**Section 4002.90 Delivery of Notices**

a) How to provide notices. A licensee shall provide any notices that this Part requires so that each consumer can reasonably be expected to receive actual notice in writing or, if the consumer agrees, electronically.

1) A licensee may reasonably expect that a consumer will receive actual notice if the licensee provides notice by one of, but not limited to, the following methods:

A) Hand-delivers a printed copy of the notice to the consumer;

B) Mails a printed copy of the notice to the last known address of the consumer separately, or in a policy, billing or other written communication;

C) For a consumer who conducts transactions electronically, posts the notice on the electronic site and requires the consumer to acknowledge receipt of the notice as a necessary step to obtaining a particular insurance product or service;

D) For an isolated transaction with a consumer, such as the licensee providing an insurance quote or selling the consumer travel insurance, posts the notice and requires the consumer to acknowledge receipt of the notice as a necessary step to obtaining the particular insurance product or service; or

E) By electronic mail or posting, if the consumer agrees to receive notice by electronic means and the consumer acknowledges receipt of the notice.

2) A licensee may not, however, reasonably expect that a consumer will receive actual notice of its privacy policies and practices if it, among other methods, provides notice by:

A) Only posting a sign in its office or generally publishes advertisements of its privacy policies and practices; or

B) Sending the notice via electronic mail to a consumer who does not agree to accept such notices via electronic mail.

b) Annual notices only. A licensee may reasonably expect that a customer will receive actual notice of the licensee's annual privacy notice if:

1) The customer uses the licensee's web site to access insurance products and services electronically and agrees to receive notices at the web site and the licensee posts its current privacy notice continuously in a clear and conspicuous manner on the web site; or

2) The customer has requested that the licensee refrain from sending any information regarding the customer relationship, and the licensee's current privacy notice remains available to the customer upon request.

c) Oral description of notice insufficient. A licensee may not provide any notice required by this Part solely by orally explaining the notice, either in person or over the telephone.

d) Retention or accessibility of notices for customers.

1) For customers only, a licensee shall provide the initial notice required by Section 4002.40(a) of this Part, the annual notice required by Section 4002.50(a) of this Part, and the revised notice required by Section 4002.80 of this Part, so that the customer can retain them or obtain them later in writing or, if the customer agrees, electronically.

2) A licensee provides a privacy notice to the customer so that the customer can retain it or obtain it later if the licensee:

A) Hand-delivers a printed copy of the notice to the customer;

B) Mails a printed copy of the notice to the last known address of the customer; or

C) Makes its current privacy notice available on a web site (or a link to another web site) for the customer who obtains an insurance product or service electronically and agrees to receive the notice at the web site.

e) Joint notice with other financial institutions. A licensee may provide a joint notice from the licensee and one or more of its affiliates or other financial institutions, as identified in the notice, as long as the notice is accurate with respect to the licensee and the other institutions. A licensee also may provide a notice on behalf of another financial institution.

f) Joint relationships. If 2 or more consumers jointly obtain an insurance product or service from a licensee, the licensee may satisfy the initial, annual and revised notice requirements of Sections 4002.40(a), 4002.50(a) and 4002.80(a) of this Part, respectively, by providing one notice to those consumers jointly.

g) Illinois Supreme Court Rule 236 would be applicable in cases of dispute concerning the delivery of notices required pursuant to this Part.