States of America and other countries outside of Canada who may be subject to applicable disclosure laws in those jurisdictions, which may result in that information becoming accessible to law enforcement and national security authorities of those jurisdictions.

#### Use and Disclosure

Unless authorized or required by law, New Gold will only use or disclose personal information where necessary to fulfil the purposes for which that information was collected.

When your personal information is to be used or disclosed for a purpose not previously identified, the new purpose will be communicated to you before such use or disclosure, and your consent will be sought unless the use is authorized or required by law.

#### Care and Retention of Personal Information

New Gold has implemented reasonable physical and technical measures to protect personal information that is obtained by New Gold against unauthorized access, collection, use, disclosure, copying, modification or similar risks, and will use appropriate security measures when destroying any personal information.

New Gold will review and update its security controls from time to time to ensure ongoing personal information security.

New Gold may keep personal information it obtains for so long as necessary or appropriate to carry out the purpose(s) for which such information was collected or for such longer period as may be required or permitted by applicable laws and regulations.

#### Consent

New Gold will obtain your consent to collect, use or disclose personal information except where we are authorized or required to do so without consent. Your consent can be express, implied or given through an authorized representative, such as a lawyer, agent or broker.

Consent may be provided orally, in writing, electronically, or otherwise.

Applicants for employment who have not been hired by us may withdraw their consent to our continued use and disclosure of their personal information by contacting our Privacy Officer using the contact information provided below. If an Applicant has provided personal information to a third party provider as part of the application process then the Applicant must contact that third party provider to withdraw consent to the continued use or disclosure of personal information by that third party provider.

Employees may also withdraw their consent to our continued use and disclosure of certain information for certain purposes, provided that we do not need to continue using or disclosing that information for those purposes. Employees should contact our Privacy Officer if they wish discuss this.

#### Accuracy

New Gold will take reasonable steps to ensure that all personal information collected, used or disclosed by New Gold is accurate and current.

If you demonstrate the inaccuracy or incompleteness of personal information, New Gold will amend the information as required. If appropriate, we will send the amended information to third parties to whom the information has been disclosed.

When a challenge regarding the accuracy of personal information is not resolved to your satisfaction, New Gold will annotate the personal information under New Gold's control with a note that the correction was requested but not made.

#### Access to Personal Information

On written request and authentication of identity, New Gold will provide you with: your personal information under New Gold's control; information about the ways in which that information is being used; and a description of the individuals and organizations to whom that information has been disclosed. New Gold will make the information available within 30 days or provide written notice where additional time is required to fulfil the request.

All requests should be made in writing to New Gold's Privacy Officer at:

New Gold Inc., Brookfield Place, 181 Bay Street, Suite 3320, Toronto, Ontario, Canada M5J 2T3; or  
[privacy.officer@newgold.com](mailto:privacy.officer@newgold.com)

In some situations, New Gold may not be able to provide access to certain personal information. This may be the case where, for example, disclosure would reveal personal information about another individual, the personal information is protected by solicitor/client privilege, the information was collected for the purpose of an investigation or where disclosure of the information would reveal confidential information that, if disclosed, could harm New Gold's competitive position or reputation. New Gold may also be prevented by law from providing access to certain personal information.

Where an access request is refused, New Gold will notify you in writing, document the reasons for refusal and outline further steps which are available to you.

#### Questions and Comments

New Gold welcomes questions, comments or concerns about our employee privacy practices. They should be directed to New Gold's Privacy Officer at the address above.

Concerns will be reviewed by the Privacy Officer in the manner deemed to be appropriate based upon the nature and merits of the submission and with the assistance and direction of whomever the Privacy Officer thinks appropriate, which may include external legal counsel.

Approved by the Board on: February 12, 2020.