

# M&T BANK

## CANADIAN PRIVACY POLICY

At M&T Bank, we are committed to safeguarding your personal information and maintaining your privacy. This has always been a priority for us and this is why M&T Bank (“M&T”) and its affiliates (M&T Companies) have policies and procedures in place to ensure that your personal information is protected and used responsibly.

These policies and procedures are detailed here in our Canadian Privacy Policy and apply to personal information provided to us in connection with Canadian accounts. Please take a few moments to review these policies and procedures and keep a copy for your records.

In this policy, we describe:

- The kind of personal information we gather,
- How we use information,
- How information is shared,
- How we protect your information,
- Steps you can take to help protect yourself from being a victim of fraud or identity theft, and
- How to opt out of information sharing

### 1. WHAT INFORMATION WE COLLECT

Your information comes to us from a variety of sources during the course of our relationship with you, as follows:

- You provide much of it when you request information, fill out account opening and other forms, apply for a loan or other service arrangements you make with or through us, sign up for offers or complete surveys.
- Use of your M&T accounts generates information that we maintain, including account balances, payment history and transactions activity.
- Credit reporting agencies, public sources of information (such as government registries and records), references you provide, and other financial institutions may also provide information.
- When you inquire about products or services, we will request information to enable us to address your inquiry, to provide improved service or to make available products and services we believe may interest you.

Information collected about you may include:

- **Information to confirm your identity and to establish and maintain our banking relationship with you** – For example, your name, address, phone number, title, business phone number, email address, date of birth and account numbers;
- **Information related to transactions** relating to your relationship with us and from other financial institutions;
- **Information you provide on an application** for products and services, (e.g., annual income, employer, assets, financial liabilities, transaction history);
- **Information about your financial history** (e.g., payment history and credit worthiness);
- **Information required for reporting to government programs** (e.g., Social Insurance Number for tax purposes);

- **Information pertaining to business clients** (e.g., business name, address, phone number, email address, industry type, financial status and details regarding the owners, operators and directors).

It is always your choice to provide information to us. However, if you decide not to provide certain information, we may not be able to provide you with certain service or products and it may be more difficult for us to suggest appropriate solutions and provide you with information about your options.

In our ongoing effort to improve our service offerings, we may also collect non-personal aggregate information from surveys, public records and Internet sites to help us understand our clients' interests and to manage business risks.

## **2. HOW WE PUT INFORMATION TO USE:**

- To provide you with high quality products and services. For the purposes indicated or permitted in your agreements with us and in connection with the products and services you request from time to time, including maintaining accurate and up to date records and servicing your accounts with us.
- To protect you. We use information to confirm your identity when you contact us, and to safeguard against unauthorized access to your accounts.
- To make your banking more convenient. Information makes it possible for you to bank over the Internet and through other electronic means.
- To make you aware of products and services that may be of value to you. We use information to thoroughly understand your financial situation and determine your eligibility for our products and services and communicate with you about benefits, features and other information regarding services and products you have requested or that may interest you.
- To respond to any needs or inquiries you may have.
- To satisfy regulatory and legal obligations and manage our business, including risks and operations. Please note that we will be required to use your Social Insurance Number to prepare government reporting slips (such as those required under the *Income Tax Act*) for you.
- To communicate with you through various channels including telephone, computer or mail using the contact information you have provided.
- To promote our products and services and those of third parties we select, which we believe you will be interested in, provided that we have your consent.

If your information is required to fulfill different purposes than those for which you originally provided your consent as described above, we will request your consent to use and disclose your information for those different purposes.

## **3. SHARING YOUR INFORMATION**

Under certain circumstances, your personal information may be shared among M&T Companies or disclosed to other third parties.

### M&T Companies

All of the M&T Companies work together to provide you with the highest quality service and effective solutions to your financial needs. To do so, we may share and consolidate information we obtain about you among the M&T Companies to better manage our relationship with you and for those companies to provide information to you about their products or services that we believe may be of interest to you. This gives us the ability to offer you the widest range of financial products and services, and it allows us to make access to them more convenient for you. And, if you have an account with one of our companies and want to open an account with another, the two M&T Companies may share information, saving you time in opening your new account. We may also provide your information to M&T Companies for the purposes of those companies assisting us in servicing your account.

We may use the contact information you provide to communicate with you through various channels, including telephone, computer or mail. However, if you would prefer that we not share your information among the M&T Companies for marketing purposes or if you do not wish to receive special promotional offers, kindly let us know by following the instructions in the You Have Choices section below.

If you choose not to have your information shared for marketing purposes among the M&T Companies, you will not be refused credit or other services for that decision. We will respect your choice and will advise other M&T Companies of your preference. However, if you do not want your information to be shared with those M&T Companies that provide services for your account(s), we may not be able to provide such services to you.

### Access by Employees

Access to your information is restricted to authorized employees who have a legitimate business purpose for accessing it. For example, when you call us, visit a branch, or email us, designated employees will access your information to verify your identity and to help fulfill your requests.

Unauthorized access to and/or disclosure of client information by an employee of M&T is strictly prohibited. All employees are required to maintain the confidentiality of client information at all times and failing to do so will result in appropriate disciplinary measures.

### Outside Service Providers

We may use service providers to perform services on your behalf, including, but not limited to, back office services, systems, check-printing and processing, research, marketing, mail distribution or data processing. Our service providers may be responsible for processing and handling personal information and are provided only the information necessary to perform the services. In addition, they are required to protect the information in a manner that is consistent with applicable law. In the event a service provider is located in a jurisdiction foreign to Canada, it is bound by the laws of the jurisdiction in which it is located and may disclose personal information in accordance with those laws.

### Other Third Parties

We are committed to keeping your personal information confidential and will share your information with other third parties as indicated or permitted under your account agreements and under the following special circumstances: (a) as required or permitted by applicable law in order to comply with valid and authorized information requests from domestic and international authorities, subpoenas, warrants or court orders; (b) as permitted by applicable law in an effort to help prevent fraud; and (c) as may be related to the investigation of a breach of an agreement or a contravention of the laws of Canada or a province.

## **4. HOW WE PROTECT YOUR INFORMATION**

At M&T, we understand how important it is to protect your personal and financial information. That's why we have in place organizational, physical, electronic and procedural safeguards. Within M&T, we educate our

employees about the importance of confidentiality and privacy, and we train them in related policies and procedures. We also take appropriate disciplinary measures whenever necessary to enforce these rules. Due to the unique nature of Internet transactions, M&T has additional safeguards and procedures in place to protect your personal and financial information that you submit to M&T's website on the Internet.

#### Online Privacy:

M&T and its service providers may use online data collection methods to improve functionality and security, to assess the effectiveness of websites and marketing campaigns, or to provide visitors with a customized online experience.

To Improve Functionality - Websites used in connection with your products and services may use cookies to monitor and improve operations and functionality. These cookies do not contain personal or financial information. They gather statistical data such as the average time spent on a particular page. This kind of information provides insight on how to improve the design, content and navigation of a website.

To Provide Security - M&T and its service providers may use a variety of techniques to help protect your accounts from unauthorized access. This can include an encrypted persistent cookie containing information to help us verify your identity and to block unauthorized attempts to access your accounts.

To Assess Website and Campaign Effectiveness - M&T or its agents may use persistent cookies and electronic images (Web Beacons) on certain websites and in email communications, to analyze the effectiveness of the websites and marketing campaigns. Web Beacons are used to compile aggregated statistics about Website usage patterns, like how many times a link or area on a Webpage is clicked. We may also use the anonymous information that is captured automatically in logs by Web servers to evaluate the performance of websites. M&T or its agents may also use cookies and Web Beacons in association with the advertisements for products and services that appear on [www.mtb.com](http://www.mtb.com), on other company websites or in email communications. This enables us and our agents to assess responses marketing campaigns. The information collected in these ways is non-personal and is not used in connection with information that could identify you personally.

Site Personalization - Some websites use cookies as a means of offering visitors a personalized experience. For example, some of the online tools and calculators available on websites used in connection with your accounts may use persistent cookies in order to provide users with the option to save their information for a future visit.

Declining Cookies - It is possible to browse websites even if you decline cookies. However, if you choose not to accept cookies, some websites may not function properly or optimally and you will not be able to access certain secured sites. Cookies are widely used and most web browsers are configured to accept cookies automatically. If you prefer not to accept cookies, you may adjust your browser settings to notify you when a cookie is about to be sent, or you may configure your browser to refuse cookies automatically. If you would like to learn more about your cookie options, please refer to your browser's documentation or online help for instructions.

Website Terms – Your use of a website operated by M&T or its service providers constitutes your agreement to the terms and conditions of that website.

#### Accessing Your Account Online

We may provide online access to your account through a website operated by a third party financial services provider. If you choose to use the online access method for your account please be aware that the collection, use, retention and disclosure of your online banking information and any other personal information that you submit to the online banking website will be subject to the privacy policies of such third party financial services provider

and this privacy policy. In the event of an inconsistency between our privacy policy and that of the third party financial services provider, the policy of the third party financial services provider shall govern. Please review the privacy policy of our third party financial services provider carefully before accessing your account online.

#### Online Security

We strive to maintain the highest possible standards for online security. We and our service providers use online controls such as the following:

- Robust and multi-layered security of servers and applications.
- Multiple layers of internal and external firewalls which protect our online environments.
- Regular reviews of our security practices and technology updates.
- Regular reviews to ensure our security and privacy policies and standards reflect our industry leading position.
- Use of Secure Socket Layer (SSL) 128-bit encryption to protect the information you send or receive from our secure sites.
- Use of encrypted password log-ons to secure websites to help safeguard against unauthorized access to your accounts.
- Automatic session terminations when extended inactivity is detected to help to protect your accounts if you are called away from your computer

### **5. STEPS YOU SHOULD TAKE TO HELP PROTECT AGAINST FRAUD**

Because we value your trust, we have implemented the policies and procedures described here to help safeguard your accounts and your personal and financial information. But there are also a few simple steps that you can take to protect yourself:

- Never disclose personal information, such as your Social Insurance Number, credit card number, bank account number or personal identification number to anyone who should not have access to your accounts.
- Report lost or stolen checks or bank cards immediately.
- Memorize any personal identification numbers and passwords –don't carry them in your wallet.
- Review monthly financial statements promptly and report any discrepancies.
- Retain all receipts from ATM, debit and credit card transactions. When you're ready to dispose of them, make sure your account number is not readable.
- Be sure to sign new bank cards immediately.
- Report unusual telephone inquiries or other suspicious activity to your telephone company or law enforcement authorities.
- If you believe you have been a victim of fraud related to your M&T accounts, notify us immediately, so that we can take action to help you. You should also report the crime to law enforcement agencies.

You should also keep in mind the following considerations to help ensure that you communicate with us securely:

- Email: Unencrypted email is not secure. We recommend that where possible, you use the secure email function (e.g. our service provider's message center) provided within some of our online services to

communicate with us. Please call or visit us to find out about options for secure communications with us. At no time should you include personal or confidential information in an unencrypted email.

To help customers recognize fraudulent email and websites, pretending to represent a legitimate company, **M&T will never ask you to provide personal, login or account information through unsolicited email.** Should you receive an email requesting this type of information, do not respond. Report it to us promptly.

- **Telephone:** If you receive an unsolicited call that claims to be from M&T, requesting account or other personal information, do not respond. Instead, discontinue the call and independently verify the phone number. Only call back after you have confirmed that it is a legitimate M&T phone number. M&T may engage in promotional campaigns via telephone, mail and email. If you are ever unsure of any of the information you receive from us, do not respond but contact us.

## 6. ACCESS

You have the right to access at any time any personal information that the M&T Companies hold about you. However, in certain circumstances, such as, for example, in the case in which access would reveal confidential information about a third party, or if the information is legally privileged, applicable law may permit us to deny access or to provide you with only partial information. You also have the right to correct any of your personal information held by us that you demonstrate is inaccurate.

All requests for access must be made in writing to the attention of your M&T representative or to M&T Canadian Banking Service Representative:

1 Fountain Plaza  
M&T Center 12<sup>th</sup> Floor  
Buffalo, New York 14203

We reserve the right to make a nominal administrative charge for any copying that is required to comply with your request.

## 7. UPDATING M&T BANK'S CANADIAN PRIVACY POLICY

This Canadian Privacy Policy is to be read together with and form part of the legal terms and agreements relating to your accounts. We may add, modify or remove portions of this policy when it is required or appropriate to do so and will provide notice by mail or by posting notice on a website used in connection with your accounts. You agree to review this policy regularly and your continued use of your accounts will mean that you agree to any changes of which you are notified.

## 8. YOU HAVE CHOICES

You are always in control of your personal information. If you do not wish to receive promotional materials from us or you do not want your personal information shared with other M&T companies for marketing purposes or if you simply want to ask questions and learn more about our privacy policies and how they relate to you, please contact your M&T representative or call 1-800-790-0684.