**Section 4002.60 Information to be Included in Privacy Notices**

a) The initial, annual and revised privacy notices that a licensee provides under Sections 4002.40, 4002.50 and 4002.80 of this Part shall include each of the following items of information, in addition to any other information the licensee wishes to provide, that applies to the licensee and to the consumers to whom the licensee sends its privacy notice:

1) The categories of nonpublic personal financial information that the licensee collects, which may include, but are not limited to, the following:

A) Information from the consumer;

B) Information about the consumer's transactions with the licensee or its affiliates;

C) Information about the consumer's transactions from nonaffiliated third parties; and

D) Information from a consumer reporting agency.

2) The categories of nonpublic personal financial information that the licensee discloses, which may include, but are not limited to, the following:

A) Information from the consumer, including application information, such as assets and income and identifying information, name, address and social security number;

B) Transaction information, such as information about balances, payment history and parties to the transaction; and

C) Information from consumer reports, such as a consumer's creditworthiness and credit history.

3) The categories of affiliates and nonaffiliated third parties to whom the licensee discloses nonpublic personal financial information, other than those parties to whom the licensee discloses information under Sections 4002.140 and 4002.150 of this Part. A licensee may satisfy this subsection (a)(3) by categorizing by the types of businesses in which they engage, if the licensee uses a few illustrative examples of significant lines of business such as the term financial products or services and if it includes appropriate examples of significant lines of businesses, such as life insurer, automobile insurer, consumer banking or securities brokerage.

4) The categories of nonpublic personal financial information about the licensee's former customers that the licensee discloses and the categories of affiliates and nonaffiliated third parties to whom the licensee discloses nonpublic personal financial information about the licensee's former customers, other than those parties to whom the licensee discloses information under Sections 4002.140 and 4002.150 of this Part;

5) If a licensee discloses nonpublic personal financial information to a nonaffiliated third party under Section 4002.130 of this Part (and no other exception in Sections 4002.140 and 4002.150 of this Part applies to that disclosure), a separate description of the categories of information the licensee discloses and the categories of third parties with whom the licensee has contracted;

6) An explanation of the consumer's right under Section 4002.100(a) of this Part to opt out of the disclosure of nonpublic personal financial information to nonaffiliated third parties, including the methods by which the consumer may exercise that right at that time;

7) Any disclosures that the licensee makes under Section 603(d)(2)(A)(iii) of the federal Fair Credit Reporting Act (15 USC 1681a(d)(2)(A)(iii)) (that is, notices regarding the ability to opt out of disclosures of information among affiliates);

8) The licensee's policies and practices with respect to protecting the confidentiality and security of nonpublic personal information; and

9) Any disclosure that the licensee makes under subsection (b) of this Section.

b) Description of parties subject to exceptions. If a licensee discloses nonpublic personal financial information as authorized under Sections 4002.140 and 4002.150 of this Part, the licensee is not required to list those exceptions in the initial or annual privacy notices required by Sections 4002.40 and 4002.50 of this Part. When describing the categories of parties to whom disclosure is made, the licensee is required to state only that it makes disclosures to other affiliated or nonaffiliated third parties, as applicable, as permitted by law.

c) A licensee does not adequately categorize the information that it discloses pursuant to subsection (a)(2) of this Section if the licensee uses only general terms, such as transaction information about the consumer.

d) If a licensee reserves the right to disclose all of the nonpublic personal financial information about consumers that it collects, the licensee may simply state that fact without describing the categories or examples of nonpublic personal information that the licensee discloses.

e) Disclosures under exception for service providers and joint marketers. If a licensee discloses nonpublic personal financial information under the exception in Section 4002.130 of this Part to a nonaffiliated third party to market products or services that it offers alone or jointly with another financial institution, the licensee satisfies the disclosure requirement of subsection (a)(5) of this Section if it:

1) Lists the categories of nonpublic personal financial information it discloses, using the same categories and examples the licensee used to meet the requirements of subsection (a)(2) of this Section, as applicable; and

2) States whether the third party is:

A) A service provider that performs marketing services on the licensee's behalf or on behalf of the licensee and another financial institution; or

B) A financial institution with whom the licensee has a joint marketing agreement.

f) Simplified notices. If a licensee does not disclose, and does not wish to reserve the right to disclose, nonpublic personal financial information about customers or former customers to affiliates or nonaffiliated third parties except as authorized under Sections 4002.140 and 4002.150 of this Part, the licensee may simply state that fact, in addition to the information it shall provide under subsections (a)(1), (a)(8), (a)(9), and (b) of this Section.

g) Confidentiality and security. A licensee describes its policies and practices with respect to protecting the confidentiality and security of nonpublic personal financial information if it does both of the following:

1) Describes in general terms who is authorized to have access to the information; and

2) States whether the licensee has security practices and procedures in place to ensure the confidentiality of the information in accordance with the licensee's policy. The licensee is not required to describe technical information about the safeguards it uses.

h) Short-form initial notice with opt out notice for non-customers.

1) A licensee may satisfy the initial notice requirements in Sections 4002.40(a)(2) and 4002.70(e) of this Part for a consumer who is not a customer by providing a short-form initial notice at the same time as the licensee delivers an opt out notice as required in Section 4002.70 of this Part.

2) A short-form initial notice shall:

A) Be clear and conspicuous;

B) State that the licensee's privacy notice is available upon request; and

C) Explain a reasonable means by which the consumer may obtain that notice.

3) The licensee shall deliver its short-form initial notice according to Section 4002.90 of this Part. The licensee is not required to deliver its privacy notice with its short-form initial notice. The licensee instead may simply provide the consumer a reasonable means to obtain its privacy notice, which may include, but is not limited to, a toll-free telephone number that the consumer may call to request the notice or for a consumer who conducts business in person at the licensee's office, maintain copies of the notice on hand that the licensee provides to the consumer immediately upon request. If a consumer who receives the licensee's short-form notice requests the licensee's privacy notice, the licensee shall deliver its privacy notice according to Section 4002.90 of this Part.

i) Future disclosures. The licensee's notice may include:

1) Categories of nonpublic personal financial information that the licensee reserves the right to disclose in the future, but does not currently disclose; and

2) Categories of affiliates or nonaffiliated third parties to whom the licensee reserves the right in the future to disclose, but to whom the licensee does not currently disclose, nonpublic personal financial information.

j) Sample clauses. Sample clauses illustrating some of the notice content required by this Section are included in Illustration A of this Part.

k) Affiliated licensee. Such annual notice may be provided by an affiliated licensee, as long as the notice clearly identifies all licensees to which the notice applies or states that it applies to all affiliates of the named licensee, and is accurate with respect to the licensee and other institutions and would otherwise meet the requirements of this Part.