



WELLS FARGO FINANCIAL CORPORATION CANADA **GROUP MEMBERS CODE FOR THE PROTECTION OF** **PERSONAL INFORMATION**

The privacy code set out below is a reflection of the Wells Fargo Financial Corporation Canada, Wells Fargo Retail Services Company Canada, Wells Fargo Financial Acceptance and Wells Fargo Financial Corporation (collectively herein identified as “Wells Fargo Financial Canada Group Members”) commitment to the protection of your personal information. This Privacy Code establishes guidelines for the protection of private personal information of customers throughout Canada. The guidelines are based upon ten inter-connected principles that are summarized below.

PRINCIPLE 1

Accountability

Wells Fargo Financial Canada Group Members are accountable for all personal information under their control and for any personal information they may provide to third parties for processing. All Wells Fargo Financial Canada Group Members will establish policies and procedures to ensure compliance with this privacy code and will designate senior individuals to be responsible for monitoring and ensuring adherence to the code.

- ❖ The senior management of the Wells Fargo Financial Canada Group Members have ultimate accountability for protecting our customers' personal information. Senior management may, however, delegate to one or more individuals the responsibility for ensuring that all Wells Fargo Financial Canada Group Members are adhering to the code.
- ❖ Wells Fargo Financial Canada Group Members will inform their employees and, upon request, inform their customers of the person or persons who are responsible for the day-to-day procedures of privacy compliance.
- ❖ Wells Fargo Financial Canada Group Members will establish procedures to safeguard the privacy of personal information and to receive and respond to customers' questions and complaints.
- ❖ Wells Fargo Financial Canada Group Members are not only responsible for personal information in their possession or custody but also for that personal information that has been transferred to a third party for processing. If personal information is transferred to a third party, Wells Fargo Financial Canada Group Members will endeavour to safeguard this personal information by means of a contractual agreement with that third party.

PRINCIPLE 2

Identifying the Purposes of Personal Information

Wells Fargo Financial Canada Group Members will identify the purposes for which the personal information they collect is required, either prior to or at the time the customer provides it to a Wells Fargo Financial Canada Group Member.

- ❖ Wells Fargo Financial Canada Group Members will ensure customers applying for a product or service are made aware of the reason a Wells Fargo Financial Canada Group Member requires the personal information.

- ❖ Wells Fargo Financial Canada Group Members will only collect personal information:
 - To establish, maintain and administer accounts;
 - To determine eligibility for products, goods and services offered by Wells Fargo Financial Canada Group Members and selected service providers;
 - To evaluate an applicant's credit worthiness;
 - To determine the suitability of account benefits, services or enhancements, and/or which other product or service offers may be of interest to customers;
 - To promote and market (including by means of direct marketing) additional products, goods and services offered by Wells Fargo Financial Canada Group Members and selected service providers,
 - To comply with legal and regulatory requirements; and
 - For other purposes not prohibited by law.

PRINCIPLE 3

Obtaining the Customer's Consent

Wells Fargo Financial Canada Group Members will obtain the consent of its customers prior to or at the time it collects, uses or discloses personal information. Wells Fargo Financial Canada Group Members may, however, collect, use or disclose personal information without the knowledge or consent of the customer if legal, security or specific processing reasons make it impossible or impractical to obtain this consent.

- ❖ Wells Fargo Financial Canada Group Members will make every reasonable effort to ensure customers understand the reason personal information is being obtained. In the normal course, Wells Fargo Financial Canada Group Members will seek to obtain the consent of the customer to use and disclose personal information at the time they collect such information.

- ❖ On occasion, however, Wells Fargo Financial Canada Group Members may seek to obtain consent to use and disclose personal information after it has been collected, such as when it

wishes to use the information for a purpose for which the customer has not previously consented.

- ❖ Customers can express consent orally, in writing or electronically. While the preference is to obtain express consent, nevertheless, consent can be implied through action or inaction. In addition, consent may be validly given by authorized agents of the customer.
- ❖ Customers may withdraw their consent upon reasonable notice and subject to legal or contractual restrictions, unless the consent relates to a credit product or service where Wells Fargo Financial Canada Group Members have an obligation to collect and report information after the credit has been granted. Wells Fargo Financial Canada Group Members will inform their customers of the consequences of the withdrawal of any such consent. During the term of any loan, guarantee, credit card or other credit facility you have with (a) Wells Fargo Financial Canada Group Member(s) you may not withdraw your consent to our ongoing collection, use or disclosure of your personal information. In addition, in order to maintain the integrity of the credit reporting system, you may not withdraw your consent to the ongoing disclosure to credit bureaus of your personal information either during the term of the credit facility or after it has been retired.
- ❖ Wells Fargo Financial Canada Group Members will not, as a condition of the supply of a product or service, require a customer to consent to the collection, use or disclosure of information unless the consent is necessary for the fulfilment of the specified purposes.
- ❖ Wells Fargo Financial Canada Group Members may collect, use or disclose personal information without the knowledge or consent of the customer if it is necessary to detect or prevent fraud, to collect overdue accounts or, to comply with the law. Wells Fargo Financial Canada Group Members will not seek the consent of customers in respect of personal information given to agents of Wells Fargo Financial Canada Group Members when that information is required to carry out ancillary financial functions such as data processing or the printing of credit cards.
- ❖ Wells Fargo Financial Canada Group Members will assume that the appropriate consents have been obtained by another organization when that other organization provides personal information such as customer lists to Wells Fargo Financial Canada Group Members.

PRINCIPLE 4

Information Collection

Wells Fargo Financial Canada Group Members limit the amount and type of personal information it collects. Moreover, personal information shall be collected only by fair and lawful methods.

- ❖ Wells Fargo Financial Canada Group Members will limit the amount and type of information collected to that which is reasonably necessary to fulfil the purposes identified to the customer.
- ❖ Wells Fargo Financial Canada Group Members primarily collect personal information from their customers themselves; however, they may also obtain information from external sources such as credit bureaus, employers and other lenders.

PRINCIPLE 5

Limiting Use, Disclosure and Retention

Wells Fargo Financial Canada Group Members will only use or disclose personal information for the reasons for which it was collected, except either with the consent of the individual customer or as is required by law. Personal information will be retained by Wells Fargo Financial Canada Group Members no longer than is necessary for the fulfilment of the identified purposes.

- ❖ Wells Fargo Financial Canada Group Members may disclose personal information without consent when it is required to do so by law such as when they are served with a subpoena, a search warrant, a court order, a government or statutory order or a demand from some other party such as a Sheriff or a Bankruptcy Trustee who has a legal right to the personal information.
- ❖ Wells Fargo Financial Canada Group Members will obtain the consent of their customer before using personal information for the purpose of marketing products and services.
- ❖ Personal information is retained for as long as customers are doing business with Wells Fargo Financial Canada Group Members and for up to 7 years after they cease to be customers of Wells Fargo Financial Canada Group Members, or as otherwise may be required by law.
- ❖ Any personal information no longer required to be retained, either for its identified purposes or because of a legal requirement, will be destroyed, erased or rendered anonymous.

PRINCIPLE 6

Ensuring Accuracy

Wells Fargo Financial Canada Group Members will make every reasonable effort to ensure that personal information obtained from or about customers is as accurate, complete and up-to-date as is necessary for the purposes for which it is to be used. Inaccurate or incomplete personal information will be corrected as soon as is practicable on Wells Fargo Financial Canada Group Members being informed of the error.

- ❖ Wells Fargo Financial Canada Group Members will make all reasonable efforts to minimize the possibility of using inaccurate, incomplete or outdated personal information in order to make a decision about the customer.
- ❖ Customers may challenge, in writing, the accuracy and completeness of their personal information and request that it be amended as appropriate. During the term of any loan, guarantee, credit card or other credit facility you have with (a) Wells Fargo Financial Canada Group Member(s) you may not withdraw your consent to our ongoing collection, use or disclosure of your personal information. In addition, in order to maintain the integrity of the credit reporting system, you may not withdraw your consent to the ongoing disclosure to credit bureaus of your personal information either during the term of the credit facility or after it has been retired.
- ❖ Wells Fargo Financial Canada Group Members will update personal information when it is necessary for the purposes for which the information was collected. Wells Fargo Financial Canada Group Members relies on its customers to keep personal information accurate, complete and up to date. If a Wells Fargo Financial Canada Group Member becomes aware that personal information is inaccurate, incomplete or out of date it will revise the personal information and, if necessary, use its best efforts to inform third parties which were provided with inaccurate information so that those third parties may also correct their records.

PRINCIPLE 7

Protecting Personal Information

Wells Fargo Financial Canada Group Members will safeguard personal information by means of security measures appropriate to the sensitivity of the personal information.

- ❖ Wells Fargo Financial Canada Group Members will protect personal information from loss or theft and from unauthorized access, disclosure, duplication, use or amendment regardless of the format in which it is held. The nature of the safeguards will vary depending on the sensitivity of the information as well as the amount, distribution, format and method of storage of the personal information.

Methods of protection of personal information provided by Wells Fargo Financial Canada Group Members will include:

- a) Physical measures, for example, locked filing cabinets and restricted access to offices;

- b) Organizational measures, for example, security clearances and limiting access on a "need-to-know" basis; and
 - c) technological measures, for example, the use of passwords and encryption.
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- ❖ Wells Fargo Financial Canada Group Members will stress to their employees the importance of maintaining the confidentiality of personal information.
 - ❖ Wells Fargo Financial Canada Group Members will take all reasonable care in the disposal or destruction of personal information in order to prevent unauthorized parties from gaining access to the information.
 - ❖ Wells Fargo Financial Canada Group Members may disclose personal information to third party service providers for collection, credit card printing, data processing services, or for other goods and services provided or offered to customers. Wells Fargo Financial Canada Group Members will take reasonable measures to ensure that any third party to which personal information has been disclosed has security safeguards in place appropriate to the sensitivity of the information.

PRINCIPLE 8

Openness

Wells Fargo Financial Canada Group Members will provide customers with access to information about Wells Fargo Financial Canada Group Members' personal information policies and procedures.

- ❖ Wells Fargo Financial Canada Group Members shall make information about its policies and practices relating to the management of personal information readily available and in easily understandable format.

PRINCIPLE 9

Customer Access to Personal Information

Upon written request, Wells Fargo Financial Canada Group Members will inform customers of the existence, use and disclosure of their personal information. If Wells Fargo Financial Canada Group Members cannot provide access to all of a customer's personal information that they hold, they will explain the reason why the access cannot be given unless prohibited from so doing by law.

- ❖ Every customer of Wells Fargo Financial Canada Group Members has the right, upon request, to know what personal information Wells Fargo Financial Canada Group Members have collected. Customers may be required to provide sufficient information to permit Wells Fargo Financial Canada Group Members to provide an account of the existence, use, and disclosure or personal information. The information so provided shall only be used for this purpose.
- ❖ If a Wells Fargo Financial Canada Group Member can't provide a list of the third parties which have received personal information about a customer of the Wells Fargo Financial Canada Group Members, the Wells Fargo Financial Canada Group Members will provide a list of organizations that may have received such information.
- ❖ Wells Fargo Financial Canada Group Members will provide information from their records to the customer in a form that is easy to understand, and will also provide explanations for any abbreviations or codes used. Wells Fargo Financial Canada Group Members will provide the personal information to the customer at a reasonable cost and within a reasonable time of the request.
- ❖ In certain situations, Wells Fargo Financial Canada Group Members may not be able to provide access to all the personal information they hold by the customer. The reasons for denying access may include information that is prohibitively expensive to provide, information that contains references to other individuals, information that cannot be disclosed for legal, security, or commercial proprietary reasons, and information that is subject to solicitor-client or litigation privilege.
- ❖ If Wells Fargo Financial Canada Group Members deny a customer's request for access to personal information, Wells Fargo Financial Canada Group Members will tell the customer the reason for the denial and inform the customer of any recourse the customer may then have.

PRINCIPLE 10

Challenge Compliance

Customers shall be able to challenge Wells Fargo Financial Canada Group Members' compliance with their privacy code. Wells Fargo Financial Canada Group Members will have policies and procedures to receive, investigate and respond to any complaints and questions directed at Wells Fargo Financial Canada Group Members by customers.

- ❖ Question or concerns about personal information held by Wells Fargo Financial Canada Group Members or about compliance with Wells Fargo Financial Canada Group Members' Code for the Protection of Personal Information should be directed to the branch or office with which the customer normally deals. If necessary, the branch or office may direct the customer to head office personnel. Any customer who believes Wells Fargo Financial Canada Group Members have failed to adhere to their privacy code is entitled to contact the person set out herein under principle 1. The individual responsible will investigate all complaints, and if a complaint is

found to be justified, Wells Fargo Financial Canada Group Members will take all reasonable steps to attempt to resolve it.

- ❖ If customers are dissatisfied with the manner that Wells Fargo Financial Canada Group Members have responded to their complaint, they can contact the Federal Privacy Commissioner, 112 Kent Street, Ottawa, Ontario K1A 1H3
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