

## MBNA Privacy and Personal Information Protection Notice

This notice (the “**MBNA Privacy Notice**”) explains the collection, protection, use, sharing, disclosure and retention practices of the Bank solely in relation to the management of personal information by the Bank’s division operating as MBNA and lets you choose whether we may share certain information about you.

### Scope and Definitions

**Note that the MBNA Privacy Notice does not relate to any personal information management practices of the Bank or any other member of the Bank Group in relation to any product, service or account offered, issued, administered and/or serviced by the Bank or any other member of the Bank Group outside MBNA.**

Our privacy practices for MBNA include the **MBNA Internet Privacy Practices** set out at the end of this MBNA Privacy Notice, which address how we collect, use and safeguard the personal information you provide to us on the MBNA website.

For the purposes of this MBNA Privacy Notice, the following terms shall have the following meanings:

“**Account**” means the credit card or other account opened by us and administered and/or serviced by MBNA, and any credit card or other credit device issued by us in connection with your account.

“**Affinity Customer**” means a prospective customer and/or customer of MBNA who has applied for, or been issued, an Account which has been marketed using a trademark or brand of an Affinity Organization or Affinity Financial Institution (either alone, or in conjunction with the Bank Group trademark(s)).

**"Affinity Financial Institution"** means a financial institution that endorses a particular MBNA product and any related service.

**"Affinity Organization"** means any organization that endorses a particular MBNA product and any related service, such as an affinity or co-brand relationship.

**"Authorized User"** means an individual whom you have requested be added to your Account.

**"Bank"** means The Toronto-Dominion Bank.

**"Bank Group"** means collectively the Bank and its affiliates.

**"MBNA"** means MBNA, a division of the Bank.

**"Non-Affinity Customer"** means a prospective customer and/or customer of MBNA who has applied for, or been issued, an Account which has been marketed using only the Bank Group trademarks.

**"Personal Information"** means any information about an individual that allows that individual to be identified, including, but not limited to, your name, address, date of birth, gender, contact information (such as address, telephone number, email), occupation, personal financial records (including, but not limited to, income, assets, payment history, credit records, and other banking information), identification documentation (such as driver's license, Social Insurance Number), records that reflect your business dealings with and through us, and your preferences and activities.

**"Primary Cardholder"** means the person that applied for the Account and in whose name we opened the Account.

**"We", "us", and "our"** mean MBNA Bank Group and any of our agents and service providers.

**"You" and "your"** mean the person in whose name we have opened an Account and includes Authorized Users, as applicable, and any guarantors, or personal or authorized representatives on your Account.

## **Personal Information Collection, Protection, Use, Sharing, Disclosing and Retention**

We collect only Personal Information that is needed and we tell you how we use it.

We collect, protect, use, share, disclose and retain Personal Information for the general purposes set out below to:

- a) consider initiating and to initiate, 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, credit bureaus, other financial institutions, service providers, affiliates, agents, other third parties, and/or any other person, corporation, firm or enterprise with whom you have or propose to have a relationship and to use other third party databases (including registries and licensing authorities) or references provided by you to obtain or verify information about your financial circumstances, your background or to identify you; to develop our relationship with you; to offer products and services; to collect a debt; and to analyze and manage our business, including evaluating the needs, wants, and satisfaction levels of our customers;
- b) administer services, evaluate your credit eligibility, and monitor (i) your purchases, (ii) your Account balances, (iii) your fees, (iv) your payment history, (v) parties to transactions, (vi) your payments and (vii) your credit card usage, each for the purposes set out in this MBNA Privacy 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, money laundering and terrorist financing and unauthorized access to your Account and Personal Information;
- d) meet legal, security, processing and regulatory requirements, including Canadian federal and provincial requirements and foreign requirements (including the United States and other countries) applicable to us or any of our affiliates or service providers;

- e) prevent, detect or suppress financial abuse, fraud and criminal activity, protect our assets and interests, assist us with any internal or external investigation into potentially illegal or suspicious activity or manage, defend or settle any actual or potential loss in connection with the foregoing, and as such, we may collect from, use and disclose your information to any person or organization, fraud prevention agency, regulatory or government body, the operator of any database or registry used to check information provided against existing information, or other insurance companies or financial or lending institutions (for these purposes, your Account and Personal Information may be pooled with data belonging to other individuals and subject to data analytics);
- f) promote and market products and services offered by MBNA, affiliates, Affinity Organizations or 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, Internet, online chat, email, telephone, mobile, text message or other available communication channels (e.g., automatic dialing-announcing devices (ADAD), predictive dialing device (PDD), wireless device, land line telephone, fax machine, data terminal, or other electronic communications) using the contact information you have provided us; we may also send you special offers with your statements or in separate mailings to access your credit card Account;
- g) provide customers' Personal Information to their respective Affinity Financial Institution (including affiliates as permitted by law) for the purposes of service and administration, including as follows: (i) providing such customers with information and offers on products and services that their Affinity Financial Institution believes may be of interest; (ii) administering and analyzing customer satisfaction surveys; (iii) fulfilling requests that these customers may make about their products and services; and
- (iv) providing information such as Social Insurance Number and date of birth for matching and security verification purposes;
- h) 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 by means of direct marketing, marketing through ordinary mail, Internet, online chat, email, telephone, text message, or other available communication channels (e.g., ADAD, PDD, wireless device, land line telephone, fax machine, data terminal, or other electronic communication methods), using the contact information you have provided us;
- i) facilitate participation in rewards programs, the accrual, redemption and fulfillment of points and other rewards offered by MBNA, Affinity Financial Institutions or Affinity Organizations through ordinary mail, email, telephone or other available communication channels.

You consent to and accept this as written notice of us collecting, using, sharing, disclosing and retaining any Account, credit or Personal Information from you or about you at any time, from, to or with any agent or third party service providers in relation to the servicing, processing, communication, sales, marketing and telemarketing, management services and business transactions as directed by us.

### **Sharing Information within the Bank Group**

We may share information about you with the Bank Group world-wide subsidiaries and affiliates, other than health-related information, for the following purposes:

- to manage your total relationship within the Bank Group, including servicing your Accounts and maintaining consistent and up-to-date information about you;
- to manage credit risk and other business risks and operations, including to collect a debt owed by you; and
- to comply with legal and regulatory requirements.

**Please note:** You may **not** withdraw consent for this sharing as outlined above.

In addition, we may also share and use Non-Affinity Customer information within the Bank Group world-wide, other than health-related information, to allow other businesses within the Bank Group to tell Non-Affinity Customers about other products and services available to such customers by means of direct marketing, marketing through ordinary mail, Internet, online chat, email, telephone, mobile, text message or other available communication channels (e.g., ADAD, PDD, wireless device, land line telephone, fax machine, data terminal, or other electronic communications), using the contact information such customers have provided us. We may also send Non-Affinity Customers special offers with their Account statements or in separate mailings. For clarity, we will not share or use Affinity Customer information for the purposes of marketing products or services other than those agreed to by an Affinity Customer's Affinity Organization or specifically requested by an Affinity Customer. In order to understand under what circumstances and how you can withdraw your consent for promotions and marketing offers, please refer to the **Customer Choices on How Your Personal Information Is Used** section below.

## **Customer Choices on How Your Personal Information Is Used**

**At the beginning of a customer relationship and on a regular basis, we give customers the choice of not receiving promotions and marketing offers and/or sharing information with your respective Affinity Financial Institution, if applicable.**

**If you do not wish to receive promotions and marketing offers from MBNA or share your Personal Information with your Affinity Financial Institution, if applicable, after your Account has been opened, please call us at 1-866-845-0980 or write to us at MBNA, Privacy Office, P.O. Box 9660, Station T, Ottawa, ON K1G 6M9. Your request will be processed promptly but may not be captured**

**for promotions already in progress. Suppression request instructions are accepted from the Primary Cardholder only, and we cannot accept suppression requests via email – customers must call or notify us in writing.**

**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, when you contact us, or when you opt in and/or consent to a promotion or marketing offer (such as offers presented through online chat). In addition, we will continue to provide information to our customers in keeping with the nature of their relationship with us.**

**Certain consents are mandatory and cannot be withdrawn. For example, once you have a credit card account, you may not withdraw your consent relating to collection and credit matters. This is necessary to maintain the integrity of the credit granting process. Similarly, you cannot withdraw your consent on matters that are essential to the management of our business, including the disclosure of information when we assign our rights to others such as for the sale or collection of debts. 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, we will no longer be able to maintain your Account.**

## **How We Obtain Your Consent**

It is important to understand the different ways that we may obtain your consent to collect, use, disclose and share your Personal Information.

Depending on the situation and the sensitivity of the information, we may obtain your consent in different ways. Consent may be obtained verbally,

online or in writing from you. Consent may also be obtained through your use of a product, or when you approach us to obtain information, inquire about, or apply for, products or services from us. We will not make your consent a condition of obtaining a product or service, unless it is reasonably or legally required.

## **Retention of Personal Information**

The length of time we keep your information will vary depending on the product or service and the nature of the Personal Information. We have retention standards that meet customer service, legal and regulatory requirements. For these reasons, we may keep your information beyond the end of your relationship with us.

When the information is no longer required, we securely destroy it or delete personally identifiable information.

## **With Whom We May Share Your Personal Information – Special Circumstances**

***Information located outside of Canada:*** Personal Information held on behalf of us by our affiliates, agents and/or service providers may be used, located and accessed in the United States or elsewhere outside of Canada and will be subject to the same levels of security as those described in the MBNA Privacy Notice, while also being subject to the laws of the jurisdiction(s) in which the information is held. For example, information may be disclosed in response to valid demands or requests from government authorities, courts or law enforcement agencies in these jurisdictions.

***Sharing for business transactions:*** We may disclose Personal Information in order to manage our business, including when we sell parts or all of our business or assets, insure, sell or securitize assets, merge or amalgamate all or parts of our business, or assign or transfer our rights to others (such as for the sale or collection of debts). This may encompass disclosing on a confidential basis your Personal Information on file (which may include Social Insurance Number, if provided) to parties that may be participating in a proposed or an actual business transaction with us.

***Authorized Users:*** Authorized Users may view, obtain or be provided with Personal Information about your Account, including transactions, through online banking, interactive voice response units, or other communications with us, including discussions initiated by us in respect of possible unauthorized use of your Account or for other reasons.

## **Privacy Terms for Authorized Users and Business Clients**

We or our service providers (whether engaged by or on behalf of us or any of our assignees) may collect, use and disclose Personal Information of Authorized Users and Business Client Information such as name and details of their transactions to: initiate, open, monitor, maintain, service, process, analyze, audit and collect on the Account (notwithstanding that Authorized Users will not be held liable for amounts owing on the Account); protect the Account from identity theft, fraud and unauthorized use and access; and for any purpose required by law. All information on file for Authorized Users may be disclosed to the Primary Cardholder. All information may also be shared with any person or entity to which we have assigned or transferred an interest in the Account, or any debt or interest due under the terms to be provided in the Account Agreement, if approved, and/or any of our rights and obligations under the Account Agreement (including any subsequent assignee or transferee).

## **Personal Information Collection and General Account of Use**

We obtain most of our Personal Information about you directly from you.

The Personal Information we ask for depends on which product or service you want. For every product or service, we need your name, address, telephone number, date of birth, occupation and identification information (either through electronic means or government issued identification).

At the time you begin your relationship with us and during the course of our relationship, we may collect Personal Information about you from

various sources, including from you, directly through applications, correspondence or other communications, interactions with you (including, but not limited to, over the phone, through email, Internet, chat, social media, etc.), persons authorized to act on your behalf under a power of attorney or other legal authority, through the products and services you use, from others with your consent (such as credit reporting agencies and other lenders) or other permitted sources and use it for the purposes described above. Our objective when collecting, using, sharing, disclosing and retaining 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 and Personal Information.

**Social Insurance Number (SIN):** If you provide your SIN, we will use it to match credit reporting agency information and for security verification and Account maintenance purposes. Disclosure of SIN to match credit bureau information is optional for credit/charge or other loan products. Your SIN 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 and for security reasons. It also allows us to determine your eligibility for certain products or services, such as insurance coverage.

**Financial Information:** Financial information may include other Account records, financial statements, tax returns, employment income and credit information. This is used to assess your eligibility for any credit product. We may collect information from you and service providers with whom you may have arrangements to provide those services (for example when you set up bill payments to your Account). We will use your

Personal Information, including transaction records that reflect your business dealings with and through us, to analyze your activities to help us serve you as a customer and meet your needs.

**Health Information:** In certain appropriate circumstances, we or others providing you products or services through us may ask for health information for specific services (such as insurance) or other requests. This type of information will not be used for any purpose other than to address the specific product, service or request. We will not request or use health information to assess a credit application.

**Insurance:** This section applies if you are applying for, requesting pre-screening for, modifying or making a claim under, or have included with your product, service or Account, an insurance product that we insure, reinsure, administer or sell. We may collect, use, disclose and retain your Personal Information, including health-related Personal Information. We may collect this Personal Information from you or any health care professional, medically-related facility, insurance company, government agency, organizations who manage public information data banks, or insurance information bureaus, including MIB Group, Inc. and the Insurance Bureau of Canada, with knowledge of your Personal Information.

With regard to life and health insurance, we may also obtain a personal investigation report prepared in connection with verifying and/or authenticating the information you provide in your application or as part of the claims process.

With regard to home and auto insurance, we may also obtain Information about you from credit reporting agencies at the time of, and during the application process and on an ongoing basis to verify your creditworthiness, perform a risk analysis and determine your premium.

We may use your Personal Information to:

- determine your eligibility for insurance coverage
- administer your insurance and our relationship with you
- determine your insurance premium

- investigate and adjudicate your claims
- help manage and assess our risks and operations.

If we collect your health-related Personal Information for the purposes described above, it will not be shared within the Bank, except to the extent that a Bank company insures, reinsures, administers or sells relevant coverage and the disclosure is required for the purposes described above. Your Personal Information, including health-related Personal Information, may be shared with administrators, service providers, reinsurers and prospective insurers and reinsurers of our insurance operations, as well as their administrators and service providers for these purposes. We may share your Personal Information with any health-care professional, medically-related facility, insurance company, organizations who manage public information data banks, or insurance information bureaus, including the MIB Group, Inc. and the Insurance Bureau of Canada, to allow them to properly answer questions when providing us with Personal Information about you. We may share lab results about infectious diseases with appropriate public health authorities.

**Business Client Information:** Information essential for fulfilling most financial requests and applications includes your business name, address, contact information, email, industry type, financial status and detail(s) on the owner(s), shareholder(s), ownership structure, Account administrator(s), operator(s), authorized users and officers and director(s).

**Email, Text Message, and Other Electronic Communications (including, but not limited to, social media messaging):** Either through your credit card application or when you send us an email or ask us to respond to you by email, we learn your exact email address and the information you have included in the email.

We may send customer service and marketing messages to you electronically. Examples of customer service include electronic Account statements, collection notices, and other notices.

We may also provide payment due, Account balance, transaction confirmations, approaching credit limit, payment received and other Account alerts.

We will **not** ask you to provide Personal Information or login information, such as username, passwords, PINs, challenge questions and answers or Account numbers, through email (either solicited or unsolicited).

If you receive an email claiming to be from MBNA that you believe to be fraudulent or otherwise suspicious, **do not respond and do not open or click on any links or open attachments contained within the email.** Please **notify us immediately** by completing the necessary steps as set out under [www.mbna.ca/emailfraud](http://www.mbna.ca/emailfraud) and delete the email immediately after notifying us.

**Telephone and Online Chat:** For our mutual protection, we may monitor and/or record your telephone and/or online chat discussions with our representatives and those acting on our behalf (including affiliates, service providers and other third parties) to enhance customer service and to confirm our discussions with you. Customers who prefer not to have their calls taped and/or online chat recorded can transact through online banking or through our telephone interactive voice response unit (IVR or VRU).

**Internet and Online Banking:** When you are using one of our websites, we may monitor and/or record your browsing habits as described in our Internet Privacy Practices.

**Politically Exposed Persons:** We are required by law to determine whether we have customers who are politically exposed persons and comply with certain legal requirements. There are also regulatory guidelines which indicate we should assess the risk associated with customers who are politically exposed persons. We use Personal Information, publicly available information, commercial database(s) and credit reporting agencies to determine whether you and/or any of your Authorized and Secondary Users are politically exposed persons. More information on politically exposed persons is available at [www.fintrac.gc.ca](http://www.fintrac.gc.ca)

We may also provide your information to other persons in situations where:

- our suppliers, agents or third parties that perform services for you or for us on our behalf need the information
- our payment card networks need the information in order to operate or administer the payment card system that supports the Account you have with us, or for any other reasonable

purpose, including for any contests or other promotions that they may make available to you

- we are required or permitted to do so by law or applicable regulators or self-regulatory organizations
- you have provided your consent.

The following table describes examples of the type of Personal Information we collect and provides a general account of how we use, share and disclose it.

Source	Type of Personal Information	General Use
Commercially available marketing lists	Personally identifiable data, including name and address and possibly including telephone numbers, email address, language preference or additional information that may be contained in the commercially available marketing lists	Marketing and survey lists
Member lists from Affinity Organizations	Personally identifiable data, including name and address and, as required, telephone numbers, email address, language preference or additional information that may be contained in the member lists	Marketing lists and customer surveying
Information we receive from you through applications, correspondence or other communications	Name, postal address, telephone number, (including for text messaging), date of birth, occupation, email address, language preference and other information you may choose to provide us	<p>Maintaining, updating and servicing your Account, data processing, market research (including surveying), contests and/or promotions, statistical analysis, modeling, debt collection activities, identification, security, verification and communication and to prepare and maintain credit reports, marketing our products</p> <p>We may send customer service and marketing communications to you electronically. Examples of customer service include electronic statement, collection and other notices. We may also provide payment due, Account balance, approaching credit limit, payment received, and other Account alerts</p>

(continued)

Source	Type of Personal Information	General Use
Information we receive from you through applications, correspondence or other communications	Name, postal address, telephone number, date of birth, employer, occupation, mother's maiden name, password, identification documentation (such as driver's licence, passport), other bank account information and other information you may choose to provide us	Security, verification, and to comply with legal, security, processing and regulatory requirements, including law enforcement agency requirements, Canadian federal and provincial requirements and foreign requirements applicable to us or any of our affiliates or service providers  Prevention, detection, or suppression of fraud, financial abuse, or criminal activity  Determine whether we have customers who are politically exposed persons and comply with certain legal requirements  This includes, but is not limited to, anti-money laundering requirements
	Housing, employment, income, value of investments and other information you may choose to provide us	Determine your ability and stability to repay credit obligations at time of application and on an ongoing basis, data processing, market research, statistical analysis, modeling
	SIN	Providing your SIN is optional for credit products. If you provide your SIN, we will use it to match credit reporting agency information, security verification and Account maintenance purposes
	Health Information	We use health-related information to provide you with life and health insurance as well as to determine your eligibility for insurance coverage, administer your insurance and our relationship with you and to investigate and adjudicate your claims

(continued)

Source	Type of Personal Information	General Use
Information we receive from third parties and commercial databases, such as credit reporting agencies, financial institutions, government agencies and registries, fraud prevention agencies, law enforcement authorities and public records, other service providers, agents and other organizations with whom you make arrangements, references you have provided, or employers you have reported to us	Credit reports and information from identification products, independent data sources (such as 411) and commercial databases  Health information from health-care professionals as well as third party health-related facilities.	Determine your credit eligibility at time of application and for ongoing monitoring of ability to repay credit obligations, statistical analysis, modeling, collect a debt or enforce an obligation owed to us, detect and protect us against error, fraud and other criminal activity, identification and verification, 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  Maintaining up-to-date information about you  Determine whether we have customers who are politically exposed persons and comply with certain legal requirements  To provide you with life and health insurance as well as to determine your eligibility for insurance coverage, administer your insurance and our relationship with you and to investigate and adjudicate your claims insurance
	Employment status	Identification and verification of statements you have made to us regarding your employment  Determine your ability and stability to repay credit obligations at time of application and on an ongoing basis
	Banking relationship	Identification and verification of statements you have made to us regarding your employment, credit or other financial relationships

(continued)

Source	Type of Personal Information	General Use
Endorsing Financial Institutions (where applicable and only where you have given permission to the Affinity Financial Institution to share information with us)	Other financial products owned, length of 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 Affinity Financial Institution and agreed to have them provide to us	Determine your ability and stability to repay credit obligations and to better determine which products may be of interest to you
Interactions with us, including over the phone, voice response unit (IVR, VRU, etc.), at an ATM, on your mobile device or through email or the Internet (such as online chat), and information on your statements and transactions with and through MBNA and with other companies	Payment, delinquency and charge off history Purchase and transaction history Rewards information	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 Maintaining up-to-date information about you Prevention, detection, or suppression of fraud, financial abuse, or criminal activity

## Additional Detail: Personal Information Shared and General Account of Use

The following table describes examples of the types of Personal Information we share and provides a general account of how it may be used, shared and disclosed.

Source	Type of Personal Information	General Use
<p>Third party service providers, including payment processors, payment network providers, list providers, and certain carefully selected merchants</p>	<p>Name, postal address, telephone number (including for text messaging), date of birth, SIN (if provided), occupation, Account number, expiry date, email address, language preference, identification documentation (such as driver's licence, passport), Account level information (including but not limited to credit limit, transaction detail) and other information you may choose to provide us or that we collect from member lists or from third parties, such as Affinity Financial Institutions, Affinity Organizations, credit reporting agencies, financial institutions or employers that you have provided to us</p> <p>All information related to your Account such as, but not limited to, transactions (including specific information related to retail purchases), Account number and financial banking information (Account number, bank routing information)</p>	<p>Maintaining and servicing your Account, processing payments, charges, processing pre-authorized debits (<b>PADS</b>), balance transfers, cheque and statement printing, data processing, online chat data storage, online banking fulfillment, market research, statistical analysis, analytics, modeling, legal, financial and professional advisors, debt collection activities, distributing information and/or contests 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, quality assurance testing and monitoring, and other activities relating to the servicing, research/ investigations or administration of the Accounts, products and services you have with us, or as permitted or required by law</p> <p>Identification and verification, and to comply with legal, security, processing and regulatory requirements (including law enforcement agency requirements, Canadian federal and provincial requirements and foreign requirements applicable to us or any of our affiliates or service providers)</p> <p>Maintaining up-to-date information about you</p> <p>Determine whether we have customers who are politically exposed persons and comply with certain legal requirements</p>

(continued)

Source	Type of Personal Information	General Use
	Name, postal address, language preference, date of birth and, where required, email and telephone number (including for text messaging), as well as all information relating to your current products. Other Personal Information may be included to allow for identification and security verification	Marketing of additional products and services, customer surveying, contests and/or other promotional offers
Third party service providers including payment processors, payment network providers, list providers, and certain carefully selected merchants	Name, postal address, language preference, date of birth and, where required, email and telephone number (including for text messaging), as well as all information relating to your current products. Other Personal Information may be included to allow for identification and security verification	Marketing of additional products and services, customer surveying, contests and/or other promotional offers
Credit reporting agencies	Information including, but not limited to, name, postal address, telephone number, date of birth, SIN (if provided), occupation, identification numbers, deposit/creditor information, Account number, credit limit, open date, payment history, delinquency, charge off history and, where applicable, reason for Account closure	Assess and manage our credit risk  Determine your credit eligibility at time of application and for ongoing monitoring of ability to repay credit obligations, identification and verification, 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)  Determine whether we have customers who are politically exposed persons and comply with certain legal requirements  Preparing credit reports for research, statistical analysis, analytics, modeling, and for identification purposes  Prevention, detection, or suppression of fraud, financial abuse, criminal or suspicious activity

(continued)

Source	Type of Personal Information	General Use
Affinity Financial Institutions (where applicable and as allowed by law only)	<p>All Personal Information relating to the Account for the purpose of fulfilling our obligations related to the Account</p> <p>Information related to your Account such as, but not limited to, purchases and transactions (including specific information related to retail purchases)</p> <p>You may refuse or withdraw your consent to this information sharing at any time by calling us at 1-800-561-7849</p>	<p>Maintaining and servicing your Account, processing payments, charges, and transactions, cheque and statement printing, data processing, market research, statistical analysis, modeling, legal, financial, and professional advisors, managing benefits or insurance associated with the product or service, relationship management, loyalty, points, and rewards programs, fulfilling information requests about products, services and the Account</p> <p>Marketing of additional products and services, contests or promotional offers and determining your ability and stability to repay credit obligations</p> <p>Security, verification and communication</p>
Affinity Organizations	Name, postal address, language preference, date of birth and, where required, email and telephone number (including for text messaging), as well as all information relating to your current products. Other Personal Information may be included to allow for identification and security verification	<p>Customer list verification/updating and contests</p> <p>Accrual, redemption and fulfillment of points, rewards, and incentives</p>

(continued)

Source	Type of Personal Information	General Use
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, email address, date of birth and other identification information, together with information about your transactions with us, Account numbers, Account balances, payment history, open date, credit line and Account activity</p> <p>Information related to your Account, including, but not limited to, purchase and transaction volumes, specific information on retail purchases and/or type of transactions and fees, interest and service charges on the Account</p> <p>You may refuse or withdraw your consent to this information sharing at any time by calling us at 1-866-845-0980</p>	<p>To perform market research, statistical analysis, modeling, to offer you products and services such as, but not limited to, balance transfers and alternative payment methods</p> <p>Security, verification and communication</p>

(continued)

Source	Type of Personal Information	General Use
Companies, such as retailers, merchants, 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 (Non-Affinity Customers only)	<p>Information received from you on applications – name, postal address, language preference and, where required, telephone number, date of birth and other identification information, together with information about your transactions with us, Account numbers, Account balances, payment history, open date, credit line, and Account activity</p> <p>Information related to your Account, including, but not limited to, purchase and transaction volumes and specific information on retail purchases and/or type of transactions</p> <p>You may refuse or withdraw your consent to this information sharing at any time by calling us at 1-866-845-0980</p>	<p>To perform market research, statistical analysis, modeling, to offer you products and services such as, but not limited to, financial services, credit insurance, travel insurance and card registry services</p> <p>Security, verification and communication</p>

(continued)

Source	Type of Personal Information	General Use
Any person or organization, fraud prevention agency, regulatory or government body, the operator of any database or registry used to check information provided against existing information, or financial or lending institutions	<p>All Name, postal address, telephone number (including for text messaging), date of birth, SIN (if provided), occupation, Account number, expiry date, email address, language preference and other information you may choose to provide us or that we collect from member lists or from third parties, such as Affinity Financial Institutions, Affinity Organizations, credit reporting agencies, financial institutions or employers that you have provided to us</p> <p>All information related to your Account such as, but not limited to, transactions (including specific information related to retail purchases), Account number and financial banking information (Account number, bank routing information)</p>	<p>Prevent, detect or suppress financial abuse, fraud, criminal activity, protect our assets and interests, assist us with any internal or external investigation into potentially illegal or suspicious activity or manage, defend or settle any actual or potential loss in connection with the foregoing</p> <p>Identification and verification, and to comply with legal, security, processing and regulatory requirements (including law enforcement agency requirements, Canadian federal and provincial requirements and foreign requirements applicable to us or any of our affiliates or service providers)</p> <p>Maintaining up-to-date information about you</p> <p>Determine whether we have customers who are politically exposed persons and comply with certain legal requirements</p>

## Our Information 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 and online chat conversations with our representatives and any of our agents and service providers may be monitored and/or recorded for quality control, education and recordkeeping 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 to, and Correction of, Personal Information

Customers have access to their Personal Information that is reasonably available and retrievable in the ordinary course of business. Upon written specific request, we will disclose to customers Personal Information about them in our records, and customers may correct such Personal Information that is inaccurate or incomplete. Access to Personal Information requests can only be accepted from the Primary Cardholder.

It should be noted that we do not record in customers' individual files when Personal Information was disclosed to third parties for

routine purposes such as cheque printing, data processing, storage and regular updating of credit information to credit bureaus. If we are informed and it is determined that a customer's Personal Information file is inaccurate, we will take reasonable steps to correct it.

To request access to your Personal Information in our possession, complete and submit a Personal Information request form or write to our Privacy office at: MBNA, P.O. Box 9660, Ottawa, ON K1G 6M9. To inquire about your Personal Information in our possession or make corrections to it, write to us at the same address outlined above. Normally, we will respond to access or rectification requests within 30 days. If for any reason we do not grant you access to file information about you, we will provide you with written reasons.

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 subject to solicitor-client or litigation privilege;
- Information containing references to other persons;
- Information containing our confidential or proprietary information;
- Information that cannot be disclosed for other legal or security-related reasons, and as so permitted by law;
- Information that has been destroyed; or
- Information that is too costly or commercially unreasonable to retrieve, such as information that is dated and archived.

## **Customer Privacy Concerns and Inquiries**

Our Privacy Officer is responsible for ensuring that our day-to-day procedures comply with the MBNA Privacy Notice.

If you have any questions about our policies or practices related to managing Personal Information that have not been answered in the MBNA Privacy Notice, please let us know so that we may provide further information.

### **Step 1**

#### **Tell us about your concern**

Resolving your concerns is important to us. In most cases, it can be resolved simply by telling us about it. You should begin by talking to a customer service representative at 1-866-845-1003.

### **Further steps you can take**

If after the first step, you are still not satisfied that your concern has been resolved, we offer two more internal levels that can help you.

### **Step 2**

#### **Elevate your concern**

As a next step, if your concern remains unresolved, you may contact a representative of our Senior Management team at 1-877-405-6262. Complete details on resolving your complaints can be found in the Account Agreement and on our website at [www.mbna.ca](http://www.mbna.ca)

### **Step 3**

#### **Contact the Senior Customer Complaints Office**

**If your concern still remains unresolved after the first two steps, you may contact our Senior Customer Complaints Office directly as follows:**

**Mail: Senior Customer Complaints Office  
P.O. Box 1, TD Centre  
Toronto, ON M5K 1A2**

**Telephone: 1-888-361-0319 (toll-free)  
1-416-982-4884 (local)**

**Email: [td.scco@td.com](mailto:td.scco@td.com)**

#### **Additional resource**

**Office of the Privacy Commissioner of Canada (OPCC)**

**The OPCC investigates privacy complaints under the Personal Information Protection and Electronic Documents Act (PIPEDA).**

**If your complaint or inquiry concerns a privacy issue, please contact the OPCC as follows:**

**Telephone: 1-800-282-1376**

**Fax: 1-613-947-6850**

**Website: [www.priv.gc.ca](http://www.priv.gc.ca)**

## Updates and Additional Information

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

This MBNA Privacy Notice replaces any previous notices from us about Personal Information collection, protection, use, sharing, disclosure, retention and Internet privacy practices. We may amend the MBNA Privacy Notice at any time and without notice to you.

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## MBNA Internet Privacy Practices

### Website Privacy

Our Web servers automatically recognize, collect and retain information such as the server your computer is logged in to, the domain name of your Internet service provider from which you access the Internet, your browser type (for example, **Microsoft Internet Explorer, Firefox/Chrome, Apple Safari, and any other more commonly used browser**), the corresponding Internet Protocol (IP) address, and the names of the pages you visit while at our website(s). This information is not personally identifiable and is used to improve the content of our websites and make them more useful. Our Web servers do not collect email address(es) without your consent. We may ask you to provide us with your email 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 email address, Account number(s) and challenge questions and answers, which we may use for

purposes such as correspondence, site registration, checking your statement online, conducting a transaction online or participating in online surveys (which may be conducted by us or by third party service providers) and enabling us to provide an online product or service to you in an efficient manner.

As noted above, if you register for an online service or access our website from an email or other personalized communication sent to you or provide us with Personal Information, you will allow us to identify you. For example, when you enroll for online services or submit an application online for one of our products or services, you provide us with Personal Information. When you register, apply or otherwise identify yourself, we may combine information about your use of www.mbna.ca and the online product or service you utilize with certain other online and offline information we have about you in order to customize your online experience and provide you with relevant online and offline offers and updates.

### Use of Your Email Address

If you provide us with your email address, or have done so in the past, or if we obtain your email address from another source with your consent, we may send you emails so that we can make offers or provide services to you if you are a customer. Examples of email servicing include notifications that your online statement is ready for viewing or various email alerts about your Account.

We may share your email address for the purpose of surveying and as otherwise described in this Privacy Notice. We use both our servers and servers of other companies ("service providers") for marketing, and to deliver and report on the progress of email programs and to maintain, service and fulfill products and services. When we use a service provider, we prohibit them from using your email address for any other purpose not outlined herein. Keep in mind that if you take advantage of an offer from any third party organization and become their customer, they may independently send offers to you. In this case, you will need to inform them directly if you wish to decline receiving future offers.

If you are an Account holder, we reserve the right to use the email 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, fraud alerts, rewards, rates available for cash and balance transfers, adding an Authorized User, and any online banking services.

With your consent, we may periodically send you marketing offers at the email address(es) you provide, that may be of interest to you. We provide customers with an easy means to decline receiving email offers. Although some customers tell us they appreciate receiving email offers, we recognize the importance of providing you with a choice. At any time, you may request to discontinue receiving email offers from us by contacting us at **1-866-845-0980**, or by clicking on the opt-out link usually located in the footer of the email.

All email offers that you receive from us will inform you of how to decline receiving future email offers.

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

## Children

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

## Internet Security

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

We use 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 website server with which you are communicating. An "s" after the "http" in a website's address indicates that you are attached to a secure server using SSL technology. Additionally, if your browser is Microsoft Internet Explorer 7.0, Firefox 3.0, or Apple Safari 2.0, 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.

## Online Authentication Process

When you submit an application for a credit card or register for a secure online service, the application you complete includes an online authentication process. The online authentication process utilizes a third party information service to confirm your identity. The information that you provide in your application will be compared against the information contained in your consumer credit report for the sole purpose of validating your identity and will not affect your credit rating or credit file. The online authentication process also uses Flash cookies, JavaScript and pixel images to identify the device you are using to access our site. This is used in combination with the consumer credit report comparison to protect both you and us from fraud.

## Use of Cookies

A cookie is a small amount of data that is stored by your web browser when you visit certain websites. Cookies may be used to track the activities of your browser as well as provide you with a consistent, more efficient experience.

We may use cookies for purposes such as:

- to learn:
  - which pages you visit and how you interact with our websites; and
  - which websites, advertisements, and keywords used for searches brought you to our websites.

- to remember your language preference and automatically input your account number or Connect ID if you choose this option on our login screen;
- to assist us in authenticating you and your computer, administer our secure websites and for fraud prevention or investigation purposes;
- to reduce the likelihood that any online offer that you have already responded to is not presented again;
- to personalize your experience, including:
  - for the purposes of delivering offers, advertisements and page content tailored to products and services that may be of interest to you based on your browsing of our websites. See the “Managing Your Cookies” section below for information about how to opt-out;
  - if you successfully login to MBNA’s online banking site, we may personalize your experience based on your customer relationship with us. For example, we may display information and offers about products and services that we feel may be relevant to you based on which products and services you hold with us. This personalization may occur even after you have logged out. See the “Managing Your Cookies” section below for information about how to opt-out.
- to contact you occasionally either by telephone, text messaging, or other electronic means and automatic dialing-announcing device, at the numbers you have provided us, or by fax, mail, email, or ATM, and other methods; or all of these methods, with marketing offers that may be of interest to you based on the content you browse on our websites. If you prefer, you may choose not to have us contact you with marketing offers or personalized advertisements based on your online behaviour through one of the methods outlined in this paragraph by calling us at 1-866-845-0980. You can also Opt-Out out of MBNA Commercial Electronic Messages through Options for Electronic Communications;
- to tailor our online advertising that may be delivered to you via third parties (see the “Our Advertising” section below for more information);
- to assist us with application support issues and to aid in fraud investigations; and
- to determine how many people visit our websites and which sections of the websites are visited most frequently. This helps us to understand what type of information is most useful to our website visitors so that we can improve our websites and make it easier for our website visitors to access information.

## Managing Your Cookies

### Personalization on MBNA-branded Websites<sup>1</sup>

– You can opt-out of personalization on these websites using the Manage Cookies, available at the bottom of our websites.

**Essential Cookies** – MBNA uses cookies to make various features available through our websites, and to help ensure the security of your online browsing experience. You cannot opt-out of the use of essential cookies, other than disabling the ability for your browser to accept cookies. If you disable the ability for your browser to accept cookies some of our websites may not function properly or optimally. For example, you will not be able to access any of our secured websites as cookies are used for security as well as for fraud prevention or investigation purposes. If you adjust your browser settings to refuse cookies, you may also still receive some of our generic MBNA-branded ads, but these will not be served to you based on your preferences or the products and services that you hold with us.

## Our Advertising

### Interest-based Ads on Third Party Websites Using Cookies

– MBNA and our digital partners<sup>2</sup> may use cookies for the purposes of delivering tailored MBNA advertising to you on third party websites. If you click on one of our ads on a third party website, cookies may also be used to track the effectiveness of our online advertising and for the purposes of delivering ads that may be relevant to you in the future.

You can opt out of interest-based advertising on search engine ads by clicking on the notification icon found in the ad on the search engine results page. Please note that if you opt-out, you may still see some of our generic MBNA-branded ads, but these will not be served to you based on your inferred interests or web browsing activity on our MBNA-branded websites.

You can also opt-out of having our digital partners use information about your current or future usage of our websites to tailor MBNA advertisements via the Manage Cookies link.

### **Relationship-based Ads on Third Party Websites –**

Depending on your marketing preferences, we may use your contact information for the purposes of enabling the delivery of tailored MBNA ads on third-party websites such as social media or webmail sites with which you have a relationship. To opt-out of receiving such relationship-based ads update your settings on your social media or webmail sites.

## **To Further Protect Your Privacy**

While exploring the services offered through our websites, please be aware that other online retailers, partners, third party Internet sites, and third party services accessible through our websites, have separate privacy and data collection policies and practices, which are independent of and may be different from our policies and practices. We are 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 our website. 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 website indicates your agreement to any such changes.

<sup>1</sup> Our MBNA websites include: [www.mbna.ca](http://www.mbna.ca), [apply.mbna.ca](http://apply.mbna.ca), [service.mbna.ca](http://service.mbna.ca)

This also includes your interaction with our advertisements on third-party websites.

<sup>2</sup> The digital partners we use for interest-based advertising through cookies include: Google, Yahoo, Microsoft, AOL, Facebook, Twitter, Media Experts, Starcom

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**mbna**

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