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BANK OF AMERICA GLOBAL CARD ACCESS WEBSITE AND MOBILE APPLICATION –

PRIVACY NOTICE - CANADA

GLOBAL CARD ACCESS PLATFORM

Your privacy is important to us. This Global Card Access Website and Mobile Application Privacy Notice (“**Notice**” or “**Privacy Notice**”) describes how Bank of America collects, uses and discloses personal information (as defined below) in connection with your use of the Global Card Access website or mobile application “**App**”, collectively, along with the Global Card Access website, the “**Platform**”) by residents of Canada.

“**Bank of America**”, “**Bank**”, “**we**”, “**our**” or “**us**” means with respect to cards issued in Canada, Bank of America, National Association acting through its Canada Branch.

“**Card Agreement**” means a Card Services Agreement, or Commercial Card agreement, in either case, entered into by Client with the Bank.

“**Client**” means the corporate client that has entered into a Card Agreement with the Bank.

“**Network**” means, collectively, the Platform, the Services and the Proprietary Materials (as defined in the Terms and Conditions).

“**Personal information**” means any information about an identifiable individual, including any information that, alone or in combination with other information, could be used to identify an individual. It does not include de-identified or aggregate information.

“**Using**” or “**Use**” means accessing, viewing, obtaining information from, and otherwise using (or attempting to do any of the foregoing) the Network (or any part thereof), or interacting in any way with Bank or any affiliated entities with respect to the Network.

The Platform provides individuals who are authorized by a Client, usually their employer, to access banking services linked to the Client’s Card Account (the “**Services**”). The Platform is not designed to be used in connection with financial products or services that are used primarily for personal, family, or household purposes.

By using the Platform, you agree to the applicable Terms and Conditions and the terms of this Privacy Notice.

COLLECTION OF PERSONAL INFORMATION

We obtain Personal Information about you when you use the Platform, from our Clients when they authorize you to use the Platform in connection with their account, and through the automatic collection of information when you interact with the Platform, including through the use of cookies and similar tracking technologies (see our [Cookies and Tracking Technologies Guide](#) for details. Please note, however, that we do not use Targeting or Advertising Cookies in relation to the Platform.).

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We collect the following categories of personal information from you in connection with the Platform:

- **Contact information**, such as your name;
- **Identifiers and Platform access authorization information** such as your username and password, and passcode and security questions and answers for authentication purposes, and employer identifiers;
- **Information from your devices (e.g., tablet, smartphone, other mobile device)**, such as unique device identifiers (including Internet Protocol (IP) addresses), Platform version, device manufacturer and model, hardware and software attributes, how you use and interact with the Platform, content viewed by you on the Platform, and time of viewing; and
- **Inferences** drawn from your use of the Platform, including patterns of usage-server logs, and similar online tracking mechanisms
 - If enabled through your device, diagnostic information, for example when the Platform stops functioning or operates improperly; and
 - Settings or preference choices you make for the Platform.

USE OF PERSONAL INFORMATION

We will use Personal Information collected from and about you in connection with the Platform generally for the purpose of providing the Service and to administer and operate our business, including for the following purposes:

- **Delivering products and services** including by verifying your identity when you access the Platform;
- **Personalizing your mobile experience** by enhancing the Platform organization and design, tailoring and delivering appropriate content to you, and creating relevant alerts, products or services;
- **Detecting and preventing fraud**, identity theft and addressing other risks to you, us, our Clients and other third parties;
- **Performing analytics** concerning your use of the Platform and online services, including to improve our products and services; and
- **Complying with and enforcing applicable legal requirements**, relevant industry standards, contractual obligations and our policies.

We may use the credential that you supply via the Platform to authenticate you to the Network that the Platform makes accessible to you on your mobile device. By authenticating you, and using your settings and preferences, we may be able to tailor and deliver appropriate content to you. The Platform serves as an online portal to other Bank services or content which you are authorized to access or receive, as an authorized representative of a non-consumer professional client.

TRANSFERS OF PERSONAL INFORMATION

We may provide Personal Information collected in connection with the Platform to the following categories of entities, to the extent necessary to perform the functions or fulfil the obligations listed:

- **Affiliates and subsidiaries of the Bank** to assist us in providing the Platform or Services, or in operating our business generally;

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- **Service providers and vendors** who provide services such as application hosting, data analysis, information technology and related infrastructure provisioning, technical support and related services, customer service, email or text delivery, auditing, marketing or marketing research activities. Such service providers receive only the Personal Information required to provide the services for which they are engaged, and are contractually bound to us the information solely for that purpose. They are further required to keep the information confidential and protect it using appropriate security safeguards; and
- **Bank Clients whose Card Accounts are linked to your Platform account**, such as your employer, and other third parties as directed by that Client (e.g., your employer).

We may also use and disclose the information we collect through the Platform as we believe to be necessary or appropriate, as required or permitted by law:

(a) to comply with applicable law including treaties or agreements with or between foreign or domestic governments (including in relation to tax reporting laws), which may include laws outside the country you are located in, to respond to requests from public and government authorities, which may include authorities outside your country, to cooperate with law enforcement, governmental, regulatory, securities exchange or other similar agencies or authorities including tax authorities to which we or our affiliates are subject or submit, in each case of any country worldwide, or for other legal reasons, who may transfer your Personal Information to equivalent agencies or authorities in other countries;

(b) to central banks, regulators, trade data repositories, or approved reporting mechanisms which may be outside your country;

(c) to courts, litigation counterparties and others, pursuant to subpoena or other court order or process or otherwise as reasonably necessary, including in the context of litigation, arbitration and similar proceedings to enforce our terms and conditions, and as reasonably necessary to prepare for or conduct any litigation, arbitration and/or similar proceedings; and

(d) to protect our rights, privacy, safety or property, and/or that of our affiliates, you or others.

In addition, we may use, disclose or transfer your Personal Information collected through the Platform to a third party (i) in the event of any reorganization, merger, sale, joint venture, assignment, transfer or other disposition of all or any portion of our business, assets or stock (including in connection with any bankruptcy or similar proceedings) and/or (ii) to third parties, as requested by clients or their representatives.

Personal Information collected under this Notice is not otherwise shared with third parties for any purposes unrelated to providing the Services or operating our business generally.

SECURITY

We maintain appropriate technical and organizational measures designed to protect against unauthorized or unlawful processing of Personal Information and/or against accidental loss, alteration, disclosure or accidental or unlawful destruction or damage to Personal Information.

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MINORS' INFORMATION

We also recognize the importance of protecting privacy where children are involved. The Platform is not directed to individuals under the age of 13, and we request that these individuals do not provide Personal Information through the Platform. We do not knowingly collect Personal Information from children under 13.

ACCESS TO YOUR PERSONAL INFORMATION

Upon request, you may access the Personal Information that we hold about you, except as provided by law. You may also request that we correct any Personal Information that you feel is inaccurate or incomplete. You generally have the right to withdraw your consent to any further collection, use or disclosure of any elements of your Personal Information, subject to legal and contractual requirements; however, such a withdrawal may reduce your ability to receive, or take full advantage of the Services.

You may request access to your Personal Information by contacting us in writing, using the address provided below under "Contacting Us". Note that, in an effort to prevent fraudulent or unauthorized requests for access, we may request identification for authentication purposes.

Do Not Track

"Do Not Track" signals are options available on your browser to tell operators of websites that you do not wish to have your online activity tracked over time and across third-party websites or online services. The Platform and our websites do not respond to them.

INTERNATIONAL DATA PROTECTION

Given the global nature of Bank's Services, we may transfer your Personal Information to countries located outside your home province or outside of Canada. In such cases, your Personal Information will be subject to the laws of the jurisdictions in which it is stored or processed. Such laws may not provide an equivalent level of data protection to the laws in your home jurisdiction. With regard to such transfers, we have put in place adequate measures, including contractual requirements, to help ensure the appropriate handling and safeguarding of your information.

OTHER BANK ONLINE INTERFACES

The Bank provides other online interfaces. If you visit or access accounts from one of those sites or mobile apps, please review the online privacy practices of that site or mobile app to understand how your online Personal Information may be collected, used and shared.

UPDATES TO THIS PRIVACY NOTICE

We may change this Privacy Notice from time to time. The "LAST UPDATED" legend at the top of the Privacy Notice indicates when the Privacy Notice, was last revised. Any changes will become effective as updated on the Platform. Use of the Services through the Platform, following these changes (or your continued provision of Personal Information to us) signifies acceptance of the revised Privacy Notice.

ACCESSIBILITY

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We are committed to ensuring that our communications are accessible to people with disabilities. To make accessibility-related requests or report barriers, please contact us at 800-300-3084 or CardDigitalServices@bofa.com.

CONTACTING US

The Bank entity that provides the Services, as per the “Terms and Conditions” as provided in the Platform is the entity responsible for collection, use and disclosure of your Personal Information under this Privacy Notice.

You may contact us at 800-300-3084, CardDigitalServices@bofa.com, or Bank of America, National Association, Canada Branch: Brookfield Place, 181 Bay Street, Suite 400, Toronto, ON M5J2V8, Attn: Canada Privacy Compliance if:

- you have any questions, concerns or complaints regarding our Privacy Notice or our policies or practices for handling your Personal Information;
- you would like further information respecting our policies and practices with respect to our use of service providers outside of Canada;
- you would like to request access or correction, or withdraw consent to the use of your Personal Information; and
- you need to get in touch with us about anything concerning the Platform.

If you withdraw your consent to the use of your Personal Information, we may not be able to provide you with some or all of the Services.

To help us to manage your query, please include your full name and the name of the Bank entity you understand is processing your Personal Information and/or any reference number that was made available by a Bank entity to you.

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