

Privacy and Personal Information Protection Notice

MBNA Canada Bank is an affiliate of Bank of America Corporation and is one of the largest MasterCard credit card issuers in Canada. Our financial products and services are endorsed by hundreds of organizations and financial institutions. We back our financial products and services with top quality service. Collecting, protecting, using, sharing, and retaining information about you helps us do this. This notice explains MBNA's personal information collection, protection, use, sharing, and retention practices and lets you choose whether MBNA may share certain information about you.

Scope and Definitions

This notice describes the privacy practices of MBNA Canada Bank and its affiliates (collectively "MBNA"), including:

- MBNA Canada Bank (issuing and servicing financial products and services governed by the laws of Canada)
- Bank of America, N.A. (providing information processing and management services for and as directed by MBNA Canada Bank)
- FIA Card Services, N.A. (providing information processing and management services for and as directed by MBNA Canada Bank)
- MBNA Europe Bank Ltd. (providing information processing and management services for and as directed by MBNA Canada Bank)
- MBNA Technology, Inc. (providing information and communication systems and services for and as directed by MBNA Canada Bank)
- MBNA Marketing Systems, Inc. (providing sales and telemarketing services for and as directed by MBNA Canada Bank)
- CUETS Financial Ltd. (providing information processing and management services for and as directed by MBNA Canada Bank)

"Account" means the account issued by MBNA Canada Bank.

"Authorized User" means an individual who you have requested be added to your account

"Co-Brand Relationships" means 2 or more organizations who display their respective brands on one product

"Endorsing Financial Institutions" means a financial institution which supports a particular MBNA Canada Bank product (s) and any related service (s)

"Endorsing Organizations" means any organization who which supports a particular MBNA Canada Bank product (s) and any related service (s)

"Issuer" means MBNA Canada Bank.

"Personal Information" is any information relating to an individual which allows that individual to be identified.

"We" and "us" means MBNA and any of our respective affiliates, agents and service providers.

Personal Information Collection, Protection, Use, Sharing, and Retention

We collect, protect, use, share, and retain personal information to:

- a) open, monitor, maintain, service, process, analyze, audit and collect any Account you may have with us, including disclosing or exchanging Personal Information with credit reporting agencies, to develop our relationship with you, and to offer financial products and services, including evaluating the needs, wants, and satisfaction levels of our customers and analyzing and managing our business;
- b) administer services, monitor your purchases, Account balances, fees, payment history, parties to transactions, payments, credit card usage and evaluate your credit eligibility, for the purposes set out in this notice;
- c) verify your identity (or that of any Authorized User) concerning the Account and maintain security measures aimed at protecting you from identity theft, fraud and unauthorized access to your Account;
- d) meet legal, security, processing and regulatory requirements, including Canadian federal and provincial requirements and foreign requirements applicable to us or any of our affiliates or service providers;
- e) promote and market products and services offered by MBNA, or by carefully selected companies, which are directly related to the Account (such as balance transfers and alternative payment methods), by means of direct marketing; marketing through ordinary mail, or email; we may also send you special offers with your statements or in separate mailings that include personal cheques to access your Account; and
- f) promote and market products and services offered by MBNA, or by carefully selected companies, which are directly related to the Account (such as balance transfers and alternative payment methods) by telephone or other available communication channels (e.g. wireless device, land line telephone, fax machine, or a data terminal).

If your Account is issued and serviced by MBNA on behalf of an endorsing financial institution, such as your local bank or credit union, MBNA may share all Personal Information collected with such financial institution including its agents and/or brokers.

MBNA may also promote and market products and services offered by selected companies which are not directly related to the financial product or service we are providing to you (also known as secondary marketing), such as long distance or cellular telephone service, credit insurance, and card registry services.

You may ask to be suppressed under (e) and/or (f) at any time after your Account has been opened by calling MBNA Canada Bank at 1-866-845-0980 or by writing to us at MBNA Canada Bank, Privacy Officer, P.O. Box 9660, Station T, Ottawa, ON K1G 6M9. We cannot accept suppression requests via email – customers must call or notify us in writing. All suppression requests shall be valid for a period of 3 years and 31 days starting from the date they are received. In accordance with your request, and within 5 business days, we will suppress you from direct mail marketing and telemarketing for products and services offered by MBNA, or by selected companies, which are directly related to the financial product or service we are providing to you and/or we will suppress you from direct mail marketing and telemarketing for products and services offered by select companies which are not directly related to the financial product or service we are providing to you. Please allow 31 days for telemarketing and 90 days for direct mail for full effect as marketing campaigns may already be in process. However, if your request is made within the first 30 days of your Account's opening, we will not share your name for use in any secondary marketing campaign. This will not limit information we may provide to you in statements or when you contact us.

Additional Detail: Consent

In your application for the financial product or service we are providing to you we obtained your consent for personal information collection, protection, use, sharing, and retention as set forth in (a) through (f) above. Subject to legal and contractual restrictions, you may withdraw your consent at any time after your Account has been opened with reasonable notice. This will not limit information we may provide to you in statements or when you contact us. If you refuse or withdraw your consent for any purpose required to provide our financial product or service to you, we will no longer be able to provide that product or service to you. You understand that if you withdraw your

consent at any time to the monitoring of your credit status or your ongoing eligibility for credit, MBNA may no longer be able to maintain your credit account.

We will withhold your name from any secondary marketing campaign for the first 30 days after the opening of your Account to provide you an opportunity to make your privacy choice known to us.

Additional Detail: With Whom We May Share Your Information

Personal Information held on behalf of the Issuer by its affiliates, agents and/or service providers may be located in the United States or elsewhere outside of Canada and will be subject to the same levels of security as those described in our Privacy and Personal Information Protection Notice, while also being subject to the laws of the jurisdiction in which the information is held.

Additional Detail: Personal Information Collection and General Account of Use

We collect personal information about you and use it for the purposes described above. Our objective when collecting and using personal information is to improve the relationship we have with you; provide you with products and services that you will value; reduce the cost associated with maintaining your (and others’) accounts so that we may continue to provide you with a fairly priced product; reduce unwanted or inappropriate marketing; and protect you from unauthorized access to and use of your account or personal information. If you provide your Social Insurance Number (SIN)**, we will only use it to match credit reporting agency information and for security verification and account maintenance purposes.

****Social Insurance Number:** Disclosure of SIN to match credit bureau information is optional for credit/charge or other loan products. However, for deposit or income-earning products, SIN is required for income reporting purposes of Canada Revenue Agency (“CRA”). If you provide your SIN for a credit product, we will use it to match credit bureau/reporting agency information. This allows us to distinguish you from other individuals, particularly those with similar names and helps ensure the accuracy of the information collected and reported.

Date of Birth: Date of birth is required in certain circumstances to comply with “Know Your Customer” standards for security reasons or for retirement products registered with the CRA. It also allows us to determine your eligibility for certain products or services.

The following table describes the type of personal information we collect and provides a general account of how we use it.

| <u>Source</u> | <u>Type of Personal Information</u> | <u>General Use</u> |
|--|---|--|
| Commercially available marketing lists | Personally identifiable data including name and address and possibly including telephone numbers, e-mail address, language preference or additional information that may be contained in the commercially available marketing lists | Marketing lists |
| Member lists from organizations endorsing MBNA financial products and services | Personally identifiable data including name and address and possibly including telephone numbers, e-mail address, language preference or additional information that may be contained in the member lists | Marketing lists |
| Information we receive from you through applications, correspondence or other communications | Name, postal address, telephone number, e-mail address, language preference and other information you may choose to provide us | Identification, security, verification, and communication and to prepare and maintain credit reports |
| | Birth date, employer, occupation, mother’s maiden name, password, SIN, ID Number, | Security, verification, and to comply with legal, security, processing and |

| <u>Source</u> | <u>Type of Personal Information</u> | <u>General Use</u> |
|--|---|--|
| | other bank account information and other information you may choose to provide us | regulatory requirements, including Canadian federal and provincial requirements and foreign requirements applicable to us or any of our affiliates or service providers |
| | Housing, employment, income, value of investments, and other information you may choose to provide us | Determine your ability and stability to repay credit obligations |
| | SIN | Providing SIN is optional for credit products. If you provide SIN, we will use it to match credit reporting agency information, security verification, and Account maintenance purposes |
| Information obtained from CUETS Financial from your application, correspondence and other communication | Name, postal address, telephone number, e-mail address, language preference and other information you may choose to provide us | Identification, security, verification, and communication |
| | Birth date, employer, occupation, mother's maiden name, password, and other information you may choose to provide us | Security, verification, and to comply with law |
| | Housing, employment, income, value of investments, and other information you may choose to provide us | Determine your ability and stability to repay credit obligations |
| | SIN | Providing SIN is optional for credit products. If you provide SIN, we will use it to match credit reporting agency information, security verification, and Account maintenance purposes |
| Member lists from CUETS Financial products and services | Personally identifiable data including name and address and possibly including telephone numbers, e-mail address, language preference or additional information that may be contained in the member lists | Marketing lists |
| Information we receive from third parties, such as credit reporting agencies, financial institutions, or employers you have reported to us | Credit reports | Determine your credit eligibility and to comply with legal, security, processing and regulatory requirements, including Canadian federal and provincial requirements and foreign requirements applicable to us or any of our affiliates or service providers |
| | Employment status | Determine your ability and stability to repay credit obligations |
| | Banking relationship | Verify statements you have made to us regarding your employment, credit or other financial relationships |
| Endorsing Financial Institutions | Other financial products owned, length of | Determine your ability and stability |

| <u>Source</u> | <u>Type of Personal Information</u> | <u>General Use</u> |
|---|--|---|
| (where applicable and only where you have given permission to the endorsing Financial Institution to share information with us) | relationship, value of investments and/or deposits held, mortgage and loan balances, repayment history on loans held, and other information you may have provided to the Financial Institution and agreed to have them provide to us | to repay credit obligations and to better determine which products may be of interest to you |
| Information about your transactions with MBNA and with other companies | Payment, delinquency, and charge off history Purchase and transaction history | Determine your eligibility for credit and to evaluate, monitor, maintain, service, and collect the account(s); to develop our relationship with you, and to offer you products and services |

Additional Detail: Personal Information Shared and General Account of Use

The following table describes the type of personal information we share and provides a general account of how it may be used.

| <u>Companies with Whom</u> <u>MBNA Shares</u> | <u>Type of Personal Information Shared</u> | <u>General Use</u> |
|---|--|--|
| Third party service providers including payment network providers (such as MasterCard Incorporated) | Personal information as set forth above for the purpose of fulfilling our obligations related to the Account | Maintaining and servicing your Account, processing payments, charges, and transactions, cheque and statement printing, data processing, market research, legal, financial, and professional advisors, debt collection activities, distributing information and/or promotional offers to you, assistance to third parties or investigative bodies to help prevent fraud, money laundering or other criminal activities, managing benefits or insurance associated with the product or service, loyalty, points, and rewards programs, and other activities relating to the servicing or administration of the accounts, products and services you have with MBNA, or as permitted or required by law. |
| | Name, postal address, language preference, date of birth and, where required, telephone number and/or e-mail address, as well as all information relating to your current products. | Marketing of additional products and services |
| Credit reporting agencies | Name, postal address, telephone number, date of birth, social insurance number (if provided), identification numbers, deposit/creditor information, account number, credit line, open date, payment, delinquency, charge off history | Preparing credit reports for research, statistical analysis, and for identification purposes |

| <u>Companies with Whom MBNA Shares</u> | <u>Type of Personal Information Shared</u> | <u>General Use</u> |
|---|--|--|
| | and, where applicable, reason for account closure | |
| Endorsing Financial Institutions (where applicable and as allowed by law only) | <p>Personal information as set forth above for the purpose of fulfilling our obligations related to the Account.</p> <p>Information related to your Account such as purchases, transactions and specific information related to retail purchases</p> | <p>Maintaining and servicing your Account, processing payments, charges, and transactions, cheque and statement printing, data processing, market research, legal, financial, and professional advisors, managing benefits or insurance associated with the product or service, relationship management, loyalty, points, and rewards programs</p> <p>Marketing of additional products and services and determining your ability and stability to repay credit obligations</p> |
| Endorsing Organizations and Co-Brand Relationships | Name, postal address, and telephone number | Customer list verification / updating |
| | Purchase and transaction volumes and specific information on retail purchases for rebate programs | Accrual of points, rewards, and incentives |
| Companies offering products or services directly related to the financial product or service we are providing to you | <p>Information received from you on applications - Name, postal address, language preference and, where required, telephone number, e-mail address, date of birth, and other identification information; together with about your transactions with us, Account numbers, Account balances, payment history, open date, credit line, and Account activity.</p> <p>Purchase and transaction volumes and specific information on retail purchases</p> <p>You may refuse or withdraw your consent to this information sharing at any time by calling MBNA Canada at 1-866-845-0980</p> | To offer you products and services such as balance transfers and alternative payment methods |
| Companies, such as retailers, manufacturers, direct marketers, communications companies, travel companies, and the like, offering products or services not directly related to the financial product or service we are providing to you | <p>Name, postal address, language preference and, where required, telephone number, e-mail address and/or date of birth.</p> <p>You may refuse or withdraw your consent to this information sharing at any time by calling MBNA Canada at 1-866-845-0980</p> | To offer you products and services such as financial services, credit insurance, and card registry services |

Our Security Procedures Protect Your Personal Information

We work hard to keep personal information secure. For example, our information security policies:

- Govern retention of information;

- Restrict access to information systems; and
- Specify password requirements.

For your protection, please remember that your telephone conversations with our representatives and any of our agents and service providers may be monitored and/or recorded for quality control and record keeping purposes.

Further, we share only the personal information we believe is needed to offer a product or service efficiently. Finally, we restrict the use of such personal information and require that it be kept secure.

Access Requests

To request access to your personal information in our possession, complete a personal information request form or write to us at: MBNA Canada Bank, P.O. Box 9660, Ottawa, ON K1G 6M9. Your request must include a copy of a valid driver's license, birth certificate, passport, or certificate of Canadian citizenship. To inquire about your personal information in our possession or make corrections to it, write to us at the same address. Normally, we will respond to access or rectification requests within 30 days.

Please note that in certain circumstances, we may not be able to provide you with access to specific portions of file information about you. For example, we will not provide you with access to the following information:

- Information containing references to other persons;
- Information containing our confidential or proprietary information;
- Information that has been destroyed; or
- Information that is too costly to retrieve, such as information that is dated and archived.

Internet Privacy Practices

Web Site Privacy

The MBNA Web servers automatically recognize and record the domain name from which you access the Internet, the corresponding Internet Protocol ("IP") address, and the names of the pages you visit while at an MBNA Web site. This information is not personally identifiable and is used to improve the content of MBNA Web sites and make them more useful. The MBNA Web servers do not collect e-mail address(es) without your consent. MBNA may ask you to provide us with your e-mail address at several points, including on applications, in correspondence or communications with you, and when you register for online banking services where it is required for us to provide the service.

Registration for Online Products or Services

In order to provide you with a particular product or service online, we may request that you voluntarily supply us with personal information, including your e-mail address, account number (s), for purposes such as correspondence, sight registration, checking your bill on line, making a purchase or participating in online surveys and enabling us to provide an online product or service to you in an efficient manner.

Use of Your E-mail Address

Currently, we do not share any e-mail address you provide to us with our endorsing organizations or other companies to market their products or services. However, we may send you offers on behalf of our business partners. We use both MBNA servers and servers of other companies ("service providers") to deliver and report on the progress of e-mail programs and to maintain, service and fulfill products and services. When MBNA uses a service provider, we prohibit them from using your e-mail address for any other purpose.

With your consent, we may periodically send you marketing offers at the e-mail address(es) you provide, that may be of interest to you. With each such marketing e-mail message you will have the opportunity to opt-out of receiving

future marketing offers at that e-mail address. If you are an Account holder, we reserve the right to use the e-mail address(es) you provide to present you with information about your Account. This may include, but is not limited to, activating your Account(s), Account past due notices, rates available for cash and balance transfers, adding an Authorized User, and any online banking services.

We will track the activity of an e-mail (for example, were graphics viewed, was the e-mail opened, were links in the e-mail clicked), to allow us to measure the effectiveness of the e-mail, to provide future offers, and for fulfillment of products and services. Additionally, for your convenience, we may pre-fill online forms with your e-mail address.

Children

We do not use www.mbna.com to knowingly solicit data from or market to persons under the age of majority in each jurisdiction where an applicant is resident.

Internet Security

MBNA will not disclose or request sensitive information in an unencrypted e-mail (for example, full Account number, SIN, personal identification number (PIN), or security passwords). If you receive an e-mail purportedly from MBNA containing or asking for this type of sensitive information, prior to responding, please contact MBNA Customer Satisfaction at 1-800-404-1319.

MBNA uses encryption technology to protect certain information sent over the Internet. SSL is an encryption technology known as "Secure Sockets Layer". SSL encrypts transmissions between two parties and verifies the Web site server with which you are communicating. An "s" after the "http" in a Web site's address indicates that you are attached to a secure server using SSL technology. Additionally, if your browser is Microsoft Internet Explorer 3.0, Netscape Navigator 4.0, or a higher version of either, a picture of a lock or a key should appear in the lower right hand corner of the browser's window.

Use of Cookies

Some MBNA Web sites may use a feature of your Internet browser called a cookie. Cookies are files placed within your browser on your computer's hard drive by a Web site server. MBNA Web sites may use cookies to facilitate your Internet sessions, to maintain security, and to improve our Web sites. For example, MBNA may use cookies to verify your identity, remember your personal settings such as your offer preferences, and to monitor your use of MBNA Web sites to improve our services. We do not use cookies to collect data from your hard drive including your e-mail address or other personal information. If you choose not to enable cookies on your browser, you may not be able to use some of the services offered on MBNA's Web sites.

Advertising Services

MBNA uses third party companies to serve ads on our Web site and other Web sites. These companies help MBNA execute, optimize, and measure the effectiveness of our online banner advertising programs. These companies use cookies and a unique code to measure advertising effectiveness and to provide ads about goods and services that may interest you.

MBNA's banner advertisements and online applications may contain small graphics with tags in them. These tags are not personally identifiable and work in conjunction with the cookies. They allow us to determine if the ad was viewed or responded to and help us to measure the effectiveness of our advertising.

To Further Protect Your Privacy

While exploring the services offered through MBNA's Web sites, please be aware that other online retailers, partners, third party Internet sites, and third party services accessible through MBNA's Web sites, have separate privacy and data collection policies and practices, which are independent of and may be different from MBNA's

policies and practices. MBNA is not responsible or liable for these independent policies and practices and it is your responsibility to review them and decide whether or not they satisfactorily protect your rights.

We may amend these Internet Privacy Practices at any time, and when such a change is made we will post a revised version on this MBNA Web site. Changes will be effective when they are posted. It is your responsibility to review these Internet Privacy Practices from time to time to be aware of any such changes. Your continued use of this MBNA Web site indicates your agreement to any such changes.

Customer Privacy Concerns

Our Privacy Officer is responsible for ensuring that our day to day procedures comply with the MBNA Canada Card Privacy Policy. If you have any questions or concerns, you should begin by talking to a customer service representative at MBNA. If the issues remain unresolved, write to **MBNA Canada Bank** Privacy Officer at , **P.O. Box 9660, Station T, Ottawa, ON K1G 6M9.**

Updates and Additional Information

Amendments will be made to this Privacy Statement in a timely manner, to address changes to our information handling processes. We may add, modify or remove portions of this Privacy Statement when we feel that it is appropriate to do so. You may determine when this Privacy Statement was last updated by referring to the "Current" date displayed at the end of this Privacy Statement.

This notice replaces any previous notices from MBNA about personal information collection, protection, use, sharing, retention, and Internet privacy practices. We may amend this privacy notice at any time.

Date Last Revised: August 08