

SCHEDULE 21

SECURITY PROTOCOLS

1. SECURITY SENSITIVE WORK

1.1 Background Checks

Subject to Section 1.4, Project Co will not permit any individual engaged by Project Co or a Project Co Person to:

- (a) perform any Security Sensitive Work unless such individual:
 - (1) has successfully completed a Background Check within three months; or
 - (2) is accompanied by an SSW Escort whenever engaged in the performance of Security Sensitive Work; or
- (b) be designated as Project Co's Operating Period Representative or a Key Individual unless such individual has successfully completed a Background Check within the one calendar year period prior to the earlier of:
 - (1) the date of his or her appointment to such position; and
 - (2) the date on which he or she first performs any Security Sensitive Work.

For the purpose of this Section, successful completion of a Background Check means that, in respect of an individual, the relevant searches return no positive results within any of the applicable databases or return one or more positive results which the Authority, in its discretion, determines do not pose a material risk to the Project, the Facility or to the safety and well-being of the Clients, the Facility Users or any Authority Person.

1.2 Updating Background Checks

Throughout the Term, Project Co will ensure that the Background Check is repeated for each individual engaged as a Key Individual and every other individual engaged by Project Co or a Project Co Person in the performance of Security Sensitive Work:

- (a) if any information is received by Project Co that suggests that the risk in respect of such individual has materially changed; and
- (b) at least once every year.

Project Co will remove any individual as a Key Individual and prevent any individual from performing any Security Sensitive Work who does not successfully complete the periodic Background Checks within the intervals required pursuant to this Section 1.2. Project Co will not permit an individual who has previously failed a Background Check under this Agreement to be engaged as a Key Individual or to perform Security Sensitive Work without the prior written consent of the Authority.

1.3 SSW Request

If Project Co is uncertain whether certain Project work constitutes Security Sensitive Work, Project Co may submit a written request for a determination to the Authority's Representative at least 30 Business Days prior to the date on which such work is scheduled to commence (an "**SSW Request**"). Each SSW Request will include:

- (a) a detailed description of the nature of the work, including the primary location at which the work will be performed;
- (b) the date on which the work is scheduled to commence;
- (c) the potential for supervised or unsupervised contact or communication with Clients;
- (d) the potential for the direct or indirect passing of contraband to Clients; and
- (e) such other information as the Authority may reasonably request.

The Authority will review each SSW Request and will provide a written response confirming whether the work described in the SSW Request is Security Sensitive Work within 3 Business Days after receipt of the complete SSW Request. The Authority's determination with respect to an SSW Request will be final and binding and will not be subject to review pursuant to Schedule 13 [Dispute Resolution Procedure].

1.4 Exceptions

Notwithstanding Sections 1.1 to 1.3, if the occurrence of:

- (a) a Service Failure;
- (b) an Unavailability Event;
- (c) Facility User Excessive Damage or other damage to, or failure of, a Maintained Element, that poses a material risk to human safety or to Facility security; or
- (d) a Supervening Event,

requires performance of Security Sensitive Work and such work can only be undertaken by an individual(s) who has not been previously subjected to a Background Check, or whose Background Check has expired, the Authority may in its discretion:

- (e) expedite the performance of a Background Check for such individual(s);
- (f) require that Project Co provide an SSW Escort(s) to accompany such individual(s) while engaged in the performance of Security Sensitive Work; or
- (g) provide an escort to accompany such individual(s) while engaged in the performance of Security Sensitive Work.

1.5 Authority Review of Background Check

If an individual is required to successfully complete a Background Check, Project Co will provide the results of all criminal record checks in respect of the applicable individual to the Authority promptly following receipt from the local police detachment or background check provider. The Authority will review such results and advise Project Co within 3 Business Days after receipt whether the applicable individual has either successfully or unsuccessfully completed the Background Check and Project Co and the Project Co Persons are entitled to rely upon such advice from the Authority.

1.6 SSW Escort

- (a) Under no circumstances will the Authority be obligated to escort individuals engaged by Project Co or a Project Co Person in the performance of any Design, Construction, Services or other activities at the Facility. If the Authority agrees, in its discretion, to escort an individual engaged by Project Co or a Project Co Person in the performance of any Design, Construction, Services or other activities at the Facility, the availability of qualified Authority Persons to provide such escorts will depend on the operational requirements of the Facility and any delay caused by, or unavailability of, a qualified Authority Person to provide such escort will not constitute a Supervening Event, or otherwise entitle Project Co to compensation or any other relief pursuant to this Agreement.
- (b) Project Co will ensure that an SSW Escort:
 - (1) does not escort more than one person (or such other number of persons as may designated in writing by the Authority's Representative) at a time; and
 - (2) maintains direct visual and auditory contact with each Escorted Person for whom he or she is responsible at all times while such person is engaged in in the performance of Security Sensitive Work.
- (c) Project Co will be responsible for the safety and conduct of all SSW Escorts and Escorted Persons. The Authority will provide appropriate control over Secure Client movements. Project Co will not interfere with the Authority's management of Secure Clients.